

**LAKWOOD HILLS NUMBER 1
COMMUNITY ASSOCIATION, INC.**

Architectural Control Policies and Standards

(Revised January 2002)

Preface

The following rules and regulations have been instituted to help maintain a clean, safe and visually stimulating neighborhood. It is not the intention of the Architectural Control Committee to restrict individuality, but to initiate guidelines that will help create harmony and consistency throughout the neighborhood. We feel that by following these guidelines, our homes will only become more desirable. If you have a question or concern about any of these guidelines, please feel free to write the ACC and they will review and comment on your inquiry.

I. Modifications subject to ACC review.

Quoting from Article VIII of the Covenants, “No building, fence, wall or other structure shall be commenced, erected, or maintained upon the properties, nor shall exterior addition to or change or alteration therein be made until the plans and specifications...shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Architectural Control Committee...”. The ACC then has 30 days to act. Failure to act within that time constitutes approval.

Article X of the Covenants contains a number of restrictions designed “to conserve the natural beauty” and “to prevent erection of poorly designed or constructed improvements” (such as banning outside T.V. antennas and clotheslines), and specifically requires in Section 1 that: “no building, structures, alterations, additions or improvement affecting the external appearance of a building or structure shall be constructed upon any portion of The Properties unless and until a plan of such construction shall have been approved by the Architectural Control Committee of said Association as to Quality of workmanship and materials, harmony of external design with surrounding structures, location with respect to topography and finished grade elevation, the effect of the construction on the outlook from surrounding property and all other factors which will in their opinion affect the desirability or suitability of the construction.”.

To facilitate the operation of the broad review authority contained in the covenants, The ACC has decided to divide proposed modifications into three categories: modifications subject to ACC review for which no standards have yet been established, modifications subject to ACC review for which we have published standards, and modifications for which ACC review has been waived. The second category includes major modifications of broad community interest and application (decks, patios, fences, sheds, fireplace flues), while the waived category covers relatively non-controversial items (doorbells, mailboxes, etc.). The first category will cover all items not specifically covered by either the standards or the waived items.

II. Review Procedures

It is the intention of the ACC not to allow the 30-day review period to lapse on any proposed improvement. All applicants can expect a decision (either affirmative or negative) on all

submissions, in writing.

In view of the above, no association member may begin work on any improvement subject to ACC review without the following:

1. **A** Approval letter from the ACC (subject to the 30 day rule),
2. **A** Fairfax County building permit. Where required by law.
3. **A** letter on file with the ACC in which the member assumes responsibility for any and all damages which might be incurred during the course of construction.

III. **Standards**

Decks and Patios. Decks may be constructed at any level of townhouse provided they comply with the following paragraphs. Decks are not permitted in front or side yards, except as specified in paragraph 3.

1. **Fairfax County Building Permit.** A Fairfax County building permit is required when a deck is to be constructed on the Properties.
2. **Material.** Decks may be constructed of wood (preferably treated wood), or of a composite material manufactured for the use in deck construction (material shall be a wood toned color). White PVC or plastic materials shall not be acceptable. This limitation does not apply to deck post footings, other supportive or fastening hardware, or to patios. Patios may be constructed of wood, stone, or other masonry materials normally used in patio construction.
3. **Location/Extension.**
 - a. Deck with no part of the floor higher than three (3) feet above finished ground level, and patios constructed at ground level.
 - i. Decks and patios may extend to the rear lot line.
 - ii. Decks and patios may extend from side lot line to side lot line, except on the end unit townhouses no closer than five (5) feet to that side lot line.
 - iii. On end-unit townhouses decks and patios may extend into the-side yard five (5) feet but no closer than five (5) feet from that side lot line.
 - b. Decks with the floor higher than 3 feet above finished ground level.
 - i. Decks may extend 12 feet into the rear yard but no closer than five (5) feet to the rear lot line.
 - ii. Decks may extend from side lot line to side lot line, except on end unit townhouses where decks may not extend beyond the extended vertical plane of that end wall. No extension into side yards is permitted.
 - c. No portion of a patio or a deck, its railings, stairs, or supportive material may be attached to or extend into the airspace of an adjacent townhouse.
3. **Railings.** A deck may have an ‘open-work’ railing not over four (4) feet in height constructed of members arranged in an evenly distributed pattern so that a 4" sphere

may not pass through said members. The railing may be constructed vertically or angled outward from the deck.

4. **Benches**. Benches are permitted on decks but must be constructed of same material as the deck. Benches may not extend above the deck railing
5. **Stairs**. Stairs between decks or the rear yard are permitted but must be constructed of the same material as the deck and be contained within the location/extension area as described in paragraph 3.
6. **Lighting**. Lighting and their fixtures placed on or underneath decks must comply with Section 4 of the Covenants (related to projection of lighting beyond properties).
7. **Roofing/Screening**. No roofing, screening, or other permanent structures **such as screened in porches or sunrooms** may be constructed on, above, or under a deck. **Retractable awnings are permitted.**

B. **Fences**.

Material. Fences must be constructed of cedar, pressure-treated wood, or of a composite material used in the construction of fences (color of material shall resemble a natural wood tone). Fences constructed in a split rail fashion or of a chain link material shall be deemed unacceptable. This limitation does not apply to post footings, fasteners, or other supportive hardware.

Location. Fences may be placed along the extended common lot line (but not beyond the rear lot line), along or within the rear lot line, along or within the side yard lot building line of an end unit townhouse between the rear lot line and a point on the side yard lot line opposite (on a line parallel to the rear lot line) the rear corner of the fireplace flue. For end-unit townhouses, fences may be placed along a line parallel to the rear lot line between the front corner of the fireplace flue and the aforementioned point opposite that front corner of the fireplace flue. For end-unit townhouses without a fireplace, fences may not extend further than ten (10) feet beyond the rear corner of the townhouse toward the front corner. Fences may not be placed in front yards or in side yards to the front of the aforementioned line extending from the rear corner of the fireplace flue.

3. **Height**. Fences may not exceed seven (7) feet in height above finished ground level, the top 12” of which may be of open decorative trim. The top rail of the fence must follow the grade as established by the builder and the fence must extend to the ground.
4. **Type**. Fences must be of the double-slat (“privacy) type as originally installed by the builder.
5. **Gates**. Gates of similar construction to the fence are permitted. Gates must be of the same height, material, and type as the fence.

C. **Sheds**.

1. **Material.** Shed structure and enclosure must be constructed of wood with shingle roofing, pre-fabricated galvanized metal shed kits, or pre-fabricated plastic. Materials must be rustproof metals. The shed color must be specified in a letter to the Association prior to construction. This limitation does not apply to footings, sub floors, fasteners, hangers, supportive hardware, and interior accessories.
2. **Location.** Sheds must abut the privacy fence (as close to the townhouse as possible) or must abut the rear wall of the townhouse. Sheds may not extend further than rear lot line. Sheds are not permitted in side or front yards.
3. **Height.** The highest point of a shed may not be higher than the privacy fence.
4. **Size.** No shed may exceed 12 feet in its greatest dimension nor exceed 70 square feet in floor area.

D. **Fireplace Flues.**

1. **Material.** Fireplace flues for interior unit townhouses must be constructed of brick or exterior aluminum siding over frame. Fireplace flues for end unit townhouses must be constructed of brick or siding essentially identical to the material used in the sidewall.
2. **Other Characteristics.** Fireplace flues must conform, in location, height, and size, and other characteristics to the fireplace flues as originally installed by the builder.
3. **Fairfax County Building Permit.** A Fairfax County building Permit is required.

E. **Color Schemes.** All exterior features (siding, shutters, and any painted surface) shall conform to a "Williamsburg" color scheme. Any change in exterior color must be presented to the ACC for approval. "Williamsburg" colors shall be deemed all colors recognized by major paint and siding manufacturers as "Williamsburg" colors.

F. **Holiday Decorations, Exterior.** All exterior holiday decorations shall be removed one month after the observed holiday.

G. **Lawn Ornamentation, Front Yard.** Decorative items such as figurines, pinwheels, bird bathes or other items used for lawn ornamentation shall not exceed a total of 4 items. Planters and flower boxes are excluded from this provision.

H. **Storm Doors.** Doors should either match the color of the door trim or the color of the entry door itself. A letter to the ACC should specify the style and color of the proposed door.

IV. **Waivers.**

- A. This section sets forth those modifications and structures which ACC approval need not be obtained. *Part C* lists those items for which approval is not required.
- B. Those modifications not listed in *Part C* should not be considered prohibited, but rather subject to ACC review and approval.

C. **Waived Items.** Approval of the ACC is not required for the following items, but may, at the homeowner's option, be sought for clarification.

1. Installation of dead-bolt locks, door handles, or similar hardware on front doors.
2. Installation of 'peepholes' in front doors.
3. Installation of door knockers (no larger than 8 in its greatest dimension) on front doors.
4. Installation of doorbell buzzers or buttons on or near front doors.
5. Installation of intercom units near front doors.
6. Installation of garden hose hangers on the front or side walls of townhouses, no larger than 10" in depth and 24" in height, the lowest portion of which is no higher than 18" from the ground. Installation of garden hose hangers on the rear walls of townhouses, no part of which is installed on that portion of the rear wall, which is higher than the privacy fence.
7. Mailboxes of a type approved by the United States Postal Service (or any successor entity) for use on townhouses.
8. Repainting of exterior surfaces with the same color as originally installed by the builder.
9. Installation of shutters of the same type and color as originally installed by the builder.
10. Shrubbery, flowers, and plants in the front and side yards, so long as no shrub, flower, or plant exceeds 7 feet in height, so long as the provisions of Section 3 of the Covenants (related to vehicular traffic sight lines) are not violated, so long as no portion of a shrub, flower, or plant interferes with use of sidewalks and common areas, and so long as the portion of the front and side lawn from which grass is removed to plant shrubbery, flowers, and plants does not exceed 33 1/3% of the total grass area of the front and side lawns, where "side lawn" is that portion of the side yard of an end-unit townhouse which is to the front of the rear fireplace flue corner line described in paragraph 2 of Part B (related to fences) of Chapter III.
11. Shrubbery, flowers, and plants in rear yards of townhouses which are located inside that portion of a yard surrounded by a fence, so long as no shrub, flower, or plant extends in height above the privacy fence, so long as the provisions of Section 3 of the Covenants (related to vehicular traffic sight lines) are not violated, and so long as no portion of a shrub, flower, or plant interferes with use of common areas.
12. Shrubbery, flowers, and plants in rear yards of townhouses which are located between the townhouse and that line which connects the end of rite privacy fences (whether or not the fence as originally installed by the builder has been extended), so long as the conditions of paragraph 10 of this section are met.
13. Non-permanent planters, so long as they are not placed so as to interfere with use of sidewalks, curbs, and common areas, and so long as the conditions of paragraph 10, 11, or 12, whichever is applicable, are met.

14. Structures to support garden windows in the rear walls of “Rittenhouse” units which conform to the size, shape, and other characteristics of those originally installed by the builder, and which are of the same color as the color on the remaining portions of trim on the townhouse.