

FARRCROFT HOMEOWNERS ASSOCIATION, INC.

POLICY RESOLUTION

DESIGN GUIDELINES

COVENANTS COMMITTEE (CC)

WHEREAS, the Declaration of Covenants, Conditions and Restrictions (“Declaration”) of Farrcroft Homeowners Association, Inc. (“Association”) authorizes the Board of Directors to create an Architectural Review and Covenants Committee (“Covenants Committee”); and

WHEREAS, the Board of Directors (“Board”) has appointed a Covenants Committee ;
and

WHEREAS, Article V of the Declaration charges the Covenants Committee with the duty to regulate the external design, appearance, use and maintenance of the homeowners’ property; and

WHEREAS, the Board of Directors shall have the power to adopt Design Guidelines proposed by the Covenants Committee; and

NOW, THEREFORE, BE IT KNOWN THAT the following Design Guidelines are adopted by the Board of Directors and shall be published to the community and members.

I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Board of Directors of the Farrcroft Homeowners Association this 18th day of June, 2009.

Board of Directors
Farrcroft Homeowners Association, Inc.

By: David Wiegand
Title: Secretary

I. PROCEDURE

A. General Information

(1) The Architectural Review and Covenants Committee (“Covenants Committee”) is a committee designed to preserve the value of homes in Farrcroft by reasonably regulating the external appearance of the homes in this community. It serves as an architectural review board and regulates the external design, appearance of the homeowner lots and structures thereon so as to enforce the architectural provisions of the Declaration of Covenants, Conditions and Restrictions (“Declaration”), enforce the requirements of the recorded subdivision plats, deeds of subdivision and proffers, and to preserve and enhance values and to maintain a harmonious relationship among lot structures and the overall community.

(2) The Declaration prohibits the removal, relocation or destruction of any tree on the tree preservation plan without the approval of the Association (as represented by the Covenants Committee) and the Zoning Administrator of the City of Fairfax. Additionally, the Covenants Committee must assure that any external improvements conform to site plan specifics (e.g., setbacks). With these considerations in mind, applicants requesting tree removal or relocation or applicants requesting external structures or patios review are encouraged to review the General Development Plan (“GDP”) and related plans that are available in the Association’s office at the Farr House.

(3) These guidelines may be reviewed from time to time by the Covenants Committee for possible amendment consideration by the Board of Directors and by the Board on its own motion.

(4) The Covenants Committee will review all applications for any alterations, additions, or changes (“alteration(s)”) to external aspects of a homeowner’s home and grounds. It has authority to approve, approve with modification(s), or disapprove applications within the guidelines. Any decision of the Covenants Committee may be appealed by a homeowner affected thereby to the Board of Directors.

(5) The Covenants Committee will only consider written requests as herein outlined. Similarly, the Board of Directors will only consider written appeals. Oral requests will not be considered in either circumstance. Applications and appeals shall be submitted through the Association’s managing agent (“managing agent”). Applications for approval will follow instructions in Section B. . Any appeal from a Covenants Committee decision by a homeowner desiring to overturn a decision of the Covenants Committee must be received by the managing agent within 15 days following the Committee’s decision. The appeal must include rationale for appeal with supporting materials.

(6) Covenants Committee approval is required prior to commencing any alteration. Therefore appropriate lead time should be considered when filing an application. The Covenants Committee has forty five (45) days from receipt in which to take action on a complete application. If the Covenants Committee shall fail to act upon any complete application submitted to it within forty five (45) days after receipt thereof, such application will be forwarded by the managing agent to the Board of Directors for approval. The forty five (45)

day period shall only commence when the application is accepted as “complete” by the Covenants Committee. If the Board of Directors shall fail to act within thirty (30) days after receipt (or 75 days after receipt by the Covenants Committee) of a complete application, then such application is deemed to have been approved as submitted, and no further action shall be required. **NO ALTERATIONS MAY BE COMMENCED UNLESS AND WITHOUT WRITTEN APPROVAL BY THE COVENANTS COMMITTEE (OR BOARD IF ON APPEAL) AND NO STATEMENTS OR ACTIONS BY ANY COVENANT COMMITTEE OR BOARD MEMBERS MAY BE RELIED UPON AS SUBSTITUTION FOR SUCH COMMITTEE OR BOARD APPROVAL. THE EXISTENCE OF ANY SIMILAR ALTERATIONS IN THE COMMUNITY SHALL, LIKEWISE, NOT BE GROUNDS FOR AN OWNER TO PROCEED WITH ALTERATIONS WITHOUT THE PRIOR APPROVAL OF THE COMMITTEE OR BOARD.**

(7) In the case of those alterations that require approval by the City of Fairfax, such City approval does not constitute approval by the Covenants Committee. If City approval is required, it is suggested that the homeowner consult with appropriate City staff before submitting application to the Covenants Committee in order to ensure an understanding of appropriate City Code requirements. However, in most cases, formal application to the City for necessary permit(s) is best done after approval of application by the Covenants Committee.

(8) All decisions of the Covenants Committee and the Board of Directors shall be in writing. In the case of a denial by the Covenants Committee, the reason(s) for denial shall be noted, referencing the appropriate section of these Guidelines.

B. Application Procedures

(1) An application form (Attachment B) and associated instructions for completion of the application (Attachment C) may be downloaded from the Association’s website or by requesting copies from the managing agent’s representative at the Farr House. All applications must be on the approved application form.

(2) The completed application must be signed by the homeowner and returned to the attention of the Covenants Committee in care of the managing agent. Signatures from the most affected neighbors (at a minimum those owners sharing a boundary line with the applicant’s lot) acknowledging their support or non-support of the completed application are required. The managing agent and/or Covenants Committee may determine that the application is “incomplete” if it believes that, given the configuration of the applicant’s lot, that additional homeowner signatures are required due to proximity, view, etc. A signature of non-support is not to be construed as a “veto” of the application; it will be treated as useful information to the Covenants Committee. It is only to be used to raise awareness of the Covenants Committee of a potential concern or issue. (Additional neighbor comments or objections should be communicated in writing to the Covenants Committee via the managing agent, preferably 15 days before the meeting at which the Covenants Committee will consider the application).

(3) Following receipt of a complete application, the managing agent will provide notification of receipt and information with respect to anticipated date that action on the application will be taken by the Covenants Committee. Incomplete applications will be deemed to have been denied and shall be returned to the applicant with an explanation as to what must be done to complete the application (e.g., adding signatures, enclosing elevations, etc.). If notification of receipt of a completed application has not been received within two weeks of mailing, applicant should contact the managing agent to obtain written verification that the application has been received.

(4) If a complete application is disapproved, or accepted with required modifications by the Covenants Committee, the applicant is free to: a) request that the Covenants Committee reconsider its position; b) resubmit a modified application to the Covenants Committee; or c) appeal to the Board of Directors. In all cases, the applicant is encouraged to present additional information that might help clarify the request or demonstrate its acceptability. In the case of a modification of an application, the applicant must submit a new application form with new signatures of most affected neighbors, except in those cases in which the Covenants Committee has indicated in its decision that a minor modification (as defined and noted by the Covenants Committee in its action on application) is required that does not necessitate the re-signing by affected neighbors. In all cases, the applicant shall submit a request for reconsideration, modification of application, or appeal to the managing agent. The managing agent will acknowledge receipt within two weeks; if not, the applicant should contact the managing agent to ensure that the appeal has been received. The request or appeal will be reviewed within 30 days from the date of receipt by the managing agent.

(5) Any owner who commences construction of an exterior alteration prior to receipt of the written approval of the Covenants Committee shall be solely responsible for all costs and expenses (including legal fees) associated with the removal of the exterior alteration or restoration of his/her lot to its original condition, if necessary to bring the lot into compliance with these Design Guidelines or the Association covenants.

C. Covenants Committee Review Criteria

(1) The Covenants Committee evaluates all submissions on the individual merits of the application. There are no “automatic” approvals. Besides evaluation of a particular design proposal, this includes consideration of the characteristics of the home type and individual site and effect upon neighboring dwellings or occupants, since what may be an acceptable exterior design in one instance may not be for another.

(2) Judgments of acceptable design are based primarily on the following criteria which represent, in more specific terms, the general standards of the covenants.

(a) Conformity with the General Development Plan (GDP), Tree Preservation Plan, and Landscaping Plan.

(b) Validity of Concept. The basic idea must be sound and appropriate to its surroundings.

(c) Design Compatibility. The proposed alterations must be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in the architectural style, quality of workmanship, similar use of materials, color and construction details.

(d) Consistency with Guidelines. Proposed alterations must be in general conformance with these guidelines.

(e) Location and Impact on Neighbors. The proposed alteration should relate favorably to the landscape, the existing structure and the community. The primary concerns are privacy, access, view, noise, sunlight, ventilation, and drainage. For example, fences may obstruct views, breezes, or access to neighboring property; decks or larger additions may cause unwanted shadows on adjacent patios or infringe on a neighbor's privacy and view. As another example, an inappropriate 'clutter' of play equipment, or an 'ill-planned' landscape scheme may adversely affect existing neighbors.

(f) Scale. The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings.

(g) Color. Exterior colors shall be consistent with Attachment A, Exterior Color Selections.

D. Enforcement Procedures

Violations or attempted violations of these Design Guidelines shall be enforced by the Association in accordance with the Declaration, bylaws and resolutions of the Association. Generally, an owner responsible for a violation will be given prior written notice and an opportunity to correct the violation. If the violation remains, a hearing may be called and monetary charge may be imposed. In addition, the Association may seek immediate legal action to enjoin the violation and compel compliance.

E. Covenants Committee

(1) The Covenants Committee shall be composed of not less than three (3) nor more than seven (7) persons and shall normally meet once a month or as needed at a time and place designated by the Covenants Committee. A meeting may be suspended if there is no business to address.

(2) Special meetings of the Covenants Committee may be called by any two (2) members after not less than three (3) days notice to each member.

(3) A majority of the members shall constitute a quorum at any meeting.

(4) Members serve at the pleasure of the Association Board.

II. FARRCROFT ARCHITECTURAL GUIDELINES

Only materials matching those existing on the applicant's home and related structures (or materials compatible with the architectural design and character of the neighborhood) will be approved.

A. Decks, Fences, Walls, Patios, Stairs and Walkways

(1) Decks

(a) Decks will be considered for approval on a case by case basis for construction only under two circumstances: (1) on single family lots with walk out basements or (2) under unique circumstances related to topography (e.g., slope precludes patio).

(b) Decks must be approved by the Covenants Committee.¹ Applications for deck modifications shall include a house location survey showing exact placement of the deck and setbacks in the rear of the home. Homeowners are instructed to refer to the GDP for appropriate set-backs. Decks and deck stairs will not be allowed to extend beyond the side plane of the home. A pergola (arbor style overhead) may be included. No roof or screens may be added to a deck.

(c) Lumber or alternative materials used for decks must be decay resistant and similar in appearance to the lumber used by the builder. Plastic or vinyl fences and decks are not permitted. Synthetic wood-like materials (e.g. Trex®) may be approved by the Covenants Committee as an alternative material for deck flooring.

(d) Horizontal deck railings will not be approved. Vertical picket or Chippendale railings must be used. Railings must be painted Sherwin-Williams Farrcroft Amber White or its matching equivalent.

(2) Fences

(a) Replacement of existing wooden fencing with same style wooden fencing does not require Covenants Committee approval but any changes involving style, gates, caps, etc., requires approval. Wooden fencing should be painted or stained with Sherwin-Williams Farrcroft Amber White.

(c) Approved new fencing must enclose the backyard along the property line. Only property line fences are permitted unless specifically allowed herein. Smaller enclosures are not permitted. Gates and fences must be vertical in design consistent with those on file with the management agent. On Manor or front garage Village homes, 42" high 3 board horizontal estate fence may also be approved. All lot wood fences shall be stained or painted with Sherwin-Williams Farrcroft Amber White paint or its matching

¹ Although deck design is not required to be reviewed by the City of Fairfax Board of Architectural Review (BAR), as part of the building permit process the Office of Community Development and Planning must ensure that deck is located within the envelope detailed in approved plans.

equivalent. Replacement fences must be the same as to specific house type for Courtyard and rear garage Village homes. All lot metal fences must be painted black.

(d) Metal fences identical to those “wrought iron” style fences installed by the builder on retaining walls and other common grounds may be installed in rear and side yards on lots where at least one boundary already includes such fence materials. If the existing fence is within the property boundaries, the rule requiring that the fence line be along the property line will be waived. This will eliminate the need to build a fence enclosing the existing fence. All lot metal fences must be painted black.

(e) In all cases the final decision on which fence materials will be used will reside with the Covenants Committee. Homeowners installing such metal fences shall carry the fence as close as possible, but not mechanically attached, to the common property existing fencing. It is the responsibility of the homeowner to maintain this fence.

(3) Walls

Any landscaping or retaining wall must have Covenants Committee approval and should include a grading plan with submission. Plans with extensive grade changes are discouraged.

(4) Patios

(a) Patio size must conform in both scale and appearance to the lot and house. While patios sized at 500 square feet or less would likely meet this requirement, there may be circumstances in which the size and/or configuration of a particular lot or house would justify a larger patio. The Covenants Committee will address those situations on a case by case basis. Prior to designing a patio, homeowner should review the setback requirements described in the GDP. Generic setbacks are illustrated for the various models of homes in Farrcroft. The patio design shall comply with the appropriate setback.

(b) Patio materials must be brick or flagstone; brick and brick pavers must match the color palette of the house. Patio retaining walls must not extend beyond the side plane of the house.

(c) The addition of a patio shall not change the drainage profile pattern or swale design and grade provided by the builder/developer of Farrcroft. This guideline, as a practical matter, limits the area that can be covered by an impenetrable surface, such as a patio. For example, patios that cover virtually the entire enclosed area of Courtyard and Village Homes would likely fail to meet this guideline.

(d) When applying for approval for a patio or modification to a patio, in addition to the certified plat required under general application instructions, the applicant must also provide a schematic (to scale) of rear yard that reflects drainage pattern, existing and proposed vegetation, and a description of the proposed materials to be used for the patio, along with a color photograph or advertisement.

(5) Stairs and Walkways

(a) Replacement of rear stairs or construction of new stairs to backyards or patios shall conform to City of Fairfax code requirements. Before applying to Covenants Committee, applicants are urged to review the specifics of the construction or replacement with the City of Fairfax Zoning Administrator. The Covenants Committee's approval will normally be contingent upon City approval. In those cases in which City approval is provided, it is requested that a copy of the approval be provided to the managing agent's representative at the Farr House.

(b) Replacement or repair of front steps shall ensure consistency with original materials (brick, aggregate, or stone.) Minor repairs ensuring consistency with existing material does not require Covenants Committee approval. Major repairs (e.g., replacement or reconstruction) or potential changes in material require prior approval of Covenants Committee.

(c) In replacing or repairing walkways, replacement or repair should be of texture and color originally used to the degree possible. Care must be taken to avoid sharp contrasts with existing or remaining materials. This may, in some cases, necessitate that a walkway be replaced rather than repaired to ensure a uniform walkway appearance. Other than for a small repair using like materials and texture, replacement or major repair requires Covenants Committee approval.

B. Storm and Screen Doors

(1) Front Door. To ensure the integrity of the appearance of frontages, traditional storm doors are not permitted for front doors. With prior approval of the Covenants Committee, a Phantom Screen™ type screening that, when not being used, is enclosed in vertical casing is permitted. The vertical casing color must be comparable to existing trim.

(2) Rear Door. Storm doors or storm doors with screen inserts must be individually approved prior to installation for the rear of the home. Doors must be full view with kick plates no greater than twenty four (24) inches in height and no panels other than glass or transparent screening intended to impede insects. Storm doors or storm doors with screen inserts should be straightforward without ornamentation such as scrolls, imitation gate hinges, ornamental grillwork or scallops. Storm doors or storm doors with screen inserts must be the color of the associated entry door or that of its immediately surrounding trim.

C. Doghouses

With the Covenants Committee's prior approval, doghouses are permitted. Doghouses must be compatible with the home in terms of color and material. The doghouses may not exceed ten (10) square feet of floor space and may not exceed four (4) feet in height at the highest point. They should be located where they are visually unobtrusive to neighbors. The use of

appropriate landscape screening is encouraged and may be required in some cases, in order to minimize any negative visual impact. Dog runs are prohibited.

D. Landscaping

(1) Other than minor adaptations (e.g., retaining general configuration and size while changing vegetation/flowers), front yard (i.e., the side of house facing address street) landscaping shall remain “as is” (in well maintained condition). Major changes in design or size of landscaping or materials must be approved by the Covenants Committee. All changes or additions in rear and side landscaping must not alter approved grading. Planting materials must be approved by the Covenants Committee for any plantings that exceed eighteen (18) inches in height. The use of visible railroad ties or landscape timbers is prohibited and the use of rocks or other “boundary” structures requires prior Covenants Committee approval.

(2) All landscaping features such as arbors, colonnades or gazebos must be of natural materials, painted Sherwin-Williams Farrcroft Amber White or its matching equivalent and may not exceed 8’ in height. These added features must be submitted for Covenants Committee approval. No enclosed walls, roofs or screening materials will be approved.

(3) Trellises may be of wood or metal construction, painted Sherwin-Williams Farrcroft Amber White or its matching equivalent, black or deep green. Trellises shall not exceed the height of any fence against which they are positioned.

(4) No person will be allowed to remove, relocate or destroy any tree on the tree preservation plan (designated to be preserved when such tree is located on any private lot or in common areas) without approval of the Board of Directors and the City of Fairfax.

(5) Removal, relocation or replacement of canopy trees reflected on the GDP’s associated landscaping and tree preservation plans² may only be done with the approval of the Covenants Committee under limited circumstances in accordance with these plans and City of Fairfax Code. If replacing a canopy tree on applicant’s lot, the replacement tree shall meet the caliper standard required of the developer as referenced in the GDP. If removal of a canopy tree without replacement on the applicant’s property, applicant will be required to cover the cost (with flat fee as determined annually by the Board of Directors) of a canopy tree in common area. The removal or relocation of a canopy or streetscape tree requires approval of the City of Fairfax; therefore, the action of the Covenants Committee will be a conditional approval (contingent upon final approval by the City of Fairfax Zoning administrator) or disapproval. If applicant’s request is subsequently approved by the City of Fairfax Zoning Administrator, the applicant is requested to provide a copy of the permit to the managing agent’s representative at the Farr House.

(6) Care must be taken when diverting storm water to ensure that diversion does not adversely affect neighboring property by changing drainage pattern or “dumping” water on a neighboring property or common areas (other than into street/alley gutter). Although an

² The General Development Plan, Landscape Plan, and Tree Preservation Plan are available in the managing agent’s office at the Farr House.

application to the Covenants Committee is not required if no construction or change of landscaping plan that requires an application is involved, due consideration should be given to aesthetic appearance (especially from front view perspective). If black plastic tubing is used, it is preferable that it be covered with earth or mulch and/or worked into the landscaping.

E. Exterior Decorative Objects

Decorative objects such as sculptures, birdbaths, fountains, and the like will generally not be approved for installation in front yards.

F. Painting

Exterior paints shall remain in accordance with the original Exterior Color Palette for each individual lot. See Attachment A (Color Palettes).

G. Fireplaces and Woodstoves

The addition or modification of external chimneys and/or flues must have Covenants Committee approval. All flues must be located on rear of roof and must be painted black.

H. Recreation and Play Equipment

(1) Semi-permanent play equipment.

(a) Prior approval of the Covenants Committee is required for installation of any semi-permanent play equipment (e.g., swing sets, sandboxes, and play structures) on individual lots. Such semi-permanent play equipment may be considered only for rear yards, preferably within the side plane of the house. Moveable play equipment shall not be stored in the front or side area of yard; if outdoors, such equipment shall be stored in the rear yard.

(b) In considering an application for semi-permanent play equipment in a rear yard, the Covenants Committee shall address the following parameters:

(i) The size and scale appropriate to the lot and its surroundings are critical. Play equipment shall not block the visual sight lines of neighboring houses. This criterion is not intended to require elimination of any view of the play equipment by a neighbor; the intent is to ensure that a neighbor's view is not overwhelmed or significantly obstructed by the play equipment. Total height (to include any canvas) of a play set should not exceed 12.5 feet.

(ii) Appropriate screening may be required to ensure that play equipment is not seen as the dominant feature of a lot or rear yard.

(iii) Owners are encouraged to use equipment constructed of wood. Metal play equipment shall be painted solid earth tones (i.e., brown, tan, dark green) to blend with the natural environment. Any canvas associated with play equipment must be a solid earth tone.

(c) In submitting an application for semi-permanent play set, in addition to the certified plat required under general application instructions, the applicant must also provide a schematic (to scale) of the rear yard that reflects drainage pattern, existing and proposed vegetation/screening and a color photograph or advertisement of the proposed play set with dimensions. Construction materials shall also be included.

(2) Basketball Goals

(a) With prior approval of Covenants Committee, portable basketball goals are permitted for Manor and Village houses. They are not permitted for Courtyard houses due to the close proximity of adjacent driveways.

(b) Under no circumstances shall basketball goals be attached to the house or garage.

(c) Each portable basketball goal must be approved by the Covenants Committee. Normally, only one goal per residence will be approved. The following guidelines apply to placement and use of basketball goals:

(i) Period of approved use is from March 1 through October 31

(ii) Must be stored “out of sight” from November 1 through February 28 or 29, depending on when leap year occurs.

(iii) Not permitted on sidewalks, in common areas, or in the street. If located in these areas, basketball goals will be considered as abandoned and subject to removal at the owner’s expense.

(iv) Use is limited to the hours between 9AM and dusk.

(v) Inappropriate behavior/language and excessive noise will not be tolerated and will be grounds for withdrawing approval for use.

I. Trash Cans and Recycling Bins

Trash cans and recycling bins must be stored out of sight. Trash cans and recycling bins must be removed from the front curb following trash pick-up and are never to be stored in front of the house or remain in public view on non-collection days.

J. Firewood

Firewood shall be kept neatly stacked and stored in the rear yard only and located in such manner as to minimize visual impact. The use of brightly colored tarps will not be permitted. Where such a cover is required, the color shall be a muted black, brown or tan. No firewood may be stacked on community open space.

K. Yard/Real Estate Sale/Rental Signs

In accordance with the Association's Declaration, "No sign or billboard of any kind shall be displayed to the public view on any portion of [Farrcroft], except one (1) sign for each building site advertising for sale or rent."³ Thus, one standard 24" x 18" real estate sign listing a property 'For Sale' or 'For Rent' is permitted, which shall be removed upon ratification of a sales contract or lease.

L. Attic Ventilators

With prior approval of the Covenants Committee, attic ventilators are permitted. They shall be of unobtrusive and low profile design and shall normally be on the rear side of house. Visible elements must be painted black.

M. Clothes Drying

No outdoor clotheslines or other drying apparatus shall be permitted on any lot. Laundry shall not be hung from decks, porches, or stairway railings.

N. Exterior Lighting

Lighting which is part of the original structure may not be altered without prior approval of the Covenants Committee. Proposed replacement must be compatible in style and scale with either of the two generic designs (brass and black) originally installed.

O. Mailboxes

All mailboxes are to remain the same size, style and color as those originally installed.

P. Storage of Boats, Trailers or Recreational Vehicles; Maintenance and Licensing of Vehicles

(1) No junk or derelict vehicles or other vehicles on which current registration plates and current city and state inspection permits are not displayed shall be kept upon any portion of the common area or any portion of a lot visible from the common area or another lot or on any public right-of-way within or adjacent to the property.

³ Consistent with this, political signs are not permitted. Virginia courts have ruled that this does not constitute an unconstitutional infringement on a homeowner's First Amendment rights because (a) a community association is not a governmental actor, and (b) the owner consents to be bound by the restriction when he/she accepted title to his/her property.

(2) No unlicensed vehicles are allowed in the Association. Vehicles registered in the City of Fairfax must also display a current City of Fairfax decal.

(3) No commercial, industrial or recreational vehicle (including boats) shall be parked in the Association without the written consent of the Board of Directors. Such authority may be provided by the Association's managing agent's representative at the Farr House. (This guidance is not intended to prohibit the loading and unloading of campers and recreational vehicles before and after their use by homeowners as long as parking is limited to the short time necessary to accomplish task.)

(4) No motorized vehicle may be used or maintained on the yards or sidewalks of any homeowner's lot or in any common area.

Q. Garages

(1) Consistent with the proffers for the rezoning of Farrcroft, the primary use of garages shall be for "garaging" (parking) of vehicles, with ancillary storage of tools, refrigerator or freezer, yard equipment, trash cans, etc. permissible.⁴ This is not intended to prohibit the use of garage for temporary storage of furniture or materials when moves are being made or construction/home improvements are being accomplished. Using a garage as a pet confinement area (leaving garage doors partially open, with or without screening) is not permitted. Converting a garage to a living area or for commercial use is also prohibited. City of Fairfax code prohibits cooking in garages.

(2) When replacing a garage door, replacement by same style door does not require Covenants Committee approval. In the event that same style door is not available, prior approval of the Covenants Committee is required. A style as similar as possible to the original doors will be required. For rear loading garages, a door similar to the Lewiston Place model (with small glass windows in upper panels) may be used with prior approval of the Covenants Committee.

R. Pods

Temporary storage pods may only be positioned on driveway aprons that provide sufficient space for the complete pod and any associated footings without intruding onto any common area (sidewalk, street) or any neighboring property. The pod may not be located on the property for more than 10 calendar days.

S. Retractable awnings

⁴ The rationale for this requirement is to ensure that garages are used for parking vehicles, minimizing the demand on streets for homeowners' vehicles. With the driveway apron providing two additional spaces, a total of four (4) "on site" vehicle spaces are available for each house in Farrcroft.

With prior approval of the Covenants Committee, retractable patio awnings are permitted in rear patio areas. Awning must be of solid neutral color (color of sand or ivory-like; no stripes), retractable, and attached to house.

T. Street Bond Surfacing

(1) Street bond surfacing may be considered for driveways in Farrcroft other than those on Lewiston Place. Street Print™ is a vendor that provides surfacing consistent with the intent of this section. Any other vendor's materials and colors must be equivalent to Street Print's product. In all cases, a sample of proposed surface must be submitted to the Covenants Committee with application.

(2) The Covenants Committee may approve the following materials:

(a) Colors for driveway:

- Black
- Granite
- Slate

(b) Driveway patterns:

- Herringbone
- British Cobble
- Ashlar Slate (stucco or slate; not approved for brick houses)

(c) Colors for border:

- Black
- Granite
- Slate
- Concrete grey

(d) Border patterns:

- Texas Cobble
- Stacked Brick

U. Emergency Escape and Rescue Opening⁵

(1) Prior to any construction, an applicant shall obtain approval of the Covenants Committee. The focus of the Covenants Committee review is on the exterior features of the proposed

⁵ City of Fairfax building code requires that "every sleeping room, and every basement with a habitable space, shall have at least one approved emergency escape and rescue opening." All new construction in Farrcroft basements that do not have an emergency escape must include one. Owners should work closely with City of Fairfax officials (Fire Department/Building and Fire Code Administration for guidance on building code requirements and Community Development & Planning/Current Planning Division for guidance on compliance with set back requirements) before engaging a contractor. A City of Fairfax informational paper "Emergency Escape and Rescue Openings" should be obtained from the Fire Department Building and Code Administration.

emergency escape and rescue opening. For Covenants Committee review, the applicant shall provide:

- (a) lot plat with the proposed opening drawn to scale and with the distance between edge of property line and forward edge of emergency escape and rescue opening shown;
- (b) design of egress to include dimensions and a graphic drawn to scale, to include a description/sketch of what the structure will look like from an outside view (including any canopy or cover if proposed);
- (c) examples or colored vendor graphics of materials proposed; and
- (d) landscaping plan.

(2) The City of Fairfax is responsible for reviewing plans for compliance with the applicable building code and ensuring compliance with Farrcroft development plans. The Covenants Committee review will focus on:

- (a) compliance with Farrcroft covenants and standards for consistency with construction material and colors used in the relevant house;
- (b) exterior appearance, with the aim being that the opening construction be as inconspicuous as possible;
- (c) landscaping that is reasonably consistent with the scheme that existed prior to the construction and shields the construction from curbside view (without adversely affecting the required emergency escape opportunity).

V. Solar Collectors

(1) With prior approval of the Covenants Committee, solar collectors are permitted.⁶ Due to differing house styles and advances in solar collection technology, each request will be considered on its own merits. The following guidelines apply.

- (a) Only panel types that are inset into the roof or lie flat with roof pitch will be considered.
- (b) Solar collectors may only be mounted on the rear slope of the roof, parallel with the roof ridges and edges.
- (c) The size and number of collectors should be in proportion to the area on which they are to be installed.

⁶ The Virginia General Assembly 2008 session passed legislation (SB 320) that states, in part, “Effective July 1, 2008, no community association shall prohibit an owner from installing or using a solar energy collection device on that owner’s property. However a community association may establish reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices.”

(d) All piping, wires and control devices must be concealed.

(e) Framing must be painted a dark color or the color of the roof.

(2) Applications for approval of solar collector(s) must include:

(a) An existing site plan/plat showing the house, property lines, significant vegetation (e.g., tall trees), and proposed location of solar collector(s);

(b) Elevations of the house showing the location and appearance of the collectors, any auxiliary equipment and details showing how the collector will be mounted or installed; and

(c) A catalog photograph of the collector and complete specifications, including dimensions, colors, materials, etc.

W. Antennas and Satellite Dishes

(1) Definition

Antenna: Any device used for the receipt of video programming services, including direct broadcast satellite dish (DBS), television broadcast antennas, and multipoint distribution service antennas (MDS), or wireless service. Satellite dishes are included within the definition of antenna. Devices used for the transmission of any sort of signal and radio antennas are prohibited.

(2) Installation Rules

(a) Antenna Size and Type

i. Residents may install a satellite dish that is one meter (39 inches) or less in diameter. Any structure larger than one meter in diameter is strictly prohibited.

ii. Pursuant to the Federal Communications Commission (FCC) regulations, residents may install a regular TV antenna designed to receive local broadcast stations.

iii. Residents may not install any type of antenna or other device that transmits a signal of any sort or disrupts the reception of the radios and television sets of neighbors. Such installations are strictly prohibited.

iv. Residents may not install any type of antenna not specifically protected by the FCC regulations.

(b) Location

- i. Each resident may install an antenna on a rear or side roof that make it unobtrusive when the house is viewed from the front. In the event a resident cannot install their antenna on the rear or side roof due to an unacceptable quality signal, he or she may install the antenna in another location that allows an acceptable quality signal, while maintaining the antenna as unobtrusive as possible.
 - ii. Unless a resident obtains prior written approval from the Board of Directors, residents are not permitted to install an antenna that in any way, shape, or form encroaches upon or penetrates any common area.
 - iii. Residents should locate their antenna in a place and manner which shields it from view from the nearest street(s) to the maximum extent possible. The color of the antenna should blend with the existing colors of the surrounding area. If not possible, protective covers are available in the marketplace to enhance the compatibility of the color of the antenna with the surrounding area's colors.
 - iv. The Board of Directors reserves the power to require a resident to install visual barriers, natural or otherwise, around the device to diminish any adverse visual effect that may be caused by the installation of the antenna, provided that doing so will not:
 - a) unreasonably delay or prevent installation, maintenance, or use of an antenna;
 - b) unreasonably increase the cost of installation, maintenance, or use of an antenna; or
 - c) preclude reception of an acceptable quality signal from an antenna.
- (c) While current FCC regulations do not authorize associations to condition satellite placement on the submission of an application, the Association does highly recommend that applications be submitted since "preferred location" and other restrictions remain enforceable by the Association. It is in everyone's best interest to address any questions or conditions before going to the expense of installing only to have to relocate the antenna.

X. General Maintenance

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, and play equipment. This includes, but is not limited to items such as mowing grass, removal of trash and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood and, in some cases, safety. The following list is representative (but not intended to be all inclusive) of the conditions that the Covenants Committee (or the Board of Directors) might consider to be a violation:

- Peeling paint on exterior trim.
- Recreation or play equipment that is either broken or in need of repainting.
- Guttering in need of painting or replacement.
- Fences with broken or missing parts that are leaning or in need of painting.
- Decks in need of repair or maintenance.
- Foundations that are in need of repainting or repair.

- Overgrown or dead lawns or landscaping.

Y. Miscellaneous

(1) Exterior lighting shall not be directed in such a manner as to create an annoyance to the neighbors or motorists and must be harmonious with the surroundings. Any replacement of exterior lighting shall be consistent with the original lighting design.

(2) All outdoor cooking equipment must be used in backyards. In accordance with City of Fairfax code, outdoor cooking equipment shall not be used in garages.

(3) No window unit air conditioners are permitted.

(4) Hot tubs/spas require approval of the Covenants Committee prior to any installation.

(5) Only temporary flagpoles are allowed and should not exceed six (6') feet in length and attached at an incline to the wall or pillar of the dwelling unit.

(6) Security bars in general on windows or doors are prohibited. Any exception will require Covenants Committee approval.

(7) City of Fairfax code defines excessive noise at the property line as that exceeding 55dBA. Care should be taken with yard installations such as air conditioners and hot tubs that this noise limit is not violated.

(8) Existing gutters and downspouts may be replaced with 5-inch or 6-inch gutters and downspouts without referral to the Covenants Committee if replacement is of similar design and color. A leaf guard system not visible from the ground level does not require Covenants Committee approval.

These guidelines may be reviewed from time to time by the Covenants Committee for possible amendment consideration by the Board of Directors.

Attachments:

- A. Farrcroft Homeowners' Exterior Color Palettes
- B. Farrcroft HOA Application for Exterior Alterations/Modification
- C. Architectural Application Instructions

Attachment A

Farrcroft Homeowners' Exterior Color Palettes
EXTERIOR COLOR SELECTIONS

Note The original color used for the Farrcroft trim and fences was a custom color by Sherwin Williams called "Farrcroft Amber White." This should not be confused with any vendors' "Amber White." Only Sherwin Williams Farrcroft Amber White or its matching equivalent is permitted.

COLOR PALETTE #1

Brick:	(Boral) #120 "Old Salem" (Cushwa) #40-200 Paver "Santa Fe"
Roof:	Shadow Black
Siding:	Adobe White - Masonite
Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
Entrance Door:	Farmhouse Red
Alternate:	#220 Georgetown Green
Shutters:	Black

COLOR PALETTE #2

Brick:	(Boral) #431 "Windermere" (Cushwa) #10-200 Paver "Rose Red"
Roof:	Greystone
Siding:	Adobe White - Masonite
Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
Entrance Door:	Mutiny
Alternate:	Roasted Pepper
Shutters:	Mutiny

COLOR PALETTE #3

Brick:	(Richtex) #550 "Wateree" (Cushwa) #30-200 Paver "Rose Full Range"
Roof:	Greystone
Siding:	Adobe White - Masonite
Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
Entrance Door:	Powell-Waller House Green, if not available, Martin Senour Benjamin Powell House Green
Alternate:	Black
Shutters:	Powell-Waller House Green

COLOR PALETTE #4

Brick:	(Continental) #570 "North Mountain Rose" (Cushwa)#30-200 Paver "Rose FullRange"
Roof:	Shadow Black
Siding:	Adobe White - Masonite

	Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
	Entrance Door:	Old Colonial Red
	Alternate:	Carolina Slate
	Shutters:	Carolina Slate
COLOR PALETTE #5	Brick:	(General Shale) "Salem Creek Tudor" (Cushwa)# 82-200 Paver "Pastel Rose"
	Roof:	Greystone
	Siding:	Adobe White - Masonite
	Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
	Entrance Door:	Georgetown Green
	Alternate:	Old Colonial Red
	Shutters:	Old Colonial Red
COLOR PALETTE #6	Brick:	(Boral) "Meadow Rose" (Cushwa) #10-200 Paver "Rose Red"
	Roof:	Greystone
	Siding:	Adobe White - Masonite
	Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
	Entrance Door:	Night Navy
	Alternate:	Black
	Shutters:	Roasted Pepper
COLOR PALETTE #7	EIFS:	#10414
	Roof:	Greystone
	Siding:	Adobe White - Masonite
	Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
	Entrance Door:	Old Colonial Red
	Alternate:	Plummit
	Shutters:	Black
COLOR PALETTE #8	EIFS:	#10443
	Roof:	Greystone
	Siding:	Adobe White - Masonite
	Trim:	Sherwin Williams Farrcroft Amber White or its matching equivalent
	Entrance Door:	Mutiny
	Alternate:	Winter Sea
	Shutters:	Winter Sea
COLOR PALETTE #9	EIFS:	#14764
	Roof:	Greystone

Siding: Adobe White - Masonite
Trim: Sherwin Williams Farrcroft Amber White or
its matching equivalent
Entrance Door: Georgetown Green
Alternate: Old Colonial Red
Shutters: Old Colonial Red

COLOR PALETTE #10

EIFS: #10446
Roof: Shadow Black
Siding: Adobe White - Masonite
Trim: Sherwin Williams Farrcroft Amber White or
its matching equivalent
Entrance Door: Powell-Waller House Green
Alternate: Black
Shutters: Powell-Waller House Green

Attachment B

**FARRCROFT HOMEOWNERS ASSOCIATION, INC.
APPLICATION FOR EXTERIOR MODIFICATION**

Applicant's Name:

Address of Proposed Change:

Home Phone: _____ **Work Phone:** _____ **Lot No.** _____

First Submittal: Yes _____ No _____ **Resubmittal:** Yes _____ No _____

Instructions to Applicant:

1. Consult the Procedures and Guidelines for specific submittal requirements for each proposed change.
2. Submit application form, drawings and other required documents in duplicate to:¹
 Farrcroft Homeowners Association, Inc.
 c/o Community Management Corporation
 12701 Fair Lakes Circle, Suite 400
 Fairfax, VA 22033
3. All alterations except paint require a house location survey indicating the location of the proposed changes.
4. Cite relevant section(s) of Guidelines. Describe each proposed alteration(s) (attach additional sheets if needed):

Obtain signatures of all property owners who will be most affected by the change: (Minimum of those you share a property boundary with but at least two):

Name	Lot No.	I acknowledge that I have reviewed this application and am noting whether I ²
_____	_____	do/do not support it. _____
_____	_____	do/do not support it _____
_____	_____	do/do not support it _____

Estimated Start Date: _____ **Estimated Completion Date:** _____
(Normally allow 45 days for Covenants Committee approval prior to start date.)

I agree that compliance with Farrcroft Covenants Committee Design Guidelines and approval by the Covenants Committee does not constitute compliance with City of Fairfax building and zoning codes, and Committee approval shall not be constituted as a waiver or modification of any code restriction.

¹ Address may be changed administratively

² An indication of "do not support" will be considered by the Covenants Committee as one neighbor's perspective and will be addressed in the context of the Design Guidelines criteria and other comments.

I agree that no changes will be started until written approval of the Covenants Committee has been received by me, and that if changes are made, I will be required to return the property to its former condition at my own expense and pay all legal fees incurred if this application is disapproved.

I agree that members of the Covenants Committee shall be permitted to enter upon my property after prior notification to me, and at a reasonable time, for the purpose of inspecting site of the proposed change, the project in progress, and the completed project. Such entry shall not constitute a trespass.

I agree that my failure to specify the alteration in (4) above shall mean that I have not applied for such alteration and no approval shall be given or assumed for such alteration by the Covenants Committee (even if such alteration appears on drawings ,etc., accompanying the application).

I agree that the authority granted to make the proposed changes will be revoked automatically if the changes requested have not commenced within 180 days of the approval date and completed by 180 days thereafter.

Homeowner's Signature: _____ **Date:** _____

Attachment C

ARCHITECTURAL APPLICATION INSTRUCTIONS

PLEASE BE SURE THAT THE FOLLOWING ITEMS ARE INCLUDED WITH YOUR APPLICATION!!!

WHAT TO INCLUDE IN AN APPLICATION FOR EXTERIOR MODIFICATIONS:

1. **A House Location Survey (Certified Plat)**. A copy of your plat **MUST** be included for new construction and additions to a present structure on the lot. Please submit plat for decks, fences, patios, play houses, landscaping, etc. The location of the proposed structure **MUST** be drawn on the plat. Drawings should be to scale. Plats are not required for paint changes, storm doors/windows or other such modifications.
2. **Dimensions**. Provide all dimensions, including height, roof slope, etc. on new construction.
3. **Detailed Drawings**. A full set of architectural drawings must be included for some changes such as decks, fences, patios, etc. Landscaping plans including size and type of plants as well as number to be planted **MUST** be included.
4. **Description of Materials**. Provide a list of ALL materials to be used in the proposed construction.
5. **Description of Colors**. Applications for colors, which are not the original color of the house and/or trim **MUST** be accompanied by actual color samples and not photos.
6. **Photographs**. Photographs of existing conditions are helpful to the Architectural Committee. Please be sure to include a brochure or a picture for new window modifications.
7. **Samples**. Provide a small sample of siding and/or shingle when changing the siding or the roof from its original color.
8. **Drainage**. Changes in grade or other conditions that will affect drainage **MUST** be indicated. Applications may be disapproved if adjoining properties are adversely affected by drainage changes.
9. **Signatures of Property Owners**. Obtain signatures of all property owners who share a property boundary with you and those who will be most affected by the change. A minimum of **TWO** signatures **IS** required with the application.
 - a. For **decks and fences** please include numbers 1 – 6, and 8 – 9 (#6 is optional).
 - b. For **landscaping** include numbers 1 – 3, 6 and 8 – 9.
 - c. For **doghouses** include numbers 1 – 4, 6 and 8 – 9 (#6 is optional).
 - d. For **storm and screen doors** include numbers 2, 5 – 6 and 9.
 - e. For **lattices** include numbers 2 – 4, 6 and 9.
 - f. For **recreation and play equipment** include numbers 1 – 6, 8 and 9.
 - g. For **patios** include numbers 1 – 4, 6, 8 and 9.

h. For **siding** include numbers 5, 7 and 9.

i. For **shingles (on roof)** include numbers 5, 7 and 9.

j. For **windows** include numbers 5, 6 and 9.

k. For **satellite dishes, solar collectors, and attic ventilators** include numbers 5 – 6 and 9.