#### OAKTON MILL ESTATES HOMEOWNERS ASSOCIATION

#### **ADMINISTRATIVE RESOLUTION NO. 2024-01**

#### REQUIREMENTS FOR CONSTRUCTION OF A SHED AND THIRD CAR GARAGE

WHEREAS, pursuant to Section (2)(g) of the Association's Articles of Incorporation and Article VII, Section 1(c) of the Association's Bylaws, the business and affairs of the Oakton Mill Estates Homeowners Association ("Association") are managed by the Association's Board of Directors ("Board"), and the Board has the authority to exercise for the Association all the powers, duties and authority of the Association that are not specifically reserved to the membership by the Declaration, the Association's Bylaws or Articles of Incorporation, or applicable law;

**WHEREAS**, Section 55.1-1819 of the Virginia Property Owners' Association Act ("POA Act") and Article VIII, Section 1(a) of the Bylaws provide that the Board may establish, adopt and enforce rules and regulations pertaining to areas of Association responsibility;

**WHEREAS**, Article VII, Section 1 of the Association's Declaration of Covenants, Conditions and Restrictions provide that the erection and use of a private garage for more than two cars, and its location, size and appearance, may be permitted subject to the supplemental approval of the Association through the Board of Directors;

**WHEREAS**, Article VII, Section 1 of the Association's Declaration of Covenants, Conditions and Restrictions provide that the erection and use of sheds or similar buildings may be permitted subject to the supplemental approval of the Association through the Board of Directors;

**WHEREAS**, Article VII, Section 8 of the Association's Declaration of Covenants, Conditions and Restrictions provide that the erection and use of sheds or similar buildings may be permitted subject to the supplemental approval of the Association through the Board of Directors;

**WHEREAS**, Article VII, Section 16 of the Association's Declaration of Covenants, Conditions and Restrictions provide that the Association through the Board of Directors may establish rules and regulations for the construction, location, size and appearance of an addition to a residence, other structures, and improvements on the Lot; and

**WHEREAS**, Article VII, Section 17 of the Association's Declaration of Covenants, Conditions and Restrictions provide that prior to the construction of an addition to a residence, other structures, and improvements on a Lot, a written application must be filed with the Association's Architectural and Environmental Control Committee (AECC).

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board hereby adopts as part of the Association's Rules and Regulations the following requirements, policies and procedures for construction of a Shed and Third Car Garage on residential home lots within the Association.

## I. Background

This document provides requirements for construction of a free-standing shed or third-car garage on residential home lots within the OME HOA. One set of requirements are provided for a free-standing shed for the rear of a home. Two sets of requirements are provided for two options for third car garages: *a*) *Garage Option 1:* third car garage attached to home and located adjacent and next to existing garage; and *b*) *Garage Option 2:* third car garage attached to home and located directly behind the existing garage.

Prior to the construction of a free-standing shed or third-car garage on residential home lots within the OME HOA, a written application must be filed with the Association's Architectural and Environmental Control Committee (AECC). Applications shall include detailed plans and specifications, including but not limited to design, location, size and appearance. The AECC reserves the right to require any additional information deemed reasonably necessary to properly process and evaluate any application.

## **II. Requirements for Construction: Stand-Alone Shed**

#### A) Size

- 1) Maximum footprint shall be 125 square feet (e.g., 12.5'x10') based on the footprint of the floorplan, including any verandas that may be included in the design.
- 2) Maximum allowable height shall be 10 feet, measured from ground level, with a maximum height being the highest point of the roof.
- 3) A maximum of 1 stand-alone shed per lot is permitted.
- 4) No door may exceed 6ft in width.

#### B) Location

- 1) The shed must not be attached to the home or deck and be in the rear of the house (i.e., the back yard). With the exception of corner lots and lots where the backyard is not directly behind the house which are subject to separate location requirements, the shed should not be located in the front or on the sides of the house when looking at the property from the street.
- 2) Placement of shed must be located and/or screened to minimize visibility to any street, Common Element or neighbors.
  - a) Among the efforts to minimize visibility to neighbors, where feasible, sheds should preferably be centered behind the rear of the house, located fully within parallel lines along the left and right sides of the foundation of the house, away from next door HOA neighbor's lots. If HOA neighbors are on both sides of the house, the shed should preferably be centered in a location no more than 5 feet from the center line of the house. If there is only one HOA neighbor on one side of the house, the shed should preferably be fully located on the far side (away from the neighbor) of the center line of the house.
- 3) Corner lots and lots where the backyard is not directly behind the house: Corner lots must conform to applicable Fairfax County zoning regulations with respect to location of sheds on corner lots. Subject to AECC approval pursuant to these construction requirements, corner lots that exceed 36,000 square feet, and lots where the backyard is not directly behind the house, may have sheds located in either front or side yards, as long as the shed is located in a manner that minimizes visibility to neighbors and as long as the other locational requirements within this section are met.
- 4) Nearby homeowner comments:
  - o a) On lots where a homeowner applies to the AECC Committee to construct a shed, the

- homeowner must obtain advance written comments from all HOA neighbor(s) with a view of the proposed placement of the shed from those neighbor(s) homes and/or front yard.
- o b) The neighbor(s) should provide reasons for any comments against the shed.
- o c) The AECC would try to work out any issues raised by the neighbor(s) associated with the shed.
- o d) The AECC has ultimate authority to approve or disapprove the shed.
- 5) Per requirements of the Fairfax County's Health Department Division, sheds should not be located on top of the active and reserve septic field locations on homeowner property. Maps of locations of each of our HOA's lot's active and reserve septic field locations are available within the HOA's AECC. Fairfax County's Health Department Division has active and reserve septic field locational information; contact info as follows: 703-246-2201 or email hdehd@fairfaxcounty.gov.
- 6) Nearby HOA homeowner comments for lot situations where the proposed shed location is directly behind, in front of, or otherwise in direct view of their HOA neighbor's home and/or front vard:
  - a) To minimize the visual impact on neighbors, on lots that where a homeowner applies to the AECC to construct a shed directly behind their HOA neighbor's home, where the shed would be directly behind, in front of, or otherwise in direct view of their surrounding neighbors home and/or front yard, the homeowner shall make every attempt to minimize the visual impact of the shed on these surrounding neighbors. The homeowner shall obtain advance written approval from their HOA neighbor(s) whose view is so directly impacted. The advance written approval would be a sign off on the proposed shed location and proposal when it is presented to the AECC.
- 7) If the lot has significant topographic relief in relation to the location of the shed and increased or decreased views of the shed from nearby HOA residences and/or front yards, the diagram should include topographic information that informs on the location of the shed and increased or decreased views of the shed from nearby HOA residences and/or front yards. The County's Land Development Services Division may/should have topographic locational information.
- 8) Use of landscaping shielding should be considered.
- 9) Sheds must be located in a manner that meets applicable County zoning setback lines for sheds.
- 10) Front yard, side yard and rear yard definitions are noted below:
  - a) Front yard: A yard extending across the full width of a lot and lying between the front lot line and principal building. Note: Because corner lots may have two or more front yards, the AECC may approve a shed location in a corner lot's front or side yard provided the shed meets the other requirements of these construction requirements and the corner lot size exceeds 36,000 square feet as determined by lot survey documentation.
  - o b) Rear yard: The yard extending across the full width of the lot, lying between the rear lot line and the principal building. On a corner lot, the rear yard is on the opposite side of the building from the front lot line (the shortest street line).
  - o c) Side yard: The yard between the side lot line of the lot and the principal building and extending from the front yard to the rear yard.
  - d) Please see further description and corner lot example on the following Fairfax Permits page:
     https://www.fairfaxcounty.gov/code/sites/code/files/assets/documents/pdf/yard\_and\_lot\_de

#### C) Purpose and Use

termination.pdf

• 1) Sheds shall not, under any circumstances, be used as a living space for persons or animals.

#### D) Structure & Appearance

• 1) <u>Drawing:</u> A drawing and/or pictures of the final appearance of the constructed shed should be included.

#### • 2) Foundation

- o a) A suitable barrier must be in place to prevent burrowing animals from making a habitat under the shed.
- b) The shed should have a permanent foundation, and not be moved once constructed. The
  area around the foundation must be backfilled; no exposed space under the shed will be
  permitted.
- o c) The footprint of the floorplan shall have a square or rectangular shape that has length and width dimensions relatively similar to and/or in reasonable proportion to each other, and not be shaped similar to a monolith.

#### • 3) Flooring

- a) The shed should be constructed so it is structurally sound and not prone to collapse, and
  in a manner that it will not become a home for animals. Example specifications owners
  should consider using which may help ensure structural soundness and an effective barrier
  to home-seeking animals include the following:
  - 1) No dirt or gravel floors will be permitted.
  - 2) The shed must include a solid floor composed of either:
    - a) A 4-inch-thick concrete slab; or
    - b) An integrated floor of suitable building material (e.g. pressure treated lumber). This flooring should not have spaces in between the flooring material. All flooring material should be flush with the other pieces, so that there is no space between pieces that would allow for animals to enter the shed through the flooring.

#### • 4) Walls and Doors

- o a) Exterior walls must be of framed (e.g., 2 X 4) construction.
- o b) All sheds must have a door that latches.
- o c) Exterior cladding (i.e., outer material layer) shall be wood, vinyl, stone, composite, hardy plank, or brick of a color and style that coordinates with the existing home. No plastic, rubber, fiberglass, or all metal shed exteriors will be approved.
- o d) Sheds that meet the requirements of these Requirements for Construction may potentially be purchased from: a) shed companies who make pre-constructed or pre-designed sheds and who would construct/install their sheds on properties within the Oakton VA area; or b) constructed by another entity.
- o e) Windows, if present, should match as closely as possible those on the primary structure in both style and color.

#### • 5) Roof

- o a) Roof slope and shingles should match as closely as possible those on the primary residence.
- o b) Flat roofs are not allowed.

#### • 6) Utilities

- o a) Any utilities servicing the shed must have underground connections. No above ground utility connections to the shed of any type will be permitted.
- o b) Any shed with an interior sink connected to the home's water supply must also include a drainage connection to the lot's septic system.
- c) Exterior lighting (if installed) shall not exceed the equivalent of one 1000 lumen light bulb (i.e., 75 watts) in a permanent fixture attached to the shed. Only one exterior light may be constructed on the shed. The exterior light may not be a floodlight or a spotlight. Internal lights are acceptable, as long as they don't increase the exterior 1000 lumen light bulb brightness requirement noted above. Efforts must be taken to shield neighbors from light overrun.

#### • 7) Maintenance

o a) Sheds must be maintained in good condition.

### E) Guidance on Free Standing Shed Options

- 1) Sheds that are free-standing and meeting the requirements of these requirements for construction may potentially be purchased from: a) shed companies who make pre-constructed or pre-designed sheds and who would construct/install their sheds on properties within the Oakton VA area; or b) constructed by another entity.
- 2) A limited web-based search indicates many companies offer free standing sheds. Such sheds may meet the requirements of these requirements for construction. Three such companies are noted below as guidance and for illustrative purposes to HOA lot owners. The listing of these three companies and their shed options is not intended to be an HOA endorsement of the products offered by these three companies.
- 3) Homeowners submitting a shed for AECC approval must show how their proposed shed, regardless of who constructs the shed, meets these requirements for construction.
- 4) The list below is not comprehensive many other companies may also offer sheds that meet the requirements of these requirements for construction.
- 5) The following three shed companies and their shed options are provided as guidance, and is not listed as definitive adherence to the above-noted stand-alone shed requirements for construction:
  - o a) <u>Capitol Sheds</u>: <a href="https://www.capitolsheds.com/sheds-main.html">https://www.capitolsheds.com/sheds-main.html</a> A nearby office is 5280 Lee Hwy, Warrenton, VA 20187. (540) 317-1839
    - 1) Potentially acceptable shed options include: A-Frame; Barn; Quaker; Cottage; Manor; Saltbox; and Carriage.
  - o b) <u>Creative Outdoor Sheds</u>: <u>https://www.creativeoutdoorsheds.com/storage-sheds</u> 727 MD-3, Gambrills MD 21054. (410) 923-6003
    - 1) Potentially acceptable shed options include: Classic Cottages; Cottage Shed; Custom Classic Cottages; Dutch Barn Shed; Alpine; Mini Barn Shed; Quaker Shed; Cape Shed; Classic Dutch Barn; Classic Quaker.
  - o c) <u>Heartland Sheds</u>: <u>https://heartlandsheds.com/sheds/</u> Ashburn, VA 20147. (703) 443-0971
    - 1) Potentially acceptable shed options include: Garden; Classic; Modern; Ranch; or Barn.

#### F) Permits

• 1) The shed shall meet and receive all required County and State permits, permit requirements and setback requirements as appropriate for building a shed.

#### G) Plans

- 1) Prior to the construction or installation of this structure on a Lot, plans must be submitted to the Architectural and Environmental Control Committee (AECC) and must show how the shed will meet the requirements for construction of a shed that are specified within this document. Upon review and approval of plans, the AECC would provide provisional/tentative approvals of the plans until the owner meets and receives all required County and State permits for construction. The owners would show the AECC these approved permits before any construction begins; upon review of these documents, the AECC would then approve the plans.
- 2) Sheds must be approved by AECC prior to installation.
- 3) Homeowners can apply for a waiver from the AECC Committee to allow an exception to any of the above-noted requirements associated with Stand-Alone Sheds. Within the waiver application the homeowner should provide the reason(s) for the request and any efforts the homeowner plans to take to mitigate the requirement(s) requested to be waived. The AECC has ultimate authority to approve or disapprove the waiver application.
- 4) It is the responsibility of the homeowner to secure all necessary permits and present these permits to the AECC.
- 5) Must submit details to the AECC including:
  - o a) Plan for the outer appearance of the shed. This should include a drawing and/or pictures of the final appearance of the constructed shed.
  - b) Location on lot (diagram) and location of lot's active and reserve septic field. This diagram would indicate where the shed would be located on the property. If the lot has significant topographic relief in relation to the location of the shed and increased or decreased views of the shed from nearby HOA residences and/or front yards, the diagram should include topographic information that informs on the location of the shed and increased or decreased views of the shed from nearby HOA residences and/or front yards. The County's Land Development Services Division may/should have topographic locational information. The County's Health Department Division may/should have active and reserve septic field locational information.
  - o c) Floor plan with window and door dimensions
  - o d) Foundation plan, including information on how the shed will be constructed so it is structurally sound and not prone to collapse, and in a manner that it will not become a home for animals.
  - o e) Typical wall section
  - o f) Roof design and materials
  - g) A demonstration that applicable permits from the county have been received/granted.
     The timing for submittal of this information to the AECC may be after initial application to the AECC but before construction begins. The AECC will review these applicable permits.

## III. Requirements for Construction: Third Car Garage Attached to Home and Located Adjacent and Next to Existing Two Car Garage

#### A) Size

- 1) The height of the third car garage door opening must match that of the existing garage doors.
- 2) Homeowners can apply for a waiver from the AECC Committee to allow an exception to the above-noted interior width and door height requirements for a third car garage.

• 3) The third car garage should be sized to be the similar width of the existing single car garage spaces at the home. The length of the third car garage should be of a similar length of the existing single car garage spaces at the home, but may be increased up to five additional feet from the length of existing single car garage spaces. An existing single car garage has a 9.6ft wide door and space that is 12ft X 21.75ft =209 ft<sup>2</sup>.

#### B) Location

- 1) The third car garage must be attached to the home and located adjacent/immediately next to the existing two car garage.
- 2) A third car garage **may not be**:
  - o a) Detached from the existing home/garage,
  - o b) Behind the existing garage, or
  - o c) Located on the other side of the house from where the existing garage sits.
- 3) A third car garage **may not be** located where County or State setback requirements are infringed which would then necessitate application for a County Special Permit or a Variance.
  - o a) Current Fairfax County Zoning Ordinance requirements include that construction of structures with roofs where the base of the structure is between 12.5 and 25 feet from the rear property boundary or easement, or between 10 and 20 feet from the side property boundary or easement, require a special permit.
  - o b) Current Fairfax County Zoning Ordinance requirements include that construction of structures with roofs where the base of the structure is between 0 and 12.5 feet from the rear property boundary or easement, or between 0 and 10 feet from the side property boundary or easement, require a variance.
- 4) Nearby homeowner comments:
  - a) On lots that where a homeowner applies to the AECC Committee to construct a third car garage, the homeowner must obtain advance written comments from all HOA neighbor(s) with a view of the proposed placement of the third car garage from those neighbor(s) homes and/or front yard.
  - o b) The neighbor(s) should provide reasons for any comments against the third car garage.
  - o c) The AECC would try to work out any issues raised by the neighbor(s) associated with the third car garage.
  - o d) The AECC has ultimate authority to approve or disapprove the third car garage.

### C) Appearance

- 1) Homeowners should develop a plan for the outer appearance of the garage. This should include an 'elevation' drawing of the garage showing the final appearance of all four sides of the garage.
- 2) The third car garage must have the similar exterior architectural design, roofing, wood, vinyl, stone, composite, hardy plank, or brick siding, and color as the existing two car garage.
- 3) The front-opening door into the third car garage (e.g., for entry of a car) must match the appearance of the existing door(s) on the two-car garage; if a front-opening door into the third car garage is not available that matches the appearance of the existing door(s) on the two-car garage, all garage doors must be replaced.
- 4) The third car garage shall have a driveway similar and attached to the existing driveway.
- 5) The slope for the third car garage roof should replicate to the extent feasible the roofline slope of the existing two car garage; flat roofs are not allowed.
- 6) Exterior lighting (if installed) shall not exceed the equivalent of one 1000 lumen light bulb (i.e., 75 watts) in a permanent fixture attached to the third car garage. Only one exterior light may be

- constructed on the third car garage. The exterior light may not be a floodlight or a spotlight. Internal lights are acceptable, as long as they don't increase the exterior 1000 lumen light bulb brightness requirement noted above. Efforts must be taken to shield neighbors from light overrun.
- 7) Any utilities servicing the third car garage must have underground connections. No above ground utility connections to the third car garage of any type will be permitted.
- 8) Any third car garage with an interior sink connected to the home's water supply must also include a drainage connection to the lot's septic system.

#### D) Permits

• 1) The third car garage shall meet and receive all required County and State permits, permit requirements and setback requirements as appropriate for building a third car garage (e.g., a structure that is attached to an existing structure). In addition, applicable county zoning and setback requirements must be adhered to and met.

#### E) Plans

- 1) Prior to the construction or installation of this structure on a Lot, plans must be submitted to the Architectural and Environmental Control Committee (AECC) and must show how the third car garage will meet these requirements for construction of a third car garage that are specified within this document.
- 2) Upon review and approval of plans, the AECC would provide provisional/tentative approvals of the plans until the owner meets and receives all required County and State permits for construction. The owners would show the AECC these approved permits before any construction begins; upon review of these documents, the AECC would then approve the plans.
- 3) Third car garages must be approved by AECC prior to installation.
- 4) Homeowners can apply for a waiver from the AECC Committee to allow an exception to any of the above-noted requirements associated with Third Car Garages Attached to Home and Located Adjacent and Next to Existing Two Car Garage. Within the waiver application the homeowner should provide the reason(s) for the request and any efforts the homeowner plans to take to mitigate the requirement(s) requested to be waived. The AECC has ultimate authority to approve or disapprove the waiver application.
- 5) It is the responsibility of the homeowner to secure all necessary permits and present these permits to the AECC.
- 6) Must submit details to the AECC including:
  - a) Location on lot (diagram) and how the third car garage would look: This diagram would indicate how the third car garage would look (i.e., a 'rendering' diagram) and where the third car garage would be located on the property. The third car garage locational drawing must indicate distances to side and rear property/easement boundaries.
  - o b) Plan for the outer appearance of the garage. This should include an 'elevation' drawing of the garage showing the final appearance of all four sides of the garage.
  - o c) Floor plan with window and door dimensions
  - o d) Foundation plan
  - o e) Typical wall section
  - o f) Roof design and materials
  - o g) A demonstration that applicable permits from the county have been received/granted. The timing for submittal of this information to the AECC may be after initial application to the AECC but before construction begins. The AECC will review these applicable permits.

# IV. Requirements for Construction: Third Car Garage Attached to Home and Located Behind Existing Garage

#### A) Size

- 1) The third car garage should be sized to be the similar width of the existing single car garage spaces at the home. The length of the third car garage should be of a similar length of the existing single car garage spaces at the home, but may be increased up to five additional feet from the length of existing single car garage spaces. An existing single car garage has a 9.6ft wide door and space that is 12ft X 21.75ft =209 ft<sup>2</sup>.
- 2) The height of the third car garage door opening must match that of the existing doors.
- 3) Homeowners can apply for a waiver from the AECC Committee to allow an exception to the above-noted interior width and door height requirements for a third car garage.

#### B) Location

- 1) The third car garage must be attached to the home and located behind the existing garage.
- 2) A third car garage **may not be**:
  - o a) Detached from the existing home/garage,
  - o b) Adjacent/immediately next to the existing two car garage, or
  - o c) Located on the other side of the house from where the existing garage sits.
- 3) A third car garage **may not be** located where County or State setback requirements are infringed which would then necessitate application for a County Special Permit or a Variance.
  - o a) Current Fairfax County Zoning Ordinance requirements include that construction of structures with roofs where the base of the structure is between 12.5 and 25 feet from the rear property boundary or easement, or between 10 and 20 feet from the side property boundary or easement, require a special permit.
  - o b) Current Fairfax County Zoning Ordinance requirements include that construction of structures with roofs where the base of the structure is between 0 and 12.5 feet from the rear property boundary or easement, or between 0 and 10 feet from the side property boundary or easement, require a variance.
- 4) Nearby homeowner comments:
  - a) On lots that where a homeowner applies to the AECC Committee to construct a third car garage, the homeowner must obtain advance written comments from all HOA neighbor(s) with a view of the proposed placement of the third car garage from those neighbor(s) homes and/or front yard.
  - o b) The neighbor(s) should provide reasons for any comments against the third car garage.
  - o c) The AECC would try to work out any issues raised by the neighbor(s) associated with the third car garage.
  - o d) The AECC has ultimate authority to approve or disapprove the third car garage.

#### C) Appearance

- 1) Homeowners should develop a plan for the outer appearance of the garage. This should include an 'elevation' drawing of the garage showing the final appearance of all four sides of the garage.
- 2) The third car garage must have the similar exterior architectural design, roofing, wood, vinyl, stone, composite, hardy plank, or brick siding, and color as the existing two car garage.
- 3) The front-opening door into the third car garage (e.g., for entry of a car) must match the appearance of the existing door(s) on the two-car garage; if a front-opening door into the third car

- garage is not available that matches the appearance of the existing door(s) on the two-car garage, all garage doors must be replaced.
- 4) The garage door opening to the third car garage may be designed to be either one of the two existing garage doors (i.e., the third car garage would be in tandem with the existing garage space), or be a separate garage door opening on the side of the home behind the existing garage. For garage doors using the 'in tandem' approach, the third car garage would be constructed behind one of the existing garage spaces and the existing garage door for that existing space would be used to allow ingress/egress to the third car garage.
  - o a) If the design is to have a garage door opening as a separate garage door opening on the side of the home behind the existing garage, a driveway/pavement must be constructed around the side of the house connecting to the existing driveway.
- 5) The slope for the third car garage roof should replicate to the extent feasible the roofline slope of the existing two car garage; flat roofs are not allowed.
- 6) Any utilities servicing the third car garage must have underground connections. No above ground utility connections to the third car garage of any type will be permitted.
- 7) Any third car garage with an interior sink connected to the home's water supply must also include a drainage connection to the lot's septic system.
- 8) Exterior lighting (if installed) shall not exceed the equivalent of one 1000 lumen light bulb (i.e., 75 watts) in a permanent fixture attached to the third car garage. Only one exterior light may be constructed on the third car garage. The exterior light may not be a floodlight or a spotlight. Internal lights are acceptable, as long as they don't increase the exterior 1000 lumen light bulb brightness requirement noted above. Efforts must be taken to shield neighbors from light overrun.

#### D) Permits

• 1) The third car garage shall meet and receive all required County and State permits, permit requirements and setback requirements as appropriate for building a third car garage (e.g., a structure that is attached to an existing structure). In addition, applicable county zoning and setback requirements must be adhered to and met.

#### E) Plans

- 1) Prior to the construction or installation of this structure on a Lot, plans must be submitted to the Architectural and Environmental Control Committee (AECC) and must show how the third car garage will meet these requirements for construction of a third car garage that are specified within this document.
- 2) Upon review and approval of plans, the AECC would provide provisional/tentative approvals of the plans until the owner meets and receives all required County and State permits for construction. The owners would show the AECC these approved permits before any construction begins; upon review of these documents, the AECC would then approve the plans.
- 3) Third car garages must be approved by AECC prior to installation.
- 4) Homeowners can apply for a waiver from the AECC Committee to allow an exception to any of the above-noted requirements associated with Third Car Garages Attached to Home and Located Behind Existing Garage. Within the waiver application the homeowner should provide the reason(s) for the request and any efforts the homeowner plans to take to mitigate the requirement(s) requested to be waived. The AECC has ultimate authority to approve or disapprove the waiver application.
- 5) It is the responsibility of the homeowner to secure all necessary permits and present these permits to the AECC.

- 6) Must submit details to the AECC including:
  - o a) Location on lot (diagram) and how the third car garage would look: This diagram would indicate how the third car garage would look (i.e., a 'rendering' diagram) and where the third car garage would be located on the property. The third car garage locational drawing must indicate distances to side and rear property/easement boundaries.
  - o b) Plan for the outer appearance of the garage. This should include an 'elevation' drawing of the garage showing the final appearance of all four sides of the garage.
  - o c) Floor plan with window and door dimensions
  - o d) Foundation plan
  - o e) Typical wall section
  - o f) Roof design and materials
  - o g) A demonstration that applicable permits from the county have been received/granted. The timing for submittal of this information to the AECC may be after initial application to the AECC but before construction begins. The AECC will review these applicable permits.

EFFECTIVE DATE: The effective date of this Policy is <u>January 17, 2024</u>.

## **Resolution Action Record**

No.: 2024-01

**Resolution Type:** Administrative

<b>Pertaining to:</b> Oakton Mill Estates Homeowners Association Administrative Resolution 1: Requirements for construction of a Shed and Third Car Garage				
Duly adopted by the Board of Directors the Oakton Mill Estates Homeowners Association on January 17, 2024, by [check applicable]:  □ majority vote at a Board meeting, or X unanimous written consent through an action without a meeting.				
Motion by: <u>David Buss</u> Seconded by: <u>Nick Butler</u> .				
	VOTE: YES	NO	ABSTAIN	ABSENT
Lucas Black	, Director X			
<u>David Buss</u>	Director X			
Nick Butler	Director X			
<u>Iman Elbakry</u>	, Director X	<u> </u>		
Christine Foreso	, Director X	<u> </u>		
Rob Hallbach	, Director X	·		
Ed Hanlon	_, Director <u>X</u>	_		
Chris Lanks	_, Director <u>X</u>			
Andrea Woodhouse	_, Director <u>X</u>	<del>-</del>		
ATTEST: /Signed/		<u>Januar</u>	ry 17, 2024	
Chris Lanks, Secretary of Oakton Mill Estates HOA		Date		
/Signed/ Edward Hanlon, President of Oakton Mill Estates HOA		January 17, 2024 Date		
Resolution effective: <u>January 17, 2024</u>				