

Architectural Control Guideline Amendment

Adopted by the Board of Directors at the January 26, 2011 Meeting

Egress Basement Windows and Window Wells

Installation of egress basement windows and egress window wells (including window well cover) require prior written approval from the Architectural Control Committee.

Compliance with Architectural Control Guidelines, Virginia Code, and Fairfax County Code.

Installation and/or enlargement of basement windows and window wells must be accomplished in compliance with the Architectural Control Guidelines and the requirements listed below:

- All applicable Fairfax County codes and regulations to include, but not limited to:
 - Fairfax County Land Development Services: Finished Basements requirements dated 11/17/08¹
 - Fairfax Typical Finished Basement Details²
 - Fairfax County Typical Retaining Wall Details³
- All applicable Virginia code including but not limited to the 2006 Virginia Residential Building Code⁴

The Application must include:

- Copies of all necessary Fairfax County permit applications and required accompanying plans.
- Copies of applicable Fairfax County and Virginia codes (to include those listed above as well as any additional Fairfax County or Virginia code requirements).
- Specifications, including manufacturer's brochures, of the proposed window.
- Specifications, including manufacturer's brochures of the proposed window well.
- Specifications, including manufacturer's brochures, of the proposed window well cover.
- Elevation drawings showing how the proposed modification will look from the street and from above with measurements and shall include:
 - Placement of well on the wall
 - Depth of well
 - Extensions of well above grade both at the sides and front
 - Well cover
- Signed and notarized statement of indemnification.

¹ <http://www.fairfaxcounty.gov/dpwes/publications/basements/basements.pdf>

² <http://www.fairfaxcounty.gov/dpwes/publications/basements/details.pdf>

³ <http://www.fairfaxcounty.gov/dpwes/publications/retainingwall/details.pdf>

⁴ A copy of the 2006 Virginia Residential Building Code may be purchased from the International Code Council at www.iccsafe.org and is available in the reference section of Fairfax County libraries

All work must be performed in compliance with all required governmental permits.

Construction Specifications Required.

The homeowner must provide detailed specifications with the Application to include:

Location. The location of the window and window well on the foundation wall of the house must be specified in the Application.

- A diagram with dimensions indicating the exact location of the proposed window and window well must be submitted.
- A picture of any current basement window and window well is required, with dimensions of both any current window and any current window well indicated on the picture.
- The height of the top of the window above exterior grade can be no higher than either the top of an existing window or the minimum height necessary to satisfy the egress requirement.
- The width of the window can be no more than 32 inches.

Replacement Window. A brochure with dimensions and picture of the window to be installed must be submitted. The U-factor of the window must meet or exceed the specifications of the Fairfax County Typical Finished Basement Details.

- The frame of the window must be white.
- The window may be a slider, casement, single or double hung window.

Alteration to Load Bearing Basement Foundation Walls. Fairfax County requires submission of plans to accompany the required permit when there is any alteration to an existing load bearing wall or exterior wall. (See Section 2, page 3 of Fairfax County Land Development Services: Finished Basements). Installation of a new or enlarged window opening must also be installed in compliance with the 2006 Virginia Residential Building Code.

- Fairfax County approval of these plans as well as the permit for any alteration of an existing load bearing wall or exterior wall must be submitted with the Application, including specifications detailing the window header.

Window Well. Fairfax County Typical Finished Basement Details require that a window well must be constructed when grade conditions require the sill of the egress window to be below the outside grade elevation.

- Fairfax County Code requires a plan submission to accompany a permit for the construction of a new window well.

- Detailed specifications, dimensions, manufacturer's brochures and diagrams describing the proposed window well must be submitted with the Application, to include the height of the reveal of the window well above grade at the midpoint of the window well and the two locations where the well meets the foundation wall.
- The homeowner must use a plastic or galvanized metal pre-fabricated window well. The manufacturer's specifications, dimensions, and brochure must be submitted with the Application. A sample color of the pre-fabricated window well must be included. Window wells that are ivory, grey, beige, dark brown, dark green, or black may be approved.
- If the height of a pre-fabricated window well (i.e. the reveal) exceeds 4" above grade, then a border around the well must also be installed around the well. The border may be constructed of ornamental garden block or pressure treated timbers. Detailed construction plans including diagrams depicting the dimensions of the border, elevation drawings, and manufacturer's brochures must be submitted with the Application.
 - If ornamental garden block is to be used, samples, a color brochure, or a web reference depicting the color, material, and dimension of the product must be submitted.
 - If pressure treated timbers are to be used, the timber size must not exceed 4" X 4." The timbers must remain natural in color and not painted or stained. Clear waterproofing treatment may be used.

Drainage from the Window Well. The Application must detail steps to be taken to guarantee that the window well will not permit or facilitate water to penetrate the modified home or neighboring homes.

- The window well must be installed in compliance with the Fairfax County Typical Retaining Wall Details specifications with regard to drainage, if deemed applicable by Fairfax County.
- The homeowner must acknowledge that he/she or any future owner of the home may be required to install a sump at the base of the window well as a result of water penetration to neighboring homes subsequent to installation of the window well. Water discharged from the sump pump must meet Architectural Control Guidelines (see Section V.E.7).

Window Well Cover. A window well cover is required to prevent fall-hazard to adjoining neighbors presented by the newly installed or enlarged window well.

- Pictures, manufacturer's brochures, and elevation drawings with dimensions of the cover must be submitted with the Application.
- If a plastic bubble-type window well will be used, the height of the bubble shall not exceed XX" above grade (including the dimension of the height above grade of the window well). It is strongly suggested to select a cover that will not yellow with age. Yellowed or worn window well covers will be cited as an eyesore violation for removal or replacement.
- The means of attaching the cover to the window well without impeding the intended fire egress must be specified in the Application.

Compliance.

- The homeowner applying for approval must assure that the egress window and egress window well is in compliance with all governmental permits and codes and appropriate for use, and may not rely upon approval of the Association for this purpose.
- All work must be accomplished by a licensed and insured contractor. Copies of the contractor's license and a certificate of insurance must accompany the application. The contractor must sign below that all work will be performed in compliance with all required governmental codes and permits.

Indemnification.

- The homeowner must execute an agreement to indemnify and hold harmless the Pinewood Greens Homeowners Association, its Board of Directors, committee members, agents, employees, and residents from any and all injuries, property damage, causes of actions, claims or obligations and all consequential and incidental damages including but not limited to structural failure, damage from water infiltration, and personal injury arising out of or relating to the alteration of the foundation wall, installation of a basement egress window, installation of a basement egress window well, installation of a basement window well cover, and any concomitant regrading. This signed and notarized written statement of indemnification must accompany the Application and will become part of the Application and shall be included in all subsequent resale disclosure packets for the property under the Virginia Property Owners Association Act, Section 55.509.4.