

# WELLINGTON COMMUNITY ASSOCIATION

## DESIGN STANDARDS AND GUIDELINES

A HANDBOOK FOR WELLINGTON HOMEOWNERS AND THEIR TENANTS

Replaces all previous editions

October 1, 2017

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## Table of Contents

PURPOSE OF THE HANDBOOK	3
BASIS FOR, AND OBJECTIVES OF, PROTECTIVE COVENANTS	4
ROLE OF THE ARCHITECTURAL REVIEW COMMITTEE (ARC)	5
DESIGN REQUIREMENTS	6
SUPPLEMENTAL DESIGN STANDARDS AND GUIDELINES	7
APPLICATION AND REVIEW PROCEDURE	8
APPEALS PROCEDURES	9
ENFORCEMENT PROCEDURES	10
PROPERTY MAINTENANCE STANDARDS	12
EXTERIOR APPEARANCE	13
MODIFICATIONS REQUIRING REVIEW AND APPROVAL BY THE ARC	14
DESIGN STANDARDS	15
DESIGN REVIEW APPLICATION	33

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## **PURPOSE OF THE HANDBOOK**

Familiarize homeowners and tenants at Wellington with the objectives, scope and application of design standards and guidelines that are enforced to maintain the aesthetic appearance and environmental quality of the Wellington Community.

Enumerate specific design standards and guidelines that have been adopted by the Wellington Community Association Board of Directors.

Explain the application and review process to be followed by homeowners requesting approval for all exterior modifications or changes to their homes and lots that are subject to approval by the Association.

Assist homeowners in preparing acceptable applications for review by the Association's Architectural Review Committee (ARC). All homeowners are encouraged to familiarize themselves with its contents and to retain the handbook for future use.

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## **BASIS FOR, AND OBJECTIVES OF, PROTECTIVE COVENANTS**

The legal documents for the Wellington Community 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, regardless of whether or not these owners are aware of such covenants. These documents are also binding on tenants who rent or lease properties within the Wellington Community Association.

The distribution and enforcement of design standards are intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the community:
- Promote harmonious architectural design qualities and features:
- Promote and enhance the visual and aesthetic appearance of the community.

The enforcement of design standards not only enhances the physical appearance of a community but also protects and preserves property values. Homeowners and tenants who reside in association communities that enforce design covenants are protected from actions that can detract from the physical appearance of the community and, in some cases, diminish property values.

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## ROLE OF THE ARCHITECTURAL REVIEW COMMITTEE (ARC)

All homeowners and tenants at Wellington are automatically members of the Wellington Community Association. The Association is a non-profit, non-stock corporation that owns and is responsible for the upkeep and maintenance of all common properties within the community.

The Declaration for Wellington (Article 9) provides that responsibility for the enforcement of design standards shall be exercised through the ARC, the members of which shall be appointed by the Board of Directors of the Wellington Community Association. The Association is also responsible for the administration and enforcement of all covenants that are applicable to homeowners, including Governing Documents and Design Standards, and Guidelines. From time to time, the Board may wish to seek input and recommendations from the ARC on proposed exterior improvements and alterations to Association common area property. Committees proposing exterior improvements or alterations to common area will, at the request of the Board, submit their proposal to the ARC for review and consideration. The ARC will review these proposals and provide a recommendation to the Board of Directors and submitting Committee.

The primary responsibility of the Architectural Review Committee is very broadly defined as follows (Article 9, Section 9.1 of the Declaration):

“... to assure that the Property shall always be maintained in a manner: (i) providing for visual harmony and soundness of repair; (ii) avoiding activities deleterious to the aesthetic or property values of the Property; and (iii) promoting the general welfare and safety of the owners, such owners’ tenants and such owners’ (or tenants’) households or companies, guests, employees, customers, agents and invitees.”

The ARC is to consist of three or more persons appointed by the Board of Directors.

### **Sub-associations**

The legal documents for the Wellington Community Association govern all sub-associations including the Wellington Condominium Association.

If such sub-associations are created, the lots (units) and common areas contained therein will be subject to all covenants, design standards, rules and regulations for the Wellington Community Association, as well as any that may be created expressly for the sub-association.

In the event that one or more such sub-associations are created, the function of the ARC may be exercised by the Board of Directors, ARC or similar body established by the legal documents for the sub-association. Any design standards created by a sub-association would be subject to approval by the Wellington Community Association to ensure compatibility of such standards on a community-wide basis.

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## DESIGN REQUIREMENTS

### Design Dos and Don'ts

There is an advantage to design standards and guidelines which provide definitive “dos” and “don'ts” with no resort to judgment or discretion. Such specificity provides clear guidance to homeowners as to whether or not contemplated improvements will be approved.

Article 7, Section 7.2(a) of the Declaration for Wellington requires each lot owner to maintain his or her lot in proper condition. In these Guidelines, it is not possible for the Association to set forth specific requirements that cover all of the responsibilities that this provision creates for the owners; however, there are certain items that owners ask about more than others. These Guidelines address those items. The fact that these Guidelines do not mention other items of maintenance is not in any way meant to absolve owners from their responsibilities.

To the extent possible, specificity has been incorporated in the design standards. However, total specificity is neither possible nor desirable. The appropriateness and acceptability of particular improvements, particularly those of a major nature, may depend on a number of circumstances and factors that must be documented and evaluated on a case-by-case basis. An improvement that is appropriate for one type of housing, lot size and location may not be appropriate in another situation.

The criteria listed below provide the basis for both the development of the Association's design guidelines and the evaluation of individual design proposals by the Architectural Review Committee.

- **Design Compatibility.** The proposed modification or improvement must be compatible with the architectural characteristics of the applicant's house, adjacent houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of materials, color and construction details.
- **Scale.** The scale of the proposed improvement will relate to the size of the applicant's home, the location, size of the lot, adjacent homes, and surroundings. This criterion applies to all structural and landscape modifications.
- **Impact on Neighbors.** The proposed improvement must relate favorably to the landscape, the applicant's home, adjacent homes, and the neighborhood. Consideration will be given to both visual and functional impacts on neighbors. Visual impact refers to the aesthetic appearance of the proposed improvement, which includes consideration of design quality, scale, location and architectural compatibility. Functional impact refers to such concerns as view, sunlight, ventilation and drainage. Examples of adverse functional impacts include structural additions that would cause a material loss of sunlight or ventilation to a neighboring dwelling, and an alteration in topography that would change drainage patterns to the detriment of a neighboring property.
- **Color and Materials.** Continuity or compatibility of color and finishing materials with the original construction and surrounding dwellings will be a specific consideration in evaluating the appropriateness of proposed improvements.
- **Relationship to Environment.** Proposed improvements must not have a negative impact on the natural environment. The removal of trees or other vegetation, grading and other topographical alterations will be assessed for potential adverse impacts, such as a material change in the rate and/or direction of storm water run-off and soil erosion.

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## **SUPPLEMENTAL DESIGN STANDARDS AND GUIDELINES**

The design standards and guidelines detailed in this handbook will be applicable to all single-family residential lots in the Wellington Community, which includes lots improved with single-family detached dwellings, townhomes, and condominium units. In addition, supplemental design standards and guidelines that are specific to each individual housing cluster may be developed.

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## APPLICATION AND REVIEW PROCEDURES

Application and review procedures that will be used by the Architectural Review Committee are detailed below.

- **Applications.** All applications for proposed improvements must be submitted in writing using the application form authorized by the Board of Directors. A copy of this form is included as an exhibit to this handbook (see Appendix). The most-current version of the application form is available at the Association's Website ([www.wellingtonca.org](http://www.wellingtonca.org)). Applications must be complete in order to commence the review process, and be submitted no less than seven (7) calendar days prior to the Architectural Review Committee meeting. Incomplete applications will be returned to the applicant with a statement of deficiencies that must be remedied in order to be considered for review. ~~Homeowners who are not able to obtain the signature of the adjacent property owners will indicate said omission on their application. Applications submitted without the signature(s) of the applicant(s) or the adjacent property owners and an explanatory narrative will not be considered.~~

Unless notified to the contrary, homeowners should mail the application(s) to the following address. Applications may also be given in person to the Association staff during office hours, or placed in the drop box at other times, at the following location. If placed in the drop box, it is recommended that applicant(s) check with the Association staff on the next working day to assure that the application has been received.

**Architectural Review Committee  
Wellington Community Association  
9700 Wellington Road  
Manassas, VA 20110**

- **Supporting Documentation.** The application must include a complete and accurate description of the proposed improvement(s). In order to permit evaluation by the Architectural Review Committee, supporting exhibits will be required. Examples include: a plat map showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material(s), color samples, etc. The design review application provides guidance with respect to the supporting documentation required for various types of improvements.
- **Time Frame for Completion of the Review.** The Architectural Review Committee is required to provide notification to homeowners of the approval or disapproval of any proposed improvement within forty-five (45) calendar days after the receipt of a properly completed application. Any application not so acted upon within the forty-five (45) day period is automatically referred to the Board of Directors, which must act within fifteen (15) calendar days after the first Board meeting following referral of the matter to the Board. However, the forty-five (45) day review period will only commence upon the receipt of a complete application form, including any required exhibits. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.
- **Notice of Approval/Disapproval.** Homeowners who have submitted design review applications will be given written notice of the decision of the ARC.
- **Appeals Procedure.** Homeowners who have submitted design review applications may appeal decisions of the ARC and, if necessary, may appeal to the Board of Directors in accordance with the procedures detailed in Sections 3 and 4, Policy Resolution No. 6 of the Book of Resolutions.



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## **APPEALS PROCEDURES**

### **Applicant Appeal to the Architectural Review Committee**

A homeowner may appeal a decision of the Architectural Review Committee by submitting a written request to the Committee within fifteen (15) calendar days after the date the application is reviewed and denied by the Architectural Review Committee. This request should include any new or additional information that might clarify the requested change or demonstrate its acceptability. The Architectural Review Committee must respond, in writing, to a request for reconsideration within thirty (30) calendar days from the date of receipt of such request by the Committee.

### **Applicant Appeal to the Board of Directors**

If a request for reconsideration is denied by the ARC, the decision may be appealed in writing to the Board of Directors using the procedures detailed in Policy Resolution No. 6. No appeals will be considered by the Board of Directors unless a prior appeal has been made to the ARC.

### **Non-Applicant Appeal to the Board**

Any homeowner, who wishes to appeal a decision of the ARC, may do so by submitting an appeal in writing to the Board of Directors in accordance with the appeal procedure detailed in Policy Resolution No. 6. The appeal must detail the specific reasons why the decision of the ARC is being appealed.

~~An appeal by a non-applicant homeowner must be received by the Board of Directors by the date specified on the community website that lists the decision being appealed. The appeal must detail the specific reasons why the decision of the ARC is being appealed.~~

Upon receipt of such an appeal, the Board shall, within two (2) working days after the date of receipt of an appeal by the Board, send notification by certified mail, return receipt requested, to the homeowner whose approved design review application is the subject of an appeal. This notice shall inform the homeowner that the decision of the ARC is being reviewed by the Board of Directors pursuant to an appeal and that the homeowner should not proceed with any improvements until notified by the Board that the decision of the ARC has been affirmed.

The Board must provide a written response to both homeowners within fifteen (15) calendar days after the date of receipt of the appeal by the Board. This response shall be sent by certified mail, return receipt requested.

There is no application fee for Applications. However, submitting an Application after construction begins will be considered a violation of these Guidelines, and the Board of Directors ("Board") may assess charges pursuant to the Virginia Property Owners' Association Act ("Act") for such late submissions.

Late submission for an application that is subsequently approved will result in a \$25.00 charge.

Late submission for an application that is subsequently not approved will result in a \$50.00 charge.

The ARC and/or the HOA Management Agent will enforce violations in accordance with these Guidelines, the Association governing documents, the Act, and any due process procedures adopted by the ARC.

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## **ENFORCEMENT PROCEDURES**

The Declaration empowers the Board of Directors and the Architectural Review Committee to enforce compliance with the Association's design standards and guidelines. The following enforcement procedures will be used to ensure compliance.

Owners are responsible for ensuring that their property is used and occupied in accordance with the Governing Documents. In this regard, owners are responsible for the actions/failure to act on the part of their family members, guests, visitors, tenants, and invitees.

On behalf of the Association, the Board may issue a citation to any owner or tenant(s) whose behavior or use of property does not conform to the Association's Governing Documents. Residents may report alleged violations of the Association's Governing Documents to the Association's Managing Agent in writing or via email. Reports of alleged violations received from residents of the Association may be subject to verification by the Association.

- The Board or Agent shall send a citation in writing, deliver it personally or via U.S. mail, to the owner at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address. The citation shall advise the owner of the nature of the offense, cite the specific provision within the Governing Documents that has allegedly been violated, specify the remedy required, and state the number of days in which the owner must complete corrective action. Notwithstanding the provisions in this paragraph, the Board is not required to provide a first citation letter as set forth in this paragraph if it determines that the interests of health and safety of the residents of the Association requires a more expedited handling of the violation(s). In such a case, the Board shall send a citation letter.
- If the owner does not remedy the violation(s) within the number of days required by the notice of citation, the Board reserves the power to issue a second notice of citation, which shall follow the basic form of the first notice of citation and include any additional information deemed important by the Board concerning the offense.
- The second citation shall also advise the owner of the Board's power to impose monetary charges and/or to suspend privileges for violations of the Governing Documents and shall inform the owner of his/her right to request a hearing before the Board to contest the citation. The notice of citation shall request the owner to confirm in writing not less than seven (7) calendar days prior to the next monthly ARC meeting of their desire for a hearing to contest the citation.
- The Board shall deliver the second notice of citation by Registered or Certified Mail, Return Receipt Requested, and via first class mail, postage pre-paid, to the owner at his/her address listed in the Association's records, and to the property address, if the owner's listed address is different from the property address. Notification will be deemed effective if any owner fails or refuses to sign for any certified mailing from the Association.
- All Registered or Certified Mail fees shall be the responsibility of the homeowner and will be charged to the homeowner's account.
- If the owner does not remedy the offense within the number of days required in the second citation, and the owner has not requested a hearing in writing by the hearing confirmation date, the owner shall be deemed to have waived their right to a hearing and the Board shall have the power to impose monetary charges and/or suspend privileges pursuant to the authority granted in Section 55-513 of the Property Owners Association Act <http://leg1.state.va.us/cgi-in/legp504.exe?000+cod+55-513> and the Association's Governing Documents. The Board will not be required to conduct a hearing unless the owner formally requests a hearing in writing by or before the deadline set forth in the second notice of citation.
- When a hearing is requested by the owner in writing by or before the deadline, the Board shall set the time, date and place of the hearing at its discretion. Written notice of the time, date and place of the hearing shall be mailed to the owner by Registered or Certified Mail, Return Receipt Requested, and via first class mail, postage pre-paid, to the owner at least fourteen (14) calendar days in advance of the hearing date. At the hearing, the Board shall provide the owner with a reasonable amount of time to present any and all

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defenses to the citation. The owner may have counsel present at the hearing at owner's own expense. Under no circumstances shall the Association be responsible for any attorney fees or costs incurred by an owner relating to a citation or hearing conducted pursuant to this policy.

- Following the hearing, the Board shall meet in executive session to discuss whether satisfactory proof of the alleged violation was presented, and if so, whether monetary charges will be imposed and/or privileges will be suspended. The Board will then exit executive session to hold a vote in open session on whether satisfactory proof of the alleged violation was presented, and if so, whether monetary charges should be imposed and/or privileges should be suspended. Charges for postage will not be waived.

When the Board's judgment is unfavorable to the owner, the Board may impose monetary charges as an assessment against the owner's lot and suspend the owner's privileges.

In accordance with Virginia State law, the Board of Directors may impose monetary charges in the amount of \$50.00 for each violation, or \$10.00 per day for a violation of a continuing nature for a maximum of ninety (90) days for each day that a violation continues after the deadline for corrective action established by the Board. If the violation (s) is/are not corrected within the above stated time limits, the Association can/will seek compliance through legal action/remedy.

- The Board reserves the power to increase these maximum sanctions if the General Assembly enacts legislation in the future that permits the Board to do so. The Board shall treat monetary charges as an assessment against the owner's lot.
- The Board may elect to postpone rendering a decision after a hearing if the Board believes that it needs additional information to render a decision on the alleged violation.
- The Board shall deliver notice of its decision to the owner by Registered or Certified Mail, Return Receipt Requested, and via first class mail, postage pre-paid, at the owner's address of record with the Association within seven (7) calendar days of the date of the hearing.
- The Board reserves the right to assign all of its powers and responsibilities as set forth in this Resolution to the ARC or to the Association's Managing Agent.
- The procedures outlined in this Resolution may be applied to all violations of the Association's Governing Documents, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association's Governing Documents, including, but not limited to, the initiation of suit or self-help remedies.

**Repeat Violations.** Once a violation has been abated, any recurrence of the violation within a period of one (1) year after the abatement will be construed as being no different from the original violation, will be classified as a repeat violation, and the date the original violation was cited will apply for any remedy that the Board of Directors or its Agent(s) determine. The violation procedure, and any applicable fines, will continue from the point at which it was left off when the violation was abated. This means that a repeat violation does not restart the violation procedure, but merely continues it from the point at which it had previously stopped. This may result in some steps of the normal violation procedure not being available for the abatement of repeat violations, and may also result in immediate action being taken. If the option of a formal hearing is still available to the resident, it shall be granted using the procedure described above or the Board of Directors may impose monetary charges in the amount of \$50.00 for each violation or \$10.00 per day for a violation of a continuing nature for a maximum of ninety (90) days for each day that a violation continues after the deadline for corrective action established by the Board.

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## PROPERTY MAINTENANCE STANDARDS

All portions of a lot that have not been improved by the original builder or a previously approved application must be maintained with grass (or other vegetation installed by a builder or approved by the Architectural Review Committee). No bare earth may be exposed on a lot (except for flower beds or vegetable gardens with appropriate approvals as required).

- All turf areas on a lot must be kept neatly mowed during the growing season. Grass should not be permitted to exceed six (6) inches in height.
- Turf and other vegetation should be watered during dry periods. Any dead plants or shrubs should be immediately removed and replaced. also See TREE/SHRUB MAINTENANCE AND REMOVAL
- Turf and bedding areas should be kept as weed free as possible. At no time should weed cover exceed more than twenty-five percent (25) of the total turf area.
- No trash or debris may accumulate or be stored in a visible location on a lot.
- Construction materials required for the improvement of a home or lot should be neatly stored in as unobtrusive a location on the lot as possible when not in use.

All hedges, trees and shrubs must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning. Owners are generally discouraged from using moveable items including but not limited to tables, chairs, grills, toys, bicycles, etc., in the front yards of their homes. These must be located behind the rear plane of the home. If used in the front yard of a home for a particular occasion, they may be brought out just before use and must be removed after use and not allowed to sit out over night or when they are not being used. For example, toys should not be in the front yard all day if they are not being actively used.

## EXTERIOR APPEARANCE

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, to include, but not limited to, decks, fences, sheds, and playground-type equipment. While it is difficult to provide precise criteria for what the Association deems as unacceptable conditions, the following cases represent some of the conditions which would be considered a violation of the Covenants:

- Any general deterioration from the original state.
- Peeling paint on exterior trim.
- Dented mailboxes, or mailboxes in need of repainting.
- Playground equipment which is either broken or in need of repainting.
- Fences with either broken or missing parts.
- Sheds with broken doors or in need of painting or other repair.
- Decks with missing or broken parts, or parts in need of re-staining or painting.
- Foundations in need of repainting.
- Dented, loose, ~~or~~ missing, discolored, dirty or mismatched siding. (Visible mold or algae,
- Broken, faded or missing shutters.
- Storage of any materials, including lawn debris, on a lot that creates an unsightly nuisance to the community.

Most residents would not allow any of the above conditions to exist, as they seek to preserve and protect their investment in their homes and to limit their personal liability by keeping all improvements on their lots in good condition. The Association expects that residents will do all maintenance necessary to prevent any of the cited conditions from occurring in Wellington.

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## MODIFICATIONS REQUIRING REVIEW AND APPROVAL BY THE ARCHITECTURAL REVIEW COMMITTEE

**IF THERE IS ANY DOUBT AS TO WHETHER OR NOT A PROPOSED EXTERIOR CHANGE IS EXEMPT FROM DESIGN REVIEW AND APPROVAL, HOMEOWNERS SHOULD FIRST SEEK CLARIFICATION FROM THE ARCHITECTURAL REVIEW COMMITTEE OR THE MANAGING AGENT BEFORE PROCEEDING WITH THE IMPROVEMENT.**

The general conditions for the design review requirement are stated in Article 7, Section 7.5(a) of the Declaration for Wellington.

“Without the prior written consent of the Board or ARC, no person shall make any addition, alteration or improvement in or to any Lot (other than for normal upkeep or natural landscaping and not including areas within a building visible from the exterior only because of the transparency of glass doors, walls or windows) which is visible from the exterior of the Lot, without the prior written consent of ARC. No person shall paint, affix a sign not permitted by the Rules and Regulations or alter the exterior of any improvement located upon such owner’s lot, including the doors and windows, if such exterior is visible from another lot or the common area.”

All changes, permanent or temporary, to the exterior appearance of a building or lot are subject to review and approval by the ARC. The review process is not limited to major additions or alterations, such as adding a room, deck, or patio. It includes such minor items as changes in color and materials. Approval is also required when an existing item is to be removed.

### **Exceptions to this inclusive review requirement are as follows:**

- Building exteriors may be repainted or re-stained provided that there is no color change from the original color. Similarly, exterior building components may be repaired or replaced so long as there is no change in the type of material and color.
- Minor landscape improvements will also not require an application. This includes foundation plantings, or single specimen plantings. In general, landscape improvements of a small scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure will be exempt from the design review process

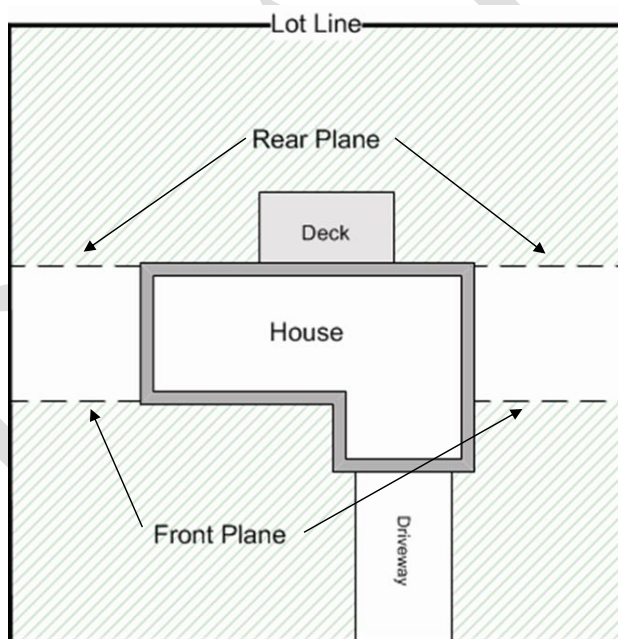
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## DESIGN STANDARDS

Specific design standards and guidelines are detailed below and organized alphabetically. These standards and guidelines have been adopted by the Board of Directors and are incorporated in Policy Resolution No. 6 of the Book of Resolutions.

**All items/modifications listed below, including those mentioned as being “permitted” or “allowed,” must be applied for and approved. Any item/modification not mentioned below is not automatically exempt from review by the Architectural Review Committee. If you do not find a specific item or modification, please contact the Management to obtain clarification. There are very limited exemptions to the review and approval process, and these are listed in the previous section (see “Modifications Requiring Review and Approval by the Architectural Review Committee”).**

At various points, this document refers to the front and rear planes of the house (or townhome). The diagram below illustrates this. The area marked “Rear Plane” is behind the rear plane of the house (shown by the dashed line), and the area marked “Front Plane” is in front of the front plane of the house (again, shown by the dashed line in the front). Note that the front and rear planes are defined with respect to the major walls of the house, and not by the location of extensions such as decks, garages, sunrooms, etc.



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## ADDITIONS

All additions require approval of the ARC and must follow the current Wellington Design Standards and Guidelines.

## AIR CONDITIONING UNITS

Portable air conditioning units will be allowed behind the front plane of the house with a window vent mounted flush with the exterior of the window. All other window air conditioner units are prohibited. Below are two examples of portable air conditioning units that meet the requirement of an exterior flush mounted vent.



## ANTENNAS

In accordance with FCC rule 47CFR1.4000 regarding the installation, maintenance and use of direct broadcast satellite, television broadcast, multipoint distribution service and customer end fixed wireless signal antennas, the Association's goal is to enable owners and residents to obtain the best possible signal reception while keeping the antennas as unobtrusive as possible.

Owners and/or tenants may install a DBS, DTV or MMDS antenna that is one meter (39.37 inches) or less in diameter. Satellite dishes and other antennas that are larger than one meter in diameter are prohibited.

The preferred location for satellite dishes and other antennas is below the peak of the roofline on the back plane of the house so as to have no, or minimal visibility, from the front of the house, or entirely within and below the height of approved privacy fencing which fully encloses the rear yard of any townhome.

Satellite dishes/antennas shall not encroach upon common areas or any other owner's property.

When any satellite dish/antenna is no longer in continuous use, it shall be removed from the property upon which it was installed. The Association may require the owner and/or tenants to install or provide screening around the satellite dish/antenna if the satellite dish/antenna is visible from the street or from other lots.

**Applications must be submitted for all antennas.**

## ARBORS

An arbor is a decorative bar supported by vertical shafts for the purpose of supporting vines or hanging plants. Arbors shall not exceed eight (8) feet in height from the ground or deck floor level and shall not be enclosed to form a solid barrier. Arbors as described herein are permitted on decks, patios, fences, gates, or can be freestanding elements. If attached to a deck, the material and color must be the same as the deck. Arbors shall be behind the rear plane of the house or integrated with a deck or fence. Staining or painting with natural earth tones or white is permitted with approval from the ARC.



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## **ATTIC VENTILATORS**

Attic ventilators and turbines are permitted; however, they require an application specifying their location to be submitted to the ARC.

## **AWNINGS**

To be approved, awnings must meet the following criteria:

- They should be of a plain design with straight or scalloped edges, without any other decorative features. No fringe or decorative trims are allowed. Design must be a solid or stripe. Color must be approved by the ARC.
- They must be consistent with the scale of the house to which it is attached.
- Window awnings are prohibited.

## **BASKETBALL BACKBOARDS – Also see RECREATION AND PLAY EQUIPMENT**

### **PERMANENT**

Permanent Basketball Backboards must be attached to single-family homes' garages. Must not be placed or attached the side of the house... At all times, the backboard, hoop and net must be maintained appropriately.

### **PORTABLE**

The guidelines for the approval of portable basketball backboards are as follows:

- Portable basketball backboards are those that are mounted on wheels, not installed in-ground or on a house, and can be moved to and from storage. Portable basketball backboards must be stored in the driveway abutting the house when not in use.
- Usage of portable basketball backboards forward of the front plane of the house must be confined to the driveway area of the residence.
- Portable basketball backboards will not be permitted in any Association street, in any Association public right-of-way, or placed in such a manner that any portion of the public space serves as the play area.
- No permanent court markings are to be painted or otherwise affixed to the playing surface.
- Poles are to be painted black or a solid earth tone.

## **BOATS**

Boats are not permitted to be stored or parked on any portion of the Common Area. Additionally, boats are not permitted to be stored or parked on a driveway or anywhere on a lot that is visible from the Common Area or another lot.

Boats may be stored or parked in a garage so long as they are not visible from the Common Area or another lot. See VEHICLE POLICIES, POLICY RESOLUTION NO. #7 on the Wellington web site for additional information.

## **CAMPERS**

Campers are not permitted to be stored or parked on any portion of the Common Area. Additionally, campers are not permitted to be stored or parked on a driveway or anywhere on a lot that is visible from the Common Area or another lot.

Campers may be stored or parked in a garage so long as they are not visible from the Common Area or another lot. See VEHICLE POLICY RESOLUTION #7 on the Wellington web site for additional information.

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## CHIMNEYS AND METAL FLUES

Chimneys must either be masonry or enclosed in the same finish material as the exterior of the home to which attached.

## CLOTHESLINES

Clotheslines or similar apparatus used for drying clothes are prohibited. The hanging of laundry on decks, railings, banisters, trees, shrubs, plants, or fences is prohibited.

## COMPOSTING

Visual and odor impact on neighbors must be considered. Screening and landscaping may be required. Bins shall be in the rear of the lot, at least ten (10) feet from the property lines. Bins shall not be over four (4) feet high and the base will not exceed sixteen (16) square feet. Bins shall be made of unpainted, pressure-treated, naturally weather resistant wood or plastic with tones of black, tan or green color. Compost must be properly covered and turned periodically to ensure odor control. Please check local guidelines for proper compost materials.

~~Only the following materials may be composted:~~

- |                                  |                         |
|----------------------------------|-------------------------|
| <del>• Grass clippings</del>     | <del>• Flowers</del>    |
| <del>• Old potting soil</del>    | <del>• Old plants</del> |
| <del>• Leaves</del>              | <del>• Twigs</del>      |
| <del>• Shredded newspapers</del> | <del>• Weeds</del>      |
| <del>• Coffee and tea bags</del> |                         |

## DECKS

**All** decks and associated landscaping must be approved by the ARC and meet the zoning and regulatory requirements of the locality in which the deck will be installed. Homeowners are advised to consider the following factors:

- **Location.** Decks shall be located in rear yards. Front and side yard locations will be evaluated on their individual merit. There shall be no less than ten (10) feet between a deck and a lot line.
- **Rails, Deck Boards and Supports.** These shall be constructed of wood, vinyl-coated wood, PVC, or composites. All metal railings, and supports will not be considered. Metal balusters may be used where the color and design are appropriate.
- **Scale and Style.** Decks, particularly elevated decks, shall be of a scale and style that are compatible with the home to which attached, adjacent homes, and the environmental surroundings. Cluster guidelines may, in some cases, place specific limits on the scale or style of decks that will be approved, based on considerations of density, visibility and scale and size of decks provided as standard builder features or options.
- **Color.** Decks made from wood may be left to naturally age. ~~Decks which are painted or stained shall match the trim or dominant color of the applicant's house. Natural or wood colored stains are approvable. If a stain is desired, it must be approved by the Architectural Review Committee.~~
- **Under Deck Drainage Systems.** An under deck drainage system is allowed and requires an application. The parts of the system that can be seen by other residences must be of material and color that is consistent with the house.
- **Under-Deck Storage.** Elevated decks have an under-deck area that 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 required by the ARC.

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**DECORATIVE OBJECTS, EXTERIOR** - See EXTERIOR DECORATIVE OBJECTS

**DOG HOUSES, DOG RUNS, DOG DOORS** - See PET HOUSES, RUNS, DOORS etc.

### **DRIVEWAYS**

Any change in driveway materials must be approved by the ARC. Driveway must be located entirely forward of the front plane of the house. Driveway extensions and additions must be approved, and 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. Driveway sections that are unsightly, uneven, or not level, even after being repaired or replaced, are unacceptable and must be replaced. Driveways with moss, algae, rust, oil stains or dirt-covered areas are unacceptable and must be cleaned. Small cracks should be repaired to prevent further degradation. The driveway should be repaired, resurfaced or replaced when erosion, cracking, settling, spalling, flaking, exposed aggregate or other conditions exist that render the driveway unsafe or unsightly. Any weeds/vegetation growing through cracks must be eradicated/removed.

### **EXTERIOR DECORATIVE OBJECTS**

Decorative objects will not be allowed in front or side yards.

Approval will be required for all exterior decorative objects, whether natural or man-made, which were not part of the original construction design. Examples include, but are not limited to, benches, bird houses, bird baths, driftwood, sculptures, statues, fountains, free standing poles of all types, house address numerals, and any items attached to approved structures.

Upon approval all decorative items, except house address numerals must be located behind the rear plane of the home and will be evaluated in terms of their size, location, and compatibility with architectural and environmental design qualities.

**FOR HOLIDAY DECORATIVE OBJECTS** See SEASONAL HOLIDAY DECORATIONS, EXTERIOR.

### **EXTERIOR DOORS**

Changes to a door color or style will only be approved if it matches the aesthetics of the community. Any door that is being changed from the existing door or color palette is not permitted without prior approval. For information on the approved colors contact the management office. Doors incorporating bars or ornamentation glass such as scallops, scrolls and colored glass are prohibited. The color of the door shall be the same as the original color. The glass may be clear or frosted. No stained glass or leading. A sample of color and a picture of the proposed door must be submitted with the application.

### **EXTERIOR LIGHTING**

Lighting which is part of the original structure may not be changed without prior approval of the ARC. Proposed replacement or additional fixtures must be compatible in style and scale with the home, and must be approved by the ARC. Installation must be sensitive to neighboring properties. High levels of light are prohibited. Colored, moving or flashing lights are prohibited. Proposed additional lighting will not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, brightness or other features. Solar landscaping lights are approvable providing there is no adverse visual impact to adjoining neighbors due to location, wattage or other features.

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## EXTERIOR PAINTING

All exterior color changes must be approved. This requirement applies to siding, doors, shutters, trim, roofing, and other related structures i.e. sheds.

## FENCES

General guidelines for the construction and approval of fences are provided below. Further specific guidelines may be developed, as appropriate.

The use of fencing for both a privacy screen and property line boundary should not be combined except for the rear yards of attached townhomes. Decorative screening to provide privacy for a deck or patio may be considered, but may only be board-on-board or lattice.

### **Single Family Detached Homes** (lot line or invisible fences)

- **Lot Line Fences.** Lot line fences for single family detached homes shall be three rail split rail fences and shall be 48 inches in height measured from the ground to the top of the uppermost rail, and 54 inches in height measured from the ground to the top of the vertical post. Lot line fences for single family detached homes may not extend forward of the rear plane of the home or enclose any portion of the side or front yard.
  - Wire mesh may be used in conjunction with the fence. If used, the wire mesh must be attached to the inside area of the fence and the top of the mesh may not extend beyond the top rail of the fence. Wire mesh must be black, tan or green only. The use of chicken wire or chain link materials is prohibited.
  - Gates may be single or double and must be of the same material as the fence, and the same height. Gates may not open to adjacent private property. Gates must be located so that people will either exit from the fenced area onto another part of the lot on which the fence is located, or to the common area.
- **Invisible Fences.** Invisible (i.e., underground electronic fences) are approvable. All parts and components must be completely underground or concealed.

## FENCES

General guidelines for the construction and approval of fences are provided below. Further specific guidelines may be developed, as appropriate. ARC approval is required for all fences and meet the zoning and regulatory requirements of the locality in which installed.

### **Single Family Detached Homes** (lot-line or invisible fences)

**Split Rail Style:** consists of three split rail, natural wood only and shall be 48 inches in height measured from the ground to the top of the uppermost rail, and 54 inches in height measured from the ground to the top of the vertical post. Lot line fences for single-family detached homes may not extend forward of the rear plane of the home or enclose any portion of the side or front yard. Fence on fence may be considered on a case by case basis but are not encouraged. Post caps may be used.

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- Wire mesh may be used in conjunction with the fence. If used, the wire mesh must be attached to the inside area of the fence and the top of the mesh may not extend beyond the top rail of the fence. Wire mesh must be black or green only. The use of chicken wire or chain-link materials is prohibited.
- Gates may be single or double and must be of the same material as the fence, and the same height. Gates may not open to adjacent private property. Gates must be located so that people will either exit from the fenced area onto another part of the lot on which the fence is located, or to the common area.

**Paddock Style:** consists of either a 4 board/4 foot, a 5 board/5 foot or a 6 board/6 finished height from ground to top of upper horizontal board. Lot line fences for single-family detached homes may not extend forward of the rear plane of the home or enclose any portion of the side or front yard. No fence on fence will be approved. Fence on fence may be considered on a case by case basis but not encouraged. Post caps may be used.

- Wire mesh may be used in conjunction with the fence. If used, the wire mesh must be attached to the inside area of the fence and the top of the mesh may not extend beyond the top rail of the fence. Wire mesh must be black or green only. The use of chicken wire or chain-link materials is prohibited.
- Gates may be single or double and must be of the same material as the fence, and the same height. Gates may not open to adjacent private property. Gates must be located so that people will either exit from the fenced area onto another part of the lot on which the fence is located, or to the common area.



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The Board of Directors may grant minor exceptions to some of the requirements of this section when the applicant can demonstrate the proposed location of the fence would not counter the purposes of this section (e.g., to ensure that fencing is a non-prominent feature on the lot). In this regard, the applicant must show that there are special circumstances regarding the configuration of the lot that justify a location of the fence that does not exactly conform to the requirements of this section. (Irregularly shaped lots).

**Attached Townhomes** (privacy fences, including lot-line, only)

- **Privacy Fencing.** Privacy fencing may be used to enclose the rear yards of attached dwellings. Only board-on-board fencing may be used. Privacy fencing will not exceed six feet in height. Privacy fences may be constructed as lot-line fences to enclose the rear yards of attached housing units. No lot-line fences may be erected for the front and side yards of attached housing units. Gates must be of the same material as the fence, and the same height. Entire fencerows installed by the builder that were painted must remain the original color.

**FIREWOOD**

Firewood shall be neatly stacked in piles which do not exceed eight (8) feet in length, four (4) feet in width, and four (4) feet in height, for aesthetic reasons. Firewood shall be stacked only in rear yards. If covered with a tarp, such tarps must be tan, green or black. Other than a limited quantity of firewood, intended for immediate use, firewood shall not be stacked on patios or decks. Wood shall not be stacked against any dwelling for reasons of pest control (i.e., termites).

**FLAGS AND FLAGPOLES**

Flags poles shall be limited to one per dwelling. Flags or flagpoles attached to a dwelling may be mounted either adjacent to the front entry or the home's garage.

**GARAGE DOORS**

Garage Doors and replacement garage doors shall match the house siding or trim. Garage door design and color must be approved by the ARC. Garage doors should be opened only long enough to permit vehicle access to the garage or while someone is working outdoors, requiring access to the garage. Garage doors should not remain open while the homeowner is away from his or her house. Using a garage as an obvious pet confinement area will not be permitted. If any garage door cannot be closed as a result of faulty operation, it should be repaired within 48 hours.

**GARDEN FLAGS**

Garden flags are limited to one per residence, and cannot exceed 15" in width and 18' in length. Garden flag poles shall not exceed 32 inches in height,

**GAZEBOS**

Gazebos are only approvable for single-family homes. Gazebos will be approved based on size, material and location. The size shall be compatible with house and lot size.

**GREENHOUSES**

A greenhouse will be treated as a major alteration to a dwelling unit and subject to the same level of review. Attached greenhouses must meet the following criteria to be approved.

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- They must be to the rear of the unit.
- The size and design must be architecturally compatible with the home and surrounding homes.
- There shall be no adverse visual or drainage impacts for adjoining properties.

#### **GRILLS, PERMANENT**

Permanent grills must be placed in the rear yard of the house and as far as practical from the adjacent property lines, and meet applicable City or County Codes.

#### **GUTTERS AND DOWNSPOUTS**

Replacement of gutters and downspouts with an exact duplicate of the original item does not require approval. An approval is required for relocation of gutters and downspouts, or a change in color. Gutters and downspouts must match the exterior trim or main house color.

**HOLIDAY DECORATIONS** - See SEASONAL HOLIDAY DECORATIONS, EXTERIOR.

#### **HOSES**

Hoses must be neatly stored on a hose reel or hose-caddy.

#### **HOT TUBS AND SPAS**

Hot tubs and spas are a private amenity, the installation of which must consider the privacy of both the lot owner and adjacent property owners. Evaluation of applications will consider not only the location of the hot tub/spa, but also the associated deck or patio and equipment concealment.

- Hot tubs and spas shall be located only in rear yards and shall not be visible from the street.
- There shall be no adverse visual, drainage, or environmental impacts for adjoining properties.
- The hot tub or spa and any related mechanical equipment shall be screened from view.

All screening must be approved by the ARC.

#### **LANDSCAPING**

- Approval is required for plantings intended to form a hedge or natural screen and which will attain more than two feet in height. Plantings located forward of the front plane of the house shall be maintained at a height of 36 inches or less and shall not restrict sight lines along a road.
- Approval is required for the installation of railroad ties, garden timbers, stones or similar structures that will form a wall or planter.
- A proposed improvement that is of a scale or type inconsistent with the existing design features of the home, adjacent units, and the surrounding area will require approval. Examples include partial or total removal of turf and replacement with another material, such as mulch or gravel.
- Views from neighboring lots, shade patterns of larger trees, and potential physical damage by encroaching plantings must be considered. If plantings are found to be detrimental, owners will be required to abate the problem.
- Vegetable gardens require an application. Vegetable gardens must be located in the rear yard and must not cause water to run into adjoining properties during periods of supplemental watering. After the growth season, dead plants, stakes, etc., must be promptly removed.

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## MAILBOXES

The color of all single-family detached home mailboxes shall be black. The style of all mailboxes shall be the standard rural type. Mailboxes shall be affixed to a 4-inch x 4-inch wooden post painted dark brown, with height conforming to U.S. Postal Service requirements. See Photo



Decorative mailboxes or mailbox covers will not be permitted. The installation of top mounted guides for the display of house numbers, names and/or addresses is prohibited. The display of advertising or notices of any kind on mailboxes are prohibited.

Rural locking mailboxes are allowed with prior approval.

Only numbers shall be displayed on mailboxes, with the exception of a corner lot with an address other than the street that the house faces. In the case of this exception, the street name shall also be displayed on the mailbox.

Numbers shall conform to the following guidelines:

- Maximum height shall be 4 inches.
- Maximum width shall be 2 inches.
- Colors of numbers will be white or gold with black background.
- Numbers may also be displayed on the curb directly below the mailbox. Curb numbers must be painted black within a white box onto the curb. Dimensions of the numbers shall be 4 inches in height within a white box 6 inches in height.

## MAILBOXES

The color of all single-family detached home mailboxes shall be black. The style of all mailboxes shall be the standard rural type. Mailboxes shall be affixed to a 4-inch x 4-inch wooden post with or without paper delivery box built into the post. The post should be painted dark brown (Sherwin Williams # SW 7027, Well-Bred Brown) and conform to the U.S. Postal Service height requirements. See following photos

Decorative mailboxes or mailbox covers will not be permitted. The installation of top mounted guides for the display of house numbers, names and/or addresses is prohibited. The display of advertising or notices of any kind on mailboxes are prohibited. Rural locking mailboxes are allowed with prior approval. Only numbers shall be displayed on mailboxes, with the exception of a corner lot with an address other than the street that the

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house faces. In the case of this exception, the street name can also be displayed on the mailbox.

Numbers shall conform to the following guidelines:

- Maximum height shall be 4 inches.
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- Colors of numbers will be white or gold with black background.
- Numbers may also be displayed on the curb directly below the mailbox. Curb numbers must be painted black within a white box onto the curb. Dimensions of the numbers shall be 4 inches in height within a white box 6 inches in height.



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**PARKING** - See VEHICLE POLICY RESOLUTION #7 on the Wellington web site.

#### **PATIOS**

All patios require approval. Patios shall be located in rear yards.

Any adverse drainage requirements that might result from the construction of a patio shall be considered and remedied. There shall be no adverse visual, drainage, or environmental impacts on any neighboring property or common area. The use of a partially porous patio surface or the installations of mulch beds adjacent to the patio are ways to reduce drainage concerns.

#### **PET HOUSES, RUNS, DOORS, etc.**

Pet runs, pet pens and pet cages are prohibited. Pet houses are approvable if compatible with the applicant's house in terms of color and material. Vinyl pet houses are approvable in neutral colors. Pet houses may not exceed sixteen (16) square feet of floor space and may not exceed four (4) feet in height at the highest point. They should be located where visually unobtrusive to neighbors and the use of appropriate screening is encouraged, and may be required in some cases, in order to minimize any negative visual impacts. All

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landscaping and screening requires approval by the ARC. Pet doors must be located at the rear of the home and exit to a yard with a fence. (Note: A standard split rail fence will not stop a pet from running loose.)

#### **PONDS**

Ponds or other bodies of water must be kept clean, free of debris, and comply with all City and County regulations. Ponds must be located behind the rear plane of the house. The size and design must be architecturally compatible with the home and surrounding homes. There shall be no adverse visual or drainage impacts on any neighboring property or common area.

#### **RECREATION AND PLAY EQUIPMENT**

Semi-permanent play equipment that either constitutes a structure or is part of an existing structure requires approval. Examples include sandboxes, playhouses, swing sets, trampolines, etc. The merits of all proposed play equipment designs will be evaluated based on location and orientation on the property, in conjunction with color and material selection. The following factors will govern approval of such equipment.

**Location.** Recreation and play equipment shall be placed in rear yards and arranged as far as practicable from public ways such as roads and sidewalks.

**Scale and Design.** The equipment shall be compatible with lot size. The design and visual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.

**Materials.** Equipment constructed of wood and left in a natural condition to weather is encouraged. Equipment constructed of other materials such as plastic or combination of materials will be considered on an individual basis. Equipment consisting primarily of metal will not be approved.

**Color.** Equipment constructed of wood should be left to age naturally. Natural or wood-colored stains will be considered on a case-by-case basis. Color of equipment constructed of materials other than wood will be considered. Solid tones are encouraged.

#### **RETAINING WALLS**

Construction is limited to the use of railroad ties, landscaping timbers, stones, brick, or reinforced concrete with brick veneer. Walls may not divert the flow of water onto a neighboring lot. No wall shall be maintained in such a manner as to obstruct sight lines for vehicular traffic. Application with details documenting the anchoring of the retaining wall will be required.

#### **SATELLITE DISHES - See ANTENNAS.**

#### **SEASONAL HOLIDAY DECORATIONS, EXTERIOR**

Exterior seasonal holiday decorations do not require approval. However, they may not be installed more than thirty (30) calendar days before the holiday; and must be removed within thirty (30) calendar days after the date of the holiday.

#### **SECURITY BARS**

The use of security bars or grates on windows and doors is prohibited. Homeowners concerned about the security of their residence are advised to consider alternatives, including alarms and lock systems.

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## SECURITY SYSTEMS

All external features of a security system require an application and approval by the ARC before installation. External features of a security system should be designed and installed as to not negatively impact adjacent properties.

See also EXTERIOR LIGHTING.

## SHEDS AND OTHER STORAGE UNITS

Unless specified otherwise, the word “shed” in this guideline refers to sheds and other storage units.

An inappropriately located or poorly designed shed can visually detract from an otherwise pleasing and architecturally harmonious residential environment. When seeking approval for a shed, homeowners **are required to** design sheds, which are integrated with the design qualities of their house or townhome, and also adjacent houses or townhomes. Sheds must subsequently be constructed to the approved design, and any amendments to the design must be approved prior to construction. Only one shed per property can be approved; multiple sheds are not allowed.

There are separate design guidelines for sheds on single family or townhome lots. There are separate and simple requirements for small sheds, often called storage units. Please refer to the relevant section below.

Residents must notify the managing agent before “portable on demand storage” (PODS) or similar storage units are delivered. The mandatory locations will be driveways or assigned parking spaces. If you do not have an assigned space, the management agent will designate a common area space. PODS or similar storage units may not be stored on any property longer than six (6) days.

### Sheds for Houses

Sheds for houses may be attached to or abutting the house, or may be stand-alone sheds located in the backyard or underneath a deck.

- The shed must be located behind the rear plane of the house.
- The shed must not exceed one hundred 100 sq. ft. in area, measured at the exterior. Height of the shed must not exceed nine feet (9) at its highest point.
- The color of the shed must be the same as the house, or an approved natural wood color, except for sheds that are integral with a deck, which must be the same as the deck.
- Finish materials must be wood or vinyl.
- Roofing color and material must be compatible to the roofing of the house.
- No decorative features, including, but not limited to, cupolas, weather vanes, window boxes, etc., can adorn the shed.
- There shall be no adverse visual, drainage, or environmental impacts for adjoining properties.
- *Exception:* The closest wall of stand-alone sheds, not underneath a deck, must be located five (5) feet or more behind the rear plane of the house. Stand-alone sheds not underneath a deck must be screened by landscaping if the shed is visible from the street.
- *Exception:* The use of decorative screening or landscaping is encouraged, and may in, some cases, be required, for stand-alone sheds underneath a deck. This will reduce any negative visual impact on adjoining neighbors,

### Sheds For Townhomes

Sheds for townhomes may be attached to or abutting the townhome or privacy fence, or may be stand-alone sheds located in the backyard or underneath a deck.

The shed must be located within the rear privacy fence and behind the rear plane of the townhome.

- The shed must not exceed sixty-four square feet (64) in area, measured at the exterior.
- Height of the shed must not exceed six feet (6) at its highest point.

- The color of the siding must be the same as the townhome, except sheds that are integral with a deck must follow the color scheme of the deck sheds that are abutting a privacy fence must be the color of the privacy fence.
- Finish materials must be wood or vinyl.
- Roofing color and material must be architecturally complimentary to the roofing of the house.
- No decorative features, including, but not limited to, cupolas, weather vanes, window boxes, etc., can adorn shed.
- There shall be no adverse visual, drainage, or environmental impacts for adjoining properties.

#### **Storage Units for Houses or Townhomes**

These sheds, often called storage units are typically made of high-grade plastic and are of the type available from Rubbermaid® and other manufactures, often with access via a lid rather than a door.

- The dimensions of a small shed must not exceed seven feet (7) (length), five feet (5) (width), and five feet (5) (height).
- The unit must be located behind the rear plane of the house or townhome.
- For town homes, the shed must also be located within the privacy fence.
- The color and material of the unit should closely match the house. Prefabricated units must not be painted.
- There shall be no adverse visual, drainage, or environmental impacts for adjoining properties.

#### **Small Shed/Storage Unit Examples**

Below are two examples.



#### **SIDEWALKS AND PATHWAYS**

Sidewalks and pathways shall be set back from the property line and installed flush to the ground. Only stone, brick, concrete or similar durable construction material should be used. The scale, location and design shall be compatible with the lot, home and surroundings. The width of the pathway or sidewalk will not exceed thirty-six (36) inches. There shall be no adverse visual, drainage, or environmental impacts on any neighboring property or common area. An application is required.

#### **SIDING REPLACEMENT**

A physical sample or picture of proposed siding is required to be submitted with the application. Replacement of existing siding with the identical material and color does not require an application to be submitted.

## SIGNS

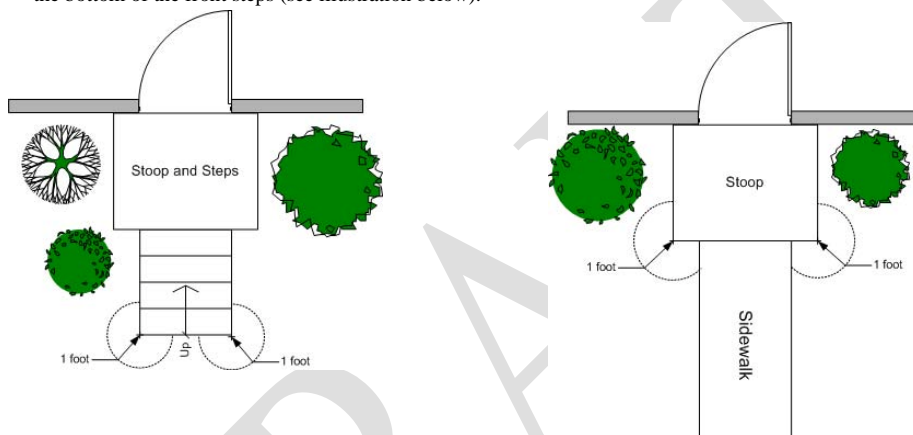
Only signs advertising a property for sale or lease may be displayed. Such signs must meet applicable municipal code regulations with respect to size, content and removal. Signs may only be placed in the front yard of available properties. Only one sign per property is permitted. Signs may not be placed on the common area, and will be removed and disposed of without prior notification. Leader signs are prohibited.

Political Signs: These are prohibited.

Security Signs: One sign, twelve (12)-inch x twelve (12)-inch maximum, may be posted on the property.

Single-family homes – Security sign shall be located next to, or attached to, the mailbox, or no further than one (1) foot from the front stoop or one (1) foot from the bottom of the front steps (see illustration below).

Townhomes – Security sign shall be no further than one (1) foot from the front stoop or one (1) foot from the bottom of the front steps (see illustration below).



## SNOW REMOVAL

It shall be the responsibility of the homeowner to clear sidewalks abutting their property from snow and ice within 12 hours after snow/sleet has stopped falling. If snow/sleet falls during the night, sidewalks must be cleared by 5:00 p.m.

## SOLAR PANELS

Before any solar panel may be installed, an application must be properly filed with, and approved by, the ARC. Due to differing house styles and new advancements in solar technology resulting in new panels, designs and changes in size requirements, each request for approval will be considered individually on its own merits.

An application for solar panels must include the following: a) drawings and/or photographs showing the proposed location on the roof, with color photographs taken from the street; and, b) detailed information regarding the size, installation details, materials and color. The manufacturer's brochure should be provided as well.

The ARC reserves the right to notify adjacent lot owners of any application for a solar panel.

A panel which lies flat with the roof pitch would be the most readily accepted. When a flat installation is not possible, design considerations must be given to how the installation will blend in with the

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design of the building. Installations which are more easily seen from the street or neighboring properties require more attention towards blending them in as inconspicuously as possible with the existing structure.

Additionally, the following requirements will need to be satisfied for any solar panel installation:

#### **Size and Color**

- a. Each panel's dimensions shall not exceed 70" x 40" x 3" and must be seated in a metal frame.
- b. Panels should be of the same size and shape and placed together to avoid gaps between individual panels.
- c. Panels must not cover more than 30% of the roof's total surface area.
- d. Solar panels and framing must be painted to match/blend with the color of the roof or a dark color.
- e. All piping, wires and control devices must be concealed.
- f. Owners should ensure that there is minimal visual impact to adjacent properties and public view in order to protect and enhance the architectural integrity and aesthetics of the community.

#### **Location**

- a. Unless the panels would be otherwise inoperable due to shade, solar panels must be mounted flat on the rear slope of the roof, parallel with the roof ridge and edges.
- b. Solar panels cannot extend past the roof line.
- c. Solar panels must be mounted so that the total height from the roof top to the top of the reflector shall not exceed 3".
- d. Solar panels must be inconspicuous from the street, public areas, neighboring properties and generally located in the rear.
- e. Solar panels shall not be installed on Common Areas or on lawns. Solar panels shall not encroach upon Common Areas or any other Owner's property.
- f. Solar panels shall not be installed on the front or sides of homes or attached to decks or any other separate structure.

#### **Installation**

- a. Solar panels must be properly installed and secured so they do not jeopardize the safety of any passerby or the integrity of the building, and so that they comply with all applicable Virginia building codes and manufacturer's instructions.
- b. Owners are required to exercise their best efforts to install the solar panels in such a way and location where the panels will work with the least adverse impact upon the lot's aesthetic appearance and in the least obtrusive manner possible.
- c. The Association reserves the power to require Owners to camouflage any portion of the solar panels so that it matches or is reasonably compatible with the color of the structure to which it is attached. If such a requirement would void the warranty from the manufacturer, the Owner must submit a copy of the warranty to the Association in order to be absolved of the requirement.

#### **Maintenance**

- a. Owners who install or maintain solar panels are responsible for all costs associated with:
  1. Placing (or replacing), repairing, maintaining, and moving or removing the solar panels;

2. Repairing damage to any property caused by the Owner's failure to properly install, maintain or use the solar panels;
  3. Reimbursing the Association for costs incurred to correct damage caused by the Owner's failure to properly install, maintain or use the solar panels.
- b. Owners shall have a continuing duty to prevent their solar panels from falling into disrepair or becoming a safety hazard. Owners shall be responsible for the solar panel maintenance, repair and replacement, and the correction of any safety hazard.
  - c. If a solar panel becomes detached, the Owner must remove or repair such detachment within 72 hours of the detachment. If the detachment threatens anyone's safety, the Association may remove the solar panel at the expense of the Owner.
  - d. Owners shall be responsible for the repainting or replacement of the solar panels if the appearance of the exterior surface of their solar panels deteriorate or are damaged in any way.
  - e. In the event that the solar panels are permanently removed, the Owner must restore the roof to its original condition.

SPAS - See HOT TUBS AND SPAS

#### STORM/SCREEN DOORS AND WINDOWS

**Storm/Screen Doors.** Only storm/screen doors which are full view (no panels), or have no more than a single one and one half (1.5)-inch bar running horizontally in the center of the door, ~~and must be painted the same color as the house trim or the entry door, which are painted the same color as the unit door to which attached or the primary color of the home or the color of the trim of the home will be approved.~~ The appropriateness of certain designs will vary with the design features of individual clusters. Storm ~~windows, and full view storm~~ doors should be straightforward without such ornamentation such as scrolls, imitation gate hinges, ornamental grillwork or scallops, ~~and should either match the door or trim color.~~ Storm doors must be closed when not being used.

##### Storm windows

The color of all external storm windows must conform to the existing color of the window frame and match the overall trim color scheme. No plastic covering will be permitted on the exterior (outside) doors or windows. Storm windows should be straightforward without such ornamentation such as scrolls, imitation gate hinges, ornamental grillwork or scallops and should match the trim color

~~All storm doors and windows must be approved by the ARC. The color of all storm doors must conform to the existing color scheme and match the house trim or siding. All storm doors must be full view. Other styles will be considered for rear and side door installations on a case by case basis. The color of all external storm windows must conform to the existing color of the window frame and match the overall trim color scheme. No plastic covering will be permitted on the exterior (outside) doors or windows. Replacement windows and exterior/storm doors must maintain the architectural integrity of the home. Homeowners are to maintain all window screens and window grids and keep them free of damage. Window screens and/or grids are to be installed in all windows to maintain a uniform appearance of the home.~~

##### WINDOWS

Any change in appearance of replacement windows must be approved by ARC. Replacement windows must maintain the architectural integrity of the home. Replacement windows can be of wood, metal or vinyl coated as long as their outward appearance is the same as the original. The color of the window frame must match the existing color of the trim of the

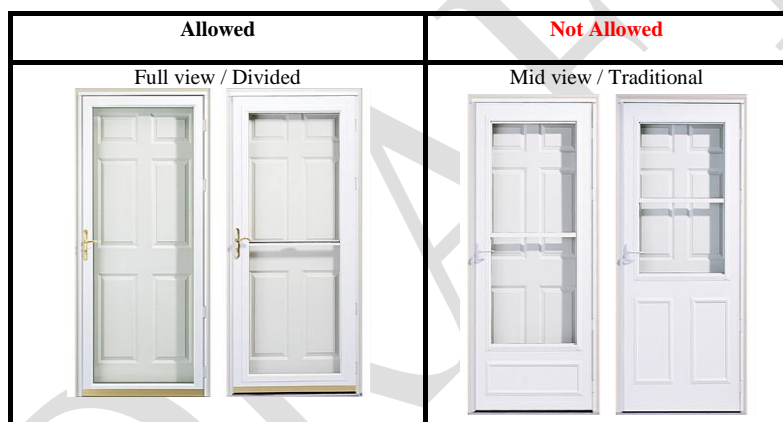
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house or the original color of the builder installed windows (ie white). Homeowners are to maintain all window screens and keep them free of damage. Window screens and/or grids are to be installed in all windows to maintain a uniform appearance of the home. Muntins must be painted the same color as the window or door frame and must be oriented in a rectangular manner creating horizontal and vertical divisions of the window. Diamond-shaped or other shapes of muntins are not allowed.

**Windows.** Muntins (sometimes called grids) are required to maintain architectural consistency within the community. Windows are not to contain large panes of glass which are not visually subdivided by muntins, even if the muntins are only decorative. Modern insulated window replacements are required to contain decorative muntins to give a similar appearance. The muntins requirement applies to both standard double hung windows, and any other type of installation such as garden or bay window, French door, or sliding glass doors. Muntins must be painted the same color as the window or door frame and must be oriented in a rectangular manner creating horizontal and vertical divisions of the window. Diamond shaped or other shapes of muntins are not allowed.



## SWIMMING POOLS

Pools are prohibited on townhome lots. Aboveground pools are prohibited. In-ground swimming pools may be constructed on lots with detached homes. All pools require prior approval from the Association. Pools must be located in the rear of the property. Pool filtration equipment must be shielded from adjacent properties using shrubbery or screening no more than six (6) inches above the equipment. Comments from the owners of adjacent properties may be solicited prior to the ARC making a decision.

## TRASH CONTAINERS

**ALL HOMES MUST STORE THEIR TRASH IN A RIGID CONTAINER WITH A TIGHT FITTING LID.**

Trash, recycling containers, and yard debris must be stored out of sight. Trash (in a rigid container) must be placed curbside after 7 P.M. the day before collection. Trash should be placed in front of your residence, **NOT** on common areas. Overnight placement of trash bags that are not inside the container is prohibited, as this attracts animals. Any bags that are not inside the container should not be placed curbside until the day



of collection. Empty trash and recycling containers shall be removed from sight by 9 P.M. on the collection day.

## TREE/SHRUB REMOVAL AND MAINTENANCE

### TREE/SHRUB REMOVAL AND MAINTENANCE

Trees The removal of (i) all live trees with a diameter in excess of four (4) inches, measured twelve (12) inches above ground, (ii) flowering trees in excess of two (2) inches similarly measured, and (iii) live vegetation on slopes of more than twenty (20) percent gradient or marked "no cut" areas on approved plans, require the prior approval of the ARC. No trees planted for sound mitigation purposes shall be removed from any lot without the prior written approval of the ARC unless necessary to construct improvements based on plans previously approved by the ARC. When a tree is removed, the stump must also be removed.

Dead or removed trees must be replaced with a tree from an approved list.

Replacement trees must be at least four (4) feet in height.

Decorative trees will not be permitted as a replacement primary tree.

Currently, Prince William County and Manassas City code require a 20% tree canopy.

Manassas City Code -- Article VII. Tree Canopy Requirements Sec. 130-217

Prince William County -- Code Sec. 32-250.42. Same; Tree Canopy Coverage

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The removal of (i) all live trees with a diameter in excess of four (4) inches, measured twelve (12) inches above ground, (ii) flowering trees in excess of two (2) inches similarly measured, and (iii) live vegetation on slopes of more than twenty (20) percent gradient or marked "no cut" areas on approved plans, require the prior approval of the ARC. Dead or removed trees must be replaced with a tree; dead or removed shrubs must be replaced with a shrub. When a tree or shrub is removed, the stump must also be removed. Replacement trees require approval by the ARC.

No trees planted for sound mitigation purposes shall be removed from any lot without the prior written approval of the ARC unless necessary to construct improvements based on plans previously approved by the ARC.

~~Currently, Prince William County and Manassas City code require a 20% tree canopy on every lot.~~

~~Manassas City Code -- Article VII. Tree Canopy Requirements Sec. 130-217~~

~~Prince William County -- Code Sec. 32-250.42. Same; Tree Canopy Coverage~~

~~Replacement trees must be at least four (4) feet in height.~~

~~Decorative trees will not be permitted as a replacement primary tree.~~

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No tree topping will be permitted. See illustration below.

Topped trees can reduce the appraised value of your home.

Topped trees are unsightly

Topping a tree can damage and kill the tree.



**Shrubs** Dead or removed shrubs must be replaced with a shrub. When a shrub is removed, the stump must also be removed. Replacement shrubs require approval by the ARC.

**VEHICLES** - See VEHICLE POLICY RESOLUTION #7 on the Wellington web site

**WIND CHIMES** Considered quaint by the owner and a noisy irritant to neighbors, installation of wind chimes is not encouraged. They are permitted behind the rear plane of the home, but are subject to removal if a complaint is received.

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WELLINGTON COMMUNITY ASSOCIATION, INC.

POLICY RESOLUTION NO. 6

Design Standards and Guidelines

Revised ~~September 1, 2016~~ October 17, 2017

RESOLUTIONS ACTION RECORD

Duly adopted at a meeting of the Board of Directors held \_\_\_\_\_

Motion by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

VOTE:

YES

NO

ABSTAIN

ABSENT

Howard Pond

~~Carolyn Lightner~~

Kristina Walker

Michael Stine

~~Jennifer Whiteree~~

Melissa Sweetland

Donald Hollar

Kim Howard

~~Vacant~~

ATTEST:

Howard Pond, President \_\_\_\_\_ Date \_\_\_\_\_

Resolution effective ~~October 1, 2016~~ November 1, 2017

CERTIFICATE OF MAILING OR DELIVERY

I hereby certify that this Policy Resolution was mailed and/or hand-delivered to the addresses of record of the Members on this \_\_\_\_ day of \_\_\_\_\_, ~~2016~~ 2017

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lisa Mulloy

October 2016

Wellington Community Association Design Standards and Guidelines

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Wellington Community Association, Inc.

## **APPENDIX**

### **DESIGN REVIEW APPLICATION**

The onsite office must receive completed applications no later than seven (7) days prior to the next scheduled meeting.

All applications received after that time will be considered at the following meeting.

Incomplete applications will not be considered and will be returned to the homeowner for completion.

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**DESIGN REVIEW APPLICATION  
WELLINGTON COMMUNITY ASSOCIATION**

Please Mail or Deliver To:

Architectural Review Committee  
Wellington Community Association  
9700 Wellington Road  
Manassas, VA 20110

*(Please type or print)*

1. NAME: \_\_\_\_\_
2. ADDRESS OF PROPOSED CHANGE: \_\_\_\_\_
3. SECTION/LOT NUMBER: \_\_\_\_\_
4. TELEPHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_
5. GENERAL DESCRIPTION OF PROPOSED CHANGE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide a description of the proposed change, including the purpose or reason for the change, the type and color of materials to be used, location on the property, and any other pertinent information required to evaluate the proposed change. \_\_\_\_\_  
\_\_\_\_\_

6. Purpose of Improvement: \_\_\_\_\_  
\_\_\_\_\_

**REQUIRED EXHIBITS AND SUPPORTING DOCUMENTATION:** The supporting exhibits or supporting documentation listed below **must accompany** this design review application, as applicable for the proposed change. An application submitted without all required submissions will be considered incomplete until all required submissions have been provided. In general, an applicant should provide all documents and exhibits required by City of Manassas (or Prince William County, as appropriate).

- **SITE PLAN** - A registered site plan of the property (which shows property lines and unit orientation) showing the location and dimensions of the proposed improvement, including orientation with respect to the property lines, unit, and adjacent dwelling units must be provided for ALL applications.
- **ARCHITECTURAL DRAWINGS AND PLANS** - Detailed architectural drawings or plans must be provided for ALL proposed structures and major landscape improvements. Please contact the management office for requirements specific to certain improvements.
- **PAINT OR STAIN COLORS** - A sample of the color(s) to be used must be provided for all painting and staining, together with a list of existing colors on the house or appurtenant structures which will remain unchanged.
- **FINISH MATERIAL** - A description and/or sample of all finish material to be used for the exterior surface of proposed improvements must be provided
- **PHOTOGRAPHS** - The inclusion of photographs is appropriate to clarify type, model, and style of additions such as storm doors, lighting fixtures, decorative objects, etc.
- **OTHER EXHIBITS** - Other exhibits may be required in order to permit adequate evaluation of the proposed change. Homeowners are advised to seek guidance from the Managing Agent prior to submission of an application.

ESTIMATED STARTING DATE OF CONSTRUCTION \_\_\_\_\_

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ESTIMATED DATE OF COMPLETION \_\_\_\_\_

**NOTIFICATION OF SURROUNDING LOT OWNERS**

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

**SIGNATURE OF ADJACENT LOT OWNERS**

(Neighbors' signatures on this application **DO NOT** indicate approval of the proposed modifications, only that they have been notified that an application is being submitted for the modifications.). Neighbors are welcome to submit comments or concerns to the Architectural Review Committee.

1.	_____	_____	_____	_____	_____
	Name	Address	Section#	Lot #	Signature
2.	_____	_____	_____	_____	_____
	Name	Address	Section#	Lot #	Signature
3.	_____	_____	_____	_____	_____
	Name	Address	Section#	Lot #	Signature
4.	_____	_____	_____	_____	_____
	Name	Address	Section#	Lot #	Signature

**NOTES:**

Nothing contained herein shall be construed to represent that alterations made to lots or buildings in accordance with these plans shall not violate any of the provisions of local Building and Zoning Codes to which the above property is subject. Further, nothing contained herein shall be construed as a waiver or modification of any said restrictions.

Where required, building permits shall be obtained prior to the start of any construction.

Nothing contained herein shall be construed as a waiver of said requirement.

Owner understands and agrees that no work on this request will commence until written approval has been obtained from the Architectural Review Committee.

Owner further understands and agrees that any exterior alterations undertaken before written approval is obtained is not permitted and that the Owner may be required to restore the property to its former condition at Owner's expense if such alterations are made and subsequently disapproved in whole or part.

Further, Owner understands that any legal expense associated therewith may be the responsibility of Owner.

Owner agrees to give the Architectural Review Committee and/or Managing Agent, express permission to enter on the Owner's property during normal business hours to inspect the proposed project, the project in progress, and/or the completed project.

Owner understands that any approval is contingent upon the completion of alterations in a workmanlike manner and in accordance with the approved plan and specifications for said alterations.

Owner acknowledges that he is familiar with the design review requirements and procedures for the Wellington Community Association.

Owner understands that the authority to perform an alteration granted by this application will automatically expire if work is not commenced within 45 days following approval and completed within 90 days, or other time frame authorized by the Architectural Review Committee.

HOMEOWNERS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_