

POLICY MEMORANDUM 89-1

Date: May 5, 1989

To: All Millwood Estates Homeowners and Residents

From: Board of Directors

Subject: COMMUNITY LIVING AND ARCHITECTURAL GUIDELINES

The purpose of this memorandum is to issue revised Community Living and Architectural Guidelines, superseding Policy Memorandum 88-7, dated August 20, 1988. These guidelines have been revised by the Board of Directors based on proposals from the Architectural Review Committee and homeowners' comments. We believe these Guidelines will continue to assure the level of upkeep and originally designed living environment we all desire while still allowing individuality.

Authority for this memorandum is contained in the Millwood Estates Declaration of Covenants, Conditions, and Restrictions (CC&Rs), dated March 25, 1986. Specifically, Article V, section 5.4 outlines the duties of the Architectural Review Committee and this document provides architectural standards addressed in 5.4(3). If this document disagrees in any way with the contents of the CC&Rs, the CC&Rs take precedent and apply.

Except where indicated, all modifications of the types listed herein shall require application and approval by the ARC prior to the start of work.

A standard application form for submission to the ARC with explanatory procedures is attached at the end of the Guidelines.



**SECTION A**  
**ARCHITECTURAL MODIFICATIONS AND EXTERIOR CHANGES**

1. **FENCES.** Standard fences were provided by the builder. They must be left unpainted/unstained and modifications/replacements must match the builder provided fence in style and material (rough cut cedar). Only wood preservatives or sealers that do not materially alter or change the appearance of the wood may be used. The three (3) types permitted are:
  - (1). - **WATER REPELLANTS** - Such as Thompson's Water Seal or Wolman's RainCoat.
  - (2). - **WATER REPELLANT PRESERVATIVES** - Such as Wood-Life, Sunyside's Wood Protectant Plus, or ZAR Clear Wood.
  - (3). - **CLEAR WOOD FINISHES** - Such as Aquatrol, CWF, and Woodlife Clear Wood Finish.
  
2. **EXTERIOR STORAGE.** In general, exterior storage is not permitted other than in approved sheds. Under deck storage (hung from underneath the deck) of such items as bicycles, ladders, construction wood, etc. that has a significant negative visual impact on neighbors is not allowed.
  
3. **STORAGE SHEDS.** Sheds must be compatible with the applicant's house in color and material, and should be located where they will be visually unobtrusive. The structure may not extend above the fence in any area. Prefab metal storage sheds are not allowed.
  
4. **DECKS.** All decks must be constructed of unstained, unpainted, pressure treated wood. ARC application must include a site plan showing size of the deck, location as it relates to applicant's house as well as adjacent houses and property lines, description of materials to be used, and details of railings, posts, chairs, steps, benches, etc. as required to clearly describe the proposal. Include height of deck off the ground. Second floor decks should be constructed far enough away from party walls so as to allow access for repairs. Only wood preservatives or sealers that do not materially alter or change the appearance of the deck may be used. The same three (3) types of preservatives approved for fences are permitted for use on decks.
  
5. **TRELLISES/ARBORS/PRIVACY SCREENING (TAPS).** Approval of these items by the ARC is not required if they are in the rear yard and do not extend above the fence. All other trellises/arbors/privacy screening requires ARC approval. Approval will be on a case-by-case basis because one person's privacy screening may be another person's blockade. ARC approval will be based upon the need to block an undesirable view such as commercial areas or roadways. Privacy screening on decks should be limited to two (2) feet in height and the side width of the deck. However, variations will be considered by the ARC on a case-by-case basis depending on the location of the townhouse and surrounding environment. Approval is also dependent upon quality of materials and how the TAPS complement the architectural harmony of the community. For those reasons, requests for TAPS must be accompanied by details of installation to include size, location, and construction material. TAPS may not be attached to fences and must be unpainted natural wood, for example: cedar, cypress or pressure treated pine.
  
6. **STORM AND SCREEN DOORS/WINDOWS.** Storm doors (front and upper rear) must be uninterrupted full view, or 3/4 view, and require ARC approval. They may be wood or metal frame but without ornamentation such as scallops, scrolls and imitation gate hinges. Hardware

should be brass for wood doors and brass, black or trim color for metal doors. Color should be harmonious with the color of the house and/or trim and is subject to approval by the ARC. When metal-framed doors are used, manufacturer's baked-on colors that are harmonious to the current trim/house/door are to be used. A sample of the proposed color (paint chip) is to be submitted with the request to the ARC. Rear ground level storm doors do not require ARC approval.

Storm window frames are also to be of a color that is harmonious with the color of the house and/or trim, subject to ARC approval. A sample of the color (paint chip) is to be submitted with the ARC request. No plastic covering will be permitted on the exterior (outside) doors or windows.

7. SUN CONTROL DEVICES. Awnings, exterior shades, trellises or other sun control devices to include reflective window tint (interior or exterior) require ARC approval.

8. RECREATION AND PLAY EQUIPMENT. All stationary equipment must be placed within fences in the rear yards. Consideration must be given to lot size, equipment design and size, amount of visual screening, etc. Equipment must be below the fence line. ARC application for such equipment is not required.

Moveable play equipment such as bicycles, tricycles, and riding toys shall not be stored or left unattended for extended periods of time in front of townhouses, or in the common areas.

9. EXTERIOR LIGHTING. No exterior lighting shall be directed outside the applicant's property. Front porch light bulbs should be white light with clear glass. Clear glass bulbs leave a distinctive shadow which, when repeated throughout the community, presents an architecturally pleasing appearance.

ARC approval is required before any new lighting is added or original lighting is altered. Light fixtures should be compatible in style and scale with the applicant's house. Applications for exterior lighting should include wattage, height of light fixture, and a complete description, including descriptive material of the light fixture and location on the property.

Patio accent lighting (12 volt ground level) does not require ARC approval. They are permitted within the rear fence and should be installed so as not to shine on neighboring homes and yards.

Seasonal holiday lights/decorations do not require ARC approval. They should, however, be removed in a timely fashion after the holiday.

10. ANTENNAS. Exterior antennas ~~and satellite dishes~~ are prohibited. **Small satellite dishes, no larger than 18(?) inches in diameter are authorized, but should be installed in as unobtrusive a manner as possible, so as to minimize the visual and architectural impact on the community. ARC approval is not required.**

11. DOG HOUSES. Doghouses are permitted in rear yards only. ARC approval is not required.

12. EXTERIOR DECORATIVE OBJECTS. Exterior decorative objects visible from front ground level such as birdbaths, wagon wheels, sculptures, fountains, pools, stumps, wind chimes, and freestanding poles of all types are not permitted. Planters on porches/steps are permitted. Standard peep holes in front doors, name signs not exceeding 6x18 inches next to front and/or rear doors, seasonal door wreaths, standard small (no larger than 6x6 inches) brass door knockers, and brass front door kick-plates are authorized and do not require ARC approval. The doorknockers and kick plates are to be kept polished. Other front decorative objects require ARC approval. Questions on these items should be referred to the ARC.

13. EXTERIOR COLOR CHANGES. Color changes to the house siding, doors, shutters, trim, roofing, and other appurtenant structures require ARC approval. Proposals for change of the exterior color for homes should relate to the colors of the townhomes in the immediate area.

14. FLAGPOLES. ARC approval is not required for temporary flagpole staffs of the type that attach at an angle to the house. Unusual designs should be brought to the attention of the ARC prior to installation.

15. ROCK GARDENS. ARC approval is required for rock gardens or collections of rocks regardless of size. All rocks shall be left in their natural color.

16. HOT TUBS. Hot tub installation usually is accompanied by the installation of additional lighting and, especially in a townhome community, the installation of privacy screening. For the above reasons, requests for hot tubs must be submitted to the ARC. Requests for hot tub installation should include county approval, if required, and details of location, lighting, and privacy screening.

17. EXTERIOR UNIT AIR CONDITIONERS. Central air exterior compressors may be added to or relocated only if they will not visually impact upon a neighbor. ARC approval is required prior to any movement of central air units. Window air conditioning units are not permitted.

18. CLOTHESLINES. Clotheslines must be demountable and in rear yards below the fence line. They should only be up when in use. Drying or airing laundry or rugs (including door mats) on front porch railings or a rear deck railing is not permitted. Clothes drying may only be done inside of rear fences.

19. ATTIC VENTILATORS. Attic ventilators or other mechanical devices placed on the roof should be as unobtrusive as possible (small, matching roof color, on the back side).

20. SOLAR PANELS. Solar panels are not permitted because they cannot be installed in a townhouse community without detracting from the visual harmony of the entire community.

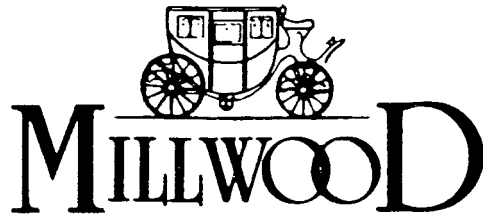
21. LANDSCAPING. Application is required for the creation of a new bedding area or an expansion to an existing, approved one. Such applications shall detail the type, mature size, and layout of the proposed planting. Replacements of dead or dying plants with plants of the same type shall be exempt from requiring application. The planting of annuals and perennials in approved beds, however, shall not require application. Care should be taken on any plantings not to hinder the ability of the landscaping contractor to mow easily.

Rear yard landscaping inside the fence line does not require ARC approval. However, care should be taken to assure that the mature size of plants and trees are compatible with a townhouse and are not excessive in size and become an inconvenience or a hazard to neighbors. Additionally, the trimming of trees and shrubs is the responsibility of each homeowner and must

be done to avoid potential hazards.

22. ELECTRONIC INSECT TRAPS. Electronic insect traps draw insects from as far away as a half mile but sanitize an area generally only within twenty-five feet of the trap. In a townhouse community, then, the effect of an electronic trap is to draw insects into one's neighbors' yards. As such they are detrimental to the community as a whole and are not permitted.

23. COMPOST PILES. Compost piles are not compatible with the small confines of townhouse living and are not permitted.



**SECTION B  
COMMUNITY GUIDELINES**

24. **TRASHCANS.** Trash shall not be placed for pickup before dark on the evening prior to pickup. Trash must be in securely tied plastic bags or in trash containers and must be placed at curbside directly in front of your townhouse when possible. At all other times trash containers are to be kept out of public view from front or rear. Trashcans should be removed from the front curb as soon as possible after pickup but not later than the evening following pickup. The current collection schedule is every Tuesday and Friday by 6:00 AM. There are no collections on Christmas, New Year's Day, and Thanksgiving. You will be notified if there are other non-collection days.

25. **FIREWOOD.** Firewood stacks are permitted only inside rear fences. It should be neatly stacked and located in such a manner as to minimize visual impact. Stacked firewood should not lean against fences nor extend above the fence.

26. **REAL ESTATE SALE/RENT SIGNS.** Only County approved signs may be placed in the front yard of the property for sale/rent. They must be removed within 48(?) hours following contract acceptance. "OPEN HOUSE" signs are exempt because of their temporary nature.

27. **EROSION CONTROL.** Each resident is responsible for seeing that their lot area is protected from erosion and that they do not cause any storm drain structures to be blocked so as to cause additional erosion problems. *(Do we want to elaborate?)*

28. **PESTICIDES AND HERBICIDES.** Pesticides and herbicides may be applied according to label instructions for the specified problem. Emphasis should be placed on organic/biodegradable materials in order to ensure the least harm to the natural environment. Care in application is extremely important. Avoid use of pesticides and herbicides if at all possible, but when necessary, use with caution and follow instructions.

29. **LAWNS.** The Association is responsible for the maintenance of all common ground lawns and all front and rear lawns of each townhouse outside of fences, including the seeding, fertilizing, mowing, edging, leaf removal, application of insecticides, herbicides, and fungicides, on a cyclical basis. Any individual owner who desires to maintain the area in front of their townhouse may do so. Homeowner maintenance must be of a type that will assure a well-kept lawn, and not detract from the overall appearance of the community. Proper watering of lawn areas, shrubs and trees in front, to the rear, and when applicable on the side of the townhouse is the responsibility of the homeowner/resident. Areas inside of rear fences are solely the homeowner's responsibility and should be kept up to commonly accepted community standards.

30. **TRASH AND LITTER.** Trash or litter deposited on the common grounds by an owner or an owner's agent must be removed by the owner or owner's agent within twelve hours of notification to the owner or agent. If not removed, the Association will remove it and charge the owner a minimum of \$25.00. If the actual cost of removal exceeds this amount, an additional charge will be made to cover added expenses. This charge will be added to and become a part of

the assessment to which such a lot is subject.

31. **VEHICLES.** No junk vehicles, recreational vehicles, house trailers, or commercial or industrial vehicles such as, but not limited to, moving vans, trucks, tractors, trailers, vans (other than typical passenger vans), wreckers, hearses, buses, boats, boating equipment, mobile homes, or camping equipment, shall be regularly or habitually parked within the boundaries of Millwood Estates (whether on lots, common areas, or the streets). No portion of any lot, common area, or street within Millwood Estates shall be used for the maintenance or repair of motor vehicles.

32. **RENTING/LEASING.** No unit shall be rented for transient or hotel purposes or in any event for an initial period of less than six months. No portion of any unit (other than the entire unit) shall be leased for any period. No unit owner shall lease a unit other than on a written form or lease: (i) requiring the lessee to comply with the CC&R's; (ii) providing that failure to comply constitutes a default under the lease, and (iii) providing that the Board of Directors has the power to terminate the lease or to bring summary proceedings to evict the tenant in the name of the lessor thereunder after forty-five days prior written notice to the unit owner, in the event of a default by the lessee in the performance of the lease. The Board of Directors may suggest or require a standard form lease for use by unit owners. Each unit owner of a townhouse shall, promptly following the execution of any lease of a townhouse, forward a conformed copy thereof to the Board of Directors.

33. **SNOW REMOVAL.** It is each homeowner's responsibility to clear snow and ice from sidewalks in front of and along side their property as soon as reasonably possible. In the event that any owner fails to remove snow or ice in a timely manner, the Association shall have the right to go upon the property and remove the snow and ice, and the reasonable cost thereof, as incurred by the Association, shall be charged against the defaulting homeowner as an additional assessment. Use of sodium chloride (common salt) damages both the concrete and surrounding plants and lawns, and is not permitted. Kitty Litter or commercial non-sodium chloride compounds available at any hardware store should be used.

34. **IN HOME BUSINESS.** Fairfax County regulations and requirements are to be followed. Copies of the County's regulations are available at the County Service Building on Rolling Road.

35. **GARAGE DOORS.** Garage doors should be kept closed as much as possible for reasons of safety, security and aesthetics.

36. **GARDEN HOSES.** Garden hoses should be stored as inconspicuously as possible. They are not permitted to be hung on attachments on outside walls or fences and should not be left in lawn areas when not in use. This can cause damage to the lawn and detracts from the neighborhood's appearance.

37. **MULCH.** Each individual homeowner is responsible for and must maintain the mulched areas around trees, shrubs, and bedding areas. Only shredded hardwood mulch will be used. Medium and large chip mulch have a tendency to "float" on the lawn after watering and rain, causing difficulties and potential accidents to the maintenance contractor when mowing. Pine bark mulch is not to be used. This type of mulch has a tendency to become infested with insects, potentially causing a community problem and expense. Homeowners not maintaining their

mulched areas may be assessed the costs of having the maintenance contractor perform this task. Mulch should be added and/or replaced each spring and fall.

38. **LAWN EDGING.** Lawn edging along driveways, around trees, and along front or side flower and shrub beds, as a general rule is not permitted. However, requests for edging primarily for erosion control will be considered on a case-by-case basis. Requests to the ARC should include the reason, type (brick, timber, pickets, rocks or plastic), and specific location shown on a site plan. Edging will only be approved as an aid for erosion control and where it will not create added grounds maintenance expense.

39. **HOUSE NUMBERS.** House numbers placed on rear gates should be of the same style, size and material as the numbers on the front of the townhouse, and do not require ARC approval.

40. **PETS.** The Homeowners Association has extended permission to both the County Director of Animal Control and the Fairfax County Animal Wardens to enforce all applicable portions of the Fairfax County Code with regard to animals and pets in Millwood Estates.

Pets in Millwood Estates must be restrained and constantly under the control of a responsible person who must also clean up and properly dispose of pet wastes deposited. Pets may not be tied or chained in any common area.

Homeowners should insure that their pets are not a nuisance to other residents of the community. Pets may be a nuisance to others when barking, crying, scratching or being hygienically offensive.

Damage to common areas by pets shall be at the expense of the owner. All pets must have required shots, licenses and tags

Residents should report any violations of the above items to Fairfax County Animal Control (830-3310). Sanitary problems should be reported to the Fairfax County Health Department (451-7783).