

**RESOLUTION OF THE BOARD OF DIRECTORS
OF BROADLANDS ASSOCIATION, INC.**

(Policy Governing Use of Lots for Home-Based Businesses)

WHEREAS, Section 4, Section 4.1 of the Bylaws of Broadlands Association, Inc., Inc. (“Bylaws”) provides that the Board of Directors (“Board”) shall have the powers and duties necessary for the administration of the affairs of the Association and to adopt and amend reasonable Rules and Regulations; and

WHEREAS, Article 3, Section 3.4 and Article 8, Section 8.3 of the Declaration for Broadlands (hereinafter “Declaration” and “Association” respectively) grant the Board of Directors (“Board”) the power to adopt, amend, and publish rules and regulations governing the use of the Property and the conduct of the Association persons and their guest therein; and

WHEREAS, Article 8, Section 8.2(p) of the Declaration states: “Residential Lots shall be used for residential only; provided, however, that the Board of Directors may permit reasonable nonresidential use on such Lots from time to time for a professional office or day care, provided that such use is consistent with all applicable laws, ordinances and regulations of any governmental authority and subject to such reasonable rules as may be established by the Board of Directors. As a condition to consenting to such use, the Board may require the Owner to pay any increase in the rate of insurance or other costs for the Association which may result from such use;” and

WHEREAS, Section 55.1-1821(A) of the Virginia Property Owners’ Association Act (“Act”) provides that “Except to the extent the declaration provides otherwise, no association shall prohibit any lot owner from operating a home-based business within his personal residence. The association may, however, establish (i) reasonable restrictions as to the time, place, and manner of the operation of a home-based business and (ii) reasonable restrictions as to the size, place, duration, and manner of the placement or display of any signs on the owner’s lot related to such home-based business. Any home-based business shall comply with all applicable local ordinances;” and

WHEREAS, Section 55.1-1821(B) of the Act provides that “If a development is located in a locality that classifies home-based child care services as an accessory or ancillary residential use under the locality’s zoning ordinance, the provision of home-based child care services in a personal residence shall be deemed a residential use unless expressly (i) prohibited or restricted by the declaration or (ii) restricted by the association’s bylaws or rules as provided in subsection A;” and

WHEREAS, the Board of Directors recognizes that some persons of the community wish to conduct business and various forms of commercial activity within their homes; and

WHEREAS, the Board of Directors now deems it in the best interest of the community to adopt standards by which owners may operate certain types of home businesses.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts the following policy:

I. PURPOSE OF POLICY

- A. The Board of Directors seeks to protect and promote the residential character of the community. Simultaneously, the Board recognizes that some forms of home offices and businesses are not inconsistent with the residential nature of the property. The purpose of this policy is to help the Board define the parameters of home offices and businesses that are acceptable within the community.
- B. Those persons who wish to take advantage of the Association's professional/ home business policy must comply with the standards herein. If the Board receives a formal complaint about a person's home office/home business, the proprietor of the professional office/home business shall have the burden to show that his or her activity satisfies the criteria of this policy; however, if the proprietor of the professional office/home business received prior written approval from the Board for the activity, the burden to show that the activity does not satisfy the criteria of this policy shall rest with the complainant.

I. GENERAL STANDARDS

- A. Any person who establishes a primary professional office or conducts business activity within the home must apply for a home-based business using the Home-Based Business Application Form attached as Exhibit A.
- B. Any person who establishes a primary professional office or conducts business activity within the home must take all necessary and appropriate steps to preserve the residential character of the property in both its external and internal appearance and use. Teleworking does not constitute a primary professional office or home-based business for the purpose of this policy.
- C. Any person who establishes a professional office or conducts a home business must use the home as a primary place of residence. The professional office or home business must constitute a secondary use ancillary to the use of the dwelling as a residence.
- D. The activity of the home office or home business must not attract or involve the regular use or presence of commercial vehicles within the community.
- E. The activity of the professional office or home business must not adversely affect the Association's ability to obtain or maintain its insurance coverage(s). If the activity of a professional office or business adversely affects the premium that the Association must pay for any of its insurance policies, the Board reserves the right to assess the responsible person with the increased cost. As an alternative, the Board reserves the right to require the person to maintain an insurance policy for the business and name the Association as an additional insured on the person's insurance policy in a manner satisfactory to the Board. If the person does not comply with the Board's requirements, the Board reserves the right to prohibit the person from operating the home office or home business within the community.
- F. The professional office or home business must not use any exterior advertisement or display of any kind to show that the person uses the dwelling in any way other than for a

residential dwelling with the exception of a business license when required by law and must conform to the Association's Design Guidelines for Signage

- G. The activity of the professional office or home business must not involve the storage, use, or sale of goods, equipment, or materials within Broadlands.
- H. The activity of the professional office or home business must not unreasonably disrupt the normal traffic or parking patterns anywhere within the community.
- I. The activity of the professional office or home business must not create unreasonable audible disturbances or noise. At all times, the activity of the home office or home business must respect the right of quiet enjoyment of all legal occupants within the community.
- J. The activity of the home professional office or business must be lawful in all respects and must fully comply with all applicable federal, state, and county laws and ordinances. In addition, the operator of the professional office or business must obtain all applicable permits and licenses from the appropriate government agencies, which the proprietor must provide with the submission of the Home-Based Business Application Form.
- K. In accordance with Loudoun County Zoning Ordinances for Home Businesses and Operations, no equipment or process used in such home occupation shall create noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
- L. In accordance with Loudoun County Zoning Ordinances for Home Businesses and Operations, no traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the conduct of such home occupation shall be met by off-street parking and other than in a required front yard.
- M. In accordance with Loudoun County Zoning Ordinances for Home Businesses and Operations, there shall be no change in the outside appearance of the building or lot, nor other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated.
- N. In accordance with Loudoun County Zoning Ordinances for Home Businesses and Operations, there shall be no retail sales, other than items handcrafted on the premises, in connection with such home occupation.

III. ADDITIONAL STANDARDS PERTAINING TO CHILDCARE SERVICES

- A. The provisions of Article III apply to all home-based businesses providing for the care of children in the home. This includes any seasonal or summer day camps.

- B. If the primary service of the professional office or home business is the care or custody of children, the operator must ensure that the patrons will be safely and properly supervised and cared for at all times, particularly during the times of drop-off and pick-up and during any time when the patrons are in the common area.
- C. In accordance with Loudoun County Zoning regulations, the maximum number of children under the age of 13 an operator of a childcare service may place under his or her professional care during any single twenty-four (24) hour period is twelve (12).
- D. The operator must register the business with Loudoun County and the Virginia Department of Social Services. The operator must comply with all of the standards and requirements set forth by these departments and must submit to the Association evidence of their compliance with this requirement.
- E. Operators of a childcare service are strictly prohibited from utilizing the Association's facilities in connection with the operation of their business.
- F. Any home childcare business shall not produce vehicular traffic that exceeds ten trips to the home in a single day and must comply with traffic laws.

This Resolution was adopted by the Board of Directors on September 10, 2024 and shall be effective as of November 1, 2024.

BROADLANDS ASSOCIATION, INC., INC.

Signed by:



David Baroody, President

BROADLANDS ASSOCIATION, INC.
Home-Based Business Application Form

Owner/Applicant _____

Business Name _____

Business Type _____

Address _____

Phone # _____ Email Address _____

REQUIRED INFORMATION NEEDED:

Description of Business _____

Hours of operation _____

Traffic/Parking Impact _____

Number of employees on a daily basis _____

Number of clients/vehicles on a daily basis, times of arrival and departure _____

Loudoun County Zoning License (*please attach*)

Loudoun County Home Business License (*please attach*)

Any other information relevant to this application (*please attach*)

Comments _____

The information provided in this application is accurate to the best of my knowledge.

Owner/Applicant Signature

Date

Please return completed application and supporting documents to:

Sarah Gerstein, General Manager
Broadlands Association
21907 Claiborne Parkway
Broadlands, VA 20148

Sarah@broadlandshoa.com
703-729-9704

Applications will be reviewed by the Broadlands Association Board of Directors during a regularly scheduled meeting. Meetings are generally held on the second Tuesday of the month at 6:00pm. Submission deadline is 5:00pm on the Tuesday before the Board meeting.