

**RESOLUTION OF THE BOARD OF DIRECTORS OF
LAKE TERRAPIN HOMEOWNERS ASSOCIATION
APPROVING THE AMENDMENTS TO THE
DESIGN RULES & REGULATIONS**

WHEREAS, Article I, Section 9 of the Declaration of Covenants, Conditions, and Restrictions of Lake Terrapin (hereinafter referred to as "Declaration") provides that the Board of Directors is the executive body organized pursuant to the Declaration and Lake Terrapin Homeowners Association, Inc.'s Bylaws (hereinafter referred to as "Bylaws") to operate, manage, and make decisions on behalf of Lake Terrapin Homeowners Association (hereinafter referred to as "Association"); and

WHEREAS, Article IV, Section 1 of the Bylaws provides that the affairs of the Association shall be managed by the Board of Directors; and

WHEREAS, Article VII, Section 1 of the Bylaws provides that the Board of Directors shall adopt and publish rules and regulations; and

WHEREAS, Article V, Section 4 (c) of the Declaration provides that the Architectural Review Board shall adopt architectural standards subject to the confirmation of the Board of Directors; and

WHEREAS, the Board of Directors has determined that in order to properly administer the affairs of the Association the architectural standards, policies, procedures, and the architectural guidelines must be amended.

NOW THEREFORE BE IT RESOLVED, that the Board of Directors hereby approves, confirms, and adopts the Design Rules & Regulations as attached hereto:

BE IT FURTHER RESOLVED THAT a copy of this resolution shall be sent to all members at the address of their respective lots unless the member has provided to the Association an address other than the address of the member's lot addresses.

This resolution was adopted by the Board of Directors on March 25 2015 and shall be effective on June 1, 2015.

LAKE TERRAPIN HOMEOWNERS ASSOCIATION



John Kilareski, Director 3/25/15



Victor Fuentes, Director 3/25/15
Date

Candace Schwartz, Director Date



Beatrice Belva, Director 3/25/15
Date


Victoria Mahan, Director

3/25/15
Date

Doug Anderson, Director

Date

Maggie Timms, Director

Date

LAKE TERRAPIN HOMEOWNERS ASSOCIATION

RESOLUTION ACTION RECORD

Resolution Type: Policy No. 2015-1

Pertaining to: Amendment to Design Rules and Regulations

Duly adopted at a meeting of the Board of Directors of the Lake Terrapin Homeowners Association held on March 25, 2015

Motion by: Kilareski Seconded by: Fuentes

<u>Directors Name</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
<u>John Kilareski</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Victor Fuentes</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Candace Schwartz</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Beatrice Belva</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Victoria Mahan</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Doug Anderson</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Maggie Timms</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ATTEST: [Signature]
Secretary

3/25/2015
Date

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SECTION 1: GENERAL

1.1 General

The legal documents for the Lake Terrapin Homeowners Association contain covenants, including those pertaining to architectural controls. Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of whether or not these owners are familiar with such covenants.

1.2 Objective

The primary purpose of this handbook is to familiarize homeowners at Lake Terrapin with the objectives, scope and application of design standards, rules and regulations which are intended and will be employed to maintain the aesthetic appearance and environmental quality of the Lake Terrapin community. The promulgation and enforcement of design standards is intended to achieve the following objectives:

- a. Maintain consistency with the overall design concept for the community;
- b. Promote harmonious architectural and environmental design qualities and features;
- c. Promote and enhance the visual and aesthetic appearance of the community.

1.3 Role of the Lake Terrapin Homeowners Association

The role of the Association, of which every property owner is a member, is not only to own and operate common areas, but to conserve and enhance the resources of the total community. The Association accomplishes these functions in a variety of ways, including ensuring the retention of harmonious, design qualities of the community, and ensuring the appropriate use of residential properties. Surveys of planned communities show that providing these assurances results in the preservation and enhancement of real estate values and are of prime importance to residents.

1.4 Role of the Architectural Review Board (ARB).

The Declaration for the Lake Terrapin Homeowners Association (Article V) provides that responsibility for the enforcement of design standards shall be exercised through an Architectural Review Board (ARB), the members of which will be appointed by the Board of Directors of the Lake Terrapin Homeowners Association. The ARB is appointed by the Board of Directors and will consist of no less than three (3), but no more than seven (7) persons.

The ARB shall be responsible for enforcing the Association's Design Rules and Regulations with respect to exterior modifications to homes and lots proposed by lot owners, other than the declarant or a participating builder. The ARB shall review and approve (or disapprove) applications submitted by lot owners for visible exterior addition, alteration or modification to a home or lot. The ARB's review process shall be governed by the Design Rules and Regulations established by the Association's Board of Directors.

1.5 Modifications Requiring Architectural Review Board Approval

The Association Documents specify that approval is required for any and all external alterations on any lot. It is important to understand that approval is not limited to major alterations, such as adding a room or deck to a house, but includes such items as changes in colors and materials, landscaping, retaining walls, certain play equipment, fences, trellises, etc. Approval is also required when an existing item is to be removed.

Homeowner's Association and the Board are not liable for any modifications that are disapproved after construction.

Changes to the common area require approval by the Board of Directors

1.6 Uses Requiring Board Approval

All uses of a residential lot, for other than residential purposes, must be approved by the Board of Directors. This policy, however, does not apply to an activity that occurs on an annual or semi-annual basis, such as sale of homemade Christmas articles, or to a casual sale of personal articles (i.e. yard/garage sales), or to “party” type sales of mail order merchandise.

1.7 Design Review Criteria

Each application for exterior alteration is reviewed on an individual basis. While decisions made by the ARB in reviewing applications are not based on individual, personal opinion or taste, there is some subjectivity in determining whether an addition, change, or removal is in accordance with the Design Rules and Regulations. The criteria listed below provide the basis for both the development of design rules and regulations, and the evaluation of individual design proposals by the ARB.

- a. Design compatibility with existing structures on the lot, as well as adjoining houses, neighborhood settings, and colors;
- b. Scale;
- c. Location and the effect on neighbors and the community;
- d. Color;
- e. Compatibility of construction materials in type and quality with existing structures on the lot; and
- f. Other considerations found in the Association Documents.

SECTION 2: APPLICATION AND REVIEW PROCEDURES

2.1 Applications by Homeowners

- a. All applications for proposed improvements must be submitted in writing to the managing agent using the application form authorized by the Architectural Review Board. The managing agent will review the form for completeness, date it, retain an active file copy, and record its receipt. One copy should be retained by the applicant.
- b. The applicant property owner shall make every attempt to contact adjacent property owners and advise them of the intended exterior modification. There is space provided on the application for their signatures. These signatures only indicate an awareness of the exterior modification and do not indicate approval or disapproval.
- c. The applicant must include a complete and accurate description of the proposed improvement. Section 4 of the Design Guidelines lists specifically what items need to be included for certain modifications. Examples of supporting documents include: a property plat showing the location and dimensions of the proposed improvement, architectural drawings or plans, landscape plan, color samples, and if required by the county any building or zoning permit, etc. Any application not accompanied with the required supporting documents will be considered incomplete and returned to the homeowner. An incomplete application does not constitute start of the application process.
- d. The ARB shall act on any and all fully completed applications within forty-five (45) days after receipt. All completed applications not acted upon within forty-five (45) days will automatically be deemed approved (Article V, Section 4 (a) of the Declaration.
- e. Homeowners who have submitted design review applications will be given written notice of the decision of the ARB.
- f. **Applications submitted for “after-the-fact” modifications, modifications made to the property without prior written approval, must be accompanied by the required \$50.00 after-the-fact application fee.**

SECTION 3: APPEALS OF ARCHITECTURAL REVIEW BOARD DECISIONS

3.1 Appeals of the Architectural Review Board’s Decisions

- a. Homeowners who have submitted design review applications may appeal decisions of the Architectural Review Board to the Board of Directors. These appeals must be submitted in writing to the Board of Directors within ten (10) days following the date of the decision of the ARB.
- b. The ARB will provide to the Board of Directors pertinent information related to the ARB decision.
- c. A homeowner who has not submitted a design review application, but who wishes to appeal a decision of the ARB, may do so by submitting an appeal in writing to the Board of Directors. These appeals must be submitted to the Board of Directors within ten (10) days following the date of the decision of the ARB.
- d. Upon receipt of a written appeal, the Board shall notify the applicant and/or appellant via certified mail, return receipt requested. This notice shall inform the applicant and/or appellant that the decision of the ARB is being reviewed by the Board of Directors pursuant to an appeal and that the homeowner applicant should not proceed with any improvements until notified by the Board that the decision of the ARB has been affirmed.

SECTION 4: AMENDED DESIGN GUIDELINES

4.1 General

The following list is not all-inclusive and an application and approval of the ARB or the Board, in the event of an appeal, is required for ANY exterior modification to your home EXCEPT PRE-APPROVED ITEMS. Each of the design guidelines listed in this section are divided into three categories:

1. Pre-approved items that do not require submission of an application;
2. Requirements and restrictions regarding the particular item; and
3. Information that must be submitted with an application.

All pre-approved items must adhere to the requirements and restrictions for that particular item. Replacing a previously approved item or an item original to the design or structure of the dwelling does not require submission of an application, provided it meets the current standards and is not the result of a variance request.

All modifications that require approval from the Prince William County Department of Public Works to build within the Resource Protection Act (RPA) buffer area and /or a Building or Zoning permit by the county must submit a copy of the approval from the Prince William County Department of Public Works and/or the county approved permit(s) with the application.

The procedures outlined for exterior alterations are solely within the purview of Lake Terrapin Homeowners Association. Lake Terrapin HOA approval of a modification application does not constitute Prince William County approval nor does it imply conformity to all County regulations. Any action requiring County approval permits, or licenses, must be submitted by the property owner to the County directly. **For properties within close proximity of the lake:** any construction within 100 feet of Lake Terrapin requires approval from the Prince William County Department of Public Works to build within the Resource Protection Act (RPA) buffer area. For more information, please contact the Prince William County Watershed Management Branch.

4.1.1 Air Conditioning and Heating Units

Pre-Approved:

- a. Replacement units installed in the same location and the same size and color as the original unit.

Requirements and Restrictions:

- b. Window air conditioning units are prohibited.
- c. Window fans may not be installed if they are visible from the street.
- d. Relocation of air conditioning and heating units will be considered if there is no adverse visual or audio impact on surrounding properties.

Information to include with the application:

- e. Property plat indicating the location of the unit.
- f. Size and color of the unit.

4.1.2 Awnings

Pre-Approved:

- a. Replacement of an existing previously approved awning with one having identical features.

Requirements and Restrictions:

- b. Awnings must be compatible with the architectural design and qualities of the home in terms of style, color, and materials.

- c. Awnings will be approved only if the proposed location is on the rear side of a dwelling and not visible from a street.
- d. They must be of a plain design without decorative features, such as scallops, fringes, etc.
- e. Solid or striped colors which are compatible with color scheme of the house must be used.
- f. They must be consistent with the visual scale of the house to which they are attached.
- g. Pipe frames or structural supports for awnings must be painted to match the trim or dominant color of the house.

Information to include with the application:

- h. Property plat indicating the location of the awning in relation to the property lines and dwelling.
- i. Description of size, color, materials, and framing.
- j. Photographs or brochures showing colors and construction details.

4.1.3 Canopies

Pre-Approved:

- a. Replacement of an existing previously approved canopy with one having identical features.

Requirements and Restrictions:

- b. Canopies must be compatible with the architectural character of the house in terms of style, color, and materials.
- c. The location of any canopy should not adversely affect views, light, winter sun, or natural ventilation of adjacent properties.
- d. Canopies may not be placed on common property.
- e. Canopies are restricted to the rear yard.
- f. Free-standing, seasonal canopies require approval of the ARB prior to installation.
- g. Canopies must match the trim or dominant color of the house or be in an earth tone. Pipe frames for canopies must be painted to match the trim or dominant color of the home.
- h. Free-standing canopies may not be placed on upper-level town home decks.

Information to include with the application:

- i. Property plat indicating the location of the canopy in relation to the property lines and dwelling.
- j. Description of size, color, materials, and framing.
- k. Photographs or brochures showing colors and construction details.

4.1.4 Chimneys, Metal Flues, and Vents

Pre-Approved:

- a. Identical replacement for an existing flue or vent, placed in the same location.

Requirements and Restrictions:

- b. Chimneys must match the existing masonry or other dominant material on the dwelling in style, size, color, and material.
- c. Exposed metal flues must be galvanized steel.

Information to include with the application:

- d. Property plat indicating the location of the chimney, flue, or vent on the house.
- e. A picture or detailed drawing of the chimney, flue, or vent indicating the dimensions, materials, and colors.

4.1.5 Decks/Gazebos

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Decks and gazebos will be located in the rear yards.
- c. The scale of decks and gazebos will be compatible with the scale of the house they are attached to, adjacent homes, and environmental surroundings.
- d. Decks must be constructed of redwood, cedar, or high-quality pressure treated lumber. Composite materials will be considered on an individual basis with attention to aesthetics, quality, and maintenance.
- e. Decks may be stained with a semi-transparent stain in an earth or wood tone, left to weather naturally, or coated with a clear preservative.
- f. If staining is chosen, the entire deck must be stained.
- g. Stiles and deck railings may be painted white.
- h. Painting of decking is prohibited.
- i. Composite materials for decks must adhere to the same color standards as stained decks.

Information to include with the application:

- j. Property plat indicating the location of the deck in relation to the property lines and the dwelling.
- k. Clear and accurate building plans that show height above grade, dimensions and style, and details of railings, stair, benches, privacy screens, pergolas, trellises, and lattice work.
- l. Description of materials to be used.
- m. A color sample of the stain to be applied, if applicable.
- n. Description of grading and drainage changes, if applicable.

4.1.6 Decorative Objects

Pre-Approved:

- a. Movable planters, no larger than 12" x 12" x 12".
- b. Welcome, name, or similar sign (not advertisement) no larger than 12" x 12".
- c. Door wreaths; and holiday decorations, not permanently attached to the dwelling. Holiday decorations are permitted thirty (30) days before the start of the holiday and must be removed within two weeks after the end of the holiday.

Requirements and Restrictions:

- d. Any decorative object not list above as "pre-approved", requires submission of an application.
- e. Excessive numbers of decorative objects will not be permitted.
- f. All decorative objects must be aesthetically consistent with surroundings and community standards.
- g. Approval is required for all ponds and exterior decorative objects, whether natural or man-made over 12" in height, which were not part of the original construction design, either as a standard or optional feature. Exterior decorative objects include, but are not limited to, such items as bird baths, wagon wheels, sculptures, fountains, stumps, driftwood piles, and boulders.

Information to include with the application:

- h. Property plat indicating the location of the object(s) in relation to the property lines and dwelling.
- i. Picture and/or detailed drawing of the object, including dimensions.
- j. Description of the decorative object to include material and color(s).

4.1.7 Dog Houses and Dog Runs

Dog houses and dog runs are not permitted within the community. Dog houses should be compatible with the applicant's house in color and material and should be located where they will be visually unobtrusive. Chain link fences for dog runs will be considered if erected inside and shorter than the exterior fencing, softened by supplemental landscaping.

4.1.8 Doors

Pre-Approved:

- a. Replacement door in the existing style, material, color, and size as the original builder installed.

Requirements and Restrictions:

- b. A change of exterior color for single family homes must be compatible with and related to the color schemes of the houses in the immediate area.

Information to include with application:

- c. Description, illustration, or sample of the door to be used including size, material, and color.

4.1.9 Driveways

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Driveway extensions or modifications will be considered only if there are no adverse aesthetic or drainage impact on adjoining lots or common areas.
- c. Additions to driveways must match the existing driveway material.
- d. Driveways shall be kept clear of standing water, ice, snow, grass, weeds, moss, lichen, mold, mildew, debris and clutter. Any spills or stains caused by paint, chalk, automotive fluid, chemicals, oil, gasoline, diesel, heating oil, or any other liquid or material that causes staining and/or an unsightly appearance shall be promptly cleaned and any stains removed. Any and all depressions or sunken areas, gouges, indentations, grooves, cracks and potholes shall be promptly repaired using materials that match the existing driveway material. Driveways shall not be painted or drawn on using any substance whatsoever including but not limited to chalk, paint, spray paint, or chemicals of any kind or nature.

Information to include with the application:

- e. Property plat indicating the size and location of the driveway with relation to the property lines and dwelling.
- f. Description of the materials to be used, to include color.
- g. Description of grading or drainage changes.

4.1.10 Fences for Single Family Homes

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Chain-link and barbed wire fencing is prohibited.
- c. Fences may not extend front of the rear corners of the dwelling. The two exceptions to this are corner lots and dwellings with a 3-car garage. These cases will be evaluated on an individual basis.
- d. Fences must be up to the property line (not on, or over).
- e. Double fencing is not permitted between adjoining properties. In the event that there is a previously approved fence on the property line belonging to a neighboring property, the newly installed fence must tie into the existing fence.
- f. The following fence styles are permitted (see appendix A):
 1. Solid Board.
 2. Alternating board with scalloped, rolling top or straight top.
 3. Alternation board with symmetrical dip top or straight top.
 4. Gothic Picket.

5. Standard Picket.
 6. 2 or 3 rail split rail.
 7. Cross buck/estate.
 8. Wood tone vinyl fencing.
- g. Fence height for rail style fences must be 42 – 48 inches in height measured from the ground to the top of the uppermost rail and approximately 48 – 54 inches in height measured from the ground to the top of the vertical post.
 - h. Fence height for spaced picket fences shall be 42 – 48 inches in height measured from the ground to the top of the shortest pickets of scalloped top picket fences and approximately 48 – 54 inches in height measured from the ground to the top of the longest pickets.
 - i. Fences must be constructed of pressure-treated wood to remain natural in color or stained in a natural color.
 - j. Painting of fences is prohibited.
 - k. Fences must be constructed so that the finished side faces the surrounding properties.
 - l. Fences must be installed so that the top of the fence is parallel with the contour of the land.
 - m. Only vinyl coated green, brown, or black wire security liners that do not extend above the fence line can be used for split rail fences.
 - n. Fences not meeting current guidelines must be replaced with an approved style fence when replacement is needed.
 - o. Fences shall be properly maintained and the Association may require repair or replacement of broken, deteriorated, or discolored fences.
 - p. The select use of privacy fencing may be considered for single-family detached dwellings when the purpose is to provide screening for a deck, patio or in ground swimming pool. Under no circumstances will such privacy fencing exceed a maximum of six feet in height. However, in such cases, the amount of fencing and its location on the lots will be evaluated in terms of any adverse visual impacts for adjoining Lots, both in terms of scale and the obstruction of sight lines.

Information to include with application:

- q. Property plat indicating the placement of the fence in relation to the property lines and the dwelling;
- r. Fence style and material.
- s. Color.
- t. Height.
- u. Landscaping plan, if applicable.

4.1.11 Fences for Townhomes

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Fences must be placed up to the property lines (not on, or over).
- c. Fences must be constructed so that the finished side faces the surrounding properties.
- d. Fences must tie into neighboring fences, if applicable.
- e. Fences must have at least one gate to allow for removal and storage of trash containers.
- f. Fences may not exceed 6' in height at any point.
- g. Fences must be installed so that the top of the fence is parallel with the contour of the land.
- h. Fences may not be installed forward the rear corner of the house with the exception of end-units. End unit fencing is permitted to extend a maximum of 10 feet forward the rear plane of the house.
- i. Only board-on-board, flat topped or dipped fencing style is permitted.
- j. Fences must be constructed of pressure-treated wood to remain natural in color or stained in a natural color or wood tone vinyl fencing. Painting of fences is prohibited.

Information to include with application:

- k. Property plat indicating the placement of the fence in relation to the property lines and the dwelling.
- l. Fence style and material.
- m. Color.
- n. Height.
- o. Landscaping plan, if applicable.

4.1.12 Firewood

Pre-Approved:

- a. Firewood stacks that meet all of the following requirements and restrictions do not require an application.

Requirements and Restrictions:

- b. Firewood must be neatly stacked and stored inconspicuously in the rear yard.
- c. Firewood stacks may not exceed eight feet in length and four feet in height.
- d. The use of colored tarps to cover firewood stacks is not permitted.
- e. Firewood may not be stacked on patios or decks unless it is a limited quantity intended for immediate use.
- f. Firewood stacks may not abut a perimeter fence so as to cause the fence to lean or decay.
- g. Firewood may not be stacked or stored in the common area.

Information to include with the application:

- h. Property plat indicating the location and dimensions of the firewood stack.
- i. Screening or landscaping plan, if applicable.

4.1.13 Flags and Flagpoles

Requirements and Restrictions:

- a. In accordance with the Federal Freedom to Display the American Flag Act of 2005, the association shall permit the displaying upon property to which the lot owner has a separate ownership interest or a right to exclusive possession or use (herein after “owner”), the flag of the United States. Each owner who displays the flag shall comply with Chapter 1 of Title 4 of the United States Code, or any rule or custom pertaining to the proper display of the flag. Each owner who intends to display the American Flag is encouraged to read the “Flag Code”. No application or prior approval is required to display the flag as set forth herein.
- b.1. Flags mounted on vertical flagpoles may only be displayed from sunrise to sunset unless appropriate lighting is installed. If the owner desires to illuminate the flag with permanent lighting, the owner shall submit an application to the ARB. The application must contain the following information (i) impact of illumination on the quiet use and enjoyment of the neighboring properties, (ii) light pollution impact on the neighboring properties, and (iii) lighting plans which shall include specifications for, wattage/ lumens, and the specifications as to the method of bringing electrical/ solar power to the pole. Any required permits must accompany the application. 2. Vertical flagpoles may not exceed 20’ with a flag size not to exceed 4’x 6’. The flagpoles must have an internal halyard or no halyard to prevent and reduce noise from the halyards slapping against the flagpole. The flagpole must be of commercial manufactured grade. The flagpole must be maintained in good condition. No electrical conduit, water pipes, PVC pipes or other types of pipes may be used in place of a commercial grade flagpole. Only the American Flag, any State Flag, or Military Branch Flag may be flown from the vertical flagpole. Only one flag at the time may be flown. 3. House mounted flagpoles may not exceed 6’ with a flag size not to exceed 4’x 6’. The flagpole is to be attached to the house by a mounting bracket to allow for removal of the pole when no flag is being displayed. The color of the mounting bracket and pole must match the color of the house or be painted to match the color of the house. 4. The flag should never be displayed in such a manner that the flag is touching the ground, shrubbery, or other object.
- c. Flag poles shall not be placed in the common areas, common elements, or along the streets.

4.1.14 Garages

Detached garages are prohibited.

4.1.15 Gutters and Downspouts

Pre-Approved:

- a. Replacing the gutters and down spouts in the existing style, material, and color.

Requirements and Restrictions:

- b. Corrugated plastic tubing in lengths over four feet, used to direct downspout flow, must be concealed.
- c. Downspouts and tubing may not be placed so as to adversely affect drainage onto sidewalks or adjacent properties.

Information to include with application:

- d. Description of replacement gutters and downspouts to include: style, material, and color.

4.1.16 Hot Tubs and Spas

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Hot tubs and spas must be located in the rear yard, adjacent to the dwelling.
- c. A hot tub or spa must be an integral part of the deck, patio, or landscaping and may require screening.
- d. The exterior finish of the hot tub or spa must blend with the exterior finish of the home, deck, or patio to which attached or most closely related.
- e. Hot tub and spa owners should contact Prince William County regarding the correct procedure for dumping water from their hot tub or spa. Hot tub and spa water may not be dumped into the lake or the storm water drains.

Information to include with the application:

- f. Property plat indicating the location of the hot tub or spa in relation to the dwelling.
- g. Detailed drawings and plans of the hot tub/spa, deck area, lighting, walkways, fences, etc., and pertinent information concerning water supply system, drainage, and water disposal system.
- h. Landscaping and screening, if applicable.
- i. Size, color, and details of any safety mechanisms (i.e. locking cover).

4.1.17 House Numbers

Pre-Approved:

- a. Numbers not less than three inches nor more than six inches in height and one inch in width, placed on the house, that meet all of the following requirements and restrictions do not require an application.

Requirements and Restrictions:

- b. House numbers are required on both the mailbox and the house itself, and shall be painted on the curb/driveway as required by the Prince William County Code if the address number cannot be posted on the building in a manner making it clearly visible from the street.
- c. Each assigned address number shall be displayed at the front building entrance or that entrance which is clearly visible during both day and night from the street providing access to that building. If the address number cannot be posted on a building in a manner that makes it clearly visible from the street, then the address number shall be displayed at the end of the driveway nearest the street providing access to the building. Display of a street address at the corner of a driveway shall be such that clear identification can be made of the location of the building to which the address is assigned. Such identification shall be clear and

visible and able to be made from both directions of travel on the roadway. The display of street address numbers shall be solid numerals.

- d. House numbers shall be of a color which is appropriate for the mailbox and house. The size of the house numbers to be placed on the mailbox shall be appropriate for the mailbox.
- e. Decals or press-on numbers are not permitted on houses.

Information to include with the application:

- f. A picture or drawing of the numbers showing the dimensions and colors, including an elevation drawing of the house with their location.

4.1.18 Landscaping

Pre-Approved:

- a. Landscaping:
 - 1. Foundation planting (bed areas surrounding the house).
 - 2. Planting single trees or shrubs.
 - 3. Planting that cover less than 25% of the open area of the lot.
 - 4. Shredded hard wood, pine bark, pine needle, or cocoa mulch;
 - 5. Evergreen plant materials used for the purpose of ground cover, such as ivy, pachysandra, myrtle, or low growing junipers, etc.
 - 6. Natural color stone, evergreen ground cover or mulch used under a raised deck in an area the same dimensions as the deck above.
 - 7. Vegetable gardens in the rear yard that does not exceed 64 square feet.
- b. Landscape edging:
 - 1. Natural wood timbers no greater than twelve inches in height and eight feet long.
 - 2. Natural wood edging with straight top edge installed no higher than four inches above ground level.
 - 3. White, gray, and dark earth tone brick installed horizontally, or on the diagonal, no higher than four inches above ground level (this does not include construction grade brick i.e., with holes through them).
 - 4. Natural rock, brick, or concrete pavers borders less than 24" high.
 - 5. Black plastic barrier edging when installed so that no more than the rolled top is exposed.

Requirements and Restrictions:

- c. When using brick for edging, it must match the existing brick on the dwelling, if applicable.
- d. Bare ground, cement, or asphalt in lieu of grass, mulching, or ground cover is not permitted.
- e. No tree, hedge, or shrub may be planted or maintained in such a manner as to obstruct pathways, sidewalks, or sight lines for vehicular traffic or to interfere with the purpose for which easements have been established, either as to installation, maintenance, or access.
- f. No tree, hedge, or shrub may be planted or maintained in such a manner as to encroach on any neighboring property or common area.
- g. No plantings of any kind are permitted in the common area without PRIOR express written approval of the Lake Terrapin Board of Directors.
- h. Plantings intended to form a hedge or natural screen and which will attain more than two feet in height require submission of an application.
- i. Vegetable gardens in larger than 64 square feet require an application.
- j. Synthetic mulching requires approval of the ARB.
- k. Edging of wire, metal, or plastic is not permitted.
- l. Edging must be compatible in color with the existing color on the dwelling.
- m. In order to avoid any natural hedges no more than 4 trees or bushes may be placed within 4 feet of either side of a 20 foot long imaginary line without prior approval from the ARB.

Information to include with the application:

- n. Description of the size, type, and quantity of shrubs, flowers, or trees to be planted, and edging, if any, to be used.
- o. Site plan, showing the relation of the plantings to the house and adjacent dwellings.

4.1.19 Lighting

Pre-Approved:

- a. Low voltage landscape lights not higher than 18", evenly spaced, with concealed wiring.
- b. Incandescent spot lights on the rear of the house that must be directed to shine inside the property line (may operate on a motion detector).
- c. Replacing existing lighting in the same style, color, and material.
- d. Temporary lighting, directed solely toward the resident's house, which is intended to illuminate an American Flag.

Requirements and Restrictions:

- e. No exterior lighting shall be directed outside the applicant's property
- f. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house.
- g. No lighting may adversely affect neighboring or surrounding properties.
- h. Townhomes' lamppost light must be in good condition and working order at all times and must be on all night with no more than 60 watts.

Information to include with the application:

- i. Property plat or elevation drawing of the house indicating the location of the light fixture(s).
- j. Description of lighting to include style, color, material of the light fixture, wattage, and height of the light fixture(s) above the ground.

4.1.20 Mailboxes

Pre-Approved:

- a. Replacing an existing mailbox with a mailbox that is identical to the existing style, material, and color. Replacing an existing mailbox with a mailbox of a different design requires an application

Requirements and Restrictions:

- b. Replacement mailboxes must conform to the same color, style, and material as installed by the builder (i.e., traditional style, standards size, and black finish).
- c.
- d. All mailbox supports must be 4 x 4 inch cantilevered wood posts.
- e.

Information to include with application:

- f. Property plat indicating the placement of the proposed mailbox.
- g. Detailed description of the mailbox color, style, dimensions, and supports.

4.1.21 Major Alterations

Pre-Approved:

- a. None

Requirements and Restrictions:

Major alterations include, but are not limited to room additions, porches, greenhouses, driveways, garages, carports, enclosing an existing patio or deck, and other additions to the dwelling.

- b. Construction material should be stored to minimize the visual affect on surrounding properties.
- c. No debris shall accumulate during construction. Excessive material must be removed immediately and disposed of properly.
- d. Major alterations requiring a solid foundation should be constructed so that the solid foundation matches that of the existing dwelling in style, material, and color.

Information to include with application:

- e. Property plat indicating the location of the proposed structure in relation to the property lines, dwelling, and adjacent properties.
- f. Detailed drawings and plans, including exterior elevations and dimensions.
- g. Description of materials, including the type of siding on the existing dwelling and the proposed structure, the color and trim of the proposed structure, exterior lighting arrangements, etc.
- h. Landscape plans, if applicable.

4.1.22 Painting

Pre-Approved:

- a. Repainting or staining a specific object to match a previously approved color.

Requirements and restrictions:

- b. Color changes require approval of the ARB and apply not only to the house siding, but also to doors, shutters, trim, and/or related structures.
- c. A change of exterior color for houses should be compatible with and related to the color schemes of the houses in the immediate area.

Information to include with application:

- d. An application for exterior painting shall contain a list of all exterior colors on the house and appurtenant structures.
- e. Color sample of the new color to be used; and

4.1.23 Patios

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Patios must be located in the rear yard but may be considered in the side yards under the following circumstances:
 1. Patios may not “wrap around” either end of a single-family home; however, if appropriate, patios may extend a maximum of eight feet into a side yard.
 2. Consideration will be given to patios for end-unit townhomes which “wrap around” the side of the unit a maximum of six feet from the rear façade of the home.
- c. An application is required for any paint, stain, or colored sealant applied to any patio;
- d. If changes in grade are anticipated, they must be clearly indicated. Approval will be denied if adjoining properties are adversely affected; and
- e. Ground-level patios may not exceed four inches in height above ground.

Information to include with application:

- f. Property plat indicating the size and location in relation to the existing house and the property lines;
- g. Description of materials, including color;
- h. Description of grading changes, if applicable.

4.1.24 Permanent Grills

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Permanent grills must be placed in the rear of the house and cannot be located within ten feet of the side and rear property lines.

Information to include with application:

- c. Property plat indicating the relation of the grill to the house and property lines.
- d. Picture and/or detailed drawing of the grill, to include dimensions and materials to be used.

4.1.25 Recreation and Play Equipment

Pre-Approved:

- a. Basketball goals are not permitted on the street, sidewalks or common area.
- b. In the event that a basketball goal is on the street, sidewalks or common area, the Association is authorized to remove the basketball goal and permanently dispose of the basketball goal as it determines in its sole discretion including but not limited to placing it in the trash.
- c. Portable play equipment in the rear yard of a single family and/or townhome that is enclosed by a fence and does not extend above the fence line.

Requirements and Restrictions:

- d. With the exception of basketball goals, and unless the topography will not accommodate it, recreation and play equipment will only be allowed in rear yards and must be stored out of public view when not in use.
- e. Basketball goals: for safety reasons, neither portable nor permanent basketball goals may be placed in a street or within 15 feet of the curb.
- f. Play complexes: will be considered on a case-by-case basis.
- g. Playhouses: may not have electrical connections, electrical lines, and/or plumbing.
- h. Skateboards ramps: No permanent skateboard ramps may be constructed on lots or common areas. Portable skateboard ramps must be stored out of public view and may not be placed in streets or on common property during use.
- i. Swing Sets: must be located in the backyard of the house and must be in an earth tone color or blend with the natural surroundings in the neighborhood.
- j. Trampolines: are not permitted for townhomes.
- k. Tree houses: are not permitted.

Information to include with application:

- l. Property plat indicating the location of the structure in relation to the property lines and the dwelling.
- m. Detailed drawings or pictures of the structure to include, but not limited to: material, size, and color.
- n. Details of any screening or landscaping plans, if applicable.

4.1.26 Retaining Walls

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Retaining walls must be constructed of railroad ties, landscaping timbers, stones, brick, or reinforced concrete with veneer or other stamped pattern.
- c. Walls may not adversely affect drainage.

- d. No wall shall be maintained in such a manner as to obstruct sight lines for vehicular traffic or as to interfere with the purpose for which easements have been established wither as to installation, maintenance, or access.
- e. A copy of the appropriate County permit must be submitted to the ARB for any wall over 24" in height (or current County code).

Information to include with application:

- f. Property plat indicating the location of the retaining wall in relation to the existing dwelling and property lines.
- g. Detailed drawings of the structure to include, but no limited to: material, size, and color.
- h. Details of any screening or landscaping plans, if applicable.
- i. Details of any changes to drainage, if applicable.

4.1.27 Roofing

Pre-Approved:

- a. An application is not required to replace the roofing to match the existing, builder installed style, material, and color.

Requirements and Restrictions:

- b. A change of roofing for single family homes should be compatible with the color schemes of the houses in the immediate area.
- c. A change of roofing for townhomes should be in conformance with the established color scheme in the immediate area.

Information to include with application:

- d. Description of roofing to include style, material, and color.

4.1.28 Security Bars

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Security bars are not permitted on the front windows of any dwelling.
- c. Security bars will only be considered for the rear of the house and only if the apparatus will not be visible from adjoining properties.

Information to include with application:

- d. Property plat indicating the location or proposed placement of the security bars.
- e. Side elevation drawing that further details the placement of the security bars.
- f. Description of materials to be used for security bars, to include: size, material, and color.

4.1.29 Sheds

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Sheds may only be located in the rear yard, and may not extend beyond the side boundaries of the house.
- c. Only single family dwellings may have a shed. Sheds may not exceed 144 square feet, with maximum exterior dimensions no greater than 12feet wide by 12 feet long, with a maximum center height of 8 feet.
- d. Metal sheds of any type are not permitted, including aluminum sided sheds.

- e. Sheds must be constructed using pressure treated lumber for all ground contacts. Outside coverings may include textured T1-11 type board, vinyl or clap-board siding, shingles, or brick veneer.
- f. All sheds must have self-contained flooring; open bottom sheds are not permitted. Sheds may be mounted on a poured concrete pad, in which case no other flooring is required.
- g. All sheds must be securely fastened to the ground at all corner points.
- h. Asphalt or cedar shingle roofing material must be used except in the case of vinyl clad sheds with may have a vinyl clad roof.
- i. Wooden sheds must be stained or painted to match with or coordinate with the existing dwelling.
- j. Doors must be of the hinged or sliding type, with a secure locking mechanism.
- k. With the exception of window boxes, no additions (i.e. awnings, play sets, or decking) may be placed onto or attached to any shed structure.
- l. Rubbermaid type pre-fabricated heavy duty plastic sheds are permitted, so long as all other requirements regarding size, location, and color are met.
- m. Sheds must match or coordinate with the existing color scheme of the dwelling.

Information to include with application:

- n. Property plat indicating the location of the proposed shed in relation to existing dwelling and property lines.
- o. Picture and or detailed drawing of shed, to include dimensions.
- p. Description of materials and color schemes.
- q. Color samples.

4.1.30 Siding

Pre-Approved:

- a. Replacement siding in the existing style, material, color, and size as the original builder-installed siding.

Requirements and Restrictions:

- b. A change of exterior color for single family homes must be compatible with and related to the color schemes of the houses in the immediate area.

Information to include with application:

- c. Description, illustration, or sample of the siding to be used including size, material, and color.

4.1.31 Signs

Pre-Approved:

- a. Only one sign advertising a property for sale or rent, placed in the front of the property, may be displayed. Such signs must meet applicable County regulations with respect to size, content and removal.
- b. Two security signs, each not exceeding a total of 64 square inches in size, may be placed on the property. One sign is permitted in the front of the property, located at the front door or within 12 feet of the front door and the other may be placed in the rear of the property.
- c. "Open House" signs are permitted for the day of the open house. They may be placed in common areas within Lake Terrapin. Balloons and flags may be used if they do not obstruct vehicular sight lines and are securely fastened. Open House signs, and all related decorations, must be removed at the end of the day.
- d. Yard/garage sale signs are permitted for Lake Terrapin residents only. They may be posted on the day of the sale. Yard/garage sale signs may not be nailed, glued, or stapled to the road, street, or directional signs in Lake Terrapin. All signs must be removed by the end of the day of the yard/garage sale.
- e. Special occasion signs such as "Happy Birthday" or "Welcome Home" are permitted for use but must be removed in 24 hours.

Requirements and restrictions:

- f. Political campaign signs are not permitted.

- g. All other advertisement signs not listed above require approval of the ARB prior to installation.

Information to include with application:

- h. Name of organization to be displayed and description of organization.
- i. Location of sign.
- j. Detailed drawing or description of the sign to include: size, colors, materials to be used for sign and for support posts (if applicable), etc.
- k. Duration of time to be posted.

4.1.32 Solar Energy Collection Devices

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Solar Energy Collection Devices placed on the front of the house must be installed flat on the roof with the same pitch as the roof and parallel with the roof ridgeline. Supporting members must match the roof color. Piping must not be visible, and no part of the collector may extend above the roof ridgeline.
- c. Rear mount solar collectors may be raised, provided they do not extend above the roof ridgeline and are not visible from the street. The framing and piping, if visible, must match the color of the roof. In some instances it may be necessary for supporting members to be enclosed.
- d. All solar panels proposed for mounting on lake front homes and other homes visible from the lake shoreline will be flat-mounted and parallel with the roof ridgeline.

Information to include with application:

- e. Property plat, showing the site orientation.
- f. Roof plan, showing the exact location of the proposed collectors on the roof.
- g. Scale drawing, detailing the method of mounting the collector to the roof. The slope of the roof and the collector must be noted.
- h. Manufacturer's brochure, illustrating the proposed solar panel/collector.
- i. Color.

4.1.33 Over-the-Air Reception Devices (Satellite Dishes)

- a. In accordance with the Telecommunications Act of 1996, the association shall permit the installation of one Over-the-Air Reception Devices (OTARD) upon property to which the lot owner has a separate ownership interest or a right to exclusive possession or use (herein after "owner") if the device meets the following requirements (1) a "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite; (2) an antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite; (3) an antenna that is designed to receive local television broadcast signals. An application must be submitted for the installation of more than one OTARD device. The application must include the type of device and the proposed location for installation. Any antennas set forth above, may be mounted on "masts" to reach the height needed to receive or transmit an acceptable quality signal (e.g. maintain line-of-sight contact with the transmitter or view the satellite). Masts higher than 12 feet above the roofline may be subject to local permitting requirements which must be obtained prior to the installation of the OTARD. An application must be submitted for any OTARD that does not meet the requirements set forth herein and as set forth in the Telecommunications Act of 1996. Masts that extend beyond the owner's exclusive use area and duplicative OTARDs are not permitted. An OTARD may not be mounted on a fence unless there is no other way to receive an acceptable signal.
- b. No OTARD may be installed or mounted on Common Areas or Common Elements.

- c. Wires and cables are not permitted to go across the roof to connect to any OTARD. An owner shall not drill through a common element to install the OTARD. Wires and cables must be properly fastened to the house and the OTARD and to the extent possible, should be hidden from view.
- d. OTARDs may not be installed in violation of any fire codes, on fire escapes, near power lines and must be installed in accordance with the manufactures instructions, including but not limited to lighting protection/grounding.

4.1.34 Storm Doors

Pre-Approved:

- a. Full-view, clear glass storm doors painted to match the front door color or trim color of the house. An application must be submitted for any non-full view, clear glass storm door or any other type of storm door design for approval by the ARB.

Requirements and Restrictions:

- b. The appropriateness and compatibility of certain door styles will vary with the design style of the surrounding area.

Information to include with the application:

- c. Detailed description of the storm door to include style, material, and color.

4.1.35 Security Cameras Security cameras are not pre-approved. An application must be submitted for the installation of a security camera(s) for approval. The application must include the type, style and proposed location for each security camera.

4.1.36 Swimming Pools

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Above ground swimming pools are not permitted.
- c. Swimming pools must be located in the rear yard.
- d. Pool filtration equipment should be shielded from adjacent properties through the use of mature shrubbery or lattice screening
- e. Swimming pool water must not be dumped into Lake Terrapin or the storm water drains.

Information to include with application:

- f. Property plat indicating the location of the pool in relation to the existing dwelling and property lines.
- g. Detailed drawings and plans of the pool/spa/tub, deck area, lighting, walkways, fences, etc., and pertinent information concerning water supply system, drainage, and water disposal system.
- h. Landscaping and screening, if any.

4.1.37 Trash Storage Containers

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Trash and recycling containers may be placed on the side of the dwelling so long as there is a natural obstruction (in accordance to the landscaping guidelines sec 4.1.19) of significant proportion to substantially obscure the view of the trash container from the street. An application must be submitted for any non-

vegetation structure to obscure the view of the trash and recycling containers from the street for the approval of the ARB.

- c. Trash and recycling containers may not be stored in the front of any dwelling or on front porches.
- d. Trash in other than covered containers may not be stored outdoors.
- e. Trash and recycling containers, trash bags, and yard waste shall not be placed at curbside before dusk on the day prior to pickup and must be removed by the end of the trash collection day.

Information to include with application:

- f. Detailed drawings of the structure, color, size, material and location of the structure on the property.

4.1.38 Tree Removal

Pre-Approved:

- a. Removal of trees with a diameter (caliper) less than four inches, measured six inches above the ground, except for any live vegetation within 100 feet of Lake Terrapin (reference 4.1 regarding RPA requirements).

Requirements and Restrictions:

- b. Except for as indicated above or in an emergency situation when a tree is a threat to the welfare and health of the community, common area, structure(s) and property, the ARB must approve the removal of any tree.
- c. No live vegetation marked “no-cut” areas on the original plans may be cut without PRIOR approval of the ARB.
- d. The ARB may require the homeowner to provide a comprehensive report on the tree’s condition, health, safety, and/or value by an arborist, urban forester, or other competent tree professional prior to approving or denying a tree removal request.
- e. The ARB may recommend pruning in lieu of removal.
- f. The ARB may require removal of tree stumps after cutting.
- g. The ARB may require the replacement of trees removed.
- h. The ARB may require removal of a tree.

Information to include with application:

- i. Property plat indicating the location of the tree in relation to the existing dwelling and property lines.
- j. The species of the tree to be removed.
- k. Any reports regarding the condition of the tree(s).
- l. The reason for removal.
- m. A copy of the appropriate County permit must be submitted to the ARB for any tree removal within the RPA buffer zone.

4.1.39 Trellises

Pre-Approved:

- a. Replacement of an existing previously approved trellis, with one having identical features.

Requirements and restrictions:

- b. Trelliswork shall be compatible with the architectural character of the house in terms of style, color, and materials.
- c. The location of any trellis should not adversely affect views, light, winter sun, or natural ventilation of adjacent properties.
- d. Free-standing trellises may not be placed on common property.
- e. Free-standing trellises must be placed in the side and /or rear yard and may not extend beyond the front corner of any home. They may be integral to a fence, and if so, must match the fence in material and color.
- f. Free-standing trelliswork may be made of wood, to be left natural in color, or metal, in black or green.

Information to include with application:

- g. Property plat indicating the location of the trellis in relation to the dwelling and property lines.
- h. Description of the size, color, materials, and framing.
- i. Photographs of brochures showing colors and construction details.

4.1.40 Walkways and Paths

Pre-Approved:

- a. None

Requirements and Restrictions:

- b. Walkways and paths must be setback at least four feet from the property line and installed flush to the ground.
- c. Only stone, brick, concrete or similar durable construction material should be used.
- d. The scale, location, and design should be compatible with the lot, home and surroundings.
- e. Brick walkways or paths must match the existing brick on the dwelling, if applicable.

Information to include with application:

- f. Property plat indicating the size and location of the walkway or path.
- g. Materials to be used including color.
- h. Description of grading changes, if applicable.

4.1.41 Windows

Pre-Approved:

- a. Replacement windows in the existing style, material, color, and location.

Requirements and Restrictions:

- b. Replacement windows must have frames which match the color of the exterior window trim or must be white.
- c. When installation of windows requires structural changes to the dwelling, a copy of the appropriate County permitted must be submitted to the ARB.

Information to include with application:

- d. Description of windows to include style, material, color, and location.
- e. Sketch, drawing, or brochure of windows.
- f. Location of windows on the dwelling.

Section 5: Guideline Changes

5.1 General

In order to overcome practical difficulties and to prevent unnecessary hardships, the Lake Terrapin HOA Board may allow reasonable guideline modifications. They must be in conformity with the character of the community and not detrimental or injurious to other properties and improvements. The BOD may only make guideline modifications. When a rule or regulation modification is made, that modification shall become a part of these and shall be applied uniformly to all future identical requests.

5.2 Submission of Rules and Regulation e Modification Requests

Rules and Regulation modification requests must be submitted to the ARB. Affected property owners must be notified and modification requests must conform to existing county ordinances and regulations. The ARB will make a recommendation to the Board of Directors regarding the request for Rules and Regulation modification and forward both the request and the recommendation to the Board for a decision.

Section 6: Variances

6.1 General

The BOD may grant variances to the Architectural Rules and Regulations, for good cause shown. Requests for variances will be forwarded to the BOD from the ARB, with a recommendation of the ARB to the Board. Any variance request that is granted approval by the Board does not convey with the property unless otherwise specified by the Board.

Section 7: Enforcement Procedures

7.1 Enforcement Procedures

The covenants of the Amended Declaration require the Association to ensure compliance of all lots with the architectural standards, covenants, and restrictions. The BOD has adopted the following enforcement procedures:

- a. Upon receipt and verification of an issue of non-compliance, the Board of Directors or its Designee(s) will send a notice of non-compliance letter (**First Notice**) allowing two weeks for the property owner to: (1) take corrective action voluntarily; or (2) advise the Board of Directors or its Designee(s) of the scheduled date to have the corrective action completed. For home businesses/occupations, non-compliance with the policies contained herein, deviation from the proposed outline of the home business/occupation, or valid complaints may result in the **immediate** revocation of Lake Terrapin HOA permission to operate these activities.
- b. The Board of Directors or its Designee(s) will re-inspect the site in question and if the corrective action has been completed the case will be closed.
- c. If corrective action has not been taken, a second letter (**Second Notice**) will be sent to the alleged violator. This letter will advise the party that if corrective action is not taken within the next two weeks the matter may be processed through legal channels with reimbursement of legal fees to be paid by the violator.
- d. The Board of Directors or its Designee(s) will re-inspect the site in question and if the corrective action has been completed the case will be closed.
- e. If corrective action has not been taken in response to the second notice, a third letter (**Notice of Opportunity for Hearing**), will be sent to the alleged violator. **The notice will state that the homeowner will be given the opportunity to request, in writing, a hearing before the Board of Directors. However, should the resident waive this opportunity by not replying in writing to the Notice of Opportunity for Hearing within 14 days of its date, then charges of either \$50.00 per occurrence (single event), or \$10 per day (continuing event) not to exceed 90 days will automatically be imposed per Virginia Statute. The charges will be imposed beginning 21 days from the date of the Notice of Opportunity for Hearing. Should the homeowner respond to the Notice of Opportunity for Hearing and request in writing a hearing, the homeowner will be sent a Hearing Notice complying with the Notification Procedures for Hearings as set forth below.**

7.2 Assessment of Charges to Enforce Rules

- a. The BOD may assess charges against any member for any violation of the Association Documents for which the member or his/her family members, tenants, guests, or other invitees are responsible, not to exceed \$50 for any single violation or \$10 per day capped at \$900 for any violation of a continuing nature, which shall be treated as an assessment against the member's lot subject to collection pursuant to the Association Documents and according to law.
- b. The BOD may, at any time after an assessment of charges and for good cause shown, remit any portion or all of the charges to the member.
- c. The relief provided by assessment of charges shall be in addition to any other right of relief or remedy available to the Association, and the invocation of such assessment in any particular case shall not constitute an election of remedies.

7.3 Notification Procedures for Hearings.

- a. The member against whom a violation of the documents is alleged (hereinafter the Respondent) shall receive a notice of the hearing on the alleged violation. The notice of hearing shall contain a specific description of the acts or omissions that constitute the alleged violation(s). This notice shall serve as the complaint. The notice of hearing shall also state:
 1. The date, time and place of the hearing;
 2. The due process rights set forth below;

3. The procedural rules for the hearing set forth below;
 4. The possible sanction to be imposed.
- b. The member shall be given the opportunity to be heard and to be represented by counsel before the BOD or other tribunal as the BOD by resolution shall designate.
 - c. The notice shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at the address of record with the Association at least 14 days before the hearing. If neither the member nor any of his/her family members are occupying the dwelling at the time of the violation, the notice shall also be sent to the current address of the member, if any, contained within the member's lot file.
 - d. The hearing shall take place at the next regularly scheduled meeting of the BOD after the deadline for abatement has passed. These hearings shall be conducted in closed, executive session. Per Virginia Statute (currently seven days) the member alleged to be in violation shall be notified in writing by registered or certified mail, return receipt requested, of the decision of the BOD.

7.4 Due Process Rights

- a. Not later than five days prior to the hearing date specified in the notice of hearing, the respondent may request, in writing, from the Board of Directors or its Designee(s), a more particularized description of the nature of the alleged violation(s) and act(s) or omission(s) constituting the violation(s), and specific section(s) of the Association Documents forming the basis of the complaint. The Board of Directors or its Designee(s) shall respond to the respondent's requests within five days of the receipt of the written request..
- b. Not later than five days prior to the hearing date specified in the notice of hearing, the respondent may request, in writing, from the Board of Directors or its Designee(s), the production of relevant books, papers, and documents which are not privileged or attorney work product. The Board of Directors or its Designee(s) shall provide the requested materials, if reasonably available, within five days of the receipt of the written request.
- c. Not later than five days before the hearing date specified in the notice of hearing, the respondent may request, in writing, that the Board of Directors or its Designee(s) ask witnesses, specified with particularity by the respondent, to attend the hearing. The failure of any non-agent witness to appear at the hearing for the respondent shall not constitute grounds for the dismissal of the complaint. Managing Agent witnesses requested by the respondent to attend shall appear at the hearing, and if unavailable, shall be grounds to continue the hearing. The failure of any other witnesses to appear at the hearing shall not be grounds for a dismissal of the complaint. The Complainant may personally request the presence of any witness.
- d. The respondent may, at any time, admit all or part of the allegations. The Board of Directors may then proceed to take whatever action, including the imposition of any sanctions, which it deems appropriate and which are authorized by the Association Documents.
- e. Any party may request a postponement of the hearing for good cause. The President of the Association, without need for consultation with the Board, shall grant or deny the continuance and inform all parties in writing.
- f. Upon proof that the notice of hearing was properly mailed, the Board of Directors may proceed with the hearing in the absence of the respondent, and may make findings, issue ruling, and impose sanctions. The respondent may submit a written defense to the complaint in lieu of appearing at the hearing, which shall be considered by the Board along with all other relevant evidence. The respondent may appear at the Board of Directors meeting following the hearing at which sanctions were imposed to request that the hearings be re-opened. The Board of Directors may re-open the hearing and receive evidence and hear arguments if the respondent gives the Board of Directors five days notice of his or her intent to appear before the board to request that the hearing be re-opened, and if good cause for re-opening the hearing exists. Upon receipt of such notice, the Board of Directors or its Designee(s) shall notify all other interested parties. The hearing shall be re-opened by vote of the Board of Directors.

7.5 Procedural Rules at the Hearing

- a. The hearing shall be conducted in closed session.
- b. The following procedures pertain to the hearing on the merits of the alleged violation(s):
 1. The President shall conduct the hearing and rule on all procedural issues;

2. The respondent and the Association may each be represented by counsel;
3. The respondent and the Association may each call witnesses in his/her on its own behalf. The respondent may testify in his or her own behalf, and may be called as a witness by the Board of Directors. If the respondent refuses to testify upon the request of the Board, the hearing shall continue, and the Board may reach a decision on the merits based upon other available evidence;
4. The respondent and the Association may each present relevant evidence on his/her or its own behalf. The rules of evidence do not apply at the hearing. The Board of Directors may assess the evidence and testimony based upon its reliability and trustworthiness and attribute to it the weight the Board of Directors believes it deserves;
5. The respondent may object to the complaint on the ground that it does not state acts or omissions upon which the Board of Directors may proceed; and
6. The hearing shall proceed as follows, unless otherwise agreed upon by both parties:
 - i. Opening statements-4 minutes.
 - ii. Introduction of evidence and presentation of witness by the Association.
 - iii. Introduction of evidence and presentation of witnesses by the respondent.
 - iv. Introduction of rebuttal evidence and testimony by the Association.
 - v. Closing statements-5 minutes each side. The Association may open and rebut the Respondent's closing argument.
- c. The Association shall have the burden of persuasion by a preponderance of evidence, which means that the evidence proving a violation shall outweigh any evidence to the contrary.
- d. At the conclusion of the hearing, the Board of Directors shall vote in open session to (a) dismiss the complaint, (b) find a violation and impose sanctions and/or take other appropriate action, or (c) continue the hearing to receive additional evidence. The notice to the member, with the member's name and address redacted, is to be placed in the official minutes of the meeting at which the case is heard by the BOD.

7.6 Enforcement Procedures for Repeat Violations

A repeat violation by the same party, and for the same subject matter as one which was previously brought before the BOD, and found by the BOD to be a violation, may be:

- a. Referred to the Board for enforcement action, provide a notice of hearing is mailed to the respondent at least five days prior to the hearing; or
- b. Referred directly to legal counsel with no further communications from LAKE TERRAPIN HOA.
- c. If the earlier hearing resulted in a monetary charge which was suspended pending future adherence to the covenants that charge shall be automatically imposed as an assessment against the lot by the General Manager.

Architectural Review Application

Lake Terrapin Homeowners Association, INC.

FirstService Residential DC Metro, LLC

Architectural Team

3975 Fair Ridge Drive, Suite 210S

Fairfax, VA 22033

An application fee of \$25 must be submitted with each application. Checks should be made payable to Lake Terrapin Homeowners Association and should accompany each application. **(A maximum of 3 modifications may be requested per application. NOTE: If one modification is denied, the entire application is denied.)**

Name: _____

Address: _____

Lot Number: _____

Home Number: _____

Daytime Phone: _____

Email: _____

Estimated Start and Completion Dates: _____

(After Approval from the Architectural Review Board)

Directions:

The Declaration of Covenants requires that you submit to the Architectural Review Board for approval all proposed exterior additions, changes, or alterations to your house and lot. In order to be considered by the Architectural Review Board, your application must include detailed information describing the proposed improvements, alterations, or changes to your lot and/or home. Please provide required details by attaching sketches, drawings, clippings, pictures, catalog illustrations, a copy of your house location survey (recorded plat) with the location of the proposed modification marked, etc. to fully describe the proposed change. Make sure your application is complete. An application submitted without all required documents will be considered incomplete. In such cases, the Architectural Review Board's review period will not commence until all required documents have been provided. Other exhibits may be requested to permit adequate evaluation of the proposed improvements, alterations, or changes. If you have any further questions regarding the required documents of the application process, you are advised to seek guidance from FirstService Residential prior to submission of an application.

Description of Proposed Change (Please print or type):

Neighbors' Acknowledgements: You are requested to obtain the signatures of all lot owners whose lots are adjacent to yours. Signature by your neighbors indicates an awareness of your proposed change but does not constitute approval or disapproval on their part.

Name: _____ Signature: _____

Address: _____

Name: _____ Signature: _____

Address: _____

Name: _____ Signature: _____

Address: _____

Name: _____ Signature: _____

Address: _____

Owner's Acknowledgement: I/we understand that:

1. Material contained herein will represent alterations that comply with the zoning and building codes of Prince William County to which the above property is subject. Further, nothing herein contained will be construed as a waiver or modification of such ordinances. The owner is responsible for obtaining the necessary permits prior to commencement of construction.
2. No work will commence until the owner has received written approval from the Architectural Review Board (hereinafter "ARB") or the Board of Directors (hereinafter "BOD"). Any construction or exterior alteration before approval of this application is not allowed, and if alterations are made, I/we may be required to return the property to its former condition at my/our expense, and I/we may be required to pay all legal expenses incurred.

3. Approval is contingent upon all work being completed in a professional manner, and any alteration or modification that is not finished in such a manner and in accordance with the approval granted herein may be required to be removed or repaired at the homeowner's risk and expense, including any legal fees required to enforce this acknowledgement. Members of the ARB or the BOD of the Management Agent may make routine inspections. Approval, if granted, is solely meant as a waiver from the restrictions in the Declaration and is not meant to comment or advise on the fitness or safety of any proposed alteration or modification.
4. This request is subject to restrictions by the Declaration and a review process as established by the BOD. Any variation from the original application must be resubmitted for approval. The ARB or the BOD will return a copy of this request to me/us after review.
5. I/we acknowledge and agree that I/we will be solely liable for any claims, including, without limitations, claims for property damage or personal injury that result from the requested addition or modification. I/we hereby indemnify the Association, the BOD, the ARB and the management Agent from and against any and all such claims. Moreover, I/we accept responsibility for all maintenance, repair, and upkeep of said addition or modification.

Signature (s) of Owner (s): _____

Date received by the ARB: _____

ACTION BY THE ASSOCIATION

Authorized Signature	Date
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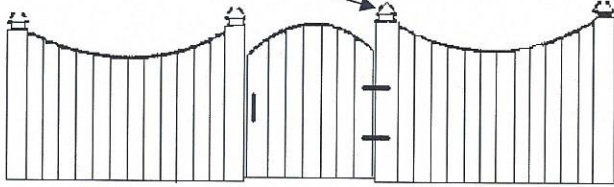
Approved as submitted **Denied**

Approved subject to the following conditions:

Appendix A: Fence Styles for Single Family Homes

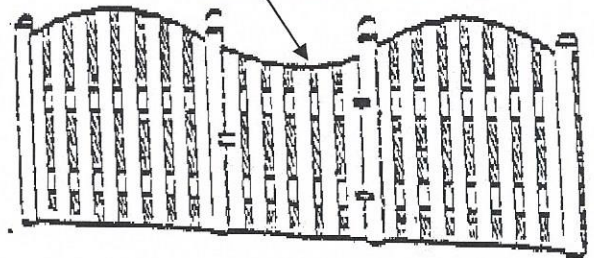
Max 54 inch to top at highest

Picket Style Fences

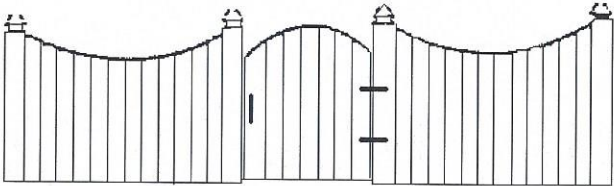


Style #1 – Solid Board 54 inch tall may be cut with symmetrical dip or scalloped top

Min 42 to inch to top at lowest



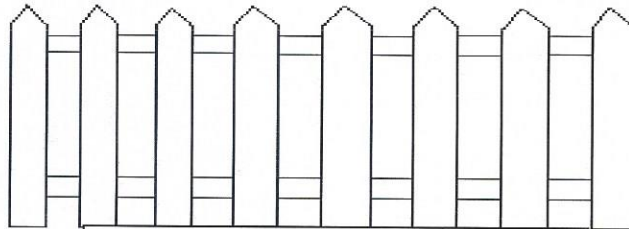
Style #2 – Alternating board with scalloped or rolling top.



Style #3 – Alternating board with symmetrical dip

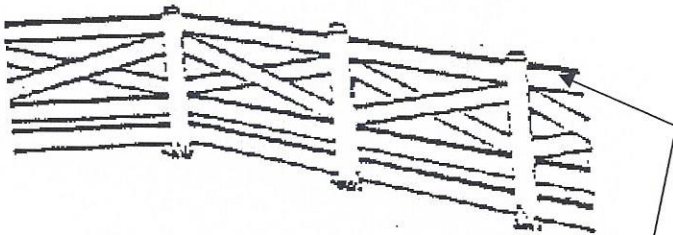


Style #4 – Gothic Picket 4 feet tall

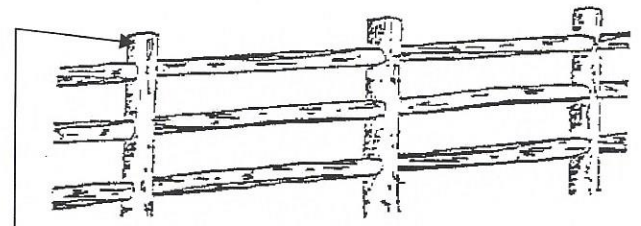


Style #5 – Standard Picket 4 feet tall

Post Style Fences



Style #6 – Cross buck/estate 4 feet tall



Style #7 – 2 or 3 rail split rail 4 feet tall

Min 42 inch to Max 48 inch to top rail

Min 48 to Max 54 inch to top of post