

Any removal of trees must be approved by the County. Any vegetation that is removed must be replaced by another type of vegetation that offers an equal level of water quality protection, such as shrubs or ground cover that don't grow as high.

All PIRs within the RPA require County approval before submitting the PIR to MPOA for consideration. The Environmental Services Division of Prince William County Public Works is responsible for providing such approvals. The link to County Environmental Services RPA information is: <http://www.pwcgov.org/government/dept/publicworks/environment/pages/resource-protection-area-requirements.aspx>. County Environmental Services may also be reached by phone at 703-792-6819 or e-mail at publicworks@pwcgov.org. Additionally, Prince William County provides an RPA Brochure detailing the activities within the RPA that require County approval: <http://www.pwcgov.org/government/dept/publicworks/documents/006995.pdf>.

5.4.1 Air Conditioners, Heating Units, and Window Fans.

Pre-Approved: Replacement units installed in the same location as the original unit (not to include window units and window fans).

Quick Track: None

Requirements and Restrictions:

- a. Window air conditioning units and window fans may not be installed on the front of any home.
- b. **For Water's Edge Townhome Association:** Window air conditioning units or window fans may not be installed in any window.

Information to be included with PIR:

- Property plat indicating the location of the unit and
- Size and color of the unit.

5.4.2 Awnings.

Pre-Approved: Replacement of an existing previously approved awning with one having identical features.

Quick Track: None

Requirements and Restrictions:

- a. Awnings shall be compatible with the architectural character of the house in terms of style, color, and materials.
- b. The location of any awning should not adversely affect views, light, winter sun, or natural ventilation of adjacent properties or views of the lake.
- c. Awnings attached to houses should be proportionate with the visual scale of the house to which it is attached.
- d. **For Water's Edge Townhome Association,** Awnings are permitted over upper-level decks and must be color of townhome siding or white. Awnings are not allowed on front or side windows.
- e. **For Southlake Landing,** retractable awnings are allowed ONLY on rear decks and patios. Color must be compatible with dominant color of house.
- f. **For Nob Hill Forest Townhomes,** Retractable awnings are allowed ONLY on rear decks and patios. Color must be compatible with dominant color of house.
- g. **For Southlake Cove,** Retractable awnings are allowed ONLY on rear decks and patios. Color must be compatible with dominant color of house.

Information to be included with PIR:

- Property plat indicating the location of the awning in relationship to the property lines and dwelling;
- Description of size, color, materials, and framing; and
- Photographs or brochures showing colors and construction details.

5.4.3 Canopies.

Pre-Approved: Replacement of an existing previously approved canopy with one having identical features.

Quick Track: None

Requirements and Restrictions:

- a. Canopies shall be compatible with the architectural character of the house in terms of style, color, and materials.

- b. The location of any canopy should not adversely affect views, light, winter sun, or natural ventilation of adjacent properties or views of the lake.
- c. Canopies may not be placed on common property.
- d. Canopies may not extend beyond the front of the home.
- e. Canopies must be stored out of public view. Freestanding canopies cannot be erected for more than four consecutive days in duration.
- f. Canopies shall match the trim or dominant color of the house or be in an earth tone. Pipe frames for canopies must be painted to match the trim or dominant color of the home.
- g. Freestanding canopies may not be placed on upper-level townhome decks.
- h. Permanent canopies will be considered on a case by case basis.
- i. **For Water's Edge Townhome Association,** Freestanding canopies may be placed on upper-level townhome decks only and shall match the trim or dominant color of the house or be in an earth tone. Permanent canopies will be considered on a case by case basis and require a PIR. Canopies are not allowed in front, side or rear yard.
- j. **For Southlake Landing:** Canopies are not allowed on any windows.
- k. **For Nob Hill Forest Townhomes:** Canopies are not allowed on any windows.
- l. **For Southlake Cove,** Canopies are not allowed on any windows.

Information to be included with PIR:

- Property plat indicating the location of the canopy in relationship to the property lines and dwelling;
- Description of size, color, materials, and framing; and
- Photographs or brochures showing colors and construction details.

5.4.4 Chimneys, Metal Flues, and Vents.

Pre-Approved: Identical replacement for an existing flue or vent, placed in the same location.

Quick Track: None

Requirements and Restrictions:

- a. Chimneys must match the existing brick or other dominant material on the dwelling in style, size, color, and material.
- b. Exposed metal flues must be galvanized steel.

Information to be included with PIR:

- Property plat indicating the location of the flue or vent on the house; and
- A picture or drawing indicating the dimensions, materials, and color.

5.4.5 Compost Piles.

Pre-Approved: Compost piles that meet all of the following requirements and restrictions:

- a. Containers must be constructed of a wooden frame with wire or block interior and must be screened from adjacent lots and streets.
- b. Piles must not exceed 4' in height and must be located at least 5' from the property lines and to the rear of the house.
- c. Active (organic) piles must have a 6" layer of straw over the top at all times to prevent odors.
- d. Piles must be maintained and turned periodically to ensure the proper destruction of bacteria and weed seeds by heat.

Quick Track: None

Requirements and Restrictions:

- a. The use of manufactured containers requires submission of a PIR.
- b. Compost piles are not permitted in townhome and cluster home areas.

Information to be included with PIR:

- Property plat indicating the location of the compost pile in relationship to the property lines and the existing dwelling where container will be placed in back yard; and
- Description of the manufactured container to include dimensions; and
- Photograph or brochure of manufactured container to include color.

5.4.6 Decks.

Pre-Approved: For Nob Hill Forest Townhomes, Southlake Landing Townhomes, Southlake Cove Townhomes, and Water's Edge Townhomes: Decks may be painted with Behr solid color stains Padre Brown, Wood Chip, Russet, Valise, Chocolate and Sable. Paints from other suppliers that are an exact match to these colors are acceptable. Other colors and materials are subject to Southlake Landing Town Home Association approval. Other colors and materials are subject to Southlake Cove Townhomes Association approval. For Water's Edge Townhomes: Decks may be painted with Behr solid color stains Padre Brown, Wood Chip, Russet, Valise, Chocolate, Sable, Terra Cotta, California Rustic, Cappucino, Adobe Brown, Rose Beige, Tugboat, Chestnut, Woodbridge, Redwood Naturaltone, Curry, Cedar, Red Cedar, Wrangler Brown, and Antique Brass. Paints from other suppliers that are an exact match to these colors are acceptable. Screened-in porches on the upper level deck requires a PIR. Pre-approved: Lattice and screening of the ground level patio/bottom level deck is permitted.

Quick Track: None

RPA Considerations: RPA provisions apply; see Section 5.4 General.

Requirements and Restrictions: PIRs for painted decks (other than homes located within the sub-associations listed above) will be considered on an individual basis for aesthetic compatibility and visual impact on surrounding properties. Other colors and materials are subject to Nob Hill Forest Townhome Association approval.

Information to be included with PIR:

- Property plat indicating the location of the deck in relationship to the property lines and the existing dwelling;
- Clear and accurate building plans that show height above grade, dimensions and style, and details of railings, stairs, benches, privacy screens, pergolas, trellises, and lattice work;
- Description of materials to be used for the deck, to include a sample for all synthetic materials;
- A color sample of the stain or paint to be applied, if applicable;
- Details of changes to windows and doors, if applicable;
- Description of grading and drainage changes, if applicable; and
- Estimated completion date.

5.4.7 Decorative Objects.

Pre-Approved:

- a. Porch furniture located on the front porch (not to include storage benches – see Sections 5.4.38 and 5.4.39).
- b. Movable planters, no larger than 18" x 18" x 18."
- c. Hanging birdhouses, birdfeeders, chimes, or planters not over 18" in length, 24" in height and 12" in width.
- d. Welcome, name, or similar signs (not advertisement) no larger than 24" x 12" or 18"x 18."
- e. Door wreaths.
- f. Holiday decorations, not permanently attached to the dwelling. Holiday decorations must be removed within two weeks after the end of the holiday. Mailbox decorations are not permitted, except for within 30 days of a holiday (see Section 5.4.26).
- g. Decorative house flags and/or banners no larger than 28" x 40" placed in flagpole holders per Section 5.4.16 Flagpoles. Holiday flags/banners must be removed within two weeks following the holiday.

Quick Track: Other decorative objects not over 18" in length, 18" in height, and 12" in width.

Requirements and Restrictions:

- a. Any decorative object not listed as "pre-approved" requires submission of a PIR.
- b. Excessive numbers of decorative objects, pre-approved, quick-track, or not, will not be permitted.
- c. **For Southlake Landing:** Decorative objects are limited to a total of 2 objects in the front of any property. Up to 3 planters with appropriate living plants are also permitted. Prohibited objects include, but are not limited to, statues, swans, flamingos, ducks, windmills, deer, birdbaths, and lights other than the front door light and landscape lights. Decorative objects are prohibited in side yards.
- d. **For Southlake Cove:** decorative objects are limited to a total of 2 objects in the front of any property – 1 hanging object and 1 sign (i.e. welcome plaque or family name). Hanging objects are limited to wind chimes and flags (American Flag or other National Flags). Up to 3 planters (non-hanging) with appropriate living plants are also permitted. Prohibited objects include but are not limited to statues, swans, flamingos, ducks, windmills, deer, birdbaths, storage benches made of plastic, wood, metal, stone or other material and

lights other than the front door light and walkway landscape lights. Decorative objects are prohibited in side yards.

- e. **For Water's Edge Townhome Association:** Decorative objects are limited to a total of 2 objects in the front of any property - 1 hanging object, and 1 sign (i.e. welcome sign or family name). Hanging objects are limited to wind chimes and flags (American flag or other national flags). Up to 3 planters (non-hanging) with appropriate living plants are also permitted. Prohibited objects include but are not limited to statues, swans, flamingos, ducks, windmills, deer, birdbaths, gliders, swings, window boxes, fire pits, BBQ grills, lawn furniture and chairs, storage benches made of plastic, wood, metal, stone, or other material and lights other than the front door light and walkway landscape lights. Decorative objects are prohibited in side yards.
- f. **For Nob Hill Forest Townhomes:** Decorative objects are limited to a total of 2 objects in the front of any property – 1 hanging object and 1 sign (i.e. welcome sign or family name). Hanging objects are limited to wind chimes and flags (American flag or other national flags). Up to 3 planters (non-hanging) with appropriate living plants are also permitted. Prohibited objects include, but are not limited to, statues, swans, flamingos, ducks, windmills, deer, birdbaths, and lights other than the front door light, walkway landscape lights and one pole light. Decorative objects are prohibited in side yards.

Information to be included with the PIR:

- Property plat showing location of object in relation to dwelling;
- Picture and/or detailed drawing of object, including dimensions; and
- Material and color(s) of the object.

5.4.8 Docks, Piers, and Wharves.

Pre-Approved: Repair / Replace deck board, rail, and benches on the existing size, style, and color.

Quick Track: None

RPA Considerations: RPA provisions apply; see Section 5.4 General.

General Requirements and Restrictions:

This guideline applies to docks, piers, wharves, (docks) and shoreline improvements described herein. For the purposes of these guidelines, the word “dock” means anything, including a pier or wharf, whether natural or man-made, used or intended to be used to moor a boat to the shore and to provide access to the boat and the lake. The installation and maintenance of a dock within Lake Montclair is a privilege and shall be permitted only upon strict compliance with the terms of the Amended and Restated Declaration and this section of the Community Guidelines. Prior to approval by the Board of Directors, dock construction requests must have been reviewed and approved by the Covenants and Lake Management Committees for compliance with MPOA regulations and guidelines pertaining to dock size, design, and location.

- a. Docks shall maintain a low structural profile complimentary to the natural setting of the area so that they minimize any disruption of the natural shoreline and flow of water.
- b. The Lake Montclair Master Dock Listing included in Article 5 of the Montclair Architectural Guidelines identifies those homeowner lots within Montclair for which docks and shoreline improvements may be approved.
- c. There shall only be one dock per authorized lot.
- d. Any current dock approved by the previous owner of the lake, Second Montclair Corporation, shall comply with the requirements for insurance and the annual MPOA Dock and Shoreline Improvement Permit described in this guideline.
- e. Docks and shoreline improvements may convey to subsequent owners provided the new owners comply with all provisions herein.
- f. Chesapeake Bay Preservation Act Restrictions: The Chesapeake Bay Preservation Act of 1988 (the Act) established shoreline protection buffers termed Resource Protection Areas (RPAs) along all waterways that feed into the Chesapeake Bay. Prince William County adopted the Chesapeake Bay Preservation Act into its local ordinance in 1990. Within Montclair, RPAs include the land areas within 100-feet of the Lake Montclair shoreline.
 1. In accordance with the Act as incorporated into the Prince William County Ordinance, any construction within 100 feet of the Lake Montclair shoreline requires approval of the Prince William County Department of Public Works. This approval must accompany PIRs for docks and shoreline improvements.
 2. In accordance with the Act and only upon approval by the MPOA Board of Directors, owners may selectively remove vegetation from their property: for water dependent uses such as docks; to create a water

access path; to remove dead, dying or diseased trees and shrubs; to remove noxious weeds or invasive exotic plants; and to provide limited water views provided that removed vegetation must be replaced with other low-growing vegetation to provide equivalent water quality protection.

g. Dock Dimensions, Placement, Anchoring, and Amenities:

1. Stationary docks may not extend any further than 12 feet into the lake and be no more than 18 feet wide.
2. Floating docks may not extend any further than 14 feet into the lake and be no more than 18 feet wide.
3. Docks may not be located within 12 feet of an Owner's side lot boundary lines extended to the 189-foot elevation contour line of the lakeshore.
4. Docks shall be secured to the shoreline. Generally, docks should be constructed from the shoreline; floating docks will be reviewed on an individual basis for all properties abutting Lake Montclair. An anchoring system must be submitted with a PIR for a floating dock. Floating docks may not be removed from the water or stored on the shoreline.
5. No dock shall abut a neighboring dock to create a boardwalk. Joint venture docks are only permitted for certain Island Homeowners Association (IHA) docks as described in the IHA Master Dock Plan.
6. Docks may have low rails and toolboxes in the form of a solid bench. A single shaded pole light, which shines solely within the perimeter of the dock itself, is permitted.
7. Stairways and walkways that traverse the 100-foot RPA buffer may not exceed 42 inches in width.
8. Items such as sheds, gazebos, boat-landing covers, electronic insect traps, tires used as bumpers, and speaker systems are not allowed on docks.
9. The owner is solely responsible for the safety and structural integrity of the dock.
10. Dock owners are responsible for displaying an MPOA assigned Dock Number, clearly visible on the dock from waterside approach.

h. Dock Construction and Repair Provisions:

1. MPOA PIRs are required for all docks on Lake Montclair.
2. Prince William County Building permits are required and must be on file with MPOA prior to beginning construction of a new dock; whenever structural changes are made to an existing dock; or the dock is being rebuilt or re-anchored.
3. Replacing worn boards, resurfacing, refurbishing, and refinishing existing docks do not require Prince William County Building permits.
4. Information to be included with PIRs for construction for docks:
 - a) Site plan and survey of the property abutting the lake, annotated with 189-foot elevation contour and showing the relationship of dock to the property boundaries and adjacent docks.
 - b) Drawing of the proposed dock.
 - c) Description of materials, including color; natural earth tones preferred (Oil-based paints or stains are not permitted).
 - d) Proof of \$1,000,000 liability insurance coverage with MPOA listed as additional insured and certificate holder.
 - e) MPOA Dock and Shoreline Improvement Permit Application.
5. Information to be included with PIRs for refinishing, resurfacing and refurbishing an existing dock:
 - a) Site plan, denoted with 189-foot elevation contour, and showing relationship of dock to the property boundaries and adjacent docks.
 - b) Drawing of existing dock.
 - c) Description of materials, including color; Natural earth tones preferred (Oil-based paints or stains are not permitted).

i. Shoreline Improvements: Shoreline improvements include all improvements other than docks between the property boundary lines of a lot eligible for a dock and Lake's water surface. All such improvements are subject to provisions in this section to include: Chesapeake Bay Preservation Act Restrictions; general liability insurance requirements; and annual MPOA Dock and Shoreline Improvement Permit requirements. This provision includes, but is not limited to: stairways, walkways, fences, landings, irrigation systems, boat racks, etc. between the property boundary lines of a lot eligible for a dock and the Lake's water surface, regardless of whether or not a dock is in place. As with docks, PIRs are required. A single MPOA Dock and Shoreline Improvement Permit may include an owner's dock and any associated shoreline improvements approved under provisions of this section.

j. Insurance Requirements: All dock owners (including sub-associations that request community docks) and owners of shoreline improvements described herein will be required to provide MPOA with proof of valid general liability insurance coverage of not less than one million dollars (\$1,000,000), and must list the MPOA as a certificate holder or as additional insured when available through the insurance carrier.

1. Owners with insurance carriers providing the necessary coverage but unable to have MPOA listed as a certificate holder or additional insured will be required to provide MPOA a copy of a letter signed by the Insurance Provider addressed to the Owner indicating that coverage is in place for a current annual period,

and that the carrier will not provide the requested services (certificate holder or additional insured), and that the Insurance Provider will provide MPOA with notice of any change to or cancellation or renewal of the policy. Property owners will obtain all applicable county permits and will accept liability for any damages that may occur to sewer lines, other utilities, or other MPOA property.

2. In the event of a lapse of the \$1,000,000 liability insurance, the MPOA will take immediate legal action requiring the homeowner to remove the dock and/or shoreline improvements, or may take action to have these removed at the homeowner's expense, or take any other action as authorized by law or the Association documents. The lot owner will be responsible for all costs, including attorneys' fees, in the event of any such action.
3. This \$1,000,000 insurance must remain in force for the entire duration of ownership of the lot if a dock and/or shoreline improvements are in place.

k. Dock and Shoreline Improvement Permits:

1. MPOA Dock and Shoreline Improvement Permits are required for all docks on Lake Montclair and any Common Area improvements between the property boundary lines of a lot eligible for a dock and Lake's water surface. This permit constitutes a license agreement between MPOA and the homeowner for the dock and other shoreline improvements, and is intended to be temporary in nature.
2. MPOA may terminate or modify the license hereby granted at any time in the event of any violation of this permit or in the event the Board of Directors, in its sole discretion, determines it necessary or in the best interest of the Association to do so. In the event of termination of the license or this permit, the Owner shall promptly remove all docks and/or shoreline improvements and restore the licensed area to its condition prior to the modifications contemplated by this permit.
3. The MPOA Dock and Shoreline Improvement Permit must be renewed annually. Owners must be current in annual assessments and have no outstanding dock or shoreline improvement violations at the time of renewal. Owners must submit the renewal permit between October 1st and October 31st. Renewal fee is \$5.00 (no cash accepted) when renewed by October 31. There will be a \$200 late fee unless there is proof by November 10 that insurance was in effect since November 1st of that year. An owner who fails to submit a complete annual Dock and Shoreline Improvement Permit Application, pay the annual renewal fee, and/or provide proof of required insurance by November 10th will be referred to legal counsel for immediate action to cause the removal of the owner's dock from Lake Montclair and all shoreline improvements from the Common Area. Additionally, the Association shall be entitled to recover all unpaid fees and all costs, including attorneys' fees, associated with the removal and with any legal actions to affect removal.
4. Upon initial or renewal permit application, homeowners must submit proof of at least \$1,000,000 liability insurance in the form of the declaration page, and must list the MPOA as a certificate holder and as additional insured when available through the insurance carrier as described above.
5. Per the terms of the Dock and Shoreline Improvement Permit, owners must agree to waive any claim against the MPOA from any liability relating to the dock and/or Shoreline Improvements, including but not limited to personal and property damage, and damage due to raising or lowering the water level in Lake Montclair.

l. Sub-Association Dock Restrictions:

1. The Island Homeowners Association: The Island Homeowners Association (IHA) Master Dock Plan allows certain joint venture docks with a maximum allowable size of 12 feet by 14 feet. No walkways to docks are allowed. Low voltage
2. walk lights (such as Malibu lights) are allowed along the descending stairs leading to docks. The IHA Master Dock Plan limits dock size dimensions to 8 feet by 12 feet. IHA dock owners must comply with both MPOA and IHA restrictions.
3. Water's Edge and Southlake Landing Townhome Associations: Southlake Landing and Water's Edge Townhome Associations may have community docks, which shall be approved on an individual basis.

- m. Failure to comply with these guidelines shall be grounds for forfeiture of permission to have and maintain a dock upon Lake Montclair and or shoreline improvements described herein, with the removal of same to be at the option of the MPOA with all costs and fees at the owner's expense. Acceptance of the terms of the MPOA Dock and Shoreline Improvement Permit shall be sufficient proof of acknowledgment of these restrictions and liabilities.

5.4.9 Dog Houses and Dog Runs.

Pre-Approved: None

Quick Track: None

Requirements and Restrictions:

- a. Dog runs constructed with chain link fencing must be located inside solid privacy fencing.

- b. Any visible dog run shall meet the criteria for fencing.
- c. Doghouses should be designed and located to be visually unobtrusive.
- d. Doghouses must be constructed with materials compatible with existing dwelling in style, material, and color.
- e. **For Water's Edge Townhome Association**, Dog houses and dog runs are not permitted.

Information to be included with the PIR:

- Property plat indicating the location of the proposed structure in relation to the existing dwelling and property line;
- Picture and/or detailed drawing of the dog house/run, to include dimensions;
- Description of the material and color of the dog house/run;
- Landscape plans to compliment and/or screen the dog house/run; and
- Estimated completion date.

5.4.10 Doors, Entry/Storm and Garage.

Pre-Approved: Full view, clear glass storm doors in white.

Quick Track: Full view, clear glass storm doors that match the front door color or trim color of the house and doors, entry/storm. Replacement of garage doors which are like for like except for new materials and meeting the Requirements and Restrictions below with sub-association approval.

Requirements and Restrictions:

- a. **For Southlake Cove and Southlake Landing:** Only full view glass doors in white or the dominant color of the house are permitted. Full view storm doors with one small dividing bar through the middle are permitted.
- b. **For Southlake Cove and Southlake Landing:** All changes to exterior doors in Southlake Landing and Southlake Cove Townhomes Association which differ from the original door require advance PIR approval of the MPOA and Townhome Association.
- c. **For Northside:** Applications will be reviewed on an individual basis regarding the style and color of the proposed storm door.
- d. **For The Island Homes:** Only full view glass doors in white are permitted on cluster homes.
- e. **For Water's Edge Townhome Association:** Only full-lite, hi-lite, full view with kick plate and self-storing storm doors are authorized. Storm doors must be white or the color of the front door. Only these styles are authorized for solid panel, French, or full glass paned doors. Doors are to be painted as close to the original color as possible or white.
- f. **For Nob Hill Forest Townhomes:** Exterior doors may not deviate from the original solid door style and door color. Only full view glass storm doors or full view storm doors with one small dividing bar through the middle are permitted. Storm door color must be in white or the dominant color of the house.

Information to be included with the PIR:

- Property plat indicating the location of the proposed door;
- Detailed drawings or pictures of the door, to include color; and
- Estimated completion date.

5.4.11 Driveways.

Pre-Approved: Replacement driveway in the same size, color, and material

Quick Track: None

Requirements and Restrictions:

- a. The concrete apron is the responsibility of VDOT. Any changes to the apron must be either completed by VDOT or the homeowner must have approval from VDOT.
- b. Stamped concrete driveways will be considered on a case by case basis to determine the impact the driveway will have in correlation to neighboring properties.
- c. All driveways (to include widening) must maintain at least a 5 foot side yard setback. Exceptions to the setback will be considered on a case by case basis.

Information to be included with the PIR:

- Property plat indicating the location of the new driveway in relation to the property lines;
- Description of materials to be used;