

Volume 12 – No. 6

September 2012

The Hickory Farms *Newsletter*

Hickory Farms Community Association
P.O. Box 2239, Fairfax VA 22031
www.hickoryfarms.org

Board of Directors

President

John Kitzmiller 503-3443

Vice President - Vacant

Treasurer

Dante Gilmer 978-0621

Secretary

Ed Wagner 425-7875

Community Grounds, Paths & Woods – Don & Sara

Lobeda 539-8472

Architectural Control Comm.

Kirk Randall 425-0210

At Large

Kathy Sayyed 764-8716

Other Volunteers

Neighborhood Watch

John Kitzmiller 503-3443

Newsletter & Web Site

Kirk Randall 425-0210

Sarah Maurer – Assoc Ed

Community Yard Sale (Fall)

Pete Scala 764-0730

Email ("Listserv")

Debbi Buchanan

Stefan Schwarz

Social Committee

Patty Dudley 503-2060

Dawn Dempster 503-0561

Lynn Welch 978-4113

Architectural Reviews

Keith Ferguson, Donna

Garfield, Greg Gillette

Kirk Randall (Chairman)

Carole Rogers

Newsletter Delivery – Stefan

Schwarz, John Kitzmiller

Heather Webb, Dante

Gilmer, Sondra Arnold,

Ed Kiechlin, Claire/Sean

Coleman

Get Email addresses at

www.hickoryfarms.org

All telephone area
codes are 703-

**Our Annual Meeting will be
held Wednesday October 10th
at 8 PM at Green Acres
School/Center on Roberts
Road. We will be considering
some changes to our Rules
and Regulations. See page 10**

**Got junk? Sell it at the
community yard sale
September 22nd. See page 7**

**Do you know of someone who
may want to advertise in this
newsletter? Residents get
additional discounts. Contact
the Editor for more info.**

Join the Hickory Farms email List

- Get up-to-the-minute news on neighborhood happenings
- Ask your neighbors to recommend a contractor/repairman
- Locate a lost and found item
- Get an advance copy of this newsletter

Visit <http://groups.yahoo.com/group/HickoryFarms/> -- Click "Join this Group"



Learn Tai Chi

Classes are taught by Hickory Farms resident Dante Gilmer.

Tai Chi is great for relieving stress and improving balance, coordination, flexibility and focus.

11:15am Sundays & 11:10/12:10 Wednesdays

Our studio is just minutes from Hickory Farms at 11226 Waples Mill Road (at the intersection just before Fair Oaks Mall)

703.862.2192 www.stillwatertaichi.com

How Many People Are Allowed Live In a House?

The Fairfax County [zoning ordinance](http://www.fairfaxcounty.gov/code/property/overcrowding.htm) limits how many people can live in a single residence such as we have here in Hickory Farms (see www.fairfaxcounty.gov/code/property/overcrowding.htm). In general:

- No more than one family, plus two renters, may live in one house.
- No more than four unrelated people may live in one house.

However, the rules define that more than one person can live in a residence:

- One family, which may consist of one person or two or more persons related by blood or marriage with any number of natural children, foster children, step children or adopted children and with not to exceed two roomers or boarders.
- Two single parents or guardians with not more than a total of six of their dependent children, including natural children, foster children, step children or adopted children, functioning as a single housekeeping unit.

- A group of not more than four persons not necessarily related by blood or marriage functioning as a single housekeeping unit.
- One person or two persons one of whom shall be elderly and/or disabled, and one or both of whom own the dwelling unit, plus one family, which may consist of one person or two or more persons related by blood or marriage, and with any number of natural children, foster children, step children or adopted children.

If you have any questions or complaints, please call Zoning Enforcement at 703-324-1300.(9)

Solutions

Serving the Northern Virginia area since 2001

Give Solutions a Call Today for Your Answer to:

Interior Remodeling
Bathrooms ▪ Basements ▪ Kitchens
Drywall Repair & Painting ▪ ADA Compliance ▪ And More

Exterior Remodeling
Roofing ▪ Windows ▪ Siding ▪ Trim Cladding
Rotted Wood ▪ Repairs ▪ And More

703-906-6525
solutionsofva@gmail.com
Alex Hamilton, Owner
Class A License & Insured

Quality Craftsmanship
5-Year Warranty
Outstanding Service

Is Your Underground Water Pipe Insured for Breakage?

Every few years, we have a rash of underground water pipe breakages. For some reason, our water pipes (the pipe that runs from the street to your home) seem to be prone to failure. When this pipe breaks, *you* pay as much as \$4,000 to have it repaired or replaced. Protect yourself with a water line insurance policy *before* the pipe breaks. Dominion Products (a cousin of the electricity folks) offers water line insurance for only a few dollars per month (included with your electricity bill). Call 1-866-645-9810 or visit http://retail.dom.com/products/warranty/va_waterline.jsp You should especially consider insurance if your water line is particularly long. (9)

Lawn Mowing + Landscape Maintenance specialists

- Lawn Mowing
- Spring cleanups and Mulching
- Lawn Fertilizing + Weed control
- Lawn Aerating + Seeding
- Bed Weeding + Shrub Pruning
- Fall Leaf Cleanups

Also available: Complete Landscape Installations, renovations and creations, Complete Tree Services including pruning, removals and planting. See our website for more information.

Professional Property Maintenance Inc.

Since 1991 703-273-9626

www.ppmlandscapes.com



Try our services for **FREE!**
Sign up for Lawn mowing services
and get 1 visit free.



Architectural Control Committee Approvals

4372 Harvester Farm – Deck
4324 Farm House – Front Door
4356 Farm House – Patio

Your Exterior Remodeling Project Could Need Approval

If you are changing the exterior appearance of your home, you might need the Architectural Control Committee approval. Please don't run the risk of holding up the start of your project by awaiting ACC approval; submit your proposal to the ACC as early as possible. You must have ACC approval before you begin the project. If you are in doubt as to whether approval is required for your particular project (and some do not require approval), please read the Application for Architectural Review. If you are still doubtful, call the chairperson of the ACC (see page 1 of this newsletter for contact information). You may also log onto our community web page – www.hickoryfarms.org – to read the following helpful documents: *Approval of Your Exterior Renovation Project – How to Get It & Tips for Choosing a Contractor.* (1-5-9)

Got Chickweed?

Lots of us get chickweed in our yards in the spring and have tried broadleaf weed killers such as Weed-B-Gone. Surprise, it doesn't work; all that kind of weed killer does is turn your grass brown. The nice folks at Merrifield Garden center recommend that you treat for chickweed in the Fall using Green Light Portrait Broadleaf Weed Preventer (\$25 bag covers 2,100 square feet) to keep the chickweed seeds from germinating in the late Fall. Since Portrait will also kill grass seed, you should not spread grass seed this Fall. A good time to spread this weed killer is late September. I can't speak to its success, but I'm going to give it a try.



This Month's Home Maintenance Checklist

Furnace & Heat Pump Filter Change – Replace paper/fiberglass filters. Vacuum or wash electronic filter elements. A dirty filter makes your fan work harder, using more electricity.
Range Hood Cleaning – Clean the greasy kitchen range hood screen
Refrigerator & Freezer Cleaning – Use a vacuum cleaner or special refrigerator brush to clean the refrigerator coils, which are usually under or behind the refrigerator. This is especially important if you have pets. Place a piece of paper between the door and rubber seal of the refrigerator/freezer. If it can be moved while the door is closed, there is a leak and the seal should be replaced, or the latch may need adjustment. Drain and clean the drip pan under the refrigerator. Defrost non-frost free refrigerators & freezers; they use less electricity when the frost buildup is removed.
Siding Cleaning – Pressure wash the vinyl/aluminum siding every 3-5 years. Frequent pressure washing can strip the paint off aluminum siding down to the bare metal, so don't do this too often.

Student Yellow Pages

If you wish to offer services such as snow removal, raking leaves, lawn mowing, babysitting, general home maintenance, etc., **your parent** should e-mail or write (no phone calls, please) The Editor, Kirk_Randall@Hotmail.com, giving the information shown in the table. (1-5-9)

Jonathan Nuckolls (13) 703-425-3251	Yard chores, including leaf raking, lawn mowing, snow removal, etc.
Tim Froberg (15) 703-978-5465	Pet sitting, dog walking (available during the day), babysitting, snow shoveling, raking, lawn mowing
Zachary Buchanan (13) 703-978-0045	Leaf raking, snow removal, etc.
Brittany Patterson (16) 571-643-1739	Babysitting

Hickory Farms Real Estate Activity
Arlene Da Cruz

Address	Model	Bed rooms	Baths	Listing Price	Sold Price	Seller Subsidy	Days on Market	Status / Date Sold
4331 Farm House	Colonial	4	2.5	\$2,200	\$2,250		8	Rented – 3/31/12
4375 Farm House	Colonial	4	2.5	\$2,300	\$2,300		2	Rented - 6/20/12
4377 Farm House	Split Level	4	2	\$459,888	\$459,888	\$0	22	Sold – 6/21/12
4315 Still Meadow	Split Foyer	4	3	\$449,000	\$435,000	\$0	7	Sold – 6/25/12
10008 Cotton Farm	Split Foyer	3	2	\$350,000				For Sale-Bankruptcy
4296 Country Squire	Split Level	5	4	\$3,150	\$3,150		4	Rented 8/8/12

Information provided by Arlene Da Cruz and Dominic Da Cruz – Da Cruz Real Estate Group - full service Realtors and Hickory Farms residents. Arlene and Dominic are associated with Weichert Realtors (www.arlenedacruz.com) and are also sole proprietors of ADC Property Services, a family owned property management business managing rental properties. 571-436-6551 - arlenemyrealtor@gmail.com (1-5-9)

Reminder: Storage Containers Are Restricted in Hickory Farms

Under our Rules and Regulations, self-storage containers and portable storage units, including so-called storage pods, may be kept on a homeowner’s property for no more than thirty (30) consecutive days. This period may be extended to a later date, as approved by the Board of Directors for good cause. Storage containers may only be for the personal use of the resident; business or trade uses are prohibited. (9)



Cluttered Carport?

We sometimes accumulate just too much stuff. That stuff frequently finds its way into our carports, overburdening them with clutter and creating an unsightly appearance in the community. Our Rules and Regulations clearly state that “carports shall not be used for storage in a manner that creates an unsightly appearance.” If your stuff is nonessential, sell it off at the upcoming community yard sale! Or, if it is really needed, please consider moving it to a back yard shed or your basement. Thank you for your cooperation and consideration for your neighbors. (9)

Do We Have Your Contact Information?

Some homeowners have not provided the Board of Directors with their contact information. The Board needs this information **for all homeowners** to effectively manage the Association and to help you in case of an emergency. The information is not given to anyone outside the Board.

If you are an absentee homeowner, the Board needs to know your permanent address so we can mail newsletters and bills to you. In the past, some absentee homeowners have complained about missed deadlines only to discover they never told the Board where they lived. (9)

Hickory Farms Community Yard Sale

September 22 (8 AM – Noon) – Rain Date Sept. 23

HFCA will arrange advertising and will provide maps showing participating yards sales.

You will search your basements, attics, garages, and sheds for stuff you want to get rid of, and be ready to start selling at 8:00 AM!

The fee (approx. \$10) will be collected on sale day

We need youths to distribute community maps at the neighborhood entrances and to help taking leftovers to Goodwill or the dump. They will be paid.

Contact Pete Scala at 703-764-0730 or email scalapr@verizon.net to participate

How to Have a Successful Yard Sale

1. Select worthwhile items to sell. You may have some true junk to sell; but your chances of selling it - or anything else - go up if you get people to look at your stuff by having good things out there too!
2. Prepare your merchandise ahead of time. Wash and press clothes, dust and polish furniture, paint and oil old bikes, make sure electronics work and have demo CDs, tapes, etc.
3. Stock up on loose change. You'll need dollar bills (especially \$1s and \$5s) and coins; how much depends on how many things you have for sale, and what prices you pick (if your stuff is all 5.99, 11.59, etc., you'd better have a lot of pennies!).
4. Put prices on your sale items the night before. Use large tags. People will try to bargain you down, so take that into account when you pick your asking price.
5. Display your items in attractive manner. Run extension cords to power electrical appliances, so you can demonstrate how they work.
6. Be ready early on Saturday morning. Aggressive yard sale shoppers start as early as 6:30 a.m. If you're out there in the dark, you can get their business.
7. Have a chair to sit on and a partner to work with. The day will be long. You might want to take a break.

(9)

Please Clean Up After Your Dog

Please show consideration to your neighbors by cleaning up after your dog! Whether it's in a neighbor's yard or our Common Areas, please use a plastic bag to clean up your dog's waste. Please DO NOT dispose of the bag in a storm drain, a neighbor's yard, a neighbor's trash can, or our common areas. Not only is disposing it in your own trash the neighborly thing to do, it is also required by law. Thank you for your consideration! (3-9)

Neighborhood Watch

John Kitzmiller

Please volunteer for this important activity!! It only takes one three hour shift every three months on a Friday or Saturday evening. Neighborhood Watch has been proven to cut crime! It's also a great way to meet your neighbors! Contact: John Kitzmiller 703-503-3443

Sat	Sep 1	Kirk Randall	Chris Woody
Fri	Sep 7	Jeff Lindsay	Larry Rogers
Sat	Sep 8	Angel Meza	Jason Meza
Fri	Sep 14	Eric Maribojoc	Clarisa Dacanay
Sat	Sep 15	Bob Montgomery	George Rosenkranz
Fri	Sep 21	Mike Martin	John Kitzmiller
Sat	Sep 22	Pete Scala	Rose Scala
Fri	Sep 28	Stan Lee	Jim Marshall
Sat	Sep 29	Pam Barrett	Tom Barrett
Fri	Oct 5	John Verheul	Tammy Verheul
Sat	Oct 6	Harry Herchert	Ginny Herchert
Fri	Oct 12	Dave Maurer	Sanjeev Munjal
Sat	Oct 13	David Froberg	Beverly Froberg
Fri	Oct 19	Jaime Gutierrez	Ed Wagner
Sat	Oct 20	Dave Dempster	Dawn Dempster
Fri	Oct 26	Susan Mulliner	Brenton Mulliner
Sat	Oct 27	Ron Arnold	Charles Walters

Keep Up With Your Local Newspapers

Fairfax Connection – Get paper copies at Fairfax City Hall, University Mall Theatre, and Fairfax Library. Or, get a copy emailed to you at www.fairfaxconnection.com/subscribe/

Fairfax Times – Most HF residents get a free copy delivered on Fridays; also available at newspaper boxes throughout the area. www.fairfaxtimes.com

Fairfax City Patch – An online newspaper at <http://fairfaxcity.patch.com/>

Fairfax News – An online newspaper at <http://fairfaxnews.com/>

(9)

Sidewalk or Curbing Need Repair?

VDOT is intermittently working in the community to repair damaged sidewalks and curbing. If you have any sidewalks or curbing that needs repair, please report it using the following form: www.virginiadot.org/travel/citizen.asp Better yet, report all the sidewalk and curbing repair needs you see around the community. The more reports there are for a particular address, the better chance we have of it being repaired. In addition to a description of the repair work needed, you will need the street address of the adjacent property.

Birds of Hickory Farms

Bob Cosgriff – Past HFCA President

In the May newsletter, we reported on the bluebird box project of Junior Girl Scout Troop 2046. Through the troop's efforts, the existing Hickory Farms bluebird trail was augmented by eight new bluebird boxes. Counting the older HFCA boxes, we had 16 boxes spread out in the lower and upper common grounds. During the nesting season (late April to early August), I monitored the boxes on a weekly basis and recorded data for submission to the Virginia Bluebird Society. In terms of results, we had two successful Eastern Bluebird nestings with a total of six fledglings. We also had three Tree Swallow nestings; only two were ultimately successful, with a total of seven fledglings. However, this is a new high for HFCA for the Tree Swallow.

The addition of the Girl Scout boxes gave us the chance to do some scientific experimentation. We did find that the addition of conical "stove pipe" baffles prevented predation by snakes (the one 'control' box without the baffle was predated; the others were not). Also, the number of boxes and distance between boxes differed from VBS recommendations. The additional boxes did not bring in additional bluebirds. Thus we were not able to test just how close bluebirds will nest to each other and how box placement affects this. It is known that bluebirds and tree swallows are tolerant of each other. The swallows are also aggressive enough to drive off English Sparrows, a non-native bird, which often take over bluebird boxes. So we have paired a few boxes to see if we can attract both bluebirds and tree swallows and reduce the number of English Sparrow nestings. However, the pairings did not result in the desirable Bluebird/Tree Swallow combination.

We did, however, have a larger number of House Wrens and House Sparrows. Both species do compete with Bluebirds and Tree Swallows, so in that sense, they are undesirable on a bluebird trail. Overall, the 2012 results suggest that we have oversaturated the common grounds with boxes, and have placed several in areas that are more conducive to wrens and sparrows than bluebirds and swallows. So next year, we will try different placements and retire some older HFCA boxes in favor of the newer Girl Scout boxes. This way, we hope to increase the number of nesting Eastern Bluebirds and Tree Swallows, which is the purpose of the trail. So stayed tuned for 2013!

In other Hickory Farm bird news, this year saw the addition of yet another first sighting and this was a spectacular one: the beautiful Blackburnian Warbler, dubbed by Roger Tory Peterson as the "fire-throat." Last year, we added the Blue-winged Warbler to our neighborhood list, which gives us two hard-to-see warblers in a row! The Blackburnian brings our neighborhood total to 104 species! Other warblers noted in Hickory Farms this spring

included the Black-throated Blue Warbler, American Redstart, Common Yellowthroat, Black-and-White Warbler, and Northern Parula.

As the autumn approaches, many of our familiar summer birds will begin to leave for the south. However, American Robin, Eastern Bluebird, Carolina Chickadee, Northern Cardinal, Tufted Titmouse, Carolina Wren, White-breasted Nuthatch, and woodpeckers (six species of which are possible here) will remain to keep us company. You can attract these birds to your yard by providing sunflower seeds, safflower seeds, peanuts, and suet, along with water.

The annual fall shorebird migration is now underway and ducks/swans/geese will be following shortly to overwinter in our area. If you get a chance to visit the beaches and marshes of Delaware (Bombay Hook NWR, near Dover, is a prime spot in August-September), Maryland (Chincoteague/Assateague, or Blackwater NWR, both on the Eastern Shore), or Tidewater Virginia (Back Bay NWR, south of Norfolk/VA Beach) are all prime spots. Closer to home, the Occoquan Bay NWR in Woodbridge just off Route 1 near the intersection of Route 123 is a great place to see birds in any season, with ducks and Bald Eagles the winter highlights. It's flat with benches and clean porta-potties in several locations. There is a \$2/car fee. It's well worth visiting.

That's it for 2012. Once again, thanks go to the members and leaders of Girl Scout Junior Troop (the "Bluebird Troop") for their contribution to Hickory Farms through their bluebird box project.

Proposed Revisions to the Hickory Farms Rules and Regulations

The Board of Directors is proposing to amend the Hickory Farms Rules and Regulations. The Board is also initiating a discussion on the HF email service where you are invited to comment on these proposals. The Board will then present the amendments for homeowner approval at the October 10th Annual Meeting. If you are unable to participate in the email discussion or would like to have your comments contributed anonymously, please deliver them to Kirk Randall at 4279 Country Squire or email them to kirk_randall@hotmail.com. The current complete Rules and Regulations may be seen at www.hickoryfarms.org -> [Laws, Rules and Regulations That Apply to Hickory Farms Residents](#). The following text includes only the paragraphs that are proposed for consideration by the Board. Homeowners are welcome to propose new rules or revisions to existing rules in the course of the email discussion or at the Annual Meeting.

Proposed language is shown in underline and deletions are shown in strikethrough.

~~WHEREAS, Article VII, Section 1(c) of the By-Laws assigns the Board of Directors all powers, duties and authority vested and delegated to the Hickory Farms Community Association (“Association” or “HFCA”); and,~~

WHEREAS, Article VII, Section 1(c) of the By-Laws directs the Board of Directors (“Board”) to exercise for the Hickory Farms Community Association (“Association” or “HFCA”) all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of the Association’s By-laws, the Association’s Articles of Incorporation, or the Association’s Deed of Dedication and Declaration of Covenants, Conditions and Restrictions (“Declarations”).

These Rules and Regulations amplify or clarify various sections of the HFCA Declarations, including Restrictive Covenants, and HFCA By-Laws. These sections are referred to as appropriate, but are not repeated in their entirety here.

1) Use of the Common Areas and facilities [By-Laws, Article VII, Section 1(a)]:

f) The Common Areas shall not be used for private storage or business purposes. Personal items may not be left in the Common Areas. The Association shall not be liable for any damage to personal items left in the Common Area, including damage in the course of resident activities or maintenance. After use, residents are to leave the Common Areas in good, trash-free, undisturbed condition.

h) The discharge of firearms, bows and arrows and pellet/air guns (including so-called “airsoft” guns) on, over, or into the Common Areas is strictly prohibited.

i) Open fires are prohibited in the Common Areas. This includes the use of cook pits, freestanding metal fire pits, or permanent or temporary fireplace fixtures. Portable propane or charcoal grills are permitted for short term day use provided they do not damage Common Area vegetation.

j) The discharge of fireworks on, over, or into the Common Areas is prohibited.

k) Residents who host activities in the Common Areas that are expected to include more than 20 persons shall notify a member of the Board of Directors at least seven days in advance of the event.

3) When approval of the Architectural Control Committee (ACC) is required [Declarations, Article VII (Restrictive Covenants), Section 2]:

c) ACC approval is required before project construction commences. In the event structure alterations take place without the consent and notification of the Architectural Control Committee, the offending homeowner shall be notified that the Application for approval must be submitted.

e) Neither the ACC nor the Board of Directors may grant a waiver of the Restrictive Covenants as they relate to activities subject to the jurisdiction of the ACC, unless specifically permitted in the Declaration. For example, the prohibition against fences in front yards cannot be waived.

5) Maintaining lots, yards, and carports in a neat and attractive manner so as not to detract from the appearance of the development [Declarations, Article VII (Restrictive Covenants), Section 4: “All lots and yards in the above described subdivision shall be maintained in a neat and attractive manner so as not to detract from the appearance of the above described development.”]:

b) Grass shall be mowed regularly and maintained in a neat, even manner. (It is recommended that the lawn be mowed well before the average grass height is 8 inches above the ground. When the height of grass exceeds 8 inches, the Board of Directors may contact the owner or property manager to direct them to cut the grass. If the owner or property manager does not have the grass cut within seven days of such notification, the Board of Directors may arrange to cut the grass at HFCA expense and send the bill to the Association's attorneys for collection.

6) Membership of the Architectural Control Committee (ACC) [Declarations, Article VII (Restrictive Covenants), Section 5]:

c) ~~The ACC's primary responsibility is to assure that the community maintains its high property value through strict compliance with the Restrictive Covenants. The ACC shall provide assistance to residents in determining if a County Building Permit is needed for their particular project.~~ The ACC's primary responsibility is to enforce the Restrictive Covenants, thereby helping to ensure that homes in the community retain their high property values.

d) The ACC does not advise homeowners regarding the Fairfax County building code. Homeowners are encouraged to consult with Fairfax County officials to determine if a building permit is required. The ACC evaluates the proposed project irrespective of whether the homeowner has secured a building permit.

7) Designating ACC approval, and cases where the ACC does not take action within 30 days of submittal [Declarations, Article VII (Restrictive Covenants), Section 6]:

b) The date that plans and specifications have been submitted to the ACC (the "Application Completion Date") shall be the date that the ACC receives the properly completed Application, including the necessary plans and specifications. If the ACC needs additional information from the Applicant in order to properly evaluate the Application, the Application Completion Date shall be the date when the additional information has been submitted to the ACC. If the Applicant desires a return receipt for the submission, he or she may request one by supplying a self-addressed stamped envelope with the Application, or request one via email.

- i) ~~that the ACC receives the properly completed Application,~~
- ii) ~~with the necessary plans and specifications,~~
- iii) ~~and indicates receipt on a copy of the Application or on a receipt form.~~

e) A majority vote of ACC members is needed for approval or rejection of an Application. For controversial or precedent-setting projects, the ACC may consult with the Board of Directors and members of the Association for a sense of the community.

f) ACC approval is valid only for the project as described in the Application. If the homeowner deviates from the specifications in the Application, the ACC approval is not valid; the homeowner would then be required to submit a new Application.

g) The homeowner has one year from the date of ACC approval to complete the project. The homeowner may request one extension of the one year completion period of up to one additional year, provided that the homeowner requests the extension before the initial one year period has expired. Otherwise, the approval is null and void.

h) The requirement in Section 6 of the Restrictive Covenants that ACC approvals or disapprovals be in writing is satisfied through email communication.

i) Each Application shall be evaluated by the ACC, which is charged by the Association membership to consistently and equitably interpret the Restrictive Covenants and Rules and Regulations in effect at the time the Application is evaluated.

8) Restrictions on livestock and pets on property [Declarations, Article VII (Restrictive Covenants), Section 7]:

b) Under Section 7 of the Restrictive Covenants, no more than two domestic pets may be kept at any one time. This restriction cannot be waived.

9) Restriction on use of temporary structures, tents, trailers, etc. as a temporary or permanent residence [Declarations, Article VII (Restrictive Covenants), Section 10]:

~~a) Tents and trailers shall be considered to be a temporary residence (and hence, prohibited) if they are erected and used as sleeping quarters for more than seven days.~~ The use of temporary structures or vehicles as sleeping quarters for more than seven consecutive days constitutes use as a residence and is, accordingly, prohibited.

b) At no time shall a garage be used as a residence or sleeping quarters unless it has been legally converted according to Fairfax County Code to finished living area and been subject to approval of the Architectural Control Committee. Any such conversion must be considered by the ACC to be in harmony of external design with existing structures.

10) Restriction on parking boats, trailers, tents or temporary structures or portable vehicles other than automobiles forward of a dwelling for longer than seven calendar days [Declarations, Article VII (Restrictive Covenants), Section 11]:

12) Violation of Restrictive Covenants [Declarations, Article VII (Restrictive Covenants), Section 14]:

c) Homeowners are responsible for violations occurring on their property. If the property is leased to a tenant, homeowners should ensure tenants are familiar with the provisions of the Restrictive Covenants ~~or~~ and Rules and Regulations, but this will not relieve the homeowners of responsibility for the condition of their property or responsibility to comply with the Restrictive Covenants ~~or~~ and Rules and Regulations.

13) Enforcement of restrictions, conditions, covenants, reservations, liens, and charges [Declarations, Article VIII, Section 1]:

c) A clarification of the second provision of Article VIII, Section 1 follows. In cases where, by inaction on the part of the ACC for a period of 30 days after submittal of an architectural request, ~~a project was allowed to proceed that would normally be in violation of a Restrictive Covenant or restriction, the Restrictive Covenant or restriction is considered to have been met in accordance with Article VII, Section 6, and may not be subsequently enforced against that homeowner for that project.~~ resulting in neither an approval nor a rejection, a homeowner proceeded with a project that would considered to be in violation of the Restrictive Covenants, the Restrictive Covenant is considered to have been met in accordance with Article VII, Section 6 of the Declaration, and may not be subsequently enforced against that homeowner for the project specified in the Application. It shall remain in force for all other homeowners and all other existing and future projects.

14) Maintenance of trees in the Common Areas.

m) The procedures in this Section 14 also apply to other Common Areas vegetation such as shrubs.

15) General Policies.

a) It is the policy of the Association to maintain a cash balance approximately equal to the Association's annual expenses. The purpose of the cash balance is to provide for expenditures that exceed the Association's regular annual expenses, such as significant levels of Common Areas maintenance and path repair or replacement. The fund shall be invested prudently by the Board of Directors in an insured account such that it can be accessed readily, when needed.

b) When a Hickory Farms home is sold, the Virginia Property Owners' Association Act requires that the Association inform the purchaser through a disclosure letter of "improvements or alterations to [the] property that are in violation of the Restrictive Covenants or Rules and Regulations." In order to comply with the law, the Association shall report all violations to the purchaser in such a disclosure letter.

c) Under the HFCA By-Laws and the Virginia Property Owners Association Act, the Board of Directors has sole authority to enact Rules and Regulations for the Association. However, it is the policy of the HFCA that the Board of Directors shall obtain homeowner approval before such revisions to the Rules and Regulations are enacted.

The Newsletter is published January, March-May, July, and September-December. E-mail submissions to the Editor by the 25th of the prior month. For past issues and information for advertisers, see www.hickoryfarms.org --> Newsletters. The Editor, subject to review by the Board of Directors, may reject or edit any submission. Advertisers in this newsletter are not endorsed by the HFCA. The editor is Kirk Randall 703-425-0210 – kirk_randall@hotmail.com