

**DUNN LORING VILLAGE HOMEOWNERS ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE (ACC)**

(Revised: 9/17/2017)

1.0 SOURCE OF AUTHORITY (Article VI of the Association's Covenants)

"In order to conserve the natural beauty of the subdivided property, to insure its best use and most appropriate development, and to prevent the erection of poorly designed or constructed improvements, the entire area herein above described shall be subject to the following protective covenants and restrictions hereinafter referred to as the General Covenants."

Article VI #1 (condensed): "No building, structure, alteration, addition or improvements of any character other than interior alterations not 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..."

2.0 PURPOSE

Architectural controls are important regulations for a community with attached dwellings whose value is dependent on the appearance of adjacent and proximate dwelling in the community. Per the covenants, the ACC approval of exterior modifications will take into account 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.

3.0 ORGANIZATION OF ACC (Article VI #2)

The ACC consists of three Homeowners Association Board members: President, Vice President and Secretary. A majority of the committee may designate a representative to act for it. However, the ACC retains the responsibility for final approval of submitted projects and for monitoring and directing the representative's actions.

4.0 OPERATING PROCEDURES

The ACC has standard operating procedures established to provide uniform treatment to homeowners when reviewing submitted plans, responding to complaints, and enforcing regulations.

These procedures will be reviewed and updated (as necessary) once per year after the Board officers are elected and before any ACC actions are taken.

ACC and/or Homeowner Proposal Process:

- A. Plans must be submitted in writing to the Association by the homeowner or by a representative designated by the homeowner.

- a. Plans may be submitted by email or mail.
 - b. Plans should be submitted using the Exterior Modifications form.
 - c. If the form is not used, the submission should contain all the information requested on the form.
- B. Plans should provide the following information:
- a. A sketch, drawing, photograph, or detailed description of the improvement.
 - b. A written description of the specific type of material(s) being used for the improvement.
 - c. The dimensions of the improvement.
 - d. The color of the improvement (if applicable). Samples (i.e. color chips, shingle samples, siding sample, etc.) of the color should be made available to the ACC.
 - e. The time frame for schedule of the improvement and pertinent information for any special requests of expedited review of the improvement.
- C. The management company will review the request to ensure it is complete and all documentation is attached.
- D. Upon receipt of the homeowner's complete proposal the management company will forward to the ACC for approval. The ACC will:
- a. Review the proposal and request any additional information or clarification, or direct the ACC representative to request any additional information or clarification.
 - b. A site inspection shall be conducted by all ACC members, a designated member of the ACC, or the ACC Representative within five (5) days of receipt of the proposal. Colors, materials, topography, impact to adjoining properties, etc. shall be considered at this time. While the proposal and material(s) descriptions may be provided electronically, no final decision should be made until and unless the site visit is complete. Any samples requested from the homeowner should be considered at this time.
 - c. The criteria used to approve any plans must be in accordance with Article VI of the Declarations of Covenants.
 - d. The approval or disapproval of the proposal will be made and the decision emailed and/or mailed to the homeowner within ten (10) working days of the receipt of the proposal by the Association. Any delays from the above schedule must be communicated to the homeowner by phone, email, or mail and include an explanation of the reason for the delay.
 - e. Upon completion of the project, an ACC member or the designated representative will visit the property to ensure that the project was completed as stipulated and approved. Any questions regarding compliance with the approval will be directed to the homeowner and opportunity given to either explain why they are not in compliance or to correct the situation.

Responding to Homeowner Complaints and Enforcing Regulations:

Homeowner and/or resident complaints of architectural control violations should be submitted by either email or mail. Phone calls to the management company may be considered if the representative has been authorized to function as an ACC representative and forwards the

information to the ACC in a written format such as an email. It is the responsibility of the ACC to respond to these types of complaints.

- A. A site inspection shall be conducted by all ACC members, a designated member of the ACC, or the ACC Representative within 5 days of receipt of the complaint. Colors, materials, topography, impact to adjoining properties, etc. shall be considered at this time.
- B. If a violation is found to exist, a letter will be mailed to the homeowner of record. The letter will describe the Association regulation(s) which are applicable to the complaint and request that the violation be corrected. The ACC will assume for a first offense that the homeowner was not aware of the violation.
- C. Should violation of the regulation(s) continue, the ACC may choose to take action to enforce the Association's governing documents as stipulated by those documents or by law (if applicable).
 - a. The ACC must obtain the approval of the Board of Directors prior to the allocation of Association funds for legal actions.
 - b. Should the ACC or the Board of Directors decide that the Association does not wish to pursue legal action, any homeowner in the Association has the legal right by Article VII of the Declaration of Covenants to pursue a legal action against the violator.

5.0 MAINTENANCE OF PROPER FILES OF ACC ACTIONS

The management company representative will keep organized files of all documents (including emails) which are submitted by homeowners. In addition, copies of all correspondence sent to homeowners by the ACC will be maintained in the file. These files will be surrendered to subsequent management in the event the management company changes for the Association.

- A. These files will be surrendered to any member of the ACC upon request. Records of disclosure will be kept.
- B. Homeowners may request copies of ACC correspondence in their file.
- C. If, during a property inspection for another reason (sale of home, annual AC review, etc.), an improvement is found to have been made but no record of approval exists, the following shall apply:
 - a. The homeowner will be contacted to see if the improvement was approved by the ACC. If they believe it was, they will be asked for a record of the approval. If they do have a record of the improvement approval, they will be asked to provide a copy for their file. Considering that the formal request form and approval process have not existed since the creation of the association, emails, letters, etc. used in previous ACC communications with homeowners will be considered acceptable.
 - b. Since it is the ACC's responsibility to maintain adequate files regarding their actions on improvements, if the homeowner does not have a record of the approval, every effort will be made (contacting neighbors, presentation to the Board of Directors, etc.) before citing the homeowner in violation.
- D. The management company will provide a list of all requests, violations, and complaints for Board review at the following Board Meeting.

- E. The ACC will report on actions at the following Board Meeting and the Board of Directors will ratify any ACC actions. An official record will be kept in the minutes.

6.0 GUIDELINES FOR HOMEOWNER IMPROVEMENT APPLICATIONS:

Factors to Consider (For Both Homeowners and The ACC):

- A. Harmony of materials (both style and actual material) with existing or planned structures both on and off specific property.
- B. Color coordination of improvements with existing or planned structures both on and off specific property.
- C. Quality of construction of improvement to ensure safety of persons using common and adjoining areas.
- D. Topography of the site of the improvement and effects on surrounding properties regarding drainage, light blockage, sight lines, privacy limitations, etc.

Typical Improvement Application Request Guidelines:

- A. **Address Numbers:** Must be visible and legible from the street. Address numbers are **required** on all houses. Address numbers may be affixed to either to a plaque to the right or left of the front door as originally positioned by the builder; or, if the wooden trim above the front door is at least six (6) inches in height, in the center of the wooden trim above the door.
- B. **Air Conditioner Units:** If approved, can only be placed on the rear of the home. Exterior, window units, are not permitted in most areas of the community because of the impact on the surrounding residences. Applications will be considered on a case by case basis only.
- C. **Antennae/Satellite Dishes: *Telecommunications Act of 1996*:** In the past, Dunn Loring Village's Declaration of Covenants and Conditions has prohibited all exterior television antennas. However, the *Telecommunications Act of 1996* states that Associations can no longer "impair" member's rights of receiving a television signal from satellite dish antennas (less than 1 meter in diameter), MMDS and broadcast television antennas. Although the Act allows the use of masts when necessary to achieve adequate signal reception up to twelve feet above the roofline without specific approval, it also grants communities the ability to establish and enforce standards regulating the location, installation, and color of these antennas when such rules do not significantly impair signal reception, unreasonably delay the installation of the antenna, or cause an unreasonable financial burden to the homeowner. Policy Resolution 97-1 was adopted January 9, 1997 and contains details on satellite dish antennas guidelines.
 - a. The Association has no obligation whatsoever to maintain common areas or any other property in order to provide or maintain unobstructed line of sight for satellite signals. Homeowners will not be permitted to cut, prune, or otherwise clear trees, shrubs or other vegetation from common areas in order to provide or maintain unobstructed line of sight for satellite signals, nor are the lot owners allowed to clear their own property if in violation of county guidelines.

- b. No other antennas are permitted on the exterior of homes except antennas protected by federal or state law, in which case, they are limited to the lowest height, smallest size, and least-visible location that is not specifically protected by law.
- D. **Clothes Lines:** No clothing, laundry, or wash shall be aired or dried on any portion of the properties, other than in the rear yards of the lots, and then only on a non-permanent clothesline such as the umbrella type. Per the governing documents, clothing or other items may only be out between 9:00 a.m. and 5:00 p.m. week days.
- E. **Color:** All exterior color changes must be submitted to the ACC for approval. Color selections must be harmonious with surrounding dwellings and the general color scheme in Dunn Loring Village. This requirement applies to siding, doors, shutters, trim, roofs, and other structures. It is the responsibility of the applicant to ensure that the finished, dried paint matches the color of the paint approved by the ACC.
 - a. An application is not required to repaint a house or trim if the original color is matched (example: repainting an off-white home with a similar shade of off-white paint).
- F. **Siding:** No application is needed for the replacement of siding that matches existing colors, material, design, and dimensions. Please note that since much of the original siding within the community no longer exists, it is likely an application will need to be approved by the ACC.
- G. **Compost:** Composting outside of a residence is not permitted.
- H. **Decks:** Decks must be located in rear yards, directly behind the house, maintained in safe condition and repair, and comply with all Fairfax County building code requirements. Applications for all new decks, and modifications to existing decks, must contain the following: property plat/site plan showing the size and location and indicating distances from adjacent property lines; detailed drawings and architectural plans which include exterior elevations and dimensions of railings and/or screening, posts, stairs, steps, benches, and other details to clearly describe the proposed work, including height of deck above ground; description of color, materials and screening.
 - a. Wood decks may be left to age naturally or may be stained with transparent, semitransparent, or opaque stain. Colors for decks must be a natural wood color. Composite materials (such as Trex) will be considered on a case-by-case basis but must be a natural wood color. The color must be stated in the application and approved by the ACC.
 - b. Roof structures are not permitted. This could include, but is not limited to, structures on the deck such as pergolas, canopies, gazebos, or tents. Umbrellas and temporary structures may be considered on a case by case basis depending on the placement and affect on surrounding properties.
- I. **Doors:**
 - a. Front doors should be compatible with the exterior design and color of the residence and area residences. Replacement front door installation or change in color requires the submission of an Architectural Modification Form. The color palate for front doors is limited and approved on a case by case basis.
 - b. Storm doors and security doors must be compatible with the exterior design of the residence and should be white or finished to match the woodwork trim color or the front door. Excessive ornamentation of storm door glass, such as, but not limited to, cross-hatching, swirl designs, and colored glass, which are not consistent with the community aesthetic or neighboring properties, shall not be approved.

- J. **Fences:** The common fence between two residences is the shared responsibility of both residences and shall be constructed according to best practices and applicable county code(s). The ACC is not responsible for ensuring that both owners are aware of applications for modifications or changes.
- a. Fence Material shall be of wood and unpainted. Recommended materials include pressure-treated wood or natural cedar.
 - b. Fence style shall be alternating vertical board-on-board.
 - c. Fence height shall be equal to the original fence installed by the builder or six feet.
 - d. Fence posts shall be installed at least two feet into the ground and preferably anchored with concrete.
 - e. Caps should be installed on fence posts to preclude water from entering the top of the post, freezing, and splitting the post. While caps are not required, they are recommended.
 - f. Dark stained or painted fences are not allowed. Color, if any, must be noted on the modification form and approved by the ACC.
- K. **Landscaping:** Significant landscaping changes require ACC approval. Examples include, but are not limited to, removal of grass in the front of the home; patio installation instead of lawn in the back of a residence; and, grading changes.
- a. Per the covenants, trees, bushes and other landscaping cannot obstruct sight lines for pedestrian or auto traffic.
 - b. Per the covenants, tree removal of live trees more than four (4) inches at two (2) feet above the ground require approval. Dead trees should be removed as soon as possible.
- L. **Lighting:** Exterior lighting should not be directed outside the lot onto other properties or common area.
- a. Flood lights are not permitted.
- M. **Sheds:** Sheds are approved on a case by case basis due to property constraints such as topography and affects on neighboring properties. Color selection must be harmonious with the residence and surrounding dwellings and the general color scheme in Dunn Loring Village.
- a. Sheds are limited to one unit per residence (i.e. two or more sheds per residence are not permitted).
 - b. Shed height cannot exceed eight feet; however, lean-to style sheds' maximum height cannot exceed the fence line. Sheds that do not exceed the height of the fence line do not require approval.
- N. **Solar Collectors/Panels:** An application and approval are required prior to the installation of any solar collection device. Solar panels shall be mounted to the rear side of roofs; provided, however, that if a different location is required to enable proper functioning of the solar device, the Board will consider such requests on a case-by-case basis. Solar collectors/panels may be flush-mounted or elevated from the surface of the roof. For elevated solar collectors/panels, if the elevated device will extend above the roof peak so as to be visible from the street level, additional information regarding the necessity of this type of placement must be provided in the application for Board review.