

HOMEOWNERS ASSOCIATION

New Owners Guide

FOR

Valley Springs
Homeowners Association

PURCELLVILLE, VIRGINIA

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New Owner Information

Below is some important information regarding the process for making an application for an architectural modification. Some general things to remember are:

1. Any external modification to your property needs to be approved beforehand by the Association's Architectural Review Board. Do not hire anybody, buy any materials, or start any work until you have the approval.
2. In some Associations, members of the Board of Directors have application forms, and you can always get one by calling the management office.
3. All applications for changes will be dealt with promptly; most Covenants give ARB sixty (60) days to give you an answer, but you should normally get one much sooner.
4. All applications (with attachments) should be sent to the management office to start the process.

The purpose of design controls is to assure residents that the standard of design quality will be maintained. This ensures protection of property values and enhances the overall environment of the community.

The ARB evaluates all submissions on the individual merits of each application. The characteristics of the house type and the individual site are taken into account when evaluating the particular design proposal. This is because what may be acceptable in one instance may not be in another. When a proposed modification has a possible impact on adjacent properties, it is suggested that the application discuss the proposal with neighbors prior to making an application the ARB. It may be appropriate in some cases to submit the comments of your neighbors with the ARB application.

Pre-Improvement Application: Before any Owner undertakes any improvement of his or her Lot or makes any alteration of the improvements of his or her Lot, the Owner must file an application with the Architectural Committee. The application form provides information that is necessary for the Architecture Committee to use in determining the scope and detail of the proposal. All information requested on the application as specified in these Guidelines must be completed; otherwise, the application will be considered incomplete and will be returned.

Each application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in the Guidelines. An Owner who wishes to make an improvement that is identical to one already approved by the Architectural Committee is still required to submit an application. An improvement that is appropriate for one Lot might not be appropriate for another Lot. Additionally, each improvement to any Lot must be documented and remain in the permanent file maintained on each lot.

Key Information which must be included on the application (as applicable) is:

- A. Site Plan – a site plan is most easily prepared by submitting a copy of the property plat. Proposed changes should be indicated, including dimensions and distances from adjacent property and houses.
- B. Drawings and Photographs – a graphic description should be provided, and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, exterior elevations for proposed structure, and if appropriate, plans or provisions for landscaping or grading, etc. should be shown as they affect the applicant's house, and as they relate to adjacent properties. In any case, the sketch, diagram or photograph must be accompanied by written description.
- C. Fences – wood use, color style, height, copy of your plat, and type/color of the finish.
- D. Painting – color must match and pre-approved colors for the particular unit. Any change in color must be approved by the ARB.

- E. Patios, Decks and Fences – size, material, copy of the plat showing location, and finish. Must be located in the backyard. Decks must be constructed of cedar, redwood, pressure treated lumber or a preservative type finish applied. Deck stains are subject to “color chip” approval by the ARB. Patios may be built as a concrete slab stamped concrete, stone or of brick.
- F. Playhouses, sandboxes or other elevated structures can be located only in the rear yards and the height of such structures shall not exceed six (6) feet.

After review of such plans and a review of the structure location staked in the field, if applicable, the ARC will inform the Owner of its approval or disapproval of the final plans. The ARC will have sixty (60) days within which to approve the Owner’s final plans within sixty (60) days after submission, the final plan will be deemed to have been approved provided that the plans are consistent with the HOA Architectural Guidelines and governing documents. No Owner may erect, under any circumstances, any building structure or other improvement that violates any of the provision of the Guidelines. Upon the Architecture Review Board’s and Board of Directors’ approval of an Owner’s final plans, written approval evidencing and attesting to the association’s approval of the Owner’s plans and specification will be furnished the Owner by the Board of Directors. Thereafter, the Owner must obtain all required governmental permits, including contract “Miss Utility” before proceeding with construction.

ARB Review Criteria:

1. Validity of Concept – the basic idea must be sound and appropriate to its surroundings.
2. Design Compatibility – the proposed modification must be compatible with the architectural characteristics of the applicant’s house, the adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
3. Location and Impact on Neighbors – the proposed modifications should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage. For example, fences may obstruct views, breezes or access to neighboring property; decks or larger additions may cast unwanted shadows on an adjacent patio or property or infringe on a neighbor’s privacy.
4. Scale – the size of the proposed modification should relate favorably to adjacent structures and its surrounding. For example, a large addition to a small house may be inappropriate.
5. Color – color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house such as roofs, siding and trim should be matching in color.
6. Materials – continuity is established by use of the same or compatible material as were used in the original house. The options may be limited somewhat by the design and material of the original house. For instance, horizontal siding on the original house should be reflected in the addition. On the other hand, an addition with siding may be compatible with brick.
7. Workmanship – workmanship is another standard which is applied to all exterior modifications. The quality of the work should be equal to or better than that of the community. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.
8. Timing – projects are to be completed within forty-five (45) days from the time construction begins, unless otherwise stated in the application to the ARB. Exceptions are considered on a case by case basis. Anything over forty-five (45) days could become a nuisance and safety hazard for neighbors and the community.
9. Completeness of Application – if the information presented is sufficiently incomplete a written response will be forwarded explaining what needs to be included in order for the review to be performed. Once all details and data are received, the ultimate decision of the ARB will be sent by letter to the applicant’s address.

Appeal of the ARB decision:

An appeal may be made if it appears that one of the following situations has occurred.

1. Proper procedures were not followed during the administration and review process.
2. The decision was arbitrary and has not rational basis.

To initiate the appeals procedure, applicants or other affected residents must submit a written request for an appeal within twenty (20) days of the applicant receiving the ARB decision. The appeal will be referred to the Board of Directors for review at the next regularly scheduled meeting of the Board.

