

# Proposed Use and Restrictions

## 1. Application

- a. Homeowners are responsible for ensuring all exterior modifications comply with the Declaration of Covenants & Restrictions, the Valley Vue Use and Restrictions, and applicable Prince William County regulations.
- b. Homeowners must seek approval from the Architectural Review Board (hereinafter “ARB”) prior to commencing any exterior work, unless exempt below.
- c. No ARB review is required for:
  - i. Repair and replacement of exterior materials with new materials of like color, style, and function, except for alterations requiring a county building permit.
  - ii. All landscaping, except changes to land structure requiring a county permits, such hardscape patios and retaining walls.
  - iii. Play equipment located in a rear yard.
  - iv. Interior modifications.
- d. The ARB will review the application within fifteen (15) business days of receipt and send a written approval or denial of the application. Failure of the ARB to act within fifteen (15) business days constitutes approval of the application.
- e. The homeowner may appeal an adverse decision by the ARB to the Board of Trustees in writing within ten (10) business days of receipt of an adverse decision. This request must include any new or additional information, which clarifies the application or demonstrates why the application should be approved. The Board of Trustees will respond, in writing, to a request for reconsideration within thirty (30) business days from the date of receipt of such request.

## 2. Residential Purpose

- a. Lots shall be used exclusively for residential purposes, with each lot limited to a single-family dwelling. Home occupations are permitted as defined by Prince William County zoning ordinances, provided they comply with all applicable zoning and Valley Vue Homeowners Association (the “Association”) restrictions.
- b. Telework, telecommuting, and remote work conducted within the home shall not be considered a non-residential purpose. However, any in-home business must comply with all applicable zoning ordinances and community regulations, including restrictions on signage, exterior storage, and parking. No commercial signage, customer foot traffic, or external business modifications shall be permitted unless explicitly allowed by both county and Association regulations.

### 3. Signage

- a. No sign or billboard of any kind shall be displayed to the public view on any portion of the Property or any Lot, except as follows:
  - i. One real estate sign (max 18"x24") per property, which must be removed within fourteen (14) days of occupancy.
  - ii. Home security signs (e.g., alarm monitoring) may be placed near entry points.
  - iii. No Soliciting and No Trespassing signs are allowed if kept under 12"x12" and placed near the entry.
  - iv. Temporary event signs (e.g., graduation, birthdays, school achievements) are allowed for up to fourteen (14) days.
  - v. Political signs are permitted from the start of early voting through Election Day and must be removed within seven (7) days after voting ends.
  - vi. Temporary service provider signs (e.g., landscaping, pest control) are permitted for up to seven (7) days after work completion.
- b. General Rules:
  - i. Signs may not be illuminated, electronic, or audio-based.
  - ii. No signs may be attached to common areas, trees, or street signs.
  - iii. Seasonal decorations shall be taken down within thirty (30) days from the end of the holiday.

### 4. Nuisances

- a. No hazardous or disruptive activities shall be conducted on any Lot or Common Area that create a public nuisance as defined by Virginia law. This includes activities that pose a significant safety hazard, such as, but not limited to, the use of exploding fireworks.
- b. Homeowners are responsible for addressing infestations of vermin, stinging insects, or other pests on their property to prevent harm to neighbors.

### 5. External Structures

- a. Temporary & Prohibited Structures
  - i. No structure of a temporary character, including trailers, shacks, garages, barns, or other outbuildings, shall be used as a residence, either temporarily or permanently. Tents used for short-term recreational purposes are permitted in back yards.
- b. Detached & Accessory Structures
  - i. Each property may have up to two (2) detached accessory structures (e.g., sheds, playhouses, detached garages).
  - ii. The total area of accessory structures may not exceed four hundred (400) square feet interior and a maximum height of fifteen (15) feet.
  - iii. Structures must be placed behind the front edge of the primary dwelling unless otherwise approved.

- iv. Detached structures exceeding 100 square feet must have siding and roof material and pitch matching the primary structure.
- v. Any garage style roll-up door cannot exceed 8 feet in height.
- c. Materials & Design
  - i. Exterior materials must be complementary to the primary dwelling or blend into natural surroundings if placed near a tree line.
  - ii. Modern materials are permitted.
  - iii. All-metal structures such prefabricated metal buildings and sheds are not permitted.
- d. Foundations & Placement
  - i. All structures must be placed on a stone, gravel, poured or other appropriate foundation.
  - ii. If placed on concrete blocks or treated wood posts, the base must be concealed with siding material.
- e. Compliance & Notification
  - i. Any structure must follow Prince William County permit regulations.
  - ii. Copies of all approved permits and required inspections must be provided to the Association.

## **6. Vehicles and Trailers:**

- a. Definition of Vehicles Covered by This Rule
  - i. Recreational Vehicles (RVs): Includes motor homes, campers, travel trailers, and pop-up tent trailers.
  - ii. Utility Trailers: Includes any trailer designed to be towed by a motor vehicle and used for general hauling.
  - iii. Boats & Boat Trailers: Includes any watercraft or trailer designed for transport.
  - iv. Junk or Hobby Vehicles: Any inoperable, unregistered, or abandoned vehicle not actively being restored, including parts of vehicles.
  - v. Commercial Vehicles: Any vehicle classified as commercial by Prince William County, excluding personal-use work vans or trucks with two axles or fewer.
- b. Parking & Storage Rules
  - i. Parking is allowed for one properly registered, roadworthy trailer, boat/trailer, or RV that does not obstruct full access to the garage or driveway. Such parking must be behind the front edge of the primary structure.
  - ii. The maximum length of any trailer or utility vehicle permitted is thirty (30) feet.
  - iii. No more than one exterior trailer, boat, RV or other is permitted (utility or recreational) per lot.

- iv. Parking of all vehicles must be on driveways or approved improved surfaces.
- c. Junk & Non-Functional Vehicles
  - i. Junk and hobby vehicles must be stored inside a garage.
    - 1. Junk vehicles include any combination of flat tires, no registration, visible damage or rust over 5% of its body, broken windows, leaking fluids or not inspected.
    - 2. If vehicle covers are used, covers must be free of moss, mold, tears and stains.
  - ii. Vehicles shall not be used for living for more than fourteen (14) days, nor shall they be rented for use on property.

## **7. Pets and Other Animals:**

- a. Allowed Animals:
  - i. No animals other than household pets (e.g., dogs, cats, small caged animals, aquarium pets) may be kept on any Lot.
- b. Pet Limits & Commercial Use:
  - i. A maximum of four household pets is allowed per household.
  - ii. Pets may not be bred, maintained, or kept for commercial purposes.
  - iii. Dog kennels must comply with rules for fences.
- c. Leash Law Compliance:
  - i. Pet owners must adhere to the Prince William County leash law, which prohibits dogs from being off the owner's property unless leashed.
  - ii. Pet waste must not be left on public or private property. Owners are responsible for cleaning up immediately.
- d. Nuisance & Enforcement:
  - i. Pets that create excessive noise, aggressive behavior, or strong odors are not permitted.
  - ii. Violations of county animal control laws should be reported directly to Prince William County authorities.

## **8. Refuse:**

- a. Trash, Recycling, and Yard Waste Management:
  - i. Each property may store one trash and one recycling container behind the front edge of the home.
  - ii. Containers may be placed curbside the evening before scheduled pickup and must be removed by the end of pickup day.
  - iii. Yard waste and landscape debris must be cleared within ten (10) days of being generated.
  - iv. Large Refuse Containers (dumpsters) are limited to thirty (30) days or the duration of an associated construction project.
- b. Project Materials & Temporary Storage:

- i. Materials required for ARB-approved improvements, or improvements not needing ARB approval, may remain visible for a period not exceeding 30 days, or until project completion, whichever is shorter.
- ii. Extensions may be granted upon written request to the ARB for projects lasting longer than thirty (30) days.
- c. Clotheslines & Composting:
  - i. Clotheslines are permitted in backyards, provided they are obscured from view of the street or adjacent lot
  - ii. Grass and weed clippings may be stored in a compost pile if it is enclosed, maintained, and odor-free.
  - iii. Wood chips, stones and mulch are permitted for household use, including gardening and landscaping. Bulk unused material must be used or removed in accordance with the temporary storage provision above.

## 9. Antennae: (done 6/23)

- a. Permitted Antennae and Satellite Dishes:
  - i. Satellite dishes and antenna up to 1 meter (39 inches) in diameter for television or internet services are permitted without ARB approval, per the FCC OTARD Rule.
  - ii. Satellite dishes and antennae providing commercial services to residential consumers, including fixed wireless internet and television broadcast reception, are allowed.
  - iii. Commercial or transmitting antennae, including equipment used for business purposes or dishes over 2 meters, are prohibited.
  - iv. Front yard installations are not permitted, unless no other installation location provides an equivalent signal.
- b. Safety & Maintenance:
  - i. All installations must comply with local building codes and be securely mounted.
  - ii. Damaged or non-operational equipment must be repaired or removed within thirty (30) days of notice from the Association.

## 10. Fences and Walls:

- a. Fence Placement & Height:
  - i. Fences and walls shall not be constructed closer to the street than the front edge of the home, except for decorative garden fencing not exceeding three (3) feet in height.
  - ii. Fences may be a maximum of six (6) feet in height.
- b. Permitted Materials:
  - i. Fences must be constructed of wood, vinyl, architectural metal, or other approved durable materials.
  - ii. Aesthetic Standards:

- iii. All fences must complement the architectural style of the home and the neighborhood aesthetic. The Board may publish architectural standards for fences as described in Section 14.
- iv. Secondary fences (e.g., dog or pool enclosures) are allowed as long as they comply with fencing requirements
- c. Notification & Approval Process:
  - i. Installation of a fence required ARB approval.
- d. Maintenance:
  - i. Fences must be maintained in good condition, including repairs, painting, or staining as needed.

**11. Lease Agreements:**

- a. Minimum Lease Term:
  - i. All lease agreements between a Lot Owner and a Lessee must have a minimum initial lease term of six (6) months. Short-term rentals, including vacation or transient rentals, are not permitted. All leases must be between the lot owner and the occupant; sub-leasing is not permitted.
- b. Compliance with Governing Documents:
  - i. The terms of the lease must state that the Lessee agrees to comply with the Declaration, Articles of Incorporation, By-Laws, and rules and regulations of the Association.
- c. Single-family use
  - i. No part of a home with separate cooking and bathing facilities may be rented or leased independently from the main unit.
- d. Enforcement:
  - i. The Lot Owner is responsible for tenant compliance. The Association may take any and all enforcement actions permitted by Article IX, Section 3 of the Declaration against the property owner if the tenant violates community rules.

**12. Use of Garages:**

- a. Garages may be used for any lawful purpose that does not otherwise violate the Declaration or Valley Vue Use Restrictions.

**13. Snow Removal:**

- a. Each resident is responsible for removing snow from the public walkway directly adjacent to their property.

**14. Architectural Standards and Colors:**

- a. Minimum Square Footage Requirement:

- i. All single-family residential structures constructed or reconstructed within the Valley Vue subdivision must have a minimum habitable floor area of 2,200 square feet, excluding basements, porches, patios, and garages.
- b. Architectural Design and Material Standards:
  - i. New construction and major renovations must utilize architectural designs, styling, and building materials that are compatible with the existing neighborhood .
  - ii. Modern materials are permitted, including energy-efficient products, sustainable building materials, and updated design elements, as long as they blend with the community's established aesthetic.
- c. Flexibility and Modernization:
  - i. Exterior materials may include wood, brick, vinyl siding, and architectural metal. Anynew materials must be approved by the Architectural Review Board (ARB).
- d. Color Restrictions:
  - i. Exterior colors shall either maintain the color scheme of the home and exterior structures as they exist on December 31, 2025, or shall follow the new color guidance below.
  - ii. Exterior Walls, Brick, Siding, Decks, and Sheds
    - 1. Neutral Earth Tones: e.g. tan, beige, taupe, sand, cream, ivory, khaki
    - 2. Grays: e.g. light gray, dove gray, slate, charcoal
    - 3. Browns/Wood Tones: e.g. cedar, chestnut, walnut, weathered wood
    - 4. Whites/Off-Whites: e.g. pure white, antique white, soft white
    - 5. Muted Blues: e.g. colonial blue, navy, slate blue
    - 6. Natural Materials: e.g. red or brown brick, natural or stained wood, stone
  - iii. Roofs
    - 1. Black, charcoal, dark gray, slate, brown, weathered wood tones
  - iv. Shutters and Trim, garage and non-entry doors, mailboxes
    - 1. Black, whites, brown tones, taupe, moderate green tones, moderate red and burgundy tones, blues
  - v. Entry Doors
    - 1. Entry doors may be of any accent color.
  - vi. Consistency with Community Standards:
 

All proposed exterior color changes (except for entry doors) require ARB approval.

15. VariANCES:

- a. Variance Approval Process:

- i. The Board of Trustees may grant variances to these restrictions through a super-majority (2/3) of voting members at a meeting open to the general membership.
- b. Criteria for Granting Variances:
  - i. Variances may only be granted if the board finds based on evidence presented that:
    - 1. They do not conflict with the Declaration of Covenants or Use Restrictions.
    - 2. They do not diminish property values or lower architectural and aesthetic standards.
    - 3. There is documented good faith and good cause.
  - ii. Commencement of construction or an existing condition without a variance is not a reason for a variance to be granted.
- c. Transparency and Non-Precedent Policy:
  - i. All variance requests and decisions must be documented and shared with the Board, including the reasons for approval or denial.
  - ii. A granted variance applies only to the specific lot and circumstances requested and does not set a precedent for future decisions.
  - iii. The board will make all variance decisions public to the community.

**16. Notice of Building Activity:**

- a. ARB Review of Exterior Renovations:
- b. All exterior construction, renovation, or reconstruction projects within the Valley Vue subdivision must be approved by the Architectural Review Board (ARB) before work begins.
  - i. Approval is required for:
    - 1. Exterior renovations including siding, roofing, windows, doors, and outdoor structures and appurtenances.
    - 2. Color palettes for painting or exterior material changes.
- c. Permit Notification Requirement:
  - i. Homeowners are required to notify the ARB of any governmental permits obtained for external construction projects.
  - ii. The ARB's review process will focus on compliance with the Association's architectural standards, not on governmental code enforcement.
- d. Construction Material and Site Management:
  - i. Construction materials and resources may only remain on-site for the duration of the building permit.
  - ii. Construction must commence within thirty (30) days of delivery of visible materials to the site.
  - iii. All construction-related materials must be removed within 10 days of permit expiration or project completion, whichever is sooner.

17. General Maintenance Standards:

- a. General Maintenance Standards:
  - i. Residents are responsible for maintaining the exterior of their dwellings and all structures on their lots in good order and repair, including sheds, decks, fences, and playground equipment, in accordance with the Declaration of Covenants and Restrictions, Article VI, Section (2)(a), and Prince William County codes.
  - ii. Failure to maintain will allow the Association to correct drainage and to repair, maintain, and restore the Lot and the exteriors of buildings only upon proper notice to the Homeowner and a two-thirds (2/3rds) vote by the Board of Trustees.
- b. Specific Maintenance Requirements:
  - i. The following items and conditions must be maintained:
    - 1. Peeling paint on exterior surfaces.
    - 2. Cracked or broken siding.
    - 3. Recreational equipment that is broken or needs repainting.
    - 4. Gutters in need of painting, repair, or replacement.
    - 5. Decks, fences or railings with broken or missing parts, peeling or faded paint or that are leaning.
    - 6. Concrete or masonry block foundations, walls and retaining walls requiring repainting or repair.
    - 7. Driveways and leadwalks with significant damage or cracks in excess of ½ inch wide and more than half the width of the driveway.
    - 8. Ditch and ditch line maintenance and debris clearing.
    - 9. Stained surfaces, including rust stains or other unsightly marks.
    - 10. Mold/mildew and algae staining on siding, roofs, or other exterior surfaces.
- c. Grounds and Item Management:
  - i. Small landscape project materials, debris, and refuse must be removed within 30 days of being placed on-site.
  - ii. Children's toys, party materials, and other temporary items must not remain outside and unattended for more than 48 hours.
- d. Focus on Visibility and Public Aesthetics:
  - i. The Association will prioritize enforcement of visible maintenance issues, focusing on areas visible from the road or that impact community aesthetics.
  - ii. Non-visible areas must comply with rules, but the Association will not conduct routine inspections of these areas without a complaint, homeowner invitation, or upon transfer of property.

18. Grass and Weeds:

a. Grass and Weed Maintenance:

- i. Residents are responsible for maintaining grass and weeds on developed lots and visible areas to a maximum height of 9 inches.
- ii. Non-ornamental grasses and invasive weed species must be controlled, unless part of an ARB-approved pollinator or rain garden developed using guidelines from the USDA, USFWS or nationally-recognized organization.

b. Landscape and Yard Upkeep:

- i. Residents must maintain a neat and orderly landscape, including:
  1. Pruning trees and shrubs to keep them proportional to the lot and home.
  2. Trimming grass and vegetation adjacent to the walking path.
  3. Removing dead or hazardous vegetation in accordance with requirements for refuse removal and temporary storage.
  4. Clearing drainage ditches and culverts to prevent flooding.
  5. Removing leaves and debris seasonally to ensure proper water flow.

19. Grading and Seeding done 9/4

a. Grading and Seeding Requirements:

- i. Grading and seeding are required for all disturbed areas on lots and common areas, except during active construction with a valid Prince William County building permit.
- ii. The maximum allowed time for grading and seeding completion is 30 days after construction completion, placement of clean fill dirt, or clearing of original vegetation, unless a county waiver is obtained.

b. Exceptions and Extensions:

- i. If Prince William County grants a written waiver allowing grading and seeding to occur after a use and occupancy permit is issued, the Association will honor the waiver if it is provided to the Board.
- ii. Homeowners may request an extension from the Board of Trustees if weather conditions, construction delays, or other legitimate factors prevent compliance within 30 days.

20. Remedies:

a. Enforcement and Penalties:

- i. Failure to obtain ARB approval prior to the start of a project may result in daily monetary penalties of up to Fifty Dollars (\$50.00) for a single offense, or up to Ten Dollars (\$10.00) per day for continuing offenses, with a maximum duration as allowed by Virginia Code § 55.1-1819(D). If offenses continue, the Association reserves the right to pursue any proceeding at law or in equity to enforce any penalties or injunctions.

Failure of the Association to enforce any restrictions shall in no event be deemed a waiver of the right to do so thereafter.

- ii. The ARB may order the cessation of construction or removal of unapproved conditions, at the expense of the homeowner.
- b. Violation Notice and Compliance Timeline:
  - i. The Board of Trustees may issue written notices of use restriction violations via certified mail, requiring compliance within 14 business days.
  - ii. The written notice will include:
    - 1. The specific violation.
    - 2. The required corrective action.
    - 3. The possible penalties for non-compliance.
    - 4. Contact information for requesting assistance if the homeowner is facing hardship.
  - iii. Residents may submit notice of violations with these restrictions and must provide a description of the condition and the section of the restrictions that the condition alleges to violate.
- c. Penalties for Non-Compliance:
  - i. The HOA may impose monetary penalties:
    - 1. Up to Fifty Dollars (\$50.00) for a single offense.
    - 2. Up to Ten Dollars (\$10.00) per day for continuing offenses, with a maximum duration as allowed by Virginia law.
  - ii. Homeowners may notify the Board of compliance and request inspection via certified mail or email at the registered email addresses of the Board. The Board will then reinspect to determine compliance.
- d. Lien and Legal Actions:
  - i. Liens may only be filed for unpaid assessments or monetary penalties, not directly for non-compliance.
  - ii. Before filing a lien or taking legal action, the Board of Trustees must approve the action with a two-thirds majority vote.
  - iii. The Board will not remove items or make physical changes to a property without a court order, unless they must inspect the property for violations or perform such maintenance as permitted by Article VII, Section 4 of the Declaration.