

ARCHITECTURAL GUIDELINES
OF
OLD MILL COMMUNITY COUNCIL,
INC.



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I. Introduction.

A. Old Mill was conceived as a community of townhomes designed to reflect a traditional colonial atmosphere. The design of Old Mill was inspired by the timeless colonial beauty of Williamsburg and the homes of old Georgetown. The random variations in house styles and architectural details, the set-back effect and the placement of units within the community were studiously considered to eliminate the look of “sameness” common to city row-houses. This concept has been successful, for the general appearance of Old Mill has attracted many buyers since the founding of the community in 1972 and the concept is now common in most townhome communities. The developers realized the wisdom and necessity for exercising some measure of control over the community to maintain the aesthetic integrity of the original concept, to ensure continuance of a well-kept appearance, and to protect the homeowners’ investment. Consequently, the Declaration of Covenants, Conditions and Restrictions for Section One and the Declaration of Covenants, Conditions and Restrictions for Section Two (collectively referenced to as “Declaration”) provide for the Association to approve exterior changes to the properties in Old Mill and enforce maintenance standards.

B. To attain the desired objectives, an Architectural Control Committee was appointed by the Board of Directors as provided in the Declaration of Covenants, Conditions and Restrictions and the Association’s Amended and Restated Bylaws (“Bylaws”) and architectural and maintenance standards have been established in the Association Bylaws. In enforcing these standards, it is the policy of the Association to maintain the architectural integrity of the community while, at the same time, affording owners the opportunity to effect exterior changes in accordance with their preferences within reasonable limits. Therefore, Architectural standards are more stringent for the front and sides of the homes which contain the features which determine the colonial architectural character of the community; whereas; more variations may be permitted in the rear of the homes which were built rather architecturally featureless. The community is not a colonial restoration but a living contemporary community reflecting a colonial atmosphere; therefore, it must keep pace with improvements in contemporary building materials and living. The goal is architectural harmony - not uniformity!

II. General Information.

A. Purpose. The Association Bylaws require the Board of Directors to publish the Architectural Guidelines. The overall purpose of this booklet is to serve as a guide to aid owners and residents in maintaining and enhancing Old Mill's carefully designed environment and to provide a basic reference standard for the members of the Architectural Control Committee. The guidelines described in this booklet address changes for which homeowners most commonly submit applications to the Architectural Control Committee or are architectural features essential to maintain the architectural character of the community. They are not intended to be all inclusive or

exclusive, but rather serve as a guide to what may be done. The specific objectives of this booklet are:

1. To increase owner's and resident's awareness and understanding of the Declaration.
2. To serve as a guide to the architectural requirements of the Bylaws.
3. To describe the organization and procedures involved with the architectural and maintenance standards established by the Declaration and Bylaws.
4. To describe maintenance and design standards which will aid owners and residents in maintaining their property in a manner which promotes the appearance of the community and developing exterior changes that are in harmony with the immediate surrounding homes and the community as a whole.
5. To assist owners in preparing an acceptable application to the Architectural Control Committee.
6. To provide uniform guidelines to be used by the Architectural Control Committee in reviewing applications for changes and enforcing maintenance standards.

B. Protective Covenants.

1. The basic authority for maintaining the quality of design and maintenance in Old Mill is contained in the Declaration of Covenants, Conditions and Restrictions for Section One and the Declaration of Covenants, Conditions and Restrictions for Section Two which are a part of the deed to every property in Old Mill. The intent of Covenant enforcement is to assure residents that the standards of design quality and maintenance will be maintained. This, in turn, protects property values and enhances the community's overall environment. All property owners should have been provided a copy of the Covenants at settlement. Since these Covenants "run with the land" and are part of the deed filed among the land records of Fairfax County, which constitutes constructive notice of the requirements to all owners, they are binding on all owners whether or not an owner was provided a copy or read them. All owners should periodically review and fully understand the Covenants. The Covenants establish the Association and provide for the Architectural Control Committee.

2. For owners and residents of Section One of Old Mill (Cherry Oak, Cloverdale and Meadow Grove Courts), Article VII and Article IX of the Declaration of Covenants, Conditions and Restriction pertaining to Section One, Old Mill Community, contain the provisions for architectural control and restrictions. Article VIII of the Declaration provides for the enforcement of maintenance standards.

3. For owners and residents of Section Two of Old Mill (Buffie and Teakwood Courts), Article V of the Declaration of Covenants, Conditions and Restrictions pertaining to Section Two, Old Mill Community, contain the provisions for architectural control. Article II, Section 3, of the Declaration provides for the enforcement of maintenance standards.

C. Association Bylaws. The basic architectural and maintenance standards, restrictions and procedures are contained in the Association Bylaws. Article XXII prescribes the role of the Architectural Control Committee and Committee Chairperson and the basic architectural control procedures. Article XXIII contains the architectural and maintenance responsibilities of the members. The Architectural Guidelines are based on the restrictions and requirements of the Bylaws.

D. Role of the Association.

1. The role of the Association, of which every owner is a member, is not only to own and maintain the Common Area, but to conserve and enhance the resources of the total community. The Association accomplishes these functions in a variety of ways, one of which is by ensuring, through the Architectural Control Committee, the retention of harmonious design qualities and high maintenance standards of the community. Surveys of planned unit development (PUD) communities, such as Old Mill, show that providing this assurance is reflected in the preservation and enhancement of real estate property values and is of prime importance to owners and residents.

2. The Architectural Control Committee (ACC) performs its task of ensuring aesthetic quality of the homes and their environs by establishing and monitoring the architectural review process and the Townhome Maintenance Inspection Program. The ACC ensures that proposed exterior alterations comply with the objectives set forth in the Covenants and Bylaws. This involves regular and systematic review of all applications for exterior alterations submitted by owners. As part of the Association's commitment to preserving and enhancing the appearance of the community, in the spring of each year, the ACC is required by the Bylaws to conduct a community-wide inspection of all properties in Old Mill. A report, with a request for corrective action, is provided to all owners whose property does not conform to the maintenance or architectural standards of the Covenants and Bylaws.

E. Changes Requiring Approval.

1. The Declarations explicitly state that ALL exterior alterations of a property, permanent or temporary, require the approval of the Association. It is important to understand that Association approval is not limited to major alterations such as adding a deck to a house, but includes such items as color, door, window and

front light fixture changes. Further, once a plan is approved, it must be followed or a modification must be approved. Approval is also required when an existing item is to be permanently removed.

2. Each application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these Guidelines. A homeowner who wishes to construct a deck identical to one already approved by the Association is still required to submit an application. A replacement/repair item, such as front steps, must be substantially the same as the original in style (i.e.: material, location, size, shape, etc.) unless a change has been approved by the Association. To prevent a financial loss, owners should not assume an application will be approved and commence work before approval.

III. Review Criteria. (Bylaws, Art XXII, Sec 1(f)).

A. The Architectural Control Committee (ACC) evaluates all submissions on the individual merits of the application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the house style and the individual site, since what may be an acceptable design of an exterior in one instance may not be for another. For instance, dark trim paint color on a house with a Dutch colonial gambrel style roof with dark shingles would not be as attractive as the same color paint on an end unit which has a large area of light color siding, or in the case of twin style units, it would detract from the appearance of the community and the integrity of the original design, if the color of the trim, shutters, doors, etc., differed on each part of the twin unit which was designed to appear as a harmonious whole. Because of the closeness of townhomes to each other, changes on individual properties are more noticeable and have more of an impact on adjoining properties and the community. Design decisions made by the ACC in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on criteria which represent, in more specific terms, the general standards of the Covenants.

B. Criteria. The following criteria are used in evaluating applications for architectural changes:

1. Relation to the Common Area. Factors such as the removal of trees, disruption of the topography and changes in rate or direction of storm water runoff may adversely affect the Common Area. Landscaping outside the privacy fence has a direct impact on the appearance and maintenance of the Common Area and the view from the homes of other owners.

2. Validity of Concept. The basic idea must be sound and appropriate to its surroundings.

3. Design Compatibility. The proposed change must be compatible with the architectural characteristics of the applicant's house, 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.

4. Location and Impact on Neighbors. The proposed change should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage. For example, deck lattice screens which extend above the privacy fence may obstruct views, sunlight or breezes from neighboring property.

5. Scale. The size (in three dimensions) of the proposed change should relate well to adjacent structures and its surroundings. For example, a large barn style shed would be inappropriate to the small size rear yards of homes in Old Mill.

6. Color. Other than white or black, changes of the exterior paint color of doors, windows, shutters and trim must be authentic Williamsburg colors approved by the Colonial Williamsburg Foundation or compatible similar traditional colonial paint colors and shades approved by the Association. Color combinations must be compatible with the colonial style of Old Mill. Some colors or color combinations which would be attractive on a Victorian or contemporary style home would be inappropriate in a colonial style community. The color must relate well to the style of the home and to the color of adjacent homes. Twin homes must have matching colors, whereas, the same colors on other adjacent homes should be avoided. Dark trim color against dark backgrounds should be avoided and trim, door and shutter colors should be compatible with the color of the siding or brick (i.e.: avoid buff color shutters on yellow brick).

7. Materials. Continuity is established by use of the same or compatible materials as were used in the original construction of the house or other homes in the community. For instance, in adding a masonry fireplace chimney, brick which matches the existing brick of a house would be used.

8. Workmanship. Workmanship is another standard which is applied to all exterior alterations. The quality of the work should be equal to or better than that of the original construction. Poor practices, besides causing the owner problems, can be visually objectionable to others. All too often, homeowner do-it-yourself projects end up looking like afterthought tacked-on eyesores. Concrete and masonry replacement work, in particular, can be an expensive eyesore if not done properly and in good design. Poor workmanship can also create safety hazards. Structural changes and additions must be in accordance with the standards of the Fairfax County Building Code and Zoning Law requirements and a building permit issued as required by the County.

9. Timing. The majority of changes will be made by owners themselves rather than contractors. However, projects which remain uncompleted for long periods

of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If such time period is considered unreasonable, the Architectural Control Committee or the Board may disapprove the application.

IV. Special Cases.

A. Handicapped Access (Bylaws, Art XXII, Sec 5).

The Association may permit reasonable variances to the architectural standards to accommodate handicapped residents in the community, in accordance with applicable fair housing laws. However, the plans for such changes to a property still must be submitted to the Architectural Control Committee for approval. The Committee must make a judgment on the reasonableness of the change variance, the style, color, material, quality of construction and location of the change. The Committee shall request that the owner verify that a genuine situation requiring a reasonable accommodation exists.

B. Twin Units (Bylaws, Art XXII, Sec 4).

1. Twin units are two homes which are designed to appear as a harmonious whole. In accordance with the Covenants, exterior changes must be in harmony with the surrounding structures. Therefore, to preserve the architectural integrity of the original design, both units must be considered when making a change to homes which are part of a twin unit. Twin units have a major visual impact on the community which requires that they be architecturally compatible. The twin homes in Old Mill are 9505-07, 9526-28, 9560-62 Cherry Oak Court and 9436-38, 9459-61, 9473-75 Cloverdale Court.

2. To preserve the architectural integrity of the original design, the color of the trim, doors, shutters, siding, brick, and roof must be the same for both units in a twin unit. The style of roof shingles and siding must also be the same for both units. The owners of both properties must agree to make the same change before the Association will approve a change which may have a major impact on the visual appearance of the two units as a harmonious whole. Variations in door style, storm door and storm window style, landscaping and light fixtures are acceptable; however, owners of twin units are encouraged to keep such variations to a minimum. Variations, such as decks or window walls, are permitted in the rear of the homes without requiring both owners to make the same change. Owners of twin units are encouraged to paint their homes and replace their roofs at the same time to minimize differences in color shades and continuity.

V. ARCHITECTURAL CONTROL PROCEDURES (Bylaws, Art XXII, Sec 3).

A. Requests for Exterior Changes. Pursuant to the Declaration of Covenants, Conditions and Restrictions applicable to properties in Old Mill, the following procedures shall be followed regarding all exterior changes to Old Mill properties unless specified otherwise in these guidelines.

1. Procedures for Owner Submissions. Any owner desiring to make an exterior change to a property, prior to commencing any such change, shall submit the plans for, and the specifications describing, such change to the Architectural Control Committee in accordance with the following criteria:

a. Plans and specifications shall include a description of the nature, kind, shape, dimensions, color, materials to be used, and location of such proposed change;

b. Plans and specifications relating to structural changes including but not limited to sheds, decks, fences, walls, steps, and ramps, must be accompanied by architectural plans in harmony with the external design standards of Old Mill. Structural changes and additions must be approved by the County and a building permit issued in conformance with applicable Fairfax County Building Code requirements and Zoning Laws.

c. Requests for the installation of manufactured items, such as but not limited to windows, doors, shutters, light fixtures, and roof shingles must be accompanied by the manufacturer's brochure containing a picture and specifications of the item to be installed.

d. Requests for color changes or plans and specifications which include color descriptions of manufactured objects and material must include the paint manufacturer's paint sample with the color identification number and color name or a picture of the manufactured object showing the color.

e. Plans relating to modifications of or additions to the Common Area in the immediate area of an owner's property, such as trees, shrubs, grass, flowerbeds or walks, must include a description of the proposed modification or addition.

f. Requests which affect another owner, such as changes to twin homes, changes on or adjacent to a property line, or topographic changes, must be accompanied by the signed statement of the affected owners agreeing to the change or agreeing to make the same change if required in the case of twin homes.

g. Submissions of requests with plans and specifications shall be addressed to:

Old Mill Community Council, Inc.
Architectural Control Committee
P. O. Box 114
Burke, Virginia 22009

2. Procedures for Review by Committee or Board. Upon proper submission of a proposed change, the Committee or Board shall take the following steps:

a. The Committee or the Board shall review all requests in accordance with the design review criteria and the architectural standards contained in the Bylaws and these guidelines.

b. Applicants and other affected owners will be afforded the opportunity to meet with the Committee or the Board to discuss the submission upon the request of the affected owners. The Committee or the Board may also request that the affected owners meet with the Committee or the Board to discuss the submission prior to decision.

c. Within thirty (30) days after the receipt of a complete request for change, the Committee or the Board must either approve or disapprove the request. Failure by the Committee or the Board to approve or disapprove any complete request within thirty (30) days after receipt by the Association shall constitute approval of such plan and the owner will be deemed to have fully complied with this requirement of the Covenants and Bylaws.

d. In the event of disapproval, the Committee or the Board shall notify the owner of the property of its decision, in writing via first class mail or hand delivery and shall specify the reasons for disapproval.

e. In the event of approval, the owner shall be notified of the decision of the Committee or the Board in writing via first class mail, hand delivery or via e-mail provided that the applicant expressly authorizes such electronic delivery method in writing.

f. Either the Committee or the Board may approve or disapprove any request submitted. The Committee may decline to act and refer any request to the Board for its determination. However, such referral does not extend the time limitation provided for the Association to act.

g. Requests which do not include sufficient information upon which the Committee or the Board may base a decision will be disapproved. Requests for structural changes or additions which require approval by the County and a building permit in conformance with the applicable Fairfax County Building Code and zoning law requirements will not be given final approval until approved by the County and a building permit issued. Tentative design approval pending County approval may be given in such cases; however, such requests are considered incomplete and disapproved until receipt of County approval and a building permit issued. The thirty (30) day limitation for the Association to act will start again after receipt of a resubmission with all required information.

B. Enforcement Procedures.

1. Unauthorized Architectural Change Violations. The sources for reporting violations may be concerned residents, Architectural Control Committee members or members of the Board of Directors. Upon discovery by the Committee or the Board of any exterior change to a property, either completed or in progress, that has not been previously approved by the Committee or the Board as required in the Declaration of Covenants, Conditions and Restrictions, the following procedures will be followed:

a. The Committee or the Board shall review and evaluate the unauthorized change and notify the owner of the property that the Association has noted the unauthorized change.

b. If the work is in progress, the Committee or the Board may request that work cease and the owner submit a request for exterior change in accordance with the Declaration, Bylaws, and Architectural Guidelines. This procedure shall be followed particularly in those cases in which the unauthorized change appears to be in violation of the Declaration, Bylaws or Architectural Guidelines and continued work would increase the violation or cause irreparable damage.

c. If the Committee or the Board determines that an unauthorized change is in accordance with the Declaration, Bylaws and Architectural Guidelines, the owner of the property shall be notified in writing that the change has been approved retroactively and requested to observe the Association procedures for approval in the future.

d. If the Committee or the Board determines that an unauthorized change is in violation of the Declaration, Bylaws and Architectural Guidelines, the owner of the property shall be notified in writing that the change was disapproved and requested, within twenty one (21) days or a longer period granted in writing by the Committee or the Board, to restore the

property to the conditions which prevailed prior to the unauthorized change. Such restoration shall be subject to Committee or Board oversight and approval. The Committee or the Board shall take weather and seasonal conditions, cost, and job size into consideration when establishing a reasonable time period for restoration.

e. Failure by an owner to restore the property, as directed by the Committee or the Board, shall be deemed to be a breach by the owner of the Declaration of Covenants, Conditions and Restrictions which run with the property. In the event of failure by the owner to restore the property as directed by the Committee or the Board, the Board may pursue the remedies provided in the Association's Declaration, Bylaws, and Due Process Resolution.

f. Architectural change violations which also are in violation of the Fairfax County Building Code or Zoning Laws may also be reported to the appropriate County authorities for enforcement.

2. Maintenance Violations. The sources for reporting violations may be concerned residents, Architectural Control Committee members or members of the Board of Directors. Upon discovery by the Committee or the Board of any violations of the Association's maintenance standards, the following procedures will be followed:

a. In accordance with the Association's Due Process Policy Resolution and the Association's Resolution Regarding Procedures Related to the Submission and Resolution of Complaints, the Committee or the Board shall notify the owner of the property concerning the maintenance violation and request that the violation be corrected within a reasonable period of time.

b. Failure by an owner to maintain a property as directed by the Committee or the Board shall be deemed to be a breach by the owner of the Declaration of Covenants, Conditions and Restrictions which run with the property. In the event of failure by the owner to correct maintenance violations as directed by the Committee or the Board, the Board may pursue the remedies provided in the Association's Declaration, Bylaws and Due Process Resolution.

c. Maintenance violations which also are in violation of the Fairfax County Building Code, Zoning Laws, or other laws may also be reported to the appropriate County authorities for enforcement.

C. Appeals.

1. An Appeals procedure exists for those affected by a decision of the Architectural Control Committee who feel that any of the following criteria were not met by the Committee when reviewing their application or maintenance violation:

a. Proper procedures were followed during the administration and review process.

b. The applicant and other affected owners were given an opportunity for a fair hearing.

c. The Committee decision was not arbitrary but had a rational basis.

2. Decisions of the Architectural Control Committee may be appealed to the Board of Directors. The appeal shall be heard at the next regular scheduled meeting of the Board following receipt of the request for appeal. The Board of Directors is the final arbiters of architectural and maintenance decisions within the Association.

3. Any owner determined by the Board of Directors to be in violation of the Covenants, Conditions and Restrictions will be afforded the opportunity to appear at a hearing before the Board in accordance with the Association's Due Process Resolution.

VI. ARCHITECTURAL RESTRICTIONS AND STANDARDS.

A. The Architectural Restrictions and Standards are based on the architectural restrictions contain in ARTICLE XXIII of the Association Bylaws. These restrictions and standards shall guide owners and the Architectural Control Committee as to what changes to Old Mill properties are permissible and the standards to be met. The Architectural Guidelines and Bylaws cover the most common situations which arise; however, since no document could reasonably anticipate every situation, there may be situations which are not included in the Architectural Guidelines or Bylaws. The absence of a particular situation from the Architectural Guidelines or Bylaws does not imply that the change would be permissible. In accordance with the Declaration of Covenants, Conditions and Restrictions, ALL changes still must be approved by the Committee or the Board unless provided otherwise in the Architectural Guidelines. For those situations not included, the Committee or the Board would make a decision based on the design criteria or similar situations included in the Bylaws and Architectural Guidelines.

B. The following Architectural Restrictions and Standards shall apply to Old Mill properties (Bylaw references are in parenthesis):

1. Air Conditioners (Art XXIII, Sec 1(a)).

- **Central Air Conditioner Units/Heat Pumps:** Central air conditioner units and heat pumps may be installed only at the rear of a home. Installation does not require prior approval.
- **Window Air Conditioners:** Since all homes in Old Mill are centrally air conditioned, window air conditioners may not be installed in windows or walls.

2. Antennas (Art XXIII, Sec 1(b)).

- **Amateur Radio/Citizen Band Antennas:** Any owner wishing to install an antenna for amateur radio or citizen band activities exclusively must submit plans for same to the Architectural Control Committee. The plans shall show proposed location, height, and configuration of the equipment. The applicant shall also present affidavits from all property owners within a radius of one hundred (100) feet of his dwelling stating that they have no objections to such installations.
- **TV and Satellite "Dish" Antennas:** See Appendix C.

3. Attic Ventilators (Art XXIII, Sec 1(c)).

- **Fans:** A manufactured flat roof mounted attic fan may be installed only on the rear slope of a roof. The color of the units may be natural aluminum finish, maintenance grey or black only. Installations of this type do not require prior approval of the Association.
- **Vents:** An attic ridge vent may be installed on the roof ridge of a house. The ridge vent may be black, natural aluminum finish or another color compatible with the roof color. Other attic vents may be installed only on the rear slope of a roof. The color of the vents may be natural aluminum finish, maintenance grey or black only. Installations of this type do not require prior approval of the Association.
- **Wind Turbines:** A roof mounted wind turbine may be installed only on the rear slope of a roof below the ridge pole to minimize visibility from the front of the property. The color of the units may be natural aluminum finish, maintenance grey or black only. Installations of this type do not require prior approval of the Association.

4. Awnings/Canopies (Art XXIII, Sec 1(d)).

- **Door Canopies:** Fabric canopies may be installed over the doors. Fiberglass, metal, plastic and other similar rigid canopies are not permitted. Canopies must be a solid color compatible with the architecture of the community and the color scheme of the house (no bright colors) and approved by the Association. Canopies must be of a straight-forward design without decorative embellishments. Canopies may not be pulled up against the house for storage during the off-season except for the roll-up style. The roll-up style may be installed on rear patio doors only. Pipe frames must be removed from the house when the canopy is removed for off-season storage.
- **Patio and Deck Awnings/Covers:** Fabric patio or deck awnings or covers may be installed. Fiberglass, metal, plastic and other similar rigid awnings or covers are not permitted. Awnings and covers must be a solid color compatible with the architecture of the community and the color scheme of the house (no bright colors) and approved by the Association. Awnings and covers must be of a straight-forward design without decorative embellishments. No part of the awning or cover may be installed at a height beyond nine (9) feet above the sill of the door opening onto the patio or deck. Awnings and covers may not be pulled up against the house for storage during the off-season except for the style that completely rolls up into a housing unit without side supporting poles. Pipe frames must be removed when the awning or cover is removed for off-season storage.
- **Window Awnings:** Fabric window awnings may be installed on the windows. Fiberglass, metal, plastic and other similar rigid awnings are not permitted. Awnings must be a solid color compatible with the architecture of the community and the color scheme of the house (no bright colors) and approved by the Association. Awnings must be of a straight-forward design without decorative embellishments. Awnings may not be pulled up against the house for storage during the off-season.

5. Chimneys/Metal Flues (Art XXIII, Sec 1(e)).

- **Chimneys:** A masonry chimney may be installed on the side or rear of a house. If the house is brick, the chimney brick must match the style and color of the brick already on the house. The style and color of the brick, finish, or stone of chimneys on other houses must be compatible with the architecture of the community and approved by the Association. Concrete or cinder block chimneys, either painted or natural finish, are not permitted. Chimneys must have County approval.

- **Metal Flues:** Exterior metal flues may be installed at the rear of a house only. No metal flue may be installed through a window opening. Exterior metal flues must be painted to match the exterior siding or encased in siding which matches the exterior siding of the house. The portion of an exterior metal flue which is not enclosed in siding and projects above or through a Dutch colonial roof must be painted a color which matches or blends with the roof color. The portion of an interior metal flue which projects through the roof must be painted a color compatible with the roof color. Unpainted exterior metal flues are not permitted. Metal flues must have County approval.

6. Clotheslines (Art XXIII, Sec 1(f)) - No exterior clothesline or hanging device (except an umbrella-type structure with a diameter not exceeding seven feet for use in rear of dwellings only) shall be allowed upon any property. Such hanging devices as are permissible shall not be displayed except on week-days between the hours of 8 a.m. and 6 p.m. These devices must be installed so as not to extend over the privacy fencing or property lines. Installation of permissible hanging devices does not require approval of the Association.

7. Decks (Art XXIII, Sec 1(g)).

- **Elevated and Raised Decks:** Elevated and raised decks may be installed at the rear of a house only and may not extend forward of the rear wall of the house. An elevated deck may not extend past the side wall of the house. An elevated deck is a deck which is constructed at the first floor level of a house over the walk-out basement level. A raised deck is a deck which is constructed at eight (8) or more inches above ground level. Raised and elevated decks must be built to county building specifications and the owner must obtain a building permit and have the construction approved by the County. A detailed professional architectural drawing of the proposed deck must accompany an application for an elevated or raised deck. The drawings must show the size and style of the deck, details and dimensions of railings, posts, steps, benches, etc., to clearly describe the proposal. The application must include a site plan showing the relationship of the deck to the house, lot and adjacent properties, the height of the deck above the ground, a description of the material to be used, and details of changes to windows, doors, and light fixtures, if applicable. Wood decks may not be painted but should be constructed of wood which weathers naturally or stained with a natural appearing wood stain. The under deck area of raised decks must be screened if used for storage. A roof may not be constructed over an elevated or raised deck. A deck must not adversely affect the drainage of adjacent properties or cause an erosion run-off problem. Approval by the Association of an

elevated or raised deck shall be contingent upon the County approving the plan and issuing a building permit.

- **Ground Level Decks:** Ground level decks may be constructed at the rear of a house only and may not extend forward of the rear wall of the house. Ground level decks are decks which are less than eight (8) inches above the ground. Construction of ground level decks does not require Association approval; however, they may not adversely affect the drainage of adjacent properties or cause an erosion run-off problem and must be maintained in good condition.
- **Privacy Screening:** If an owner wants to install privacy screening on a deck, the owner must obtain County approval. The Association will not consider an owner's request to install privacy screening until County approval has been obtained. The owner must also obtain the written consent of the adjacent property owners before the owner's request will be considered by the Association. If an owner obtains County approval, a building permit and the written consent of the adjacent property owners, the Association will consider the owner's request for lattice or other deck privacy screening at that time. Deck screening may not extend to a height greater than eight (8) feet above the level of the deck floor. Deck screening must be made of wood. Lattice style screening is preferred; however, other styles which are compatible with the deck and do not create visual bulk or block air and light may be considered.

8. Decorative Objects (Art XXIII, Sec 1(h)) - A traditional fire mark or black colonial eagle may be affixed to the front of a house over the front door. No other permanent decorative object may be affixed to the front of a house without permission of the Association. Other decorative objects must be of a colonial character or compatible with the colonial style of the community. Temporary seasonal decorations such as wreaths (including straw and patchwork wreaths which are not limited to Christmas time), flower baskets, ears of corn, pumpkins, and electric lights may be affixed to a house without approval of the Association. (See section on Lawn Landscaping, page 23, for lawn decorative objects.)

9. Doghouses/Pet Enclosures (Art XXIII, Sec 1(i)) - Doghouses and other small pet enclosures which do not extend above the privacy fencing may be built at the rear of a property within the confines of the privacy fencing. Construction of doghouses and small pet enclosures does not require Association approval; however, they must be maintained in good condition and in a sanitary manner.

10. Doors (Art XXIII, Sec 1(j)).

- **Front Doors:** Front doors may be replaced with wooden or metal doors with a raised-panel design which is architecturally compatible with the colonial style doors installed by the builder. The preferred style is solid raised-panel or raised-panel with small window panes (fan or rectangular) across the top. Doors with carved panels are permitted. Doors which are half window panes may also be approved; however, this style door is more compatible with the Dutch Colonial style homes and end units without brick veneer than the other style homes which have more formal colonial style entrances. French doors may be approved; however, this style door is more compatible on entrances which do not face a street and may be desirable for entrances with a good view of a wooded area. However, owners should also consider their safety and privacy needs when selecting doors with window panes. Flush doors and doors which are not of a colonial character are not permitted. Front doors may have a natural wood stain finish or painted a color approved by the Association. (See section on Paint, page 25.)
- **Hardware:** Existing door hardware may be changed if replacement is brass, copper or black and compatible with the colonial style. Additions of security locks and door knockers must be brass or black compatible with the colonial style. Installation of peep-holes is permitted. Prior approval of the Association is not required for such changes.
- **Patio and Deck Doors:** Patio sliding glass doors may be replaced with French doors, atrium doors, or sliding glass doors. The doors may be installed with or without window pane muntin grids. Wood doors must be painted the color of the house trim unless approved otherwise by the Association. Aluminum sliding doors may be natural mill finish color, white, or a color compatible with the house trim. These same style doors may be installed when adding new doors for access to elevated decks. New doors for access to elevated decks may be created by removing a set of windows and installing the doors in the space of the former window opening.
- **Storm Doors:** Storm doors shall be either wood (in which case the same shall be painted the color of the door behind it or the house trim), metal, or vinyl-clad. Mill finished aluminum color storm doors or jalousie style storm doors are not permitted. Storm doors which match the color of the door behind it or the trim are preferred; however, storm doors manufactured in standard colors such as white, bronze, or black may be approved if compatible with the other colors of the house. Security grills, if installed, must be painted the color of the door, white or black.

Security grillwork must not have excessive ornamentation. Purely decorative ornate grillwork which is not part of a security door system is not permissible. Pet and children protective screen guards may be installed on the inside of the door only.

11. Downspouts/Rain Gutters (Art XXIII, Sec 1(k)) - All houses must have properly installed and maintained downspouts and rain gutters. Downspouts may be white or painted to match the color of the house trim. No other color may be used without permission of the Association. Other colors must be compatible with the house color and in keeping with the colonial character of the community.

12. Fences/Walls (Art XXIII, Sec 1(l)).

- **Boundary Fences and Walls:** Fences and walls between the property of an Old Mill homeowner's lot and the Common Area owned by the Association must be installed within the boundary lines of the lot unless granted otherwise by specific permission of the Board of Directors. The Board of Directors may authorize minor deviations of a fence line onto Association property when it is necessary or desirable to protect a terrain or landscape feature which is on or adjacent to a boundary line, when it is necessary or desirable to follow the natural terrain, or in other situations when it is in the best interests of the appearance of the community to do so. Such deviations shall not exceed ten (10) feet onto Association property. Such fences are not party walls and the homeowner remains liable for the installation, replacement and maintenance of the fence. If such a fence on Association property is no longer maintained in good condition by the homeowner, the Association may remove the fence, at the homeowner's expense, from Association property without replacing it.

Fences and walls on the boundary line between two adjacent lots shall be considered a property wall matter between the two owners and the costs of maintenance and replacement should be shared equally or as agreed to by the two owners involved. Fences or walls which are entirely within the boundary line of a lot are the responsibility of that owner.

Privacy fences between two adjacent lots are required except in cases in which the adjacent lot owners agree not to have a privacy fence between the lots. In the event that one of the owners of an adjacent lot or a subsequent successor in title of one of the adjacent lots gives notice in writing to the adjacent lot owner and the Association of the lot owner's desire to have a privacy fence between the two adjacent lots, a privacy fence shall be required between the two lots. The cost of construction of the fence should be shared equally or as agreed to by the two owners

involved as a party wall matter. If a lot owner does not agree to the construction of a privacy fence or does not agree to share the cost of construction, maintenance and replacement of a privacy fence, the Association may determine the lot owner to be in violation of the Bylaws and take appropriate enforcement action.

Privacy fences shall extend along the common boundary line to either the rear property or a rear fence line approved by the Association.

- **Fence Restrictions:** No fence may be installed on a lot forward of the front wall of a house. No fence may be installed on a lot forward of the rear wall of a house except as a safety measure for retaining walls over eighteen (18) inches in height located at the side of the house or where there is a steep hill grade at the side of the house. Chain link, wire mesh, storm, basket weave, stockade, picket, and solid fences are not permitted on a lot. However, wire mesh may be attached to the inside of an authorized fence only. A horizontal open style two or three rail fence may be installed as a safety measure on those properties which have a retaining wall over eighteen (18) inches high at the side or rear of the house. (Low wire mesh fences, no higher than eighteen (18) inches, temporarily installed around young plants as a protective measure, are permitted without prior approval of the Association.
- **Privacy Fences:** Privacy fences may be constructed within the property lines at the rear of a house and may not extend forward of the rear wall of the house. Except as provided in Subsection 1(I)(i) of the Bylaws, privacy fences are not required but, if constructed, must be of an alternating board-on-board wood style. This style fence was selected by the builder for the community because it affords both the maximum privacy and air circulation. Privacy fences must not exceed a maximum height compatible with adjacent fences and consistent with terrain elevation. In no case may the top of the fence exceed a height of eight (8) feet from the highest point of grade. Lower fences which permit a view over the top may be installed; however, such fences must be an alternating board-on-board style which matches the privacy fencing. Privacy fences and lower fences may not be painted but may be stained a natural wood stain color or preservative treatment if all owners of contiguous fences agree. Wood fences which weather naturally are preferred. Wire mesh fencing used to increase security for children or keep pets confined may be used in conjunction with approved fencing. The wire mesh will be attached on the inside of the fence at the bottom and will not extend above the top rail. Approval, however, may be contingent upon supplemental landscaping. (See Landscaping Guidelines, Appendix B.)

- **Gates:** Gates are not required. If installed, they must be of the same material and natural wood color as the fence. Gate styles for privacy fences may be either solid board or board-on-board to match the fence. Hardware may be black, brass or copper in color. House numbers may be placed on the gate or gate post. (See section on House Numbers, page 22.) Other attachments to the gate or gate posts such as name plates, light fixtures, and figures must be compatible with the architecture of the community, not offensive in nature, and approved by the Association.
- **Ornaments and Flower Boxes:** Wooden flower boxes which match the wood of the fence may be mounted on the top of the fence. Other flower boxes, plant hangers, and ornaments must be mounted on the inside of the fence and do not require prior approval of the Association if they do not project above the fence top.
- **Walls:** Retaining walls of landscape timbers, railroad ties, stone or brick may be constructed between the front lawns of two adjacent lots or on the back or side part of a lot. Retaining walls may not be higher than the level of the higher elevation ground. The workmanship of masonry walls must be equal to or better than the masonry workmanship of the houses in the community. If a brick retaining wall is constructed between the front lawns of two adjacent brick houses, the brick of the retaining wall must match the brick of one of the houses. Retaining walls may not adversely affect the drainage of an adjacent property. No retaining wall may be constructed across the front of a lot.

13. Flagpoles (Art XXIII, Sec 1(m)).

- A permanent free standing flagpole may be installed on the front lawn or rear patio of a house. For two story homes, the height of the flagpole may not exceed the height of the roof eaves or the top of the dormer windows on Dutch Colonial gambrel roofs (approximately twenty (20) feet). For homes which are three stories at the rear, the height of a flagpole erected at the rear of the house may not exceed the height of the bottom sills of the windows of the top floor (approximately twenty (20) feet). Flagpoles may be painted white or black or have a natural aluminum mill or stainless steel finish. Permanent flagpoles must be installed and maintained in a vertical position. Temporary flagpole staffs which do not exceed six (6) feet in length and are attached at an incline to the house or installed in the ground do not require prior approval by the Association.
- Current official flags of the United States and its states, territories, possessions, districts, cities, counties, other local governments, native American tribes, departments and agencies, and armed forces; an accredited university, college or school; a foreign nation; and the United

Nations and its agencies or an historical flag of the United States or the colonial period of what is now the United States may be displayed on a flagpole on the exterior of a property without the approval of the Association. The rules of respect and proper display must be observed when displaying flags. Flags and banners which are part of a temporary display for special events such as births, weddings, anniversaries, and "welcome home" may be placed on a property for a period of time not to exceed one week without the approval of the Association. Approval by the Association shall be required for the display of other flags and banners. The rules of respect and proper display must be observed when displaying flags.

14. Garden Pavilions/Arbors (Art XXIII, Sec 1(n)) - A garden pavilion or arbor may be constructed in the back yard of a property only. They may have a natural wood finish to match the fence or painted a color compatible with the house colors and the colonial architecture of the community. The roof of a garden pavilion shall be made of open slats only and may not exceed a height of eight (8) feet from the ground level. Pavilions and arbors which project above the top of the privacy fence may not block the view, air or light of another property and require the approval of the adjacent homeowners before the Association will approve the project.

15. Greenhouses (Art XXIII, Sec 1(o)) - A greenhouse is permitted inside the privacy fence provided it does not protrude above the top of the privacy fence. Greenhouses may not cover a window or door of a house. Greenhouses attached to a house, which may be used as a solarium or extension of the living space, are not permitted by the County Zoning Laws because of building set-back requirements. Greenhouses authorized in this subsection and approved by the Country if required may be installed without prior approval by the Association. No greenhouse or combination of other accessory structures, exclusive of trellises and arbors, shall exceed one-third (1/3) of the area of the rear yard.

16. House Numbers (Art XXIII, Sec 1(p)) - House numbers are required for both convenience and safety in assisting the police, rescue squad, or firemen in reaching a residence in an emergency. They should be easily visible from the street and prominently displayed. The house number may be in numerals or script but numerals are preferred. Numerals or script should be between 3 ½ and 5 inches in height and a colonial style. They may be brass, black on a white background, or white on a dark background. They may be mounted on the door, over the door, on the door pillar, on the door shutters, or on a plaque attached to the wall facing the street. Black or brass numerals or script may be mounted on a rear gate or gate post but house numbers are not required on rear gates. Only brass numerals may be mounted on a door. Script may be mounted only above a door or on a rear gate. Black numerals or script may not be mounted on a dark background and white numerals may not be mounted on a light background.

Stick-on numbers printed on a metallic colored background are not permitted. Prior approval by the Association for house numbers which meet these criteria is not required. Plaques, other than standard wood address plaques (approximately 5 X 14 inches), must be approved by the Association. Unless approved otherwise by the Association, plaques must be painted white, the color of the house trim or, in the cases of natural wood finish doors, may match the wood finish of the door.

17. Ivy/ Other Vines (Art XXIII, Sec 1(q)) - Ivy and other vines shall not be grown anywhere on the structure of a house. Ivy and other vines on arbors, fences, sheds or other structures shall be properly maintained in an attractive state.

18. Lawn Landscaping (Front and Side) (Art XXIII, Sec 1(r)).

- **Decorative Objects:** Decorative objects over eighteen (18) inches in height from the ground such as but not limited to statues and figures, crystal balls, rocks, driftwood piles, wagon wheels, fountains, etc., are not permitted on front or side lawns. Sundials and bird baths with a white, bronze or natural masonry finish and without statuary or fountains are permitted. Antique style lawn furniture (wrought iron furniture, park benches, deacons benches, and masonry garden benches) are permitted on the lawn or by the entrance. The color of the lawn furniture may be black, white, dark green or natural wood or masonry finish. Other colors for furniture on the entrance porch must be approved by the Association. No other style furniture may be kept on the lawn or at the entrance regularly. Rocks may not be painted. Small statuary and figures should be located under bushes, in flower beds, and next to trees rather than in the center of the lawn. No object which is patently offensive or derogatory to a racial or ethnic group or offensive to community moral standards is permitted. Wood planters must be natural wood or natural wood stain finish. The number of decorative objects should be kept to a minimum so as to not create a cluttered or gaudy appearance. Edging of bricks or landscape garden timbers is permitted. Installation of railroad ties, landscape garden timbers or bricks to form a planter wall or other structure over eighteen (18) inches in height, other than a retaining wall between the lawns of two adjacent houses, is not permitted. (See section on Fences/Walls, page 19.) Bird baths, lawn furniture, or other decorative objects over eighteen inches in height, which are of a scale or style compatible with the colonial architecture of the community, require prior approval of the Association.
- **Ground Surface Cover:** Lawn surfaces may be grass, ground cover, mulched, rock gardens, or similar natural landscape design. The landscape may include a sitting area or small patio, not to exceed 8x8

feet. Such areas must be paved with brick or stone or a masonry material that blends well with the natural landscaping and is compatible with the colonial architecture of the community. The sitting area or patio may not be made of poured concrete surface and no portion of the lawn may be covered with artificial turf or carpeting. Landscaping and topographic changes may not adversely affect the drainage of an adjacent property or cause erosion run off. (See section on Topographic Changes, page 30.) The selection of natural ground surface cover (plants, mulch, etc.) is the choice of the owner and does not require prior approval of the Association; however, changes in topography or the paving material and design for a sitting area or patio requires prior approval by the Association.

- **Planting:** Vegetable gardens may not be grown on the front or side lawn. A vegetable garden is defined as vegetables grown in cultivated rows. The selection of bushes, shrubs, flowers and trees for a lawn is the choice of the owner and does not require prior approval by the Association; however, the Association requires that they be maintained in an attractive and safe condition. Bushes, shrubs, and trees may not obstruct passage on the Common Area sidewalks or access areas, cause damage to the Common Area sidewalks, or cause damage to adjacent property. Residents are encouraged to take care of the Common Area surrounding their homes, including the area outside the rear fence and particularly the area around end units. Residents of end units may take care of the area which would appear to be the natural boundaries (i.e.: up to the walks, the base of a hill, wooded tree line, etc.). However, prior approval by the Association is required for planting and landscaping the Common Area around a home outside the immediate area of the rear fence. Bamboo, wisteria, honeysuckle, and kudzu may not be planted anywhere on the Common Area. Refer to the Landscape Guidelines, Appendix B, concerning recommendations for planting.

19. Light Fixtures (Art XXIII, Sec 1(s)) – Replacement of light fixtures at the front entrance to a house requires approval of the Association if the replacement light fixtures are a different style from the original. Replacement light fixtures may be brass, copper, white or black and must be a colonial style. Only white or yellow/amber light bulbs may be used on front lights. Security and accent flood lights which do not shine on another property and are installed so as to not detract from the colonial appearance of a house may be added with the approval of the Association. Low walkway lights must be of a style that directs the light down to the walk. Colonial style lights and colonial black lamp posts, approved by the Association, may be installed on the lawns of homes which are located away from the street and street lights. The style of rear patio and deck light fixtures may vary from a colonial style and do not require prior approval by the Association; however they may not be directed onto another property. With the

approval of the Association, security lights may be directed on the Common Area at the rear of a home which does not back up to a portion of the Common Area near other homes. Such lights must be redirected or removed if they shine on other homes. Bug zappers are prohibited.

20 Paint (Art XXIII, Sec 1(t)).

- **Approved Colors:** Except for white and black, exterior paint color on the doors, windows, shutters, and trim of a house must be authentic Williamsburg colors approved by the Colonial Williamsburg Foundation or compatible similar traditional colonial paint colors and shades approved by the Association. The Sherwin-Williams Company brands of Martin-Senour and Pratt & Lambert are the only companies authorized by the Colonial Williamsburg Foundation to produce authentic Williamsburg colors. Unless approved otherwise by the Association, the paint colors of the front door and shutters on a house must match. Fences and gates may not be painted but may be stained with a natural wood finish stain consistent with other contiguous fences. Exterior color changes must be approved by the Association prior to changing the exterior color on a house, shed, fence, gate or other appurtenant structure on the property.
- **Door Colors:** Unless approved otherwise, doors must be painted a solid color. Doors may be painted a color that differs from the shutters, only if it can be demonstrated that the color combination is of a colonial character and compatible with the style of the house. Wood doors may be stained with a natural wood finish stain. The paint color of storm doors must match the color of the door behind it or the trim color of the house unless approved otherwise by the Association. Storm doors manufactured in standard colors such as white, bronze, or black may be approved if compatible with the other colors of the house.
- **Exterior Wall Color:**
 - **Siding:** Siding color may be changed to a color compatible with the colonial architecture of the community with the approval of the Association. This may entail changing the siding or repainting it. Owners should note that once aluminum siding is painted; it must be periodically repainted the same as wood siding.
 - **Brick:** The painting of exterior brick is not permitted without approval of the Association. The only colors permitted are white, buff, grey, and grey/green, the exact shades of which must be approved by the Association. The color of the trim, doors and shutters must be carefully coordinated with the wall color. The

painting of bricks has a big visual effect on the community and must be carefully coordinated throughout the community to have a pleasing effect. A few painted brick houses provide a pleasing visual accent to the community but a large number would be overpowering; therefore, they must be kept to a minimum. No two brick houses in a row unit, except for twin units, may have the bricks painted the same color. No more than two adjoining houses may have painted bricks. Generally, only plain red brick homes should have the bricks painted, since the other brick styles already have a unique color and texture quality which contributes to the aesthetic character of the community. Not all brick is easily painted. Therefore, the Association will approve only professional quality jobs which evaluate the nature of the brick surface, its ability to hold paint, and provide for properly conditioning the brick. While painted brick may be attractive and is compatible with the colonial character of the community, it does entail an additional maintenance burden and expense to the owner which should be considered.

- **Shed Colors:** Paint color of sheds must be compatible with the colonial colors used in the community and approved by the Association. The preferred colors for wooden sheds are a shade of grey, grey/green, brown, or reddish/brown or a color which matches the house siding color. Adjoining sheds must be painted the same color.
- **Shutter Colors:** All shutters on a house must be painted the same color unless it can be demonstrated that the color combination is of a colonial character and compatible with the style of the house. For instance, in Colonial times, it was common for main floor solid panel shutters to be painted white or buff, while the upper floor louvered shutters were painted green. Shutters must be painted a solid color unless it can be demonstrated that the color combination is of a colonial character and compatible with the style of the house. The colors of prefinished synthetic shutters (for example: plastic, fiberglass or metal) must approximate an approved authentic Williamsburg color.
- **Trim and Window Color:** Exterior trim and window colors must be consistent throughout the house except that the trim of octagonal oculus windows may be painted to match either the color of the siding or the color of the shutters. The color of the roof trim which overhangs a party wall shall match the trim color of the house to which it is attached as a contiguous and integral part of the house trim and shall be the responsibility of the owner of that house. Window sashes may be painted a color which differs from the trim, only if it can be demonstrated that the color combination is of a colonial character and compatible with the

style of the house. Storm windows which match the trim color of the house are preferred; however, the color of storm windows may be white or aluminum mill finish and need not match the color of the trim. Other contrasting colors of storm windows require approval of the Association.

- **Twin Unit Colors:** The color of the trim, doors, shutters, siding, and brick of each home in a twin unit must match that of the other home in the twin unit.

21. Patios (Art XXIII, Sec 1(u)) - Rear patios, including landscaping inside the property line, decorative objects which do not project above the privacy fence, and rear light fixtures do not require approval of the Association. The patio and landscaping must not adversely affect the drainage of adjacent properties or cause an erosion run-off problem. (See section on Topographic Changes, page 30.) Front lawn patios require prior approval by the Association. (See section on Lawn Landscaping (Front and Side), page 23.)

22. Porches/Stoops/Solariums (Art XXIII, Sec 1(v)) - No roofed porches or stoops or solariums shall be added to the front, back, or sides of a house. Roofs may be constructed over the entrance porches of end units with set-back side entrances. The roofs and porches must be similar to the roofs and porches on the original design of the houses as constructed by the builder in the Links Pond Subdivision on South Lakes Drive, Reston, Virginia. The roof may not extend beyond the front or side walls. Porches may be open or enclosed with glass or screen. If enclosed with glass, the windows must be multi-paned colonial style windows. In no case may a porch be enclosed with storm windows only. The door must be compatible with the colonial style of the community. County approval and a building permit are required before the Association will approve such a project.

23. Railings (Art XXIII, Sec 1(w)) - Railings may be erected on steps, walks, stoops, and porches. They must be a black colonial wrought iron design.

24. Recreation/Play Equipment (Art XXIII, Sec 1(x)) - Recreation and play equipment may be installed at the rear of a house only. Approval by the Association is required for any playhouses which project above the privacy fence and/or require County approval. Swing sets, slides, and play equipment, including portable basketball boards, which do not require County approval and are less than eight and one half (8 1/2) feet in height from the ground do not require prior approval by the Association. All other recreation/play equipment exceeding eight and one half (8 1/2) feet in height require approval by the Association.

25. Roofs (Art XXIII, Sec 1(y)) - Only shingle styles and colors compatible with the colonial architecture of the community are permitted. Only Class A fire retardant material may be used on the roofs. Wooden shingles are not permitted since they do not blend well with the existing shingles and present a fire safety and insurance problem to the community. The roofs of homes in a twin unit must be the same style and color on both homes. The style and color of the shingles on the top and side portions of gambrel style roofs must be the same.

26. Screen Houses (Art XXIII, Sec 1(z)) - No permanent roofed screened structure may be constructed. A manufactured temporary portable fabric top screen house may be erected at ground level in the back of a house without prior approval of the Association. Screen houses erected on raised or elevated decks require approval of the adjacent homeowners and the Association

27. Sheds (Art XXIII, Sec 1(aa)) - Sheds may be constructed only in the rear yards/patios within the property lines or the confines of the privacy fence for those properties with privacy fences. Sheds may not exceed eighty-four (84) square feet in area and nine (9) feet in height. The height is determined from the peak of the roof to the ground as found on a USGS topographic map. The style and material must be approved by the Association. Prefabricated metal or plastic sheds may be installed; however, the paint color must be compatible with the colonial colors used in the community and approved by the Association. (See section on Paint, page 25.)

28. Shutters (Art XXIII, Sec 1(ab)) - Shutters must be either louvered or solid panel colonial style. If louvered and solid panel shutters are used in combination, the louvered shutters must be on the second floor bedroom level windows and the solid panel shutters on the first floor living areas windows as in the authentic colonial usage. Shutters on the same floor level and same window size must be of the same size, style, and color. Shutters may be installed on the rear windows and doors of a house. Shutters may not be permanently removed from the doors and windows without prior approval of the Association. Shutters may be wood or a synthetic material. (See section on Paint page 25.)

29. Siding (Art XXIII, Sec 1(ac)) - Replacing or painting existing siding with the existing style and color does not require prior approval of the Association. Covering the trim, soffit, and eaves with aluminum or vinyl which matches the color of the existing trim does not require prior approval by the Association. Replacement siding must be a horizontal colonial style. Siding at the back of a house may be replaced with brick which is compatible with the architectural style of the community. Because of roof design, siding on the sides of end units may not be replaced with brick unless the roof and cornice is redesigned to fit properly with the brick veneer. Artificial brick or artificial stone siding is not permitted. (See section on Paint, page 25.)

30. Signs (Art XXIII, Sec 1(ad)) - Signs advertising a business, regardless of the location from which the business is conducted shall not be posted on the exterior surface of a house, in windows, on the lawn, or in any other exterior place on the property. Real estate signs which meet County regulations with respect to size, content and removal may be placed on the front lawn of a house. Small window signs indicating location of a child's room and safe haven may be placed in a window. Political election campaign signs which meet Fairfax County regulations with respect to size, content, authentication information and removal may be placed on the front lawn of a property during the official election campaign period as determined by Fairfax County. Temporary signs and displays for special events such as births, weddings, anniversaries, and "welcome home" may be placed on a property for a period not to exceed one week. No other signs are permitted on a property

31. Skylights (Art XXIII, Sec 1(ae)) - Skylights and similar type roof structures may be installed. Installation requires prior approval by the Association as to location, style, color, and size. The trim color must be compatible with the roof color.

32. Solar Devices (Art XXIII, Sec 1(af)) - Solar devices may be installed only on the rear slope of a roof and must be installed flat on the roof and not visible from the front of the house. Associated pipes and wires may not be installed on the front of a house. Installation requires prior approval by the Association as to color, size, and location of the device and associated pipes, wires, etc.

33. Steps/Walks (Art XXIII, Sec 1(ag)) - Replacing front steps, stoops, porches, and walks with substantially the same style, material, and workmanship does not require prior approval by the Association. Steps must meet the specifications of the Fairfax County Building Code. Front steps, stoops, porches, and walks must be of masonry construction (concrete, brick, or stone but not concrete block or cinder block above grade). The threshold step under the front door must be retained unless approved otherwise by the Association for handicapped access. Quality of workmanship is very important. Uneven steps and poorly finished masonry work must be replaced at the request of the Association. Front stoops, except for end units with set back side entrances, may not be widened to more than approximately eighteen inches (18) on either side of the door frame, except that the side of the stoop closest to the nearest property line may be extended to that property line, and shall not be extended forward from the front of the house more than approximately four and one half (4 ½) feet. The entrance porches of end units with set back side entrances may be extended to the side no more than ten (10) feet but may not be extended beyond the front wall. Steps, stoops, porches, and walks may not be painted or carpeted. (See sections on Porches/Stoops/Solariums and Railings, page 27.)

34. Storage (Art XXIII, Sec 1(ah)) - Trash bags and containers, toys, tools, grills, firewood, boxes, garden equipment, lawn mowers, auto parts, old appliances, dead plants, plant trimmings, items for disposal, etc., may not be stored on the front or side lawn, by the front door, or outside the area of the privacy fence. Rear yard/patio storage must be neat. Nothing may be stored on shed roofs. The rear yards/patios may not be used for storing commercial or business equipment, supplies, materials, etc.

35. Topographic Changes (Art XXIII, Sec 1(ai)) - Topographic alterations may not adversely affect drainage, water run-off, soil erosion, etc. Topographic changes which affect adjacent property owners must have the written consent of the adjacent property owners prior to approval by the Association.

36. Trash (Art XXIII, Sec 1(aj)) - Trash bags and containers may not be stored on the front or side lawn, by the front door, or outside the area of the privacy fence. Trash stored in the rear yards/patios may not be stored in the open in plastic bags or open containers. The Fairfax County Code requires that all trash be stored in sanitary, fly proof containers with lids.

37. Wall Vents (Art XXIII, Sec 1(ak)).

- **Rear Wall Vents:** Wall vents for houses that have a kitchen in the rear (Canterville and end-unit Davenport models) or middle (Brewster models) of the house, may be installed on the rear wall of the house only. Rear wall vents shall not be installed through a window opening.
- **Front Wall Vents:** Wall vents for houses that have a kitchen in the front (Adams models) of the house may be installed in the front wall of the house. Front wall vents shall not be installed in the central portion of the front wall and must be located on the front wall in a position as close to the property line as feasibly possible allowing for the clearance of a downspout.
- **Side Wall Vents:** No wall vents shall be installed on the side wall of a house except for two Adams model houses located at 6312 Buffie Court (Legal Description: Lot 55A, Section 2, Old Mill Community) and 6327 Teakwood Court (Legal Description: Lot 95A, Section 2, Old Mill Community). Side wall vents shall not be installed through a window opening.
- **Wall Vent Specifications:** Wall vent outlets on front walls shall be covered with a rectangular hood cover that does not exceed a dimension of 12 inches by 12 inches. Wall vent hoods on front walls may be a natural aluminum metal finish, painted the color of the siding of the wall on which the wall vent would be installed or a color approved by the

Association. Wall vent covers on rear and authorized side walls may be a rectangular hood style, louvered style or a style approved by the Association. Wall vent covers on rear and authorized side walls may be a natural aluminum metal finish, painted the color of the siding of the wall on which the wall vent would be installed or a color approved by the Association.

- **Basement Level Wall Vents:** Prior approval by the Association to install basement level wall vents is not required. The requirements of (i), (ii), (iii) and (iv) of this subsection shall not apply to basement level wall vents.
- **Under Eaves Vents:** Prior approval by the Association to install vents in the soffit under the roof eaves of a house is not required. Such vents are not wall vents and the requirements of (i), (ii), (iii) and (iv) of this subsection shall not apply to vents installed in the soffit under the roof eaves of a house.

38. Windows (Art XXIII, Sec 1(a)).

- **Greenhouse Windows:** Manufactured greenhouse windows approved by the Association may be installed on rear windows only.
- **Replacement Windows:** Replacement windows, except for the fixed bay windows, green house windows, and window walls must be double hung windows with pane muntin grids which match the original colonial style window panes in the community. Fixed bay windows must have window pane muntin grids of the same number, size, and shape as the original colonial style window panes in the original bay windows in the community, or current industry standard. Any large area of trim on vinyl or metal replacement windows must be painted to match the house trim. Manufactured pane muntin grids may be white but should approximate the color of the exterior house trim when possible.
- **Security Bars:** Security bars or ornamental grillwork may not be installed on exterior of first and second floor windows but may be installed on the exterior of basement level windows. The bars or grillwork must be painted black or the color of the house trim. Mesh style is not permitted.
- **Stained Glass Windows:** Stained glass may not be installed in the front windows of a house. Stained glass may be installed in the stair well and side bathroom windows of end units. Stained glass plaques hung inside a window do not require prior approval by the Association.

- **Storm Windows:** Storm windows which are white, natural aluminum mill finish or the color of the house trim may be installed without prior approval by the Association. Storm windows which match the color of the house trim are preferred. Other contrasting colors require approval of the Association. (See section on Paint, page 25.)
- **Window Walls:** Window walls may be installed on the rear wall of a house only. The window wall may be composed of large solid glass plates or colonial muntin panes and, if opening onto an elevated deck, compatible style doors. Installation requires prior approval by the Association, the County and a building permit. Window walls are more compatible on homes with rear living rooms overlooking a scenic wooded view; however, energy factors should be considered prior to installation

39. Window Fans (Art XXIII, Sec 1(am)) - Permanently installed window fans are not permitted. Portable window fans, which are placed inside the window on a temporary basis and do not protrude beyond the window frame, do not require prior approval by the Association.

VII. Maintenance Requirements.

A. Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property. This includes, but is not limited to items such as mowing grass, removal of trash, and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood and, in some cases, safety. The Declaration provides the Association with the authority to enforce maintenance standards in Old Mill. Article XXIII, Section 2 of the Association Bylaws contains the owners' maintenance responsibilities. While it is difficult to provide precise criteria for what would be an unacceptable condition in all cases or to provide a comprehensive document that could reasonably anticipate each case, the Bylaws and the Architectural Guidelines serve as a guide to conditions which would be considered a violation and cause for action under the provisions of the. These standards serve as the basis for the criteria of the Annual Townhome Maintenance Inspection Program and for citing violations throughout the year. (Refer to Appendix A for the Townhome Maintenance Inspection Program checklist/report form.)

B. The following maintenance standards shall apply to Old Mill properties (Bylaw references are in parenthesis):

1. Awnings (Art XXIII, Sec 2 (a)) - Awnings may not be ripped, frayed, stained or faded to the point that the thread shows or is obviously discolored.

2. Chimneys/Flues (Art XXIII, Sec 2(b)) - Metal flues must be properly assembled and attached to the house. The paint must not be peeling or chipped. Chimneys and flues must be free of soot and ash.

3. Decks (Art XXIII, Sec 2(c)) - Decks may not have missing or broken railings or parts. Rotted wood must be replaced. Sagging decks must be repaired or removed.

4. Doors (Art XXIII, Sec 2(d)) - Doors must have the decorative raised panel trim intact. Paint or finish on doors and storm doors must not be dirty, chipped, stained, faded or peeling. Storm doors must have the screen or glass intact and must not be dented. Door and storm door hardware must be intact. The glass in door windows may not be broken or missing,

5. Downspouts/Rain Gutters (Art XXIII, Sec 2(e)) - Downspouts and rain gutters must be intact and properly attached to the house. They may not be bent, dented or stained.

6. Fences (Art XXIII, Sec 2(f)) - Fences may not have missing or broken parts or be in a state of collapse caused by deteriorating or broken supports. Gates must be properly mounted and intact. Retaining walls must not be leaning or falling over.

7. Flagpoles and Flags (Art XXIII, Sec 2(g)) – Permanent freestanding flagpoles must not have chipped or peeling paint and must be in a vertical position. Temporary flagpole staffs shall not have chipped, stained or peeling paint. Flags and banners displayed on a flagpole or on the exterior of a property must not be torn, frayed, faded or in any other state of disrepair.

8. House Numbers (Art XXIII, Sec 2(h)) - House numbers must be intact.

9. Ivy/Other Vines (Art XXIII, Sec 2(i)) - Ivy and other vines shall be removed from the structure of a house. Damage to arbors, fences, sheds or other structures by ivy or other vines shall be repaired. Dead vines must be removed.

10. Landscape (Art XXIII, Sec 2(j)).

- **Decorative Objects:** Decorative objects must not be broken or otherwise in a state of disrepair.
- **Erosion:** Eroded areas must be restored. Conditions which are causing erosion must be corrected.
- **Grass:** Grass may not exceed a maximum height of six (6) inches in front, side, and back yards. Bare spots must be seeded or sod.

- **Plants:** Bushes and trees must be properly trimmed according to the species and may not be blocking free passage on the sidewalks or access areas. Dead bushes, flower plants, ground cover, trees, and stumps must be removed.
- **Weeds:** Mulched areas, ground cover, flower beds and patios in front, side, and back yards must be free of weeds.

11. Light Fixtures (Art XXIII, Sec 2(k)) - Light fixtures may not have broken glass or visible broken or missing essential parts. Light fixtures must be securely attached to the house

12. Railings (Art XXIII, Sec 2(l)) - Railings must be free of rust, have all parts intact and undamaged, and properly secured.

13. Roofs (Art XXIII, Sec 2(m)) - Shingles may not be warped, cracked, broken, missing or worn bare. Roofs must be able to pass VA/FHA inspection. All vents, fans, skylights, etc., installed on the roof must be intact and not visibly damaged.

14. Shutters (Art XXIII, Sec 2(n)) - Shutters may not be missing. Shutters must be the appropriate size for the window and match shutters on similar windows. Shutters must be intact with no missing louvers or otherwise visibly damaged. Shutters must be properly attached to the house. Paint must not be faded, cracked, or peeling.

15. Siding (Art XXIII, Sec 2(o)) - Siding must be intact and not damaged. Severely faded or discolored siding should be painted or replaced. Paint on bricks must not be discolored, chipped, or peeling. Brick facades shall not be severely discolored by such things as large areas of moss, mold, dirt or remnants of vines above the basement level. The normal patina of age on bricks is not required to be removed. Cracks in brick facades shall be repaired and repainted.

16. Steps/Walks (Art XXIII, Sec 2(p)) - Steps, stoops, and porches may not have pulled away from the house or sunk. The concrete (or other masonry) on steps and walks must be in good condition and appearance with no large cracks or deteriorated areas.

17. Storage/Clutter (Art XXIII, Sec 2(q)) – Trash bags and containers, toys, tools, grills, firewood, boxes, garden equipment, lawn mowers, auto parts, old appliances, dead plants, plant trimmings, items for disposal, etc., may not be stored on the front or side lawn, by the front door, or outside the area of the privacy fence. Rear yard/patio storage must be neat. The rear yard/patios may

not be used for storing commercial or business equipment, supplies, materials, etc.

18. Structures/Play Equipment (Art XXIII, Sec 2(r)) - Sheds, greenhouses, arbors, dog houses, pet enclosures, play equipment, and other structures on a property must be maintained in good condition. Painted structures must not have chipped, peeled, cracked, or rusted painted areas. Roofs, doors, hardware, glass, etc., must be intact. Sagging or leaning structures must be repaired or removed.

19. Trash (Art XXIII, Sec 2(s)) - No property shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Trash bags and containers and other items for disposal may not be stored on the front or side lawn, by the front door, or outside the area of the privacy fence. Trash stored in the rear yards/patios may not be stored in the open in plastic bags or open containers. The Fairfax County Code requires that all trash be stored in sanitary, fly proof containers with lids.

20. Trim (Art XXIII, Sec 2(t)) - All house, door, and window trim must be intact and in good repair. Trim paint may not be cracked, chipped, peeled, stained, or faded.

21. Windows (Art XXIII, Sec 2(u)) - Windows must not have broken panes, Window pane muntin grids must be in place and intact. Storm window glass and screens must be intact. Paint must not be chipped, peeled, or stained. Curtains, shades, blinds, shutters, etc., in the window which are visible to the exterior must be maintained in good condition. Thermal glass shall not be fogged or discolored

APPENDIX A

TOWNHOME MAINTENANCE INSPECTION PROGRAM

A-I. Introduction

A. In compliance with ARTICLE XXII, Section 1(d), of the Association Bylaws, the Association conducts the annual Townhome Maintenance Inspection Program. The purpose of the Townhome Maintenance Inspection Program is to maintain high standards of property maintenance in conformance with the Declaration of Covenants, Conditions and Restrictions and the Association Bylaws and to identify unauthorized architectural changes that require correction. The program is an annual systematic walk-through inspection of the exterior of all properties conducted in the spring of each year by the Architectural Control Committee and other volunteers. A report, with a request for corrective action, is provided to all owners whose property does not conform to the maintenance or architectural standards of the Covenants and Bylaws. The inspection informs owners of maintenance problems of which they may not have been aware and alerts the Architectural Control Committee and the Board of Directors to potential problem areas in the community that require attention before they develop into major problems. In addition to the annual inspection, periodic follow-up spot checks are made and maintenance and architectural violations are routinely reported when they are identified throughout the year.

B. All owners suffer if even only one property in Old Mill begins to deteriorate. It hurts sales and leads to even more deterioration. Most owners, undoubtedly, would not knowingly allow any of the poor maintenance conditions described in the Bylaws and in the Architectural Guidelines to exist for very long on their property. Responsible homeowners seek to preserve and protect their investment in their homes and to limit their personal liability by keeping their property safe and in good condition. The Association expects that all owners and residents will do the necessary maintenance to prevent any poor conditions from becoming widespread and persistent in Old Mill.

A-II. PROCEDURES:

The Annual Townhome Maintenance Inspection will be conducted in April and May of each year. It identifies architectural and maintenance conditions which are visible from the Common Area or the entrance walk of a house. Inspectors will not enter the area of the privacy fence or lawn of a property. The maintenance standards set forth in ARTICLE XXIII, Section 2 of the Bylaws and set forth in these Architectural Guidelines, are used as the basis for the inspection. The architectural restrictions and standards set forth in ARTICLE XXIII, Section 1 of the Bylaws and in these Architectural Guidelines serve as the basis for identifying unauthorized architectural changes. Based on the inspection results, by June 30th of each year, a report will be provided to all owners whose property does not conform to the maintenance or architectural standards of the Association's Governing Documents. The inspection reports also will note advisory situations which, if not corrected, will probably develop into conditions which are not in conformance with the maintenance standards of the Bylaws. Owners will be given a

reasonable time to correct the condition or respond to the Architectural Control Committee with their plan to correct the condition. In the event of failure by the owner to correct the condition as directed by the Architectural Control Committee or the Board of Directors, the Board may pursue the remedies provided in the Association's Governing Documents. Also note that new owners are responsible for correcting maintenance and architectural conditions not in conformance with the Association's Governing Documents, even if the conditions may have existed prior to their purchase,

A-III. APPEALS:

An appeals procedure exists for those affected by a decision of the Architectural Control Committee is set forth in Article XXII, Section 3(m) of the Association's Bylaws and in the Association's Architectural Guidelines.

APPENDIX B

LANDSCAPE GUIDELINES

B- I. General Information

a. The selection of shrubs, trees, and ground covers (including grass) surrounding a house, which makes up the landscape scheme of the private property, is the personal choice of the owner (except that vegetable gardens may not be grown at the front or side of house). Prior approval by the Association is not required for such landscaping. However, the landscape must be maintained in an attractive and safe condition and not cause a problem for adjacent properties and the Common Area. The Landscape Guidelines offer important considerations in developing and maintaining any landscape scheme which ultimately benefits the owner as well as others in the community.

b. Generally, the suggested design considerations in these guidelines are intended for plants which are native to this area, present an attractive size and appearance year round, and are suitable for our soil type and climate. Information on plant selection and maintenance may be obtained through the Virginia Tech Cooperative Extension at <http://pubs.ext.vt.edu/> or University of Maryland Cooperative Extension at <http://extension.umd.edu/gardening/index.cfm>. Also, local landscape nurseries can offer selection and care information on the plants that they have available in stock. Please take time to choose non-invasive plants for your landscape: <http://www.usna.usda.gov/Gardens/invasives.html>.

c. After the initial investment of time and money, proper landscape maintenance is necessary to promote long term home appreciation. Important considerations here are watering, fertilizing, mulching, pest control, and pruning. Pruning is not only necessary to keep plantings at the desired height, but also to prevent interference of a neighbor's visibility of desirable areas, and unaesthetic wall-like hedges between adjoining properties. The maintenance of the landscaping also must conform to the Architectural Guidelines. Bushes, shrubs, and trees may not obstruct passage on the Common Area sidewalks or access areas, cause damage to the Common Area sidewalks, or cause damage to adjacent property.

B-II. GUIDELINES

A- General Considerations

1. A combination of evergreen and deciduous, flowering plants provides an area with color during the growing months and throughout the winter.
2. As the available planting areas on properties are relatively small, avoid a cluttered effect by selecting only a few different kinds of shrubs.

3. Care should be taken to select shrubs and trees whose maximum growth size is in proportion to the small lawn areas and houses. Mature size, both in height and diameter, should always be considered especially when planting close to walkways and houses. Careful size selections will be more aesthetically pleasing and can reduce the risk of sheltering perpetrators from view.
4. Consideration should be given to the effect which planting will have on views from neighboring houses.
5. Select plants whose colors compliment those of the exterior of the house.
6. Choose plants which are definitely suited to Northern Virginia's growing conditions (soil, temperature extremes, rainfall, etc.)
7. Choose plants which are suited to the location (drainage, shade, available space, etc.)
8. Consider shrubs which remain green year round for foundation planting and screening under deck areas.
9. Underground utility lines and drains are factors in determining the location and type of plants. Call MISS UTILITY to find the location of underground power, gas, and water/sewer lines, and telephone/TV cables.

Visit

<http://www.missutilityofvirginia.com/Default.aspx?alias=www.missutilityofvirginia.com/homeowner>. This section is designed to assist homeowners in understanding how to use the Miss Utility of Virginia system to avoid damaging underground utility lines on their property. Homeowners should contact Miss Utility of Virginia by calling 811 or 1-800-552-7001 at least 3 working days (excluding weekends and legal holidays) before beginning any digging project.

From the Miss Utility website some digging examples include:

Landscaping

- Digging holes for fence posts or a mailbox
- Anchoring supports for decks or swings
- Removing tree roots
- Driving landscaping stakes into the ground
- Installing a retaining wall

Remember, even if your project is small, it's always best to call. It's a free

service!

Again, for additional information regarding a home project and digging safely, visit the website above or go to www.call811.com.

Remember that contacting Miss Utility prior to breaking ground is the responsibility of the homeowner.

10. Consider ground covers of creeping juniper or phlox; Hosta; Pachysandra; sedum or ornamental grasses instead of turf grass for areas of poor soil, deep shade or slopes. Avoid english ivy, vinca minor, ajuga or crown vetch as these are considered invasive.

11. Ensure that all topographic changes that affect drainage, water run-off, soil erosion, adjacent property, etc., are approved in accordance with the Architectural Guidelines.

B. Lawns

1. Turf grass species which should be seeded or sodded vary according to the amount of sun which an area receives. A cool season grass which generally does well in an extremely sunny area is Tall Fescue (i.e. Kentucky 31) which is a wide-bladed, extremely drought tolerant grass. If a finer textured lawn is desired, consider the narrow-leafed, turf type tall fescue (i.e. Rebel brand fescues) blended with a bluegrass. A blend of bunch type growth grasses (i.e. rye and fescues) and knitting type of growth grasses (i.e. bluegrass) is always recommended. For more information visit the Virginia Tech site <http://pubs.ext.vt.edu/category/lawns.html> or the University of Md. site <http://extension.umd.edu/publications/Category.cfm?ID=L#subCat24>. If a warm season grass (i.e. Bermuda or Zoysia) is desired see the U. of MD information sheet <http://www.hgic.umd.edu/documents/hg102.pdf>.

2. Lawns that need to be seeded should be seeded in early spring (February-March) or late summer (September-mid-October). The earlier the seed is sown, the more likely grass is to come up and become established before weed competition becomes excessive. Seeds must be kept damp in order to sprout. Daily watering will probably be necessary to accomplish this. However, ***fall is the optimal seeding time*** as the soil is warm, sunlight is still plentiful and our area normally receives ample rainfall at this time of year.

3. Weekly mowing of lawns is not only more aesthetic but is actually better for the lawn than a severe cutting of higher grass. Grass should be cut no shorter than two and a half (2 ½) inches and be sure to trim and edge for a neat appearance. For best results, refer to the VA Tech Coop Ext. publication

concerning the proper use of fertilizers in Virginia: <http://pubs.ext.vt.edu/430/430-011/430-011.html> . Soil testing is imperative for the proper application of fertilizer or lime. For information see the slide show at <http://connect.ag.vt.edu/p36588349/> about soil testing (nominal fee charged for test results) to ensure proper lime and fertilizer requirements.

c. Flowers and Ground Covers

1. Suggestions for selections of flowers and bulbs are available with pictures and care instructions on the VA Tech Coop Extension website <http://pubs.ext.vt.edu/category/annuals-perennials-bulbs.html>. For information on herbs, ferns, ornamental grasses and more perennials please see the U of MD website <http://www.agnr.umd.edu/Extension/gardening/EnvironmentalHorticulture/index.cfm>.

2. Ground cover suggestions are available at <http://pubs.ext.vt.edu/426/426-609/426-609.html>. Please take time to choose non-invasive plants for your landscape: <http://www.usna.usda.gov/Gardens/invasives.html>.

C. Trees

1. General Considerations: When planting a tree in a yard, keep in mind the size that a tree will be in ten years. Choose deciduous or evergreen trees that do well in Northern Virginia and remain under thirty-five (35) feet. Avoid trees that produce messy fruits such as Crabapples and some cherry species as they may be an annoyance. The larger shade and evergreen trees may present a problem with trees and landscaping on neighboring properties. They may shade and crowd the smaller trees on adjacent lawns or cause other problems. For example, Willow trees should be avoided because they grow too large for a townhouse property. The upper limbs become large, heavy and weak and the extensive root system can damage lawns, walks, water and sewer pipes, and house foundations. Maple trees (Acer family) also have spreading root systems that grow close to the surface and are destructive to lawns, walks and foundations and water/sewer lines. Consult this VA Tech Coop. Ext. publication for advice on proper tree maintenance: <http://pubs.ext.vt.edu/430/430-210/430-210.html>.

2. Evergreen and deciduous tree selection suggestions can be found at the VA Coop. Ext. website <http://www.pubs.ext.vt.edu/category/trees-shrubs-groundcovers.html>. Choose trees that will not grow too tall or wide for a townhouse property. Also consider planting trees that are native to our part of the United States: <http://www.ncbg.unc.edu/uploads/files/>. Please take time to choose non-invasive plants for our landscape:

<http://www.usna.usda.gov/Gardens/invasives.html>.

e. Shrubs

1. General Considerations: When planting a shrub in a yard, keep in mind the size that particular species will grow in ten years. All shrubs should be properly trimmed in accordance with the style of the species. Many bushes require regular trimming to keep them in scale with the lawn and house sizes. Forsythia and Lilac, for example, grow too large for a front yard and should be planted at the side of end units or at the rear of a property only. Shrubs should be selected based on color, amount of sun or shade required, and year round appearance. Be sure to consult a nurseryman before spending time and money on shrubs that may be inappropriate for the climate, location, or intended use.

2. Evergreen and deciduous shrub selections can be found at the VA Coop. Ext. website at <http://www.pubs.ext.vt.edu/category/trees-shrubs-groundcovers.html>. Also consider planting shrubs that are native to our part of the United States: <http://www.ncbg.unc.edu/uploads/files/>. Please take time to choose non-invasive plants for our landscape: <http://www.usna.usda.gov/Gardens/invasives.html>.

D. Vines

1. Ivy and other vines shall not be grown anywhere on the structure of a house. Vines can be grown on fences, arbors, sheds, trees, and other structures. However, the proper vine must be chosen for the intended use as some vines can be extremely destructive even if properly maintained. Wisteria is particularly destructive and should be avoided. Care should be taken that fencing does not rot if covered with vines. Mixing trees and vines is a very special art of English gardening and must be done with care so as to not destroy the tree. Consult advanced specialized garden books and specialists when planning to use these horticulture techniques. Pyracantha can be trained as a vine against fence. However, it requires meticulous pruning and trimming to maintain a good appearance and not become overgrown.

2. This site offers alternatives to invasive plants and vines: <http://www.garden.org/regional/report/arch/inmygarden/2765>. Please take time to choose non-invasive plants for our landscape: <http://www.usna.usda.gov/Gardens/invasives.html>.

B-III. COMMON AREA: Residents are encouraged to take care of the Common Area surrounding their homes, particularly the area around end units. Residents of end units are encouraged to take care of the area which would appear to be the natural boundaries (i.e. up to the walks, the base of a hill, wooded tree line, etc.).

Residents are encouraged to add plantings and maintain the area immediately outside the rear fence to soften the monotonous and stark fence lines and to help minimize erosion. Most of the homes in the Association have the living rooms located at the rear of the house; therefore, it is very important to maintain the park-like setting of the Common Area behind the homes to preserve an attractive view for all residents. The Common Area behind the homes is not a "back alley" and NEVER should be regarded as such. It is an essential integral part of the planned total architecture of the community which significantly affects the property values of the community. Bamboo, wisteria, Japanese honeysuckle, crown vetch and kudzu or **any species considered to be invasive may not be planted** on the Common Area immediately adjacent to fences or in any other location on the Common Area. Consult with the Landscape Committee concerning planting on the Common Area beyond the area immediately adjacent to the rear fence. Residents are also encouraged to "adopt" parts of the Common Area, such as island flower beds, and give them tender loving care (planting annuals, weeding, watering, etc.) Flower beds are planted only in areas where there are volunteers to maintain them. Well maintained flower beds create the impression of a community with pride in its appearance. Residents are also requested to assist the Association in caring for newly planted trees, shrubs and sod, by watering them after initial planting and during hot dry weather.

APPENDIX C

RADIO, TELEVISION AND SATELLITE "DISH" ANTENNAS

C-I. INTRODUCTION

A. As directed by Congress in Section 207 of the Telecommunications Act of 1996, the Federal Communications Commission (FCC) adopted the Over-the-Air-Reception Devices Rule that invalidated the prohibition of roof top television antennas, contained in Article IX, Section 8, of the Declaration of Covenants, Conditions and Restrictions pertaining to properties in Section 1, Old Mill Community. Homeowner associations and local governments are prohibited by the FCC rule from prohibiting or requiring prior approval for installation of analog television and satellite "dish" antennas covered by the rule. The FCC rule and guidance do, however, allow homeowner associations to establish reasonable requirements for the installation of antennas covered by the rule provided the requirements do not impose an unreasonable cost or interfere with reception. The FCC rule does not pertain to radio antennas and antennas designed to receive a distant television signal nor does it apply to the common area property owned by the Association.

B. At the Annual Meeting of the Membership on October 26, 1999, the owners amended the Association Bylaws to comply with the FCC Over-the-Air-Reception Devices Rule. This appendix contains the requirements and procedures of the Association Bylaws concerning antennas.

C-II. REQUIREMENTS FOR ANTENNAS: In accordance with the provisions of the Federal Communications Commission (FCC) Over-the-Air-Reception Devices Rule, prior approval by the Architectural Control Committee for the installation of antennas, as defined in the FCC rule, is not required. (See Article XXII, Subsection 3(b), of the Association Bylaws as amended on October 26, 1999) However, installation must be in accordance with the following requirements of Article XXIII, Subsection 1(b), of the Association Bylaws (as amended on October 26, 1999) as provided for in the FCC rule and guidance:

A. Amateur Radio/Citizen Band Antennas: The FCC Over-the-Air-Reception Devices Rule does not apply to amateur radio or citizen band antennas. Any owner wishing to install an antenna for amateur radio or citizen band activities exclusively must submit plans for same to the Architectural Control Committee. The plans shall show proposed location, height, and configuration of the equipment. The applicant shall also present affidavits from all property owners within a radius of one hundred (100) feet of his dwelling stating that they have no objections to such installations.

B. TV Antennas: Antennas designed to receive analog signals, such as television broadcast stations (TVBS), shall be placed only on the rear wall or rear slope of the roof of a property, To the extent possible, the antennas shall be placed so that they are not visible in the front of the property from the common area walks and streets unless this

placement would prevent reception of an acceptable quality signal. Connecting signal cables shall be securely fastened to the roof and walls and, to the extent possible, placed in less visible locations near corners and ridge lines. Unless it would unreasonably increase the cost of installation, connecting signal cables shall be attached only to the rear wall of a property. Antennas shall be installed in accordance with the applicable Fairfax County Codes. Antennas designed to receive a distant television signal are not covered by the FCC Over-the-Air-Reception Devices Rule and shall not be installed on the exterior of a property.

C. Satellite and Wireless Cable Antennas: Satellite “dish” antennas designed to receive video programming signals from direct broadcast satellites (DBS) and antennas designed to receive multichannel multipoint distribution (wireless cable) services (MMDS), which are one meter (39.37") or less in diameter or diagonal measurement as described in the FCC Over-the-Air-Reception Devices Rule, shall be placed only on the rear wall, rear slope of the roof or the rear yard/patio of a property and, to the extent possible, shall be placed so that they are not visible in the front of the property from the common area walks and streets unless this placement would prevent reception of an acceptable quality signal. Connecting signal cables shall be securely fastened to the roof and walls and, to the extent possible, placed in less visible locations near corners and roof edge and ridge lines. Unless it would unreasonably increase the cost of installation, connecting signal cables shall be attached only to the rear wall of a property. To the extent practicable, antennas should be a color that blends with or is compatible with the roof color. Antennas shall be installed in accordance with the applicable Fairfax County Codes.

D. Masts: Masts for mounting antennas, as allowed by FCC Over-the-Air-Reception Devices Rule, shall not be placed in the front or side yards of a property or attached to the front or side walls of a property or to the front slope of a roof. Cables or other devices to secure a mast shall not be placed or installed on the common area or cross the common area to another property. Masts higher than 12 feet above the roofline shall be installed only in accordance with the applicable Fairfax County Codes.

E. Maintenance/Removal: All antennas, masts, and related items shall be maintained in working order with a good appearance (such as paint or finish in good condition) and safe condition or removed. Article XXIII, Subsection 2(m), of the Bylaws requires antennas to be intact and not visibly damaged. Antennas, masts, connecting signal cables and other related items shall be removed when no longer used for the purposes of receiving video signals as defined in the FCC Over-the-Air-Reception Devices Rule. Amateur radio/citizen band antennas shall be removed when no longer used for those purposes.

C-III. COMMON AREA RESTRICTIONS: The FCC Over-the-Air-Reception Devices Rule does not pertain to the common area owned by the Association and does not require modification of structures and trees owned by the Association to provide reception. The Association’s Governing Documents and the Fairfax County Code are very specific about

preserving the wooded areas. Article XXI, Subsection 7(c), of the Bylaws states that no trees or shrubs on the common area shall be removed or trimmed to provide direct line-of-sight reception for antennas. Article XXIII, Subsection 1(b) of the Bylaws states that cables or other devices to secure an antenna mast shall not be placed or installed on the common area or cross the common area to another property.

C-IV. ENFORCEMENT PROCEDURES

A. Jurisdiction: Disputes concerning the installation of antennas covered by the FCC Over-the-Air-Reception Devices Rule are adjudicated by the FCC or court of competent jurisdiction in accordance with FCC rules. Under the FCC rule, tenants who rent have equal standing with property owners in the Association with regard to antennas covered by the FCC rule and may not be restricted by either the Association or the landlord except as provided in the FCC rule and FCC guidance. The requirements and procedures of the Association Bylaws concerning antennas apply to both owners and tenants who rent.

B. Filing a Petition: In the event that there is an unresolved dispute concerning the Association restriction on antennas as defined in the FCC Over-the-Air-Reception Devices Rule, either the Association or the member or resident affected may file a Petition for Declaratory Ruling with the FCC or court of competent jurisdiction, Petitions for declaratory rulings and waivers shall be served on the member concerned and both the member and resident concerned in the case of rental properties as required by the FCC rule. If the Association files a petition, the Association is required by the FCC rule to provide reasonable constructive notice of the proceedings to all members and residents whose interests may foreseeably be affected, A member or resident shall be deemed notified of the proceedings by delivery of such notice to the door of the member's or resident's residence in Old Mill or by mailing such notice, postage prepaid, to the member's address last appearing on the books of the Association or supplied by such member to the Association for the purpose of notice. (See Article XXIV, Subsection 1(e), of the Bylaws.)

C. Monetary Penalties: In accordance with the provisions of the FCC Over-the-Air-Reception Devices Rule, no monetary penalties, including attorneys fees, may be imposed on a member by the Association while a petition is pending with the FCC or a court for a declaratory ruling or waiver concerning Association restrictions on antennas as defined in the FCC rule. If the Association restriction is found to be permissible by the FCC or a court, the member shall have up to 21 days in which to comply with the Association restriction before a monetary penalty is imposed. (See Article XXIV, Subsection 1(b), of the Bylaws)

C-V. Additional Information: Information concerning the Over-the-Air Reception Devices rule can be obtained in the Federal Communications Commission (FCC) website at <http://www.fcc.gov>. Information can also be obtained by calling the FCC at 1-888-CALLFCC (toll free) or locally (202) 418-7096.