

Wooded Glen, Section I Homeowners' Association, Inc.
February 2007

NEWSLETTER

<http://woodedglen.homestead.com/>

BOARD OF DIRECTORS MEETINGS

February 13, 2007 at 9437 Wooded Glen Ave
March 13, 2007 at 9413 Wooded Glen Ave
April 10, 2007 at 9405 Wooded Glen Ave
May 7, 2007 at 9442 Wooded Glen Ave

Meetings begin at 7:30 p.m. and are open to all members of the Association.

Likely items for the agenda may include (1) actions for violation of covenant requirements affecting tree removal and (2) appointments to the Association's Architectural Control Committee. Anyone with an interest in serving is encouraged to attend the meeting. Contact any board member.

2007 LEVY

Bills for the \$400 annual levy have been sent to each lot owner. Additional charges will be added to accounts that remain unpaid after February 28th.

BASEMENT APARTMENTS AND MULTIPLE FAMILY UNITS: A REMINDER

The use of any property as a separated apartment or living area is strictly prohibited by the covenants. If you have any information that any property is being rented or so used for use by a second family or person, please contact a member of the Board of Directors. (See contact information below).

ANNUAL YARD SALE

The annual community yard sale and noon-time cookout is scheduled for Saturday, May 12th.

NOVEMBER 9, 2006 ANNUAL MEETING ELECTION RESULTS

The membership authorized the board to adopt a 2007 budget with an annual levy of up to \$400 per lot.

Richard Golden (9437 Wooded Glen Ave) and Zachariah Becker (9413 Wooded Glen Ave) were elected to 2-year terms on the Associations' 5 - person board of directors. Outgoing board member Gary Van Horn declined to be a candidate for another term on the board.

Gary Van Horn served on the Board for more than 3 years, and the views in the following email probably speak for the whole Association.

Gary,

I have appreciated your reasonable, good-natured approach to the Board's work as well as your willingness to compromise or to take a stand as the occasion required. It's been a pleasure to get to know you and work with you. Your presence on the Board will be missed.

Brian

Gary responded with his own email:

Thank you for your generous friendship and the opportunity to serve with you on the Wooded Glen Homeowner's Association Board of Directors. The experience was truly rewarding and one that I will always cherish. My family greatly appreciates having you as friends and neighbors. Please consider that I remain committed to the health and welfare of our Association and can be called upon to assist in any capacity deemed appropriate.

Respectfully Yours,

Gary L. Van Horn

SATELLITE DISH ANTENNAS

The Federal Communications Commission (FCC) has a new November 2006 INFORMATION SHEET regarding antennas. The sheet makes clear that our

architectural guidelines (requiring that such antennas be placed at the rear of our lots) is consistent with the FCC's rules. See, <http://www.fcc.gov/mb/facts/otard.html>.

PIPE-STEM DRIVEWAYS: A MATTER OF LIFE OR DEATH

The two pipe-stem drives in our subdivision are private property. Parking on those drives is strictly prohibited. Any vehicle parked on either drive is subject to being towed.

This is a safety matter, as the July 2006 newsletter reminded all Members. Shortly after that, an ambulance was able to rush onto one of the pipe-stem drives and whisk away someone who had a medical emergency. (Fortunately, all is now well.)

Thanks to everyone for keeping those drives free of parked cars!

MORE ON PARKING

Can cars be parked on grassy areas of a lot? The short answer is "no." Similarly, the covenants limit the placing on any lot of a so-called portable storage container (marketed under various names such as "P.O.D.S.", "Mobile Mini", etc.).

APPLICATIONS TO THE ARCHITECTURAL CONTROL COMMITTEE

Applications for any physical change in the exterior of any property must be approved by the Committee before construction may commence. All applications must be in writing. An original plus five (5) copies (a total of six) are required. **Be detailed.** If a feature or detail (e.g., color, types of materials to be used, height and design features of a fence) is omitted from the application, later construction of those features will be an unapproved change to the property, and could result in an assessment or action against the lot.

In addition to considering architectural applications, the Committee is also responsible for revising the Association's *architectural guidelines*. The Committee may soon consider changes to the guidelines that would more clearly indicate that placement of a storage shed on a lot is not consistent with the *guidelines*.

AAA RECYCLING AND TRASH REMOVAL SERVICES

The Association's representatives at AAA are Cheryl Wood and John Hern. Contact info. 703-818-8222 and fax 703 803 1379. <http://www.aaatrash.com> If you need an unusual item picked up (e.g., branches or an appliance) call AAA to schedule a pick-up.

REPAVING WOODED GLEN?

You can help: Go to and see: http://woodedglen.homestead.com/VDOT-HOUpdate_miller.doc

CC&Rs - COVENANTS, CONDITIONS AND RESTRICTIONS.

If you need a copy of the *CC&Rs* please let the Association know. Every Member is required to follow the *CC&Rs*. You may be surprised by the items included. For example, did you know:

- A. You have "agreed to hold harmless ... each [other] Owner ... from any loss" sustained by your having pets on your property?
- B. Trash containers must be stored out of public view except on days of collections?
- C. No trailers shall be regularly or habitually parked on a lot?
- D. No fences or satellite receiving systems shall be erected or maintained without the *written* consent of the Architectural Control Committee?
- E. Prior written approval of the committee is needed before a live hardwood tree, more than 6 inches in diameter, can be removed?
- F. All lawn areas shall be kept mowed and shall not be permitted to grow to a height in excess of four inches?
- G. Each living Unit shall be used as a residence for a single family household and for no other purpose?

A full copy of the covenants appears on the Association's web site, and is available at <http://woodedglen.homestead.com/files/Covenants.pdf>.

HELPFUL CONTACT INFORMATION

Directors and Officers

Board Member and President: Cyril Shepherd, 703-569-5206, elected term Nov '05- Nov '07

Board Member and Treasurer: Beth Samec,
703-455-0977, elected term Nov '05 - Nov '07
Board Member: Brian Walsh, 703-913-1221, elected
term Nov '05 - Nov '07
Board Member: Richard Golden:
703-569-1264, elected term Nov '06- Nov '08.
Board Member and Secretary: Zachariah Becker, 703-
440-0003, elected term Nov '06 – Nov '08.

Architectural Control Committee

Patricia Becker 703-440-0003

Steve Smith* 703-913-1774

Gail Levenson 703-451-8351

Walt Zimmers 703-451-9184

Michael Miller* 703-644-1679

* Acting co-chairs.

**REPORT FROM THE ARCHITECTURAL
CONTROL COMMITTEE (ACC)**

Mike Miller of the Architectural Control Committee has provided the following report to the Board of Directors regarding a proposed change in the Association's Architectural Guidelines¹. As of January 13, 2007 this guideline has not yet been formally adopted. Final decisions for adoption of guidelines are made by the ACC. Members are encouraged to share their views with either Board members or members of the ACC.

Subject: *New Proposed ACC Guideline*

At a meeting of the Architectural Control Committee (ACC) held on **September 29, 2006**, the four members present voted unanimously to approve the following proposed safety guideline and purpose statement for forwarding to the Board of Directors for the Board's consideration and action, as appropriate:

PURPOSE: The safe operation of vehicles and the safety of pedestrians in the neighborhood is a concern we all share. In order to enhance safety and provide greater protection for vehicles and pedestrians in the **Wooded Glen, Section I Subdivision** geographic area, the Architectural Control Committee proposes the following guideline:

¹ 12.01 Architectural and Environmental Guidelines. All present and future owners, tenants and occupants of Lots shall be subject to and shall comply with the provisions of this Declaration, the Bylaws, the Rules and Regulations and, any architectural and/or environmental guidelines, as they may be amended from time to time....

GUIDELINE: As a general matter, foliage, trees, hedges, shrubs and other vegetation on lands subject to the covenants governing the **Wooded Glen, Section I Subdivision** shall be maintained in a manner that prevents the vegetation from obstructing safe lines of sight for vehicles operating and persons on sidewalks within the area of the Wooded Glen, Section I Subdivision. Specifically, an area five feet wide abutting and parallel to all curbs, the bottom of any pipestem, and the base of any driveway shall be reasonably maintained to prevent any visual obstruction to safe vehicular traffic. Further, lands adjacent to sidewalks and subject to this guideline shall be reasonably maintained so that they do not obstruct sidewalks or constitute a safety hazard to pedestrian traffic on sidewalks.

The ACC noted during discussions that the Guidelines for the ACC did not contain a similar provision. However, the ACC is aware that the **Declaration of Covenants, Conditions and Restrictions of Wooded Glen, Section I, Article VIII, General and Restrictive Covenants, 8.01, subparagraph n**, contains language dealing with the subject matter of the proposed guideline. The ACC takes no position on whether the proposal should be an addition to the ACC Guidelines or should be put to the Class A Members for vote as an amendment to the Covenants. That decision is a function of the Board of Directors. However, a majority of the ACC favors the proposed guideline as a more detailed, and thus more enforceable standard which has the added benefit of providing greater safety to both vehicular and pedestrian traffic.

In addition, the ACC does not view its function as including enforcement of violations of either the ACC Guidelines or the Covenants. The ACC does recommend that the Board also consider adopting a better process for monitoring conformance to guidelines or restrictive covenants, notifying members who are not in compliance with applicable guidelines or covenants, and ultimately taking steps to enforce guidelines and covenants as necessary, including the use of fines. Once again, however, the ACC believes that such procedures, particularly enforcement, are functions of the Board.

Finally, those members of the ACC who were present at the meeting and who unanimously voted to forward the proposed guideline also agreed that the Board should be advised that Walt Zimmers, a member of the ACC who did not attend the meeting on September 29, has voiced an objection to the proposed guideline. Mr. Zimmers articulated his objections as follows: **[From correspondence dated September 9, 2006]:** "I am writing this email in objection to the proposed ACC guideline as stated below to the Board of Directors and the members of the ACC. The ACC under Article X has no such powers to change or expand the Covenants, Conditions and Restrictions of Wooded Glen.

The proposed guideline is NOT required since what is being proposed is already covered in covenants, conditions and restrictions, to wit: The DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WOODED GLEN, SECTION I, ARTICLE VIII GENERAL AND RESTRICTIVE COVENANTS, 8.01 sub paragraph (n) No tree, hedge or shrub shall be maintained in such a manner as to obstruct street or directional signs or sight lines for vehicular traffic. If the ACC were to attempt to pass such a guideline as stated below it could and would be both redundant as well as risky since it could and would be construed that the ACC or the BoD would be circumventing ARTICLE XIII, MISCELLANEOUS, Paragraph 13.01² Amendment. Except as otherwise provided herein, this Declaration may be amended only by written instrument executed by Owners of Lots to which at ...[least] seventy-five percent (75%) of all of the votes held by Class A Members and seventy-five percent (75%) of all the votes held by all Class B Members appertain.

We are constantly failing to enforce existing covenants, conditions and restrictions. Why write new ones, risk a legal non-compliance of a possible bad (although good in thought and intent) guideline.

Request I be notified as to the next BoD meeting, that this objection be made a matter of discussion, that this email become part of the official meeting minutes. . . .

In accordance with the vote of the ACC, the foregoing guideline is hereby submitted to the Board of Directors for its consideration and action, as appropriate.

Respectfully submitted,
Michael Miller, Co-Chair
10/06/2006

GRASS MOWING PROPOSALS REQUESTED

The Association's board of directors is requesting proposals for care of the common grounds. We are looking for a member of our Association to do the following:

1) Mow the lot between 9422 and 9424 Wooded Glen Ave from June 1st through Oct 30, 2006 weekly (or as needed) to present a green and clean appearance, similar to lawns on each side of the lot. In the usual summer we expect between 18-22 mows.

2) Edge the sidewalk area in front of the lot monthly from June through October.

3) Send monthly bills (by the 5th of each month) to the Association's accountant (Al Graziano, 9442 Wooded Glen) for payment by the Board.

Use of safety procedures and eye/hearing protection is strongly encouraged since the HOA will not be liable for any injuries.

Written proposal may be submitted to the HOA President, Mr. Cyril Shepherd **no later than May 1st, 2007**. Mr. Shepherd's address is 9457 Wooded Glen Ave. His e-mail address is S4821@aol.com. The board will evaluate the proposals at its May meeting.

A proposal should include the following as a minimum:

Name/Address/Age of HOA member/phone number/e-mail address.

- Amount you plan to bill the HOA for each time you mow and each time you edge the lawn.
- A statement explaining why the HOA should select you to do this job.
- If you are under 18, a statement from your parents stating that they approve of your proposal and will not hold the HOA liable for any accidents or injury.

SPECIAL THANKS

To Walt Zimmers who has worked with the absentee owner(s) of 9461 Wooded Glen Avenue to ensure that the lamp posts on this property are properly maintained and illuminated.

OUR VICE PRESIDENT FOR GROUNDS

MIKE MILLER SAYS:

I would mention in the newsletter that maintenance of the grilles in the Andersen windows is a part of the original architecture that goes with the French Tudor design and that placement of designs on garage windows is not in keeping with architectural standards.

For help with information on the grilles go to: www.andersenwindows.com, Andersen WindowCare Service Center. Toll free for customer assistance: 1-888-888-7020. Must specify 1/2" width on grilles.

Mike also reminds us to police in front of our houses and to put all trash into trash receptacles. This is the only way the trash service will be able to provide removal service on regular trash days.

² Editor's Note: *But see*, Note 1, supra., and Covenants Section 12.01 at <http://woodedglen.homestead.com/files/Covenants.pdf>.