

Battleground Estates Homeowner's Association



Architectural Review Committee Guidelines

As of 17 November 2014

Section 1

Section 1.1.Fences

Fences have traditionally been used as a physical and visual separation of two pieces of property, a notification that here one person's land begins and another's end. This tradition continues, but as today's landscape and living style change, so do the use, location, and design of fences. It is usually attractive and desirable to visually extend properties beyond the property lines. This should be kept in mind when considering fencing, which by its very nature tends to physically define and separate areas and makes yours appear smaller. The use of plant materials alone can be an alternative. Unquestionably, a fence will be shared by neighbors even if the neighbors have only to look at the other side of it. Proper fencing can have a unifying effect upon a neighborhood. Improper fencing can detract from the appearance of a neighborhood. Cluttering a neighborhood with an uncoordinated selection and placement of fences should be avoided. Cooperation among neighbors in this matter can affect the visual and psychological harmony of an area. Therefore, it is important to remember in choosing a fence that there are various needs other than simply having a fence. The purpose of these fencing guidelines is to provide each residential lot with the atmosphere of a larger open area. Fencing, if it is carelessly used or placed, encroaches upon open space and can even destroy it. Fences require review.

a) Purposes of Fencing. Fencing is used to separate property, provide security and visual privacy, or architecturally define space. In achieving any of these goals, a barrier is created which has a both visual and physical impact on the boundaries of common land and properties of adjacent homeowners. Careful consideration should be given to the basic fencing concept and the manner in which the concept is executed. Fencing should be compatible with the applicant's house, but it should also be appropriate for its intended purpose.

(i) Property Separation. Where the homeowners goal is property separation open fences provide visual definition of boundaries without obstructing views.

(ii) Security. Many homeowners wish to restrict children or pets to or from their property. Property line fences cannot be counted on to provide security for dogs.

(iii) Privacy. While fencing can be used to create private outdoor spaces, homeowners should also consider ventilation. A private space with no cooling breezes on a summer afternoon can be unpleasant. To avoid this, the homeowner might choose from several fencing designs depending on the amount of privacy desired. A spaced board fence is "semi-open" and allows natural ventilation while affording varying degrees of privacy dependent on the size of the boards and spaces between them. More privacy may be obtained, while still allowing ventilation, by the use of landscaping. The height of a fence, the topography of the land, the relative distance of any observer affects both the amount of privacy afforded by a fence and its degree of visual impact.

(iv) Visual Effect. Fencing that architecturally defines a space are usually created for the visual effect rather than the functional effect (i.e., landscaping an area to make it attractive as opposed to providing a barrier). In many cases, architectural considerations are combined with a functional fence to enhance the overall visual effect of the barrier.

(b) General Guidelines. The spacious character of neighborhood is compromised by excessive fencing. The height and design of fences should generally conform to other fencing in the neighborhood.

(i) Fencing should relate to the principal architectural feature of the house in design, location and the way in which it connects to the existing house.

(ii) Planting schemes can be integrated and may be required with fencing to soften the visual impact.

(iii) Fencing must be an "open" type and should not exceed 4 feet in height. Applications for fences up to 6 feet in height may be approved only under unique circumstances of a homeowner's needs and lot considerations. The degree of "openness" of fences depends on their use. Solid style fences are not permitted.

(iv) Front yard fences are not allowed. Fence should be generally restricted to the rear yard.

(v) Corner lot fencing should not extend closer than 6 feet to either street than the closest point of the house to that street. Relationship to adjacent houses and other side factors will also be considered in determining fencing locations.

(vi) Gates should be compatible to fencing in design, material, height, and color.

(vii) Fencing which is finished on one side only must be constructed with the finished side facing out.

(viii) Only black aluminum, wrought iron fences or vinyl fences are permitted. Chain link, privacy, board-on-board, and wood fences are not allowed.

c) Materials and Colors. Fencing should be compatible with the materials and colors in the applicant's house and the adjacent houses. Continuity of texture and scale of materials should be considered. Only black or white fencing is permitted.

(i) Wire mesh screening used to increase security as part of an "open fence" will be considered only in special cases. The wire mesh will be attached on the inside of the fence and will not extend above the top rail.

(ii) Fencing shall match or blend with existing adjacent fencing.

Exception: There is a single (1) wooden residential fence within Battleground Estates that was installed prior to adoption of these standards, and is deemed an approved pre-existing structure despite the above provisions.

Section 1.2. Sheds

Battleground Estates is envisioned as a community of Homeowners in which each of its parts relates well and is properly integrated into the whole of its design. This depends largely upon the organization and the harmony of each element to its environment. One such element is the storage shed

and the shed's relationship to the house it serves and to its neighbors. Any storage shed has an aesthetic impact on neighbors. An inappropriately placed or poorly designed shed can visually and functionally negate an otherwise desirable residential area. Cluttering a neighborhood through uncoordinated selection and placement of sheds must be avoided. Cooperation among neighbors in this matter can affect the visual and psychological harmony of an area. Therefore, it is important to remember in choosing and locating a shed that there are needs other than storage which must be considered.

a) Design Criteria

(i) The design of a storage shed is directly related to its location and the house it serves as the relationship between the house and the shed determines the type of shed to be used.

(ii) The shed must be designed to appear as part of the house, with siding to match, shingles to match color and material or may be part of under deck.

(iii) The shed must be designed to respect the "visual rights" of neighboring properties. For convenience, sheds have been placed in two categories based upon the shed's relationship to the house.

b) Freestanding Sheds. Freestanding sheds should be located in rear yard and preferably behind the house so as not to be visible from road. Exceptions will be made for treed or sloped lots but not to put the shed close to neighboring side lots.

c) Sheds Attached to House or Deck

(i) Design. The architectural design of the shed must be compatible with the design of the house, and may be built below an elevated deck.

(ii) Materials. The finish materials used for the shed must be the same as the exterior finish of the house. If the shed is built below a deck which is elevated 8 feet or less, the material must match the deck.

(iii) Color. The color scheme must be the same as that on the house or deck.

(iv) Roof. The roof slope, type of slope, and color of the roofing material (shingles, etc.) must match those of the house, if not built under elevated deck.

(v) Size. While sheds must provide sufficient volume for their intended use, they must be of a size which is appropriate for the size of the property and which is architecturally compatible with the applicant's house and adjacent houses.

Section 1.3. Decks, Patios, Sidewalks, and Pathways

Patios provide a means for ground level extensions of indoor space with less visual impact than elevated decks. Applicants should view fence and shed design criteria with respect to visibility, privacy and materials. When patio or deck schemes include other exterior changes, such as fencing, lights, planting, etc., other appropriate sections of these Guidelines will also be applicable.

a) Location: Patios or decks must be located in rear yards. Front and side yard locations will be evaluated on their individual merits. County Codes must be followed in the construction and permit issued in regard to set backs and railings.

b) Underdeck Storage: When using an underdeck area for informal storage, the impact on neighbors must be kept in mind. Storage should be maintained so as to present a neat, uncluttered appearance. Special underdeck storage screening or landscaping will be required. In addition, landscaping may be required to hide tall, spindly deck supports.

c) Drainage: If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Approval will be denied if adjoining properties are adversely affected by changes in drainage. If a patio is being considered, attention should be given to making ground level surfaces of porous material or to providing mulched beds that offset impervious deck or patio area.

d) Sidewalks and Pathways. Stone and brick pathways or sidewalks should be set back at least 4 feet from the property line and generally be installed flush to the ground.

Section 1.4. Recreation and Play Equipment

The desire for swings, basketball backboards, tot lots, etc. on detached lots or neighborhood property is frequently expressed. Most equipment of this sort is commercially available but is often less than pleasing in appearance. Creatively designed equipment is encouraged. The guidelines listed below are provided in an effort to reconcile the need for play equipment with the goal of minimizing its visual impact. See also Declaration, Section 8.2(k).

a) Location and Size. Equipment must be placed in rear yards. Consideration must be given to lot size, equipment size and design, amount of visual screening, etc.

b) Materials and Color. Play equipment constructed of wood is encouraged. Metal play equipment, exclusive of the wearing surfaces (slide poles, climbing rungs etc.), free standing basketball backboards and their poles should be painted dark earth tones to blend with the natural surroundings, or, if located adjacent to a dwelling or fence, painted to match the background or screening structure. Other play equipment colors will be considered, contingent upon location and landscaping. Basketball backboards secured to detached house or garage should be painted to match or blend with the background. A contrasting rectangular color outline may be painted on the backboard behind the goal.

c) Basketball Backboards. Basketball backboards may be secured to detached houses or garages provided that proper consideration is given to color as noted below not visible from the street. No basketball goals are permitted beyond the front plane of the house. Basketball goals may have to be screened from view from road. Permanent goals are permitted with pole and backboard to be painted to match the house colors.

Section 1.5. Lawns, Landscaping and Vegetable Gardens

a) Lawns must be treated at least quarterly with fertilizer and/or lime to maintain healthy grass roots and discourage weed growth. Weeds must be removed and lawns must be mowed and edges trimmed so as to not exceed 6 inches in height.

b) Design Criteria.

(i) Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic.

(ii) Also, the view of neighboring units and shade patterns of larger trees should always be considered.

(iii) All gardens must be neatly maintained throughout the growing season; this includes removal of all unused stakes, trellises, weeds, and dead growth. Mulch must be added to flower/tree beds annually.

c) Changes NOT Requiring Application. An Application is not required for

(i) Foundation planting (plants and shrubs in the beds surrounding the foundation of the home).

(ii) Single plantings (i.e., one tree, one shrub, etc.).

(iii) Rear yard plantings.

(iv) Vegetable gardens that meet the three criteria below. If any of these criteria are NOT met, an application is required.

1. Vegetable garden is located between the rear line of the house, the rear property line and side line of the house.

2. Vegetable garden does not exceed 1/4 of the area described above in the previous bullet ("1.").

3. Vegetable garden is not planted on a grade exceeding a ratio of 5 feet to 100 feet.

d) Changes Requiring Application

(i) Retaining Walls. All retaining wall installations require Committee approval.

(ii) Hedges. If proposed hedges are more than 2 feet in height or 8 feet in length, or if other features become structures, fences or screens.

(iii) Railroad Ties or Garden Timbers. If either ties or timbers form a wall over 18 inches in height and/or 4 feet in length.

(iv) Rock Gardens. If a rock or collection of rocks exceed 24 inches in any direction. All rocks will remain their natural color.

(v) Vegetable Gardens If all the conditions listed under Section 5.8, b, iv are NOT met an application must be submitted.

(vi) Tree Removal. The following trees may NOT be removed without prior Committee approval.

1. Live trees with a diameter in excess of 4 inches, measured 12 inches above ground.
2. Live trees with a diameter in excess of 2 inches, measured 12 inches above ground, which are generally known as flowering trees (i.e., redbud or dogwood) or as broadleaf evergreens.
3. Live vegetation on slopes greater than 20% gradient or marked "no cut" areas on original plans.

NOTICE: Residents are PROHIBITED from cutting any trees located in Common Areas or within Transitional Screening Easements without written permission from the Association.

NOTICE: Some of the Common Areas have been protected with Conservation Easements and cutting of trees in those areas may constitute a criminal or civil offense. Residents are advised to consult with the Stafford County Extension Office and the Battleground Estates Association staff for compliance with county ordinances on tree cutting.

e) Compost Piles. Composting may be done only if the compost is cultivated in a proper compost container; the compost container must first be applied for and approved. Compost piles are prohibited in Battleground Estates.

Section 1.6. Exterior Privacy Enclosures

Exterior privacy enclosures that hide exterior air conditioning units, swimming pool pumps, trash cans, etc. are permitted but require prior review and approval. The enclosures should not exceed 5 (five) feet in height and should have an opening or gate to allow for servicing of any equipment placed within the enclosure (see example at <http://www.improvementscatalog.com/product/metal-trash-can-screenenclosure>). If the enclosure is made from wood, see Section 5.3 Fences for guidelines regarding materials, color, and maintenance. Latticed privacy panels/screens are preferred, and must match the exterior of the home. Freestanding panels must be staked securely so they are not easily blown down. Panels that have fallen over should be placed upright promptly.

Section 1.7. Exterior Decorative Objects

a) Definition. Approval will be required for all exterior decorative objects, both natural and manmade. Exterior decorative objects include such representative items as:

- (i) bird baths
- (ii) wagon wheels
- (iii) sculptures
- (iv) fountains
- (v) ponds
- (vi) stumps
- (vii) driftwood piles
- (viii) freestanding poles of all types and
- (ix) items attached to approved structures.

- b) Location. Fixtures in front plain of house and yard are strongly discouraged and difficult to get approved.
- c) Flagpoles. Permanent flagpoles are not allowed. Homeowners wishing temporary flagpole staffs which do not exceed six feet in length and are attached at an incline to the front wall or pillar of the house or dwelling unit need not have an application.
- d) Firewood. Firewood shall be kept neatly stacked and located to the rear of the residence, within an owner's property line. Piles larger than two cords require approval. Piles longer than 6' should be 2 rows deep minimum. Piles must not exceed 4' in height for safety. Firewood piles must contain firewood only, no storage of debris. Location should be in such a manner as to minimize visual impact. In certain cases, screening may be required.

Section 1.8. Awnings and Trellises

Awnings and trellis work provide an effective means for controlling glare and excessive heat build-up on windows and door openings and help reduce summer energy consumption and utility costs. The material in which sun control is implemented has considerable effect on the exterior appearance of a house, and the desirable benefits of sun exposure in the winter, fall, and spring. Materials are available for application on the inside of windows to reduce thermal transmission and glare. These materials may provide effective and economical alternatives to awnings and trellises. Effective sun control can often be provided by such simple measures as planting deciduous trees to shade windows from undesired sun exposure.

a) Definitions. A trellis filters the sun and is permanent. Design allows winter sun in while keeping out hot summer sun. Awnings block sunlight and are seasonal.

b) Design Criteria

(i) Awnings and trellises must be compatible with the architectural character of the house in terms of style, color and materials.

(ii) Awnings should be of straightforward design without decorative embellishments such as scallops, fringes, and contrasting colored stitches.

(iii) Awnings and trellises should be consistent with the visual scale of the house to which they are attached.

c) Location. Only location in rear of the house approved.

Section 1.9. Exterior Lighting

a) Exterior Lighting. No exterior lighting shall be directed outside the applicant's property. Lighting which is a part of the original structure must not be altered without Committee approval. Light fixtures which are proposed in place of the original fixtures must be compatible in style and scale with the applicant's house.

b) Detached Solar Collectors. Detached solar collector panels will be reviewed under the same criteria as storage sheds with consideration for the special requirements of sun orientation.

c) Solar Panels. Panels mounted to the front side of roofs must be flush with the roof. Panels mounted to the back side of roofs may be flush or elevated. If elevated, they will not extend above the roof peak so far that they are visible from the yards of facing houses across streets or roadways.

d) Lamp Posts. Each home has a lamp post stationed in the front yard, by the garage. Lights for these lamp posts should be maintained regularly (i.e., bulbs replaced when out; power source checked) so that the community has lighting at night.

Section 1.10. Exterior Painting

Color changes apply not only to the house siding, but to the doors, shutters, trim, roofing, and other appurtenant structures. Change of exterior color for single family houses should relate to the color of the houses in the immediate area. Repainting or staining a specific object to match its original color need not be submitted.

Section 1.11. Storm and Screen Doors & Windows

Rising energy costs have encouraged homeowners to take measures to conserve energy through installation of storm doors. Energy conserving measures, however, should and can be done without compromising the visual quality of the neighborhood.

- a) Design Criteria. Doors should be straightforward without ornamentation such as scallops, scrolls and imitation gate hinges.
- b) Color. Storm or screen doors should be painted to be the same color as the entry doors behind them or trim of door. However, special consideration will be given to doors that are the same color as architectural trim, siding and existing storm windows. Consideration will depend upon the design of the particular door and its relation to the design of the house and adjacent houses.
- c) Conforming Storm Doors. Full view or plain paneled doors which are the same color as the entry door or trim do not require submission of an application.
- d) Burglar Bars. Burglar bars or similar equipment attached to the exterior of a home may not be installed without prior written approval of the Committee.

SECTION 2

MISCELLANEOUS GUIDELINES

Section 2.1. Air Conditioning (In-Window Units)

Air conditioning units extending from windows are prohibited.

Section 2.2. Electronic Insect Traps

Electronic insect trap regulation will be based on the same criteria as exterior lighting. In addition, no device shall be installed or maintained in such a way as to cause discomfort to adjacent owners from noise and may only be operated during those times when the immediate area protected by the trap is operated by the owner or his guests.

Section 2.3. Grills

Permanent cooking or barbeque grills should be placed in the rear of the house and must not be located within the rear side plains of the house. Portable grills may be placed at the top of the driveway to cool, but may not remain in view longer than 24 hours.

Section 2.4. Dog Houses and Runs

Dog houses must be compatible with the applicant's house in color and material, and must be located where they will be visually unobtrusive. The

same criteria apply to dog houses as to storage sheds. Dog runs are not permitted.

Section 2.5. Antennas and Satellite Dishes

Exterior television or other antennae and satellite dishes exceeding 24 inches of any kind are prohibited, unless approved in writing by the Covenants Committee. However Federal Communication Commission regulations provide that certain satellite receivers may not be prohibited by restrictive covenants; accordingly, any receivers subject to such regulations are allowed.

Section 2.6. Attic Ventilators

Attic ventilators and turbines are encouraged but must match the siding or trim on the house if mounted on a gable end or be painted to match the roof if placed on a roof. Roof location shall be on the least visible side of the ridge pole.

Section 2.7. Carports

No free-standing carports will be allowed in Battleground Estates.

Applicable Stafford County Affidavit & Regulations conferred with Battleground Estates Architectural Review:

~ Fences, Walls & Hedges ~

Section 28-39(a). Special Regulations ~ Fences, Walls & Hedges:

Agricultural District (A-1)

Fences, walls and hedges shall not exceed eight (8) feet in height along any rear or side yard within the required setbacks, nor shall they exceed five (5) feet in height along any front yard or within that portion of the side yard in front of the front setback line.

Rural & Residential Districts (A-2, R-1, R-2, R-3 & R-4)

Fences, walls, and hedges shall not exceed eight (8) feet in height within any side or rear yard nor four (4) feet in height within any front yard, street facing side yard (except A-2), or within that portion of the side yard in front of the front setback line. In no event shall barbed wire, razor wire, or any other similar contrivance be used in residential districts.

Commercial Districts (B-1, B-2, B-3, RC & SC)

Fences, walls, and hedges shall not exceed eight (8) feet in height within any side or rear yard nor four (4) feet in height within any front yard or within that portion of the side yard in front of the front setback line. The use of barbed wire, razor wire, or any other similar contrivance shall not be allowed in commercial districts except when incorporated into a fence at a height of not less than seven (7) feet from the nearest adjacent grade and located on arms which do not protrude onto or over any adjoining property.

Continued ~ Section 28-39(a). Special Regulations ~ Fences, Walls & Hedges

Industrial Districts (M-1 & M-2)

Fences, walls, and hedges shall not exceed eight (8) feet in height within any front, side or rear yard. The use of barbed wire, razor wire, or any other similar contrivance shall not be allowed in industrial districts except when incorporated into a fence at a height of not less than seven (7) feet from the nearest adjacent grade and located on arms which do not protrude onto or over any adjoining property.

Planned Development Districts (PD-1 & PD-2)

Fences, walls, and, hedges must conform to the criteria for fences for the type of zoning district (residential or commercial) in which the fence, wall, or hedge is located in the planned development district.

Stafford County: Do I need a building permit?

Whenever you construct, reconstruct, enlarge, alter, or demolish a structure, a permit is required prior to starting the work.

These types of projects require a Building Permit (see USBC 108.1):

- Building a new house.
- Building an addition onto an existing house or attached garage.
- Converting an existing deck or screened porch into a sunroom.
- Building an attached or detached garage or carport.
- Converting a garage to a habitable space.
- Building a porch, screened porch, deck, associated steps or ramp.
- Building or installing a tool shed over 200 square feet in area.
- Finishing off an unfinished attic, basement or room over the garage.
- Moving or removing a load bearing wall or partition.
- Retaining wall which support 2 or more feet of unbalanced fill.
- Bulkheads
- Piers

- Docks
- Repairing, altering, enlarging or modifying any structural element of the house, including:
 - Any damaged structural element, such as load bearing stud walls, columns, piers, footings, foundations, floor joists, rafters, beams or girders.
 - Enlarging or adding a door opening or window opening.
 - Changing the use of the structure (example: change from residential use to business use).
 - Installing a pool, hot tub or spa greater than 150 square feet, 5000 gallons, OR 24" deep.

The building code allows some work to be done without obtaining a permit. While a permit is not required, the work must be in compliance with the code. Some examples of work that does not require a permit include (see USBC 108.2):

1. Making ordinary repairs and improvements, including, but not limited to:
 - Painting the inside or outside of the house or detached structures.
 - Repairing drywall, plaster, exterior siding, etc.
 - Installing new floor coverings, such as vinyl, carpet, or hardwood.
 - Installing or refurbishing cabinetry.
 - Repairing or replacing porch or deck flooring boards. Note: A permit is required to repair or replace the joists or girders.
 - Repairing or replacing handrails on a porch.
 - Installing or replacing doors and windows, including storm windows, where no structural changes are performed.
 - Installing or replacing exterior siding.
 - Re-roofing: Old shingle roof can be left in place provided that there are not more than two previous layers of shingles and that the existing shingles are not water saturated.
 - Installing or replacing gutters and downspouts.
 - Repairing or replacing siding.
2. Installing driveways or sidewalks.
3. Constructing or installing a storage shed, playhouse, etc, 200 square feet or less in area. (requires zoning permit)
4. Adding a fence (which is not part of a swimming pool enclosure) and which is 6' or less in height - refer to subdivision covenants (if applicable).
5. Building recreational equipment, such as swings, skateboard ramps, jungle gyms, etc.

6. Adding roof insulation.
7. Installing any wiring or equipment which operates at less than 50 volts.
8. Installing a security alarm system.
9. Replacing existing electrical water heater with a new electric water heater.
10. Replacing electrical fixtures, such as switches and receptacles.
11. Installing or replacing a ceiling fan to a pre-wired switch.
12. Replacing plumbing fixtures, such as sinks.
13. Replacing or repairing existing mechanical appliances (of equal size and type). This exception is not applicable to gas and oil fired appliances.

- End -