

**FAIR OAKS ESTATES  
HOMEOWNERS ASSOCIATION**

**Architectural Review Board**

**STANDARDS**

**Revised: October 2008**

FAIR OAKS ESTATES HOMEOWNERS ASSOCIATION  
Architectural Review Board Standards

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## HOW TO USE YOUR STANDARDS

- These standards have been developed in an effort to make it easier for you to comply with the architectural requirements and restrictions contained in the Declaration of Covenants, Conditions and Restrictions which forms part of your deed.
- You, the homeowner(s), are responsible for knowing the content of this document and applying these standards when proposing and making changes to your property and in keeping your property maintained to the community standards which you, as the homeowners in our neighborhood have specified. These standards change as the needs of the community change and as you the homeowners stipulate through a formal input, discussion, and ratification process. The Architectural Review Board (ARB) consists of volunteers appointed by the Fair Oaks Estates Homeowners Association (FOEHA) Board. The ARB represents the homeowners in the maintenance and interpretation of the standards in accordance with the governing documents. The ARB is accountable to you as members of the association through your elected FOEHA Board Members who appoint the ARB. The community welcomes all of those homeowners willing to represent their associations to serve on the ARB as space permits. You have agreed to be a participant in this process and to be subject to these standards for your property as part of your property closing agreement.
- The POLICIES AND PROCEDURES section runs from page 5 to page 10. You should read the whole section. Of particular importance, however, are the Restrictive Covenants, the ARB Review Procedures and the Enforcement Procedures
- The STANDARDS AND SPECIFICS section runs from page 11 through page 29. It outlines specific approval criteria, application contents, and criteria for improvements that do or do not require applications. To use this section, refer to the TABLE OF CONTENTS for the topic heading(s) that best relate to the category of improvement, modification or addition that you plan. Occasionally, you may have to use your judgment--for example: patios are covered under the section heading "DECKS AND PATIOS."
- The MAINTENANCE AND REPLACEMENT section beginning on page 30 discusses replacement of components and other maintenance of your property.
- If you need advice or extra forms, telephone, fax or email the Association Manager contact at the address listed in the ACORN Newsletter and in the Contact section of the web site ([www.foeha.org](http://www.foeha.org)).
- To file an Application Form, make a copy of the form included at the end of this document, or obtain an electronic copy from the Fair Oaks Estates web site: <http://www.foeha.org>. Complete the application following the directions on the form and refer to the appropriate directions listed in "STANDARDS AND SPECIFICS" section of the Standards.

PLAN AHEAD FOR YOUR PROJECTS. The FOEHA Architectural Review Board (ARB) is made up of your neighbors, supported by the Association Manager, who have volunteered to

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donate a generous amount of their time to administer these standards that protect your property values and enhance your community. We have the same pressures and demands that you do, and need time to process your applications. We will process your application as quickly as possible, and we will try to meet your construction schedule. However, applicants must allow at least 30 days for the ARB to process an application. Please understand that incomplete applications can further delay this approval as the ARB must meet to approve applications, typically on a monthly basis. The ARB will make reasonable attempts to get additional information for incomplete applications, but ultimately, it is the responsibility of the homeowner to review these standards and determine the required documentation for each type of request. ARB actions on incomplete applications are often delayed until the next ARB meeting.

## I. POLICIES AND PROCEDURES

### 1.1 OBJECTIVES OF FAIR OAKS ARCHITECTURAL STANDARDS

This document's overall objective is to serve members of the Architectural Review Board (ARB) and residents in the maintenance and enhancement of Fair Oaks Estates' carefully designed environment. The standards described in this document address improvements for which homeowners most commonly submit applications to the ARB. The specific objectives of this document are:

- a. To increase residents' awareness and understanding of the Covenants.
- b. To describe the organizations and procedures involved with the architectural standards established by the Covenants.
- c. To assist residents in preparing an acceptable application to the ARB.
- d. To provide uniform standards to be used by the ARB in reviewing applications in light of the goals set forth in the Covenants.

### 1.2 COVENANTS, CONDITIONS, AND RESTRICTIONS

The basic authority for maintaining the quality of design in Fair Oaks Estates is found in the Declaration of Covenants, Conditions, and Restrictions (CCR) which is a part of the deed to every property in Fair Oaks Estates. Article VII of the Covenants established the Architectural Review Board (ARB). The ARB is responsible for Covenant enforcement by reviewing proposed changes to ensure they are in compliance with the ARB Standards towards maintaining the high standards of design quality. This, in turn, protects property values and enhances the community's overall appearance.

Every Fair Oaks property owner should have received a copy of the Covenants at settlement. Since these Covenants [CCR Page 1] "run with the land," they are binding on all owners. They should be periodically reviewed and fully understood. Copies of the CCR can be obtained from the Homeowners Association and are posted on the web site ([www.foeha.org/rules](http://www.foeha.org/rules)).

### 1.3 RESTRICTIVE COVENANTS

The following section includes all of the applicable Restrictive Covenants from Article VI of the Declaration of Covenants, Conditions, and Restrictions. These Restrictive Covenants generally identify what architectural changes must have ARB approval and form the basis for these ARB Standards. The Restrictive Covenants also establish the authority for the ARB to enforce the maintenance and upkeep standards for each lot in addition to reviewing and approving architectural modifications and enhancements.

Article VI; Section 2. No clothing, laundry, or wash shall be aired or dried on any portion of the Lots in any area other than in the rear yards of the Lots.

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Article VI; Section 3. No tree, hedge or shrub planting shall be maintained in such a manner as to obstruct sight lines for vehicular traffic.

Article VI; Section 4. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done or placed thereon which may become an annoyance or nuisance to the neighborhood. Owners shall, at all times, maintain their property and all appurtenances thereto in good repair and in a state of neat appearance. Except for flower gardens, shrubs, and trees which shall be neatly maintained, all open Lot areas shall be maintained in lawns or other materials approved by the Architectural Review Board. All lawn areas shall be kept mowed and shall not be permitted to grow to a height in excess of four (4) inches.

Article VI; Section 5. No sign of any kind that is illuminated and/or larger than two (2) square feet shall be displayed to the public view on any Lot, except temporary real estate signs not more than four square feet in area advertising the property for sale or rent and except as provided in Paragraph 1(a) above. All signs advertising the property for sale or rent shall be removed within three (3) days from the date of execution of any agreement of sale or rental.

Article VI; Section 7. Trash and garbage containers shall not be permitted to remain in public view except on days of trash collection. No accumulation or storage of litter, new or used building materials, or trash of any other kind shall be permitted on any Lot.

Article VI; Section 8. No person shall paint the exterior of any building a color different than the original color of said building without the proposed color having been approved by the Architectural Review Board.

Article VI; Section 9. The exteriors of all structures, including walls, doors, windows and roofs shall be kept in good maintenance and repair. No structure shall be permitted to stand with its exterior in an unfinished condition for longer than six (6) months after the commencement of construction. In the event of a fire, windstorm or other damage, the exterior of no structure shall be permitted to remain in a damaged condition for longer than three (3) months.

Article VI; Section 10. No structure or addition to be a structure shall be erected, placed, altered or externally improved on any Lot until the plan and specifications, including elevation, material, color and texture and a site plan showing location of improvement with grading modifications, is filed with and approved in writing by the Architectural Review Board.

Article VI; Section 11. All fences or enclosures must be approved by the Architectural Review Board as to location, material and design. Any fence or wall built on any lots shall be maintained in a proper manner so as not to detract from the value and desirability of surrounding property.

Article VI; Section 12. No exterior television or radio antenna of any sort shall be erected or maintained on any Lot without the written consent of the Architectural Review Board.

Article VI; Section 13. No junk vehicles, recreational vehicles, house trailers, or commercial or industrial vehicles such as, but not limited to, moving vans, trucks, tractors, trailers, vans,

wreckers, hearses, buses, boats, boating equipment, travel trailers or camping equipment, shall be regularly or habitually parked within the boundaries of the subdivision, except in the areas designated by the Association.

## 1.4 ARB PROCEDURES

### 1.4.1 APPLICATIONS

A generic Application Form is included at the end of this document. General instructions are included, but the Homeowner must refer to the appropriate section of the ARB Standards to obtain the specific requirements for the Application. The Application Form was not designed to be completed without referring to the ARB Standards. These Standards are updated periodically. Note: If structures (e.g., sheds, fences, landscaping) are being replaced, the replacement(s) must be in accordance with the latest version of the Standards.

ARB approval is not limited to major alterations such as adding a room or deck, but may include changes in color and materials, or when an existing item that had previously been approved by the ARB is to be removed. For any exterior change in construction or appearance, including landscaping, that is not covered specifically in these Standards; the homeowner is required to contact the Association Manager to ascertain whether ARB approval of the change is required.

A site plan is required for many applications. A site plan is a scaled drawing of your lot or smaller site which shows dimensions of the property, adjacent properties if applicable and all improvements covered by the application. Contour lines may be required where drainage is a consideration. A base for single applications can be the plat provided when you purchased your home. More complex applications may require larger scale blowups of the plat plan.

Application content requirements are explained under each of the sections in this document. The Application Form calls for information helpful to the ARB, including any additional information, which may be useful in determining the scope and detail of the proposal. Under all circumstances, the signatures indicating awareness of the affected neighbors must be supplied. The signatures shall include those who are most affected because they are adjacent and/or have a view of the change. Lot numbers for neighbors signing the application will be checked against a master plot plan to verify that all significantly affected homeowner signatures are included.

Under no circumstances should an ARB application or approval be confused with a County building permit. The Homeowner must apply for building permits and conform to all Governmental building codes. The Fairfax County Zoning Ordinance is online at:

<http://www.fairfaxcounty.gov>

Applications and enclosures should be mailed, emailed or faxed to the FOEHA ARB's professional management representative as listed in *THE ACORN* newsletter and in the contacts section of the FOEHA web site ([WWW.FOEHA.ORG](http://WWW.FOEHA.ORG)). The ARB's professional management representative will retain and file the Application. If requested, all of the attachments and a copy of the Application will be returned to the applicant after ARB action has been taken. In any case, a letter indicating the ARB action will be mailed to the applicant.

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#### 1.4.2 *REVIEW PROCEDURES*

Each application will be checked for complete information by the Association Manager. The ARB will then review applications. During scheduled meetings, the ARB will hear comments of all interested parties for any application. The approval or disapproval will be given and notice sent within 30 days of receipt. Applications that provide insufficient information will be returned and must be resubmitted for approval. The original application and attachments will be stored in ARB files under the street address of the home.

An Appeals procedure exists for those who feel that any of the following circumstances occurred which affected the application approval process:

- a. Proper procedures were not followed during the administration and review process.
- b. The applicant and any other affected residents attending the meeting were not given a fair hearing.
- c. The ARB decision was arbitrary, and had no rational basis.

In order to initiate the appeals procedure, applicants must submit to the Association Manager a verbal request for an appeal within two business days of receiving the ARB decision, followed up with a written request within five working days. Other affected residents must submit in writing to the Association Manager their concerns with the proposed change two business days prior to the next scheduled ARB meeting. The Board of Directors will review these cases and may hold a hearing.

#### 1.4.3 *ARB REVIEW CRITERIA (USED WITH STANDARDS AND SPECIFICS)*

The ARB evaluates all submissions on the individual merits of the application. Besides evaluation of the particular design proposal, this review includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be suitable for another home.

Design decisions made by the ARB in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria, which represent, in more specific terms, the general standards of the Covenants.

- a. Validity of Concept. The basic idea must be sound and appropriate to its surroundings.
- b. Design Compatibility. The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

c. Location and Impact on Neighbors. The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage.

d. Scale. The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.

e. Color. Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house, such as roofs and trim, should be compatible in color.

f. Materials. Continuity is established by use of the same or similar compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, vertical wood siding on the original house should be reflected in an addition. On the other hand, an addition with vinyl siding may be compatible with a brick house.

g. Workmanship. Workmanship is another standard that is applied to all exterior alterations. The quality of work should be equal to, or better than that, of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.

h. Timing. Projects, which remain uncompleted for long periods of time, are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If such time period is considered unreasonable, the ARB may disapprove the application. Once construction starts, completion must occur within 6 months unless an extension has been granted by the ARB. [CCR Article VI, Section 9].

#### 1.4.4 ENFORCEMENT PROCEDURES

The Covenants (Article VII, Section 5) require the ARB to insure compliance of all lots with the architectural standards. Sources of non-compliance reporting may include the following: ARB committee members, designated representatives of a management support contractor, FOEHA directors, or concerned homeowners. The Board of Directors has adopted the following enforcement procedures:

1. All non-compliance will be confirmed by a site visit by a member or members of the ARB or its designated professional representative.
2. An attempt will be made to contact, by telephone, the resident in violation. If the resident cannot be reached, a postcard or letter will be sent requesting that the resident call the designated representative as soon as possible concerning the violation. (In those cases involving violations which will increase in severity with the passage of time, a violation notice will be sent immediately by certified mail.)

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3. If, within 15 days, no contact has been made and the violation has not been corrected, a non-compliance notice will be sent. If there is still no response after another 15 days and the violation has still not been corrected, a second notice will be sent by certified mail.
4. After another 15 day period with no contact or no violation correction, a notice will be sent (again by certified mail) informing the resident of the time and place of a hearing by the ARB on the case.
5. If the case is not resolved during the hearing, it will be turned over to the Board of Directors with a recommendation for administrative or legal action.

#### *1.4.5 AMENDMENTS TO THE ARCHITECTURAL STANDARDS*

These Standards may be amended. It is anticipated that the changes will involve clarification rather than substantive modification of the existing Standards. They may also be amended to reflect changed conditions or technology.

The ARB will periodically evaluate of the Standards to determine if amendments are required. Owners should also submit to the ARB requests for additions or changes to the Standards. The actual amendment proceedings will involve public discussions and review by the residents and shall be adopted, as were the original Standards by the Board of Directors.

## II. STANDARDS AND SPECIFICS

### 2.1 GENERAL STANDARDS

Applicants must provide all of the applicable information that is listed on the application forms. Please refer to the appropriate part of the following STANDARDS AND SPECIFICS section to obtain specific additional requirements for the application. Applications will be reviewed by the ARB based on the ARB REVIEW CRITERIA (page 5 and 6) as well as conformance to the STANDARDS AND SPECIFICS listed below.

### 2.2 ANTENNAS

[CCR Article VI, Section 12]

#### 2.2.1 *GENERAL STANDARDS*

No antennas of any kind may be installed on Common Ground.

Standard Television Antennas. Interior antennas are strongly encouraged. Exterior antennas (excluding satellite and microwave dishes) are not generally permitted. For cases in which the homeowner can show cause why cable or satellite reception or the use of an interior antenna is not suitable, the antenna should be mounted on the chimney not to exceed 12 feet above the ridge line of the roof. Homeowners are responsible for removing old antennas that are no longer being used.

Satellite Antennas. Satellite dishes not exceeding one meter (approx. 39 inches) in diameter shall be permitted. Dishes should be located to minimize the impact on the home by locating them below the roof peak, generally at the back of the home or on a chimney, and safely away from electrical lines and other utilities. Ground level installations will be screened with landscaping. If the location must be in the front of the house for reception, then all effort must be made to screen the antenna from view from the street.

#### 2.2.2 *APPLICATION CONTENTS*

All applications require a plan showing a proposed first and second alternative location of the antenna, size and visual characteristics of the antennae or dish, and plans for screening if necessary.

### 2.3 AIR CONDITIONERS, EXTERIOR UNIT

#### 2.3.1 *GENERAL STANDARDS*

Air conditioning units extending from windows will not be approved, except when needed to effect cooling while main air conditioning repairs are taking place, up to a maximum of 60 days. Existing exterior units may be replaced or relocated to the back or side of the house. Units shall be oriented to not discharge hot air onto neighbors' property.

## 2.4 ATTIC VENTILATORS

[CCR Article VI, Section 10 & 8]

### 2.4.1 *GENERAL STANDARDS*

Roof location shall be on the least visible side of the ridgepole. Attic ventilators and turbines meeting these requirements are not considered by the ARB to be an alteration or improvement to the structure and an application is not required.

## 2.5 CHIMNEYS AND METAL FLUES

[CCR Article VI, Section 10]

### 2.5.1 *GENERAL STANDARDS*

Large metal flues and chimney caps and any vent through the roof should be painted to match the roof color or trim as appropriate or be made of stainless steel. Chimneys must be masonry or enclosed in the same material as the exterior of the building.

### 2.5.2 *APPLICATION CONTENTS*

All applications require the following additional information:

- a. Site plan showing the relation of chimney/flue to the house, property line and adjacent neighbors.
- b. Description and/or detailed drawing of chimney/flue to include color, dimensions, and the color of the house.
- c. Description of chimney materials. If brick is being used and there is brick already on the house, then the brick color/pattern must match.

## 2.6 CLOTHESLINES

[CCR Article VI, Section 2]

### 2.6.1 *GENERAL STANDARDS*

All permanent clotheslines require an application except clotheslines that are de-mountable and removed within 60 days. All clotheslines should be located in the back of the house or a location that is least visible from the street.

## 2.7 COMPOST BINS

[CCR Article VI, Sections 7 & 10]

### 2.7.1 *GENERAL STANDARDS*

All compost bin enclosures must be approved by the ARB. Compost piles must be enclosed in a wooden outside frame with wire or block interior. Compost bins should not exceed four (4) feet

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in height, width or depth and must be located in the rear of the house and must be screened from sight.

Failure to maintain a satisfactory compost bin, to the point at which the compost bin becomes a public nuisance, shall indicate an abandonment of the compost bin and a violation of these Standards.

### *2.7.2 APPLICATION CONTENTS*

All applications require the following additional information:

- a. Site plan showing relation of the compost bin to the house, property line and adjacent neighbors.
- b. Detailed drawing of the compost bin structure to include all dimensions and the screen-planting plan.
- c. Description of all materials used.
- d. A screening plan which demonstrates the bin is screened from roads or any neighbor's sight.

## 2.8 DECKS AND PATIOS

[CCR Article VI, Sections 10 & 8]

### *2.8.1 GENERAL STANDARDS*

Decks and patios should generally be located in rear yards. Front and side locations will be evaluated on their individual merits, including landscape-planting scheme to soften impact and integrate structures into the yard. The scale of decks and patios must not overwhelm the house. Continuity with the structural and architectural lines of the house is of primary importance. A natural path from doorway to steps to yard should be considered in the design.

Railing should be in keeping with the country or colonial architectural style prevalent in the neighborhood. Railings must meet County code.

When covering decks with a roof, the roof covering, and eaves should be identical to the home. Slope should be compatible with the house roof. Screening frames should be sturdy and permanent in design.

When patio or deck schemes include other exterior changes, such as fencing, lights, plantings, etc., other appropriate sections of these Standards should be consulted prior to application. Hot tubs are allowed on decks, if properly installed according to County codes, and should be shown on the application.

Raised decks include an under deck area which may have a visual impact on neighbors in the surrounding area. When using the area under a deck area for storage, a neat, uncluttered

appearance is required to be maintained. Special under deck storage screening (e.g. wood lattice) or landscaping is required when storage is expected.

If changes in grade or other conditions that will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected.

### 2.8.2 *MATERIALS AND COLOR*

Materials should have natural weathering qualities as do brick, wood, and stone. Wood in decks should be of a natural wood color or match the trim and/or dominant color of the applicant's house. Certain kinds of wood such as redwood, cedar, and pressure-treated pine may be left to weather naturally, but should be sealed with waterproofing to extend the life of the wood. Composite materials may be used, providing that they are either wood color or a color complementary to the home's existing color scheme. Screen may be plastic or metal, and should be non-reflective. Hot tub skirting should be of a color compatible with the colors of the home or deck.

### 2.8.3 *APPLICATION CONTENTS*

All applications should include the following additional information:

- a. A site plan, showing the size of the patio or deck, and its location as it relates to the applicant's house, doors, paths, fences, adjacent houses, and property lines.
- b. Drawings showing the size and style of the deck, pattern of floor, benches, hot tubs, planters, etc. Show plan and section views (from above and side).
- c. The color of the deck and major components. State if the color of the deck matches the color of the house or the trim. If deck does not match house or trim, specify color of house, trim, and proposed deck and attach color chips.
- d. Dimensions and detail drawings of railings, posts, stairs, steps, benches, and other details as required to be clearly described the proposal. Include height of deck off the ground. (Note: Fairfax County requires (as of the approval date of this guide) that a railing must be 36" in height if deck is more than 24" off the ground. Please check with Fairfax County for the latest requirements.)
- e. Details of changes to windows and doors, if applicable.
- f. For decks above 4 ft. off the ground, indicate whether the under-deck area will be used for storage. If so, a landscaping or screening plan must be submitted.
- g. For decks 4 ft. or less off the ground, indicate the type of screening and or landscaping to be used. For ground level patios, a description of materials, color, grading, and drainage.
- h. A landscape plan.

## 2.9 DECORATIVE OBJECTS, EXTERIOR

[CCR Article VI, Section 10 & 7]

### *2.9.1 GENERAL STANDARDS*

Generally, exterior decorative objects should be limited to the backyard. Approval will be required for all permanently mounted decorative objects including natural and man-made objects. Materials such as rock, brick, and wood should be local in origin (or composite material with similar characteristics) and should be left to their natural color.

Exterior decorative objects include such representative items as wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, freestanding poles of all types, and items attached to approved structures.

### *2.9.2 APPLICATION CONTENTS*

All applications require the following additional information:

- a. Site plan showing the relation of object to house, property line and adjacent neighbors.
- b. Picture and/or detailed drawing of object to include dimensions.
- c. Color and material of object.

## 2.10 DOGHOUSES AND RUNS

[CCR Article VI, Sections 10 & 11]

### *2.10.1 GENERAL STANDARDS*

Doghouses should be compatible with the applicant's house in color and material, and should be located where they will be visually unobtrusive. See the Storage Shed criteria for the construction standards and specifics.

Any visible dog run shall meet criteria in the Fencing section.

### *2.10.2 APPLICATION CONTENTS*

All applications require the following additional information:

- a. Site plan showing the relation of dog house/run to house, property line, and adjacent neighbors.
- b. Picture and/or detailed drawing of dog house/run to include dimensions.
- c. Description of materials used. Describe color of house and doghouse.
- d. Landscape plans to complement and/or screen the dog house/run.



## 2.11 FENCES

[CCR Article VI, Section 11]

### 2.11.1 *GENERAL STANDARDS*

Fence height should not be greater than necessary for its intended use since fencing can have a significant impact on adjoining properties and open space. New fencing or replacement of existing fencing must be an "open" type and must not exceed four (4) feet in height, except when a fence of greater height is required by County regulations. Sections of an existing fence of greater than 4 feet and not greater than 25% of the total fence can be repaired in a 12 month period without application, but if more than 25% of the total fence is replaced it is considered a new fence and must not exceed four (4) feet in height, unless the County requires a higher fence. Chain link fencing is not acceptable. Wire mesh screening used to increase security as part of an 'open fence' will be considered. The wire mesh must be attached on the inside of the fence, and not extend above the top rail. Approval may be contingent upon supplemental landscaping.

Planting schemes can be integrated with all fencing to soften the visual impact. Front yard fences are not allowed. Fences, which appear to be in a neighbor's front yard due to lot configuration, must be landscaped.

### 2.11.2 *MATERIALS AND COLORS*

Fencing and gates should be compatible with materials and colors of the applicant's house and the prevailing materials of adjacent houses. Fencing should match or blend with existing adjacent fencing. Continuity of texture and the scale of materials should be considered. In many cases, fencing may be left to weather naturally. In houses with wood siding and strongly expressed wood trims, the greatest continuity is often achieved through matching or relating a wood fence to the trim. Vinyl/composite fences, of a wood-appearing color will be considered. Painted vinyl/composite fences are prohibited.

Fencing should relate to the principal architectural feature of the house in design, location and the way in which it connects to the existing house. Gates should be compatible to fencing in design and height. Fencing that is finished on one side only must be constructed with the finished side facing out.

### 2.11.3 *SUMMARY PRINCIPLES*

- Fencing should never visually compete with or dominate a house.
- Fencing within a given street, cul-de-sac, or visual area should be of a consistent family or style.
- Fencing should respect open space frontage.
- Planting should be considered an integral part of any fencing scheme.

#### 2.11.4 *APPLICATION CONTENTS*

All applications should include the following additional information:

- \* Fence height, style and color, with a drawing or picture. If a fence of a height greater than four (4) feet is proposed, appropriate County requirements dictating a greater height must be cited.
- \* Site plan which shows the relationship of the fence to adjacent houses, open spaces, and exact relationship to property lines.
- \* Architectural style and color of house.
- \* Types and colors of other adjacent fences.
- \* Landscaping plans to complement and/or screen the fence.

#### 2.12 FLAGPOLES

[CCR Article VI, Section 10]

##### 2.12.1 *GENERAL STANDARDS*

Permanent flagpoles should be of a height, color, and location that is appropriate for the size of the property and background. Permanent freestanding flagpoles must be installed and maintained in a vertical position. Display of the United States Flag must be in accordance with the nationally accepted standards. (See Title 4 US Code) Temporary flagpole staffs, that do not exceed six (6) feet in length and are attached to the front wall or pillar of the house do not require an application. Use of flags should be limited to non-commercial usage.

##### 2.12.2 *APPLICATION CONTENTS*

All applications require the following additional information:

- a. Site plan showing the relation of pole to the house, property line and adjacent neighbors.
- b. Picture and/or detailed drawing of pole to include dimensions.
- c. Description of material and color of flagpole.
- d. Plan for display, including lighting if at night, number of flags, and dimensions of Non-US flags.

#### 2.13 GARAGE DOORS

See MAINTENANCE section

##### 2.13.1 *GENERAL STANDARDS*

Replacement garage doors should conform to the general design and color scheme of the home. Doors that are an exact replacement in style and color do not need ARB approval. Conversion of

a garage into living or storage space is considered a major alteration (see MAJOR ALTERATIONS section) and requires an ARB application.

#### 2.13.2 *APPLICATION CONTENTS*

All applications require the following additional information:

- a. Description of the style of the door(s) with a picture, sketch showing the style, and placement of windows (if applicable).
- b. Description of door color and colors of the existing house and trim colors

### 2.14 GUTTERS AND DOWNSPOUTS

[CCR Article VI, Section 8]

#### 2.14.1 *GENERAL STANDARDS*

Replacement gutters and downspouts will match existing house trim. Replacement gutters or downspouts in the same color and design as those being replaced, are not considered by the ARB to be an alteration or improvement to the structure and do not require an application. Other modifications that impact the appearance of gutters and downspouts require an application. This excludes most gutter covers.

#### 2.14.2 *APPLICATION CONTENTS*

- a. Description of the color of the replacement gutter and downspouts and the color scheme of the existing home, including trim and shutters.

### 2.15 GRILLS, PERMANENT

[CCR Article VI, Section 10]

Permanent grills must be placed in the rear of the house and should not be located within ten (10) feet of the side and rear property lines.

#### 2.15.1 *APPLICATION CONTENTS*

All applications require the following additional information:

- a. Site plan showing the relation of the grill, house, property line and neighbors.
- b. Picture and/or detailed drawing of grill to include dimensions, materials, and colors used.

### 2.16 HOUSE NUMBERS

[CCR Article VI, Section 10]

#### 2.16.1 *GENERAL STANDARDS*

House numbers are required by Fairfax County law and must be visible and readable from the street and must be mounted to the house. They should be of a size which is appropriate for the

applicant's house. In certain cases, decorative house numbers will be accepted depending upon location.

House address numbers painted on the curb in reflective white with a black background are recommended for emergency identification. This does not require an application. House numbers less than eight (8) inches height are not considered by the ARB to be an alteration or improvement to the structure and do not require an application.

Installation of ground level solar-powered lighted house number signs under two (2) square feet do not require an application.

#### *2.16.2 APPLICATION CONTENTS*

All applications require the following additional information:

- a. Picture and/or detailed drawing of house numbers to include dimensions.
- b. Architectural style and color of house and house numbers.
- c. Description of materials used on house numbers.
- d. Proposed location on house.

### 2.17 LANDSCAPING & VEGETABLE GARDENS

[CCR Article VI, Sections 3 & 4]

#### *2.17.1 GENERAL STANDARDS*

Landscaping and yards are considered a part of the Fair Oaks Estates community and these Standards apply to alterations in landscaping. Landscaping should be designed with the total yard in mind. Distances of plantings at maturity must be considered between plantings and to the sidewalk, house driveway, street, and most importantly, the neighbors' property. Trees and shrubs must not extend into a neighbors property.

Planting and maintenance of trees and shrubs should never obstruct sight and movement required for pedestrian and vehicular traffic. The views of neighboring units and shade patterns of larger trees should always be considered. Trees should not deposit fruit, pods, or other material on a neighbors' property. Care should be taken to maintain the appearance of trees and shrubs. Storm damaged trees that are clearly on a homeowner's property, which present safety issues for the community should be promptly addressed. Trees used for screening should not extend into a neighbor's yard or onto common ground. Adult size of plants should be considered when planting near property lines or public right-of-ways. The property owner will be responsible for roots and limbs that extend into neighbors yards and must remove them when requested.

Other garden materials such as bird baths, sundials, statues, rocks, waterfalls, ponds, walls and other structures should be integrated into the landscape and not visually focus inordinate attention away from the house, which should remain the lot's main feature from the street. See DECORATIVE OBJECTS, EXTERIOR section.

**Revised: October 2008**

Vegetable gardens must be located in the rear yard and must not exceed 20% of the total area of the rear yard.

Gardens must not alter drainage onto nearby property.

The following plantings, gardens or landscaping require an application:

- a. Hedges more than two (2) feet high or other features which in effect become structures, fences or screens.
- b. Trees or shrubs planted within six (6) feet of a property boundary.
- c. Railroad ties, garden timbers, rock, brick or other retaining/decorative walls over twelve (12) inches high.
- d. Rock gardens, if a rock, or collection of rocks, exceed 24 inches in any direction.
- e. Large flower gardens, exceeding 75 sq. feet, located in the front yard and are not contiguous with, or adjacent to trees, a foundation or other landscaping feature.

Care should be exercised in selecting plant materials that, upon maturity, will be of an appropriate size in height and breadth for their intended use and location. Mature size, both in height and diameter, should always be considered, especially when planting close to walkways and houses. A mix of evergreen and deciduous plant materials is suggested. Perennial or annual gardens are acceptable, as are any colors of flowering plants.

Consideration should be given to the effect which planting will have on shade and views from neighboring houses and property. Massing, the three-dimensional appearance of plants, may be improved by augmenting trees and taller shrubs with low spreading shrubs and/or ground cover. Mulch and edging are recommended around most plantings when groundcover is not used. Edging should be durable and visually non-intrusive. Spaded edging (dug into lawn) is preferred. Additional guidance impacting landscaping is contained in the MAINTENANCE section.

#### *2.17.2 APPLICATION CONTENTS*

A completed application requires the following additional information:

- a. Include a site plan with the location of gardens, walls, or other significant plantings and information on landscaping plans and any grading changes.
- b. A description of the types and sizes (including anticipated maximum full-growth sizes anticipated) of shrubs to be planted and a site plan showing the relationship of plantings to the house and adjacent dwellings. Owners will be responsible for trimming plants to maintain these designated sizes.
- c. Dimensions of vegetable, flower or rock gardens.

**Revised: October 2008**

## 2.18 LIGHTING, EXTERIOR

[CCR Article VI, Section 10]

### 2.18.1 *GENERAL STANDARDS*

No exterior lighting shall be directed outside the applicant's property. Light fixtures that are proposed in place of the original fixtures should be compatible in style and scale with the applicant's house. Original lighting must not be changed without ARB approval. Applications for exterior lighting should include wattage, height of light fixture, type of illumination, and location on the property.

Installation of ground level solar-lighted house number signs under two (2) square feet do not require an application. Installation of solar- or low-wattage ground level walkway lighting does not require an application, unless its installation is part of a major landscaping change (See Section on LANDSCAPING & VEGETABLE GARDENS).

Seasonal holiday lights must be removed within thirty (30) days after the holiday.

## 2.19 MAILBOXES

[CCR Article VI, Section 8]

### 2.19.1 *GENERAL STANDARDS*

Mailboxes are a functional necessity and not considered to be a structural alteration or improvement. An application to replace or modify a mailbox is not required when there is not a significant design change or the size is standard for the neighborhood.

Since they are usually in a prominent location, they should be straightforward in design and mounted on simple posts. They should be located so as not to obstruct sight lines in accordance with postal regulations. No part of the post or support should extend into the or over the sidewalk, or pose a safety hazard to bicycles or other pedestrians. Names and/or street address may be marked on the mailbox. Mailboxes and posts must be maintained in a near vertical position. Mailbox posts leaning more than twenty (20) degrees off the vertical must be repaired or replaced.

Whimsical or other highly decorative mailboxes and/or posts are not permitted.

Posts should be painted or stained a dark earth tone, black or white. Composite materials which match the same color requirements are allowed. Seasonal decoration of mailboxes is acceptable, but holiday decoration must be removed within thirty (30) days of the holiday.

## 2.20 MAJOR ALTERATIONS

[CCR Article VI, Section 10, 8, & 7]

### 2.20.1 *GENERAL STANDARDS*

Major alterations are generally considered those which substantially alter the existing external structure either by subtraction and/or addition. Major building alterations include, but are not limited to, construction of garages, carports, large-scale structural modifications (with new color or design), porches, rooms, and other additions or conversions to a home.

Major alterations should be compatible in design, scale, materials, and color with the applicant's house. The size of the alteration relative to the lot size will be considered during review of the application. Roofs of additions must match the slope, color and material of the existing house.

The location of major alterations should not impair the views or sunlight and natural ventilation on adjacent properties. Additions should not be higher than the highest point of the house.

New windows and doors should match the existing type and be located to relate well to the location of other exterior openings and overall design of the house.

Changes in grade, or other conditions that will affect drainage must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction. No debris may be allowed to accumulate during construction. A debris receptacle is allowed to be stored in the driveway or directly in front of the property during active construction. It should be removed promptly at the end of active construction or during extended delays in construction.

The ARB must be notified in writing at the completion of the project. Any non-implemented changes must be noted.

### 2.20.2 *APPLICATION CONTENTS*

All applications should include the following additional information:

- a. Site plan showing location of proposed structure, and relationship to property lines and adjacent houses.
- b. Detailed drawings and plans including exterior elevations and dimensions. Changes in grade, or conditions that will affect drainage must be indicated.
- c. Description of materials including siding on dwelling and proposed structure, color of proposed structure, trim, roof and exterior lighting arrangements.
- d. It is suggested that the final application be a duplicate of those documents which are to be submitted to Fairfax County for a building permit.

2.21 PAINT, EXTERIOR  
[CCR Article VI, Section 8]

*2.21.1 GENERAL STANDARDS*

Applications are not required to repaint or re-stain a dwelling, or part of a dwelling, to match its original color. Color changes to siding, doors, shutters, trim, roofing, and other structures require an application. All painting must be completed within 6 months of initiation. When contemplating exterior color changes, the following criteria should be followed:

- There normally should be no more than three different colors on one home. A fourth color may be acceptable for a special architectural feature or for the front door.
- Bright or unusual colors should not be used (e.g., purple or orange shutter colors will not be approved, nor would extremely bright colors).
- Siding and trim should be matched or slightly contrasting (e.g., cream/white, light blue/white).
- Siding and trim colors must complement the roof color.
- Adjacent properties must be considered when contemplating a color change, to avoid a “cookie cutter” appearance (e.g., two or three homes side-by-side with white siding, black shutters and black roofing).

*2.21.2 APPLICATION CONTENTS*

All applications require the following additional information:

- a. List and sample of all exterior colors on the house.
- b. A color sample of the new color to be used.
- c. Color schemes of adjacent houses.

2.22 REAL ESTATE SALES/RENT, POLITICAL, AND COMMERCIAL SIGNS  
[CCR Article VI, Section 5]

*2.22.1 GENERAL STANDARDS*

Temporary real estate signs are not considered by the ARB to be an alteration or improvement to the structure and do not require an application, but must be no larger than four (4) square feet in area and must be removed within three (3) days of execution of sale or rental agreement.

Political or election-related signs less than four (4) square feet are permitted without an application and must not be displayed more than sixty (60) days and must be removed within three (3) days after a sanctioned election.



Commercial signs advertising businesses, services, etc. are not permitted. The only exception is: one home improvement company sign (handyman, painting, window replacement, etc.) less than two (2) square feet can be displayed only during the active phase of the home improvement work and only in the yard of the house under improvement. No application is required for these temporary home improvement signs.

Any other signs must be approved by the ARB and cannot exceed two (2) square feet in area.

## 2.23 RECREATION & PLAY EQUIPMENT

[CCR Article VI, Section 10]

### *2.23.1 GENERAL STANDARDS*

Play equipment includes play structures, swings, basketball goals, trampolines, sport goals and other permanent and semi-permanent equipment.

Such equipment must not be placed on common ground, must be placed in rear yards (except basketball goals) and must not be visible from the street. Consideration will be given to lot size, equipment size and design, location, visual screening (or landscaping), and the cumulative effect of multiple pieces of equipment.

Basketball goals must not be mounted on top of house or garage roofs. Portable basketball goals are preferred and do not require an application. Permanent pole-mounted basketball goals will require an application.

Portable basketball goals must be used and stored solely on the homeowner's lot. In accordance with the Virginia Department of Transportation (VDOT), portable basketball goals are not allowed to be placed in the street for use or storage.

### *2.23.2 MATERIAL AND COLOR*

Play equipment constructed of pressure-treated wood or durable plastic/composite is encouraged. Metal play equipment, exclusive of the wearing surfaces (slide, poles, climbing rungs, etc.), and free standing poles should be painted dark earth tones to blend with the natural surroundings or, if located adjacent to a dwelling or fence, painted to match the background or screening structure.

### *2.23.3 APPLICATION CONTENTS*

All applications should include the following additional information:

- a. Site plan showing relation of proposed play equipment to adjacent property lines, applicant's house and adjacent houses.
- b. Photograph and/or sketch of proposed play equipment.
- c. Description of colors and materials.
- d. A landscape plan, if a large structure is proposed.

## 2.24 ROOFING AND SIDING [CCR Article VI, Section 9]

### *2.24.1 GENERAL STANDARDS*

Replacements of roofing and siding materials of the same color and similar material are not considered by the ARB to be an alteration or improvement to the structure and do not require an application. Changes from a rectangular shingle to same-color architectural style (shake-look) asphalt shingle or changes of siding from aluminum to vinyl, or vice versa, also do not require an application. Any other changes to size, shape, texture, color, style, pattern, or material require an ARB application.

### *2.24.2 APPLICATION CONTENTS*

A completed application requires the following additional information (as appropriate):

- a. Photo or sample of the new roofing or siding material. Please provide a sample, photo, or color chip of existing material.
- b. Explanation of extent of work (complete or part of roof).
- c. Colors of roofing, siding, and trim of adjacent homes.
- d. If the proposed modification includes solar panels, skylights, or similar devices a diagram showing the location and size of the device and indicate the type of material and color of the framing.

## 2.25 SIDEWALKS AND PATHWAYS

[CCR Article VI, Section 10]

### *2.25.1 GENERAL STANDARDS*

Sidewalks and pathways that are flush to within one inch of the ground, do not exceed four feet in width, and run between the front door/porch and the driveway are not considered by the ARB to be an alteration to the structure and do not require an application. Sidewalks and pathways that do not meet the criteria require an approved application prior to construction. If using brick, type should blend with that on the house. Dirt paths are not permitted.

### *2.25.2 APPLICATION CONTENTS*

A completed application requires the following additional information:

- a. Site plan showing the exact location of pathway or sidewalk.
- b. Materials to be used including color.
- c. Method of installation plus a description of grading changes required, if any, and the resulting impact on neighbors.

## 2.26 STORAGE/PARKING OF BOATS, TRAILERS, CAMPER, MOBILE HOMES OR RECREATIONAL AND COMMERCIAL VEHICLES

[CCR Article VI, Section 13]

### 2.26.1 *GENERAL STANDARDS*

No recreational or commercial vehicle may be parked regularly or stored in open view on residential property, public or private streets, or on open space.

The Covenants (Article VI, Section 13) state the following about "recreational vehicles":

“No junk vehicles, recreational vehicles, house trailers, or commercial or industrial vehicles such as, but not limited to, moving vans, wreckers, hearses, buses, boats, boating equipment; travel trailers, or camping equipment, shall be regularly or habitually parked within the boundaries of the subdivision, except in the areas designated by the Association.”

These standards define “regularly parked” as stated in Article VI, Section 13 of the Covenants as parked longer than three (3) consecutive days.

These standards define “habitually parked” as stated in Article VI, Section 13 of the Covenants as parked two (2) or more times within a thirty (30) day period.

Prior approval for exceeding the above limits must be approved in writing by the ARB.

Standard passenger vehicles are allowed with removable commercial signage as long as signage is removed whenever the vehicle is parked within the subdivision of Fair Oaks Estates.

The following vehicles shall be treated in the same manner as recreational vehicles:

- a. Any vehicle that is included in Fairfax County code Chapter 112 as being defined as commercial.
- b. Any vehicle that has visible commercial signs, advertising or commercial equipment (such as ladders or ladder racks).
- c. Any private or public school or church bus.
- d. Any vehicle of a size greater than can fit in the home owner’s garage.

## 2.27 STORAGE SHEDS

[CCR Article VI, Section 10]

### 2.27.1 *GENERAL STANDARDS*

The design of a storage shed is directly related to its location. The shed should be designed to appear as part of the house/fence/landscape theme and may be part of a gazebo, deck, or other outdoor improvement.

The shed must be designed to respect the visual rights and aesthetics of neighboring properties.

While sheds must provide sufficient volume for their intended use, they must be appropriate to the size of the property and architecturally compatible with the applicant's house and adjacent houses and must not be larger than eight (8) feet by ten (10) feet in horizontal dimensions and must not exceed ten (10) feet in height

For convenience, sheds have been placed into three categories based upon the shed's relationship to the house.

#### 1. Attached to the House or Deck (Preferred)

The architectural design of the shed should be compatible with the design of the house; that is, same materials, same color scheme, same roof pitch, same detailing. The finish materials used for the shed must be the same as the exterior finish of the house. The color scheme must be the same as that on the house. The roof slope and the type and color of the roofing material (shingles, etc.) should match those of the house.

#### 2. Integral with Fence

The architectural design of the shed must be compatible with the design of the fence, whether the fence is existing or to be built with the shed. The color scheme must be complementary to the fence. The roof of the shed should either be flat, with the top of the roof at the same elevation as the top of the fence, or sloped similar to that of the house.

#### 3. Freestanding

A freestanding shed is acceptable only when it's screened by landscaping or fenced in. The finish materials and color scheme of the shed should be compatible with that used either on the house or on the fence. For example, if the shed is close to the fence, it should match the fence in color and material or, if the shed is close to the house, it should be compatible in color and materials with the house. Freestanding sheds must not be placed less than three (3) feet of the property line.

#### 4. Greenhouses & Detached Solar Collectors

Detached greenhouses and solar collector panels will be reviewed under the same criteria as storage sheds with consideration for the special requirements of sun orientation. Attached

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greenhouses will be reviewed as major alterations with special attention given to visibility of interior activities. Attached solar collectors will be reviewed as major alterations.

#### *2.27.2 APPLICATION CONTENTS*

All applications should include the following additional information:

- a. Site plan showing relation of the shed to adjacent houses and property lines.
- b. Picture and/or detailed drawing of the shed to address dimensions.

#### 2.28 STORM & SCREEN DOORS

[CCR Article VI, Section 10]

##### *2.28.1 GENERAL STANDARDS*

Doors that are the same color as the entry door, house trim or siding do not require an application. All other styles or colors require an application.

##### *2.28.2 APPLICATION CONTENTS*

All applications should include the following additional information:

- a. Description, drawing and/or photograph of proposed doors.
- b. Colors of the screen/storm door and the existing door, house trim, and siding.
- d. Location of doors, i.e., front door, rear door, etc.

#### 2.29 SUN CONTROL DEVICES

[CCR Article VI, Section 10]

##### *2.29.1 GENERAL STANDARDS*

Permanent sun control devices should be compatible with the architectural character of the house in terms of style, color, and materials. Awnings of straightforward design are acceptable if the color is muted. Decorative embellishments on awnings will be reviewed on an individual basis. Awnings and trellises should be consistent with the scale of the house. Exterior sun control devices are not permitted on the front of a house.

The location of any awning or trellis should not adversely affect views, light, winter sun or natural ventilation of adjacent properties. If awnings are removed for winter storage, frames must be removed.

### *2.29.2 MATERIALS AND COLOR*

Solid colors should be used rather than stripes or patterns. Trellis work should match the trim or dominant color of the applicant's house. Pipe frames for canvas awnings should match trim or dominant color of the house.

### *2.29.3 APPLICATION CONTENTS*

All applications should include the following additional information:

- a. A site plan showing location of trellis and/or awnings.
- b. Sketch and/or photograph of house.
- c. Sketch, photo, or manufacturer's information of device, indicating dimensions, details showing how the structure is attached to the house, method of adjustment (electric, manual), materials and color. If fabric is used, material and color sample or description should be included.

## 2.30 SWIMMING POOLS, PONDS, AND WATER AREAS

[CCR Article VI, Section 10]

### *2.30.1 GENERAL STANDARDS*

In general, only in-ground type swimming pools will be considered. Above-ground pools, (defined as pools with steel walls and not wading pools) are discouraged and will only be considered if they are located in the rear of the house and all off-site visual impact is mitigated.

A fence, compatible with the design style of the house, may be required by County code to enclose a pool used for swimming and related pool equipment. Approval of the fence is contingent upon completion of the pool and must meet the fencing criteria of these Standards and County requirements, especially with respect to property line set back and landscaping.

Ponds, waterfalls, fountains, and other water areas must be safe and well-landscaped to integrate visually with the yard. If rocks or other elements are a dominant visual feature, they may be required to be screened from neighbors' views.

### *2.30.2 APPLICATION CONTENTS*

All applications should include the following additional information:

- a. A site plan showing location and dimensions of the pool and related elements, and fences relative to the applicant's house, property lines and adjacent homes.
- b. Detailed drawings and plans of the pool, deck area, lighting arrangements, walkways, fences, and pertinent information concerning the location of water filtration and circulation systems, drainage, and water disposal.
- c. Landscaping plan for outside (exterior) of fencing.

### 2.31 TREES

See LANDSCAPING AND VEGETABLE GARDENS (Section 2.17), and MAINTENANCE (Section III)

### 2.32 WINDOWS- STORM, SCREEN, OR REPLACEMENTS & SECURITY BARS

#### *2.32.1 GENERAL STANDARDS*

Replacement windows identical to the current approved windows, as well as storm and screen window frames that match the trim of the house, or are dark brown, black, or cream/white, are not considered by the ARB to be an alteration or improvement to the structure and do not require an application. If any design element is inconsistent with the current windows, such as the 6-over 6 lights (panes), curvilinear shape, or scroll work, the windows require an application. All windows on any side of the house should be the same basic design. Approval will not be granted if all stories on any one side of the home do not have the same basic design.

Installation of escape or egress windows on the basement level require an application. Application must include type, size and description of the window well, as well as any landscaping changes.

Security bars installed above the basement level require an application

#### *2.32.2 APPLICATION CONTENTS*

All applications should include the following additional information:

- a. Drawing and/or photograph of proposed windows or bars.
- b. Color of the frame and other elements.
- c. Location of windows, i.e., front, rear, first story, entire home, etc.

### III. MAINTENANCE

[CCR Article VI, Sections 3, 4, 7, 9 & 13]

#### 3.1 GENERAL STANDARDS ON REPLACEMENTS

In the normal course of aging and wear, components of a home will require replacement. This includes driveways, roofs, windows, garage doors, doors, shutters, siding, decks, lights, landscape plants, sidewalks, mailboxes/posts, garage doors, fences, and other components. A one-for-one, exact replacement (color, material, style, size, shape, location, etc.) that meets these current Standards does not require ARB approval.

If exact replacement is not desired or available, an application is required. Homeowners should refer to instructions in the appropriate section or MAJOR ALTERATIONS.

#### 3.2 DWELLING AND STRUCTURE CONDITION

Residents are responsible for maintaining the exterior of their dwellings (front, sides and back) and other structures on their lots, such as decks, fences, sheds, and playground type of equipment.

#### 3.3 YARD AND LANDSCAPING

Driveways and Pipestems: Driveways should be kept in good repair. Asphalt should be sealed a minimum of every four years. Cracks and irregular surfaces should be repaired regularly. Residents of a pipestem are responsible for the pro-rated upkeep of the surfacing.

Erosion Control: Each resident is responsible for seeing that their lot area is protected from erosion and that storm drain structures are not blocked so as to cause additional erosion problems which will silt up ponds and stream valleys.

Firewood: Firewood shall be kept neatly stacked and shall be located to the rear of the residence and located in such a manner as to minimize visual impact. Firewood should be routinely inspected for insect infestation and not stacked against a fence that is not the property of the homeowner.

House Numbers: House numbers painted on the curb in front of a dwelling must be maintained in readable condition for the benefit of emergency vehicles. Numbers mounted on a dwelling should be of a color in contrast to the background color so as to be legible from the street.

Lawn and Plantings: Turf areas need to be mowed at regular intervals, maintaining a maximum height of four (4) inches. This includes turf areas adjacent to sidewalks. Lawns should be edged as needed but at least twice a year. Worn pathways should be converted to permanent pathway or sidewalk or reseeded/sodded to promote the return of ground cover. Disposal of yard debris on common ground (including grass clippings) is not permitted.

Bushes: Bushes, hedges, trees and planted beds must be kept trimmed and in a neat and orderly manner. Dead bushes must be replaced or removed.

**Revised: October 2008**



Gardens: Gardens must be neatly maintained throughout the growing season; this includes removal of all unused stakes, trellises, and dead growth.

Sidewalks: Edging around the sidewalks should be maintained. Homeowners are required to remove snow from their sidewalks as soon as possible. Shrubs and trees should not impinge on sidewalks. In general, shrubs should be trimmed at least one foot from the edge of the sidewalk and overhanging trees should provide at least seven (7) feet of vertical clearance.

Trash Cans: Trash cans must be stored out of sight and may not be stored in front of the house. They can be stored in garages, basements, back of the house, or on the sides of the house with appropriate exterior screening, fencing, or landscaping.

Trees: Trees should be maintained in a safe condition. Dead limbs and dead trees should be removed promptly, except when a legitimate reason exists (such as use by wildlife). Trees near property lines should provide at least eight (8) feet of vertical clearance on neighbor's property and should not touch any structure.

Trees within the Fair Oaks Estates common ground are ONLY to be maintained by the Homeowners Association. Before cutting limbs or removing an entire tree that is near the property line, check with the Homeowners Association to determine whether the tree is on common ground. Debris from cut trees should be properly disposed offsite. Do not deposit tree debris on common ground.

An ARB application is required for removal of large healthy trees.

Vehicle Parking All vehicles must be parked in areas (driveways, streets, garages) designated for such purposes. At no time may residential lawns, yards, open space, or general turf areas be used for parking, storage or other recurring use to support vehicles of any type.

Attachment 1  
**Architectural Review Board (ARB)**

**Application for Alteration to House or Property**

**This form must be submitted prior to any planned additions or modifications to existing installations that affect the external appearance of a Fair Oaks Estates property.**

<b><u>Applicant Information</u></b> Date of Submission: _____ Owner's Name: _____ Address: _____ Telephone: (Home): _____ (Work): _____ (Cell): _____ Email: _____ Proposed Start Date: _____ Estimated End Date: _____	<b><u>ARB Action</u></b> Date Received: _____ Date of Action: _____ Approved: _____ Disapproved: _____ Remarks/Stipulations: _____ _____ _____ _____ Signature: _____
--	---

**Existing House colors:** Brick: \_\_\_\_\_ Siding: \_\_\_\_\_ Trim: \_\_\_\_\_

Shutters: \_\_\_\_\_ Front Door: \_\_\_\_\_ Garage Door: \_\_\_\_\_ Roof: \_\_\_\_\_

**Summary of proposed change(s):** (attach supporting documents required by FOEHA Architecture and Maintenance Standards)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that I have read the sections of the FOEHA Architecture and Maintenance Standards that apply to the proposed change(s) and have included all required attachments and obtained the required acknowledgements from affected homeowners (see next page).

Signature of applicant: \_\_\_\_\_  
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**ACKNOWLEDGEMENTS** are a **required** part of the application. By signing the application form, a nearby resident acknowledges they are aware that an application is being submitted for specific modifications and **does not indicate approval or disapproval** of the requested modifications. Any one who has concerns with the proposed change should contact the Community Manager who, in turn will notify the appropriate ARB representative and/or the Board of Directors. Any homeowner with concerns may request to attend the scheduled ARB meeting during which the proposed change is considered.

Acknowledgements must be obtained from residents of adjacent properties that may be visually impacted by the modification. For example, if a color change to a front door is contemplated, acknowledgement must be obtained from the residents directly across the street and those adjacent to the residence across the street. Similarly, if a color change to siding, trim, or roofing that affects all sides of the house is contemplated, signatures must be obtained from residents adjacent to and in back of, as well as across the street from the house to be changed, since any of these may be visually impacted by the change.

**Acknowledgements:** (Signature does **not** imply approval or disapproval of the requested change(s)).

Signature: _____	Address: _____	Date: _____
Signature: _____	Address: _____	Date: _____
Signature: _____	Address: _____	Date: _____
Signature: _____	Address: _____	Date: _____
Signature: _____	Address: _____	Date: _____
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Signature: _____	Address: _____	Date: _____
Signature: _____	Address: _____	Date: _____

**Instructions:** Applications and enclosures should be mailed, emailed or faxed to the FOEHA professional management representative as listed in *THE ACORN* newsletter and in the contacts section of the FOEHA web site ([WWW.FOEHA.ORG](http://WWW.FOEHA.ORG)). The professional management representative will retain and file the Application and all of the attachments and a copy of the Application will be returned to the applicant after ARB action has been taken.