

Modifications Subcommittee and the Review Process

General

The ***Modifications Subcommittee*** (“Subcommittee”) is a subcommittee of the Covenants Committee and administers the design review process for all development on property which is subjected to the **Declaration of Covenants for Broadlands** (“Covenants”). The Subcommittee currently consists of members appointed by the Broadlands Association Board of Directors. A Secretary to the Subcommittee is responsible for processing applications, scheduling meetings, providing information to applicants and reporting covenant violations.

To obtain an application, information or assistance, please contact:

**Secretary to the Modifications Subcommittee
Broadlands Association
21907 Claiborne Parkway
Broadlands, VA 20148
703-729-9704**

The Covenants are recorded among the Land Records of Loudoun County and encumber all residential land. Therefore, any clearing, grading, construction or improvements must be reviewed and approved by the Subcommittee prior to implementation. Such constructions or improvements include any visible additions, alterations or modifications to the exterior of properties or homes within Broadlands, whether permanent or temporary.

The applicant (Owner) is responsible for complying with the provision of these Procedures and Guidelines, initiating the reviews and obtaining the required approvals. There are no exemptions or automatic approvals and each application will be reviewed on an individual basis.

Review

The Secretary to the Subcommittee will review the application and accompanying information for completeness. Submissions that do not have the necessary information for review shall be deemed to be incomplete and will be returned to the Owner. Complete submissions will be schedule for Subcommittee review at their next meeting. The Subcommittee may require the Owner to formally present the design in person and provide more information as necessary in the event of a complex or major project.

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The Subcommittee will consider any and all exterior elements of a project's design including size, bulk, organization, architectural style, detail, color, material, quality of workmanship and harmony of design and all other factors that, in the opinion of the Subcommittee, affect the appearance and suitability of the project.

The Subcommittee is required to render a decision and respond in writing within 45 days after receipt of the fully completed application and other requested information, if any. However, a review and decision for most applications generally will be provided within 15 days.

Approvals

The Subcommittee's approval of any proposed construction is within its sole discretion. The Subcommittee may enforce or modify in whole or in part, any or all of these Procedures or Guidelines.

Approval by the Subcommittee does not relieve the Owner of the responsibility of obtaining all other necessary approvals and permits required by Loudoun County, the Commonwealth of Virginia and other agencies having jurisdiction over the project or improvement. The Applicant should contact Loudoun County before beginning any work to verify what additional approvals or permits are required.

Notification of the Subcommittee's final approval constitutes an agreement by the Applicant not to deviate from the approved plan unless such proposed deviation has been submitted to the Subcommittee and has been expressly approved by the Subcommittee.

The Subcommittee may, at its discretion during the design review process, suggest alternative design solutions; however, such suggestions shall not necessarily constitute an approved design solution and the Subcommittee shall not have any responsibility for ensuring or making any determination regarding compliance of such suggested design solutions with applicable governmental regulations and other requirements.

Appeals

Within 10 business days after notice of a Subcommittee decision has been mailed, the Owner may file, with the Secretary to the Subcommittee, a written request that the Subcommittee reconsider such decision. Any such request for reconsideration shall include a statement of the basis for such request and technical design information supporting such request. The Subcommittee may require additional information in connection with any request for consideration. The Owner's written request for consideration may include a request to personally address the Subcommittee at its next scheduled meeting.

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All reconsiderations will be reviewed on a case by case basis, and the granting of a request for reconsideration with respect to one project does not imply or warrant that a similar request will be granted with respect to any other project. Each case will be reviewed on its own merits and in light of the overall objectives of these Design Guidelines.

After Approval

If the Owner desires to make any changes to the approved plan during construction, the Secretary to the Subcommittee must be contacted by the Owner in order to determine whether these changes are major and whether a revised application needs to be submitted. Construction must be completed as approved and any changes from the original plan must be approved prior to the start of construction. Additionally, work must commence within 12 months of approval or a new application must be submitted. The project must be completed within 12 months of commencement.

Inspection and Compliance

Upon completion of any construction or alteration, management or an agent of the Modifications Subcommittee may inspect the property to confirm that construction is in compliance with the approved plans. Periodically, management or an agent of the Modifications Subcommittee may inspect Broadlands properties for compliance with design guidelines and covenant standards. The exterior of homes must be inspected upon resale as specified by the Virginia Property Owners Association Act (POAA).

Violations

In the event of a covenant violation, management shall seek to obtain compliance informally through letters and personal contact with the Owner. If these efforts fail, management shall inform the Owner of the violation in writing by certified mail, giving the Owner reasonable time in which to correct the violation. If the violation is not corrected to the satisfaction of the management agency, the matter shall be turned over to the Association Board of Directors, which shall then determine the appropriate course of action. Board actions may include, as appropriate and at the Board's discretion, any or all of the following:

- Issuing a cease and desist notice
- Requiring the Owner to correct the violation or to restore the affected area to its original condition
- Notifying the mortgagee of the violation
- Taking any other legal action as permitted by the County or the Commonwealth