

ARCHITECTURAL REVIEW COMMITTEE GUIDELINES OF THE WESSYNTON HOMES ASSOCIATION

April 13, 1999

The Wessynton Declaration of Covenants, Conditions, and Restrictions provide for an architectural committee to advise the Wessynton Homes Association Board on the preservation of the values and amenities of the community. An Architectural Review Committee (ARC) committee assists the Board by advising that changes to existing structures, and new structures, be approved, based on harmony of external design and location in relation to surrounding structures and topography.

Wessynton is a family-oriented and friendly, water front community, which shall strive to be sensitive to the needs both of the individual families within the community as well as the community family itself.

The following definitions and guidelines are based on, and complement, the governing documents used by the Committee and illustrate areas in which procedures and precedent exist. They are not, however, designed to anticipate every request that comes before the Committee, and such requests are considered on their individual merits. These guidelines have been adopted by the Board of Directors of the Wessynton Homes Association. Copies are available from the ARC and are on record with the Association Secretary.

GUIDELINES

1. House additions, storage enclosures and boat storage, boating equipment and camping equipment storage.
 - a. Any exterior additions, alterations, or modifications require prior approval of the Committee before work begins. The standard for approval shall be based on the compatibility of the design with the style of the community.
 - b. External storage enclosures require prior Committee approval. The structure's visibility from the street and from other residence shall be considered in evaluating such requests.
 - c. In accordance with Article VIII of the Declaration of Covenants, neither house trailers or junk vehicles (as defined by Fairfax County Code, i.e., vehicles that are not in running condition or that lack current County stickers) should be kept on any lot under any circumstances. Moreover, other trailers (e.g., utility trailers, boat trailers) may be stored only if not visible from the street and may not be stored on common property.
 - d. Boats, boating equipment, and camping equipment may be stored only if not visible from the street and may not be stored on common property.

2. Storm and screen doors and windows.

The standard for approval shall be based on the compatibility of the design with the style of the community. The storm and screen doors should be painted the same color as the related exterior door or to match the stain of the house. Vinyl frame windows are used to replace windows, the window frames should match the original or previously approved color of the window frame.

3. Exterior and garage doors.

A door of the same design as either the original or approved door that it is replacing may be replaced without approval. Doors that are not identical to either the original or previously approved doors, including glass doors, may be approved if the ARC determines that the doors requested are compatible with the design with and the style of the community.

4. Fences and screen.

All fences and screen require prior approval of the Committee. The standard for approval shall be based on the compatibility of the design with the style of the community

5. Exterior paints and stains.

Homes may be painted or stained the same color as currently painted or stained without approval of the Committee.. Deviations from current paint colors require approval of the Committee.

The bricks, paints and stains selected for Wessynton homes create a combination of earthtone hues that blend with the natural forest surroundings. Repainting of house exteriors with paint or stains of the same color does not require ARC approval. Requests for color changes will be reviewed on a case-specific basis. Downspouts are to be an unobtrusive color that blends with the brick, stain, and the trim of the house. Deviations from current paint colors require approval of the Committee. The standard for approval shall be based on the compatibility of the paint color with the style of the community. The ARC should be consulted if there are questions on painting.

6. Plantings and landscaping.

To preserve the natural, open, park-like character of the community, the Committee may request that shrubs and bushes that remain green throughout the year be planted to screen approved projects.

7. Exterior antennas.

Exterior antennas, unlike other exterior fixtures, are not subject to preapproval. However, corrective action will be required if the installation does not conform to Association standards. There is no size limitation for television broadcast antennas, and Direct Broadcast Satellite and Multichannel Multi-point Distribution Service antennas that are one meter (i.e., 39.37 inches) or less in diameter are not prohibited. Association standards for exterior antennas are as follows:

“Antennas should be painted so that they are visually compatible with the surfaces to which they attach or adjoin, unless in so doing either invalidates the manufacture's warranty or interfere with signal reception.”

“Antennas should be located so that they minimize visual impact on the community (i.e., antennas should not nominally be visible from the street).”

“Ground level antennas should be shielded with landscaping as is required for shielding other exterior additions.”

“Adherence to these standards shall not, however, add unreasonable delay or expense to the installation, maintenance, or use of antennas, and shall not preclude reception of an acceptable quality signal. If all locations that are not visible from the street would provide signal of an unacceptable quality, then the homeowner should place the antenna at a location that is as unobtrusive as possible. And the homeowner must maintain information to show the Association that this change in location was selected to provide an acceptable quality signal. In the interest of minimizing corrective action, the homeowner is encouraged to contact the ARC to seek advice on the placement of such antennas and colors.”

8. Swimming pools.

The standard for approval shall be based on the compatibility of the design with the style of the community. Accordingly,

- a. Swimming pools above grade requiring reinforced sides and greater than six feet in diameter have not been approved.

- b. Large dome covers made of plastic or other material designed to make the in ground pool usable throughout the year would not be consistent with the surrounding Wessynton community and are prohibited.

9. Fixed play equipment.

Permanent or semi-permanent recreation equipment and/or athletic fixtures and equipment require Committee approval. The standard for approval shall be based on compatibility of the play equipment design and color with surrounding structures, landscaping and location. Fixed play equipment should be located so that it is not visible from the street.

10. Driveways, walkways, patios, and decks.

Any modification to the original driveway, walkway, decks, steps, porch, or patio require Committee approval. The standard for approval shall be based on the compatibility of the design with the style of the community. Accordingly,

- a. Driveways may be resurfaced with matching materials (e.g., asphalt, cement, aggregate pebble) without Committee approval.
- b. Driveways that are extended or widened should use matching materials have been approved
- c. Walkways, patios or terraces that are constructed of aggregate pebble cement, gravel with slate stepping stones, or other natural materials, such as brick, flagstone, wood, or crushed stone.
- d. Replacement decks or deck additions visible from the street that are in keeping with the general design of Wessynton

11. Retaining and garden walls.

The standard for approval shall be based on the compatibility of the design with the style of the community. Accordingly, materials should be in keeping with the natural theme of Wessynton have been approved

12. Mail boxes.

U.S. Mail boxes may be replaced without Committee approval if they adhere to Wessynton style, are enclosed in a wooden box, mounted on a wooden post, and stained Cordovan dark brown. Standard white numbers, Arabic in style and 2 inches in height are preferred and will be provided by the ARC. Plans and replacement numbers may be obtained from the Committee.

13. Trash and garbage containers.

Trash and garbage containers are to be in public view only on days of trash collection and may be placed at the curb the evening preceding the day of a schedule trash pick-up. Accordingly, storage of trash and garbage containers in any area that can be viewed by your neighbors violates the covenants.

14. Tree removal.

- a. Dead trees may be removed without the approval of the Committee.
- b. Removal of trees for any other reason requires Committee approval if the tree is more than four inches in diameter measured two feet above ground. The standard for approval shall be based on the location of the tree in relation to surrounding structures and topography, the health of the tree and any hazards posed by the tree.

15. Roof shingles.

Roof shingles for Wessynton homes were selected to help the homes blend with the woodlands. Replacement shingles that are of the same size, color, and texture as those used by the builder do not

require Committee approval. The standard for approval for other replacement shingles shall be based on the compatibility of the shingle with the style of the community.

16. Outdoor light fixtures, solar pipes, solar panels, and skylights.

All outdoor light fixtures, solar pipes, solar panels, and skylights are classed as exterior additions and therefore require prior approval of the Committee. Solar panels, solar pipes, and skylights can be approved when they are in visual harmony with the structure to which they are attached. The standard for approval of lighting fixtures and associated lights shall be that the lighting is in keeping with the design and style of the home and not generate light in such a way as to annoy neighbors or to blind motorists. High intensity lights are prohibited.

17. County work permits.

- a. Approval of any project by the Committee does not waive the necessity of obtaining the required Fairfax County work permits. Obtaining these permits is entirely the responsibility of the homeowner.
- b. Committee approval and inspection of any project does not imply that the requirements of the Fairfax County Code have been met.

18. Miscellaneous recommendations to maintain the appearance of the community and preclude creating a situation that may be a nuisance or annoyance to the neighborhood.

- a. Store materials out of view of the street except during actual construction.
- b. Make arrangements to have construction debris, including landscaping debris, removed from the site upon completion of the project.
- c. Visible exterior Christmas decorations should not be installed before November 1st and should be removed by February 1st.

19. Applications Procedures.

Applications are submitted in writing to the Chair of the ARC showing purpose, location, kind, shape, height, elevation, color, texture and type of materials, of the proposed project. A copy or tracing of the plat of the property showing the proposed structure with respect to existing structures, elevation drawings showing the proposed project in relation to the terrain and other structures, and drawings illustrating the proposed structure should also be included when applicable. The Chair will note the date of receipt on the application and notify the applicant in writing of the Committee's decision. All applications should be delivered or mailed to the Chair of the ARC. The name and number of the ARC Chair will be published in the Byways and included in the Wessynton Homes Association Directory. Failure to mail the application directly to the Chair may delay the effective date of receipt of an application.

20. The name and address of the Committee Chair is in the current directory of the Wessynton Homes Association or may be obtained from any director or officer of the association.

21. Committee evaluation process and deliberation.

- a. A simple majority of the Committee is required to approve or disapprove an application submitted in writing by the homeowner.
- b. The Committee will provide the homeowner with a written decision within thirty (30) days after receipt of the application including all drawings and other data/information requested by the Committee. The Committee has approved applications with the provision that certain conditions be met or that specific modifications be made to the proposal submitted by the homeowner. The Committee will provide the homeowner with a written list of all such conditions or modifications.

Should the Committee not provide the homeowner with a decision within thirty (30) days, the homeowner may consider the request approved.

COMPLAINTS AND REVIEW PROCEDURES

The enforcement provisions outlined in this section draw upon a combination of the Virginia Homeowners Act as well as the Wessynton Bylaws and Declaration of Covenants, Conditions, and Restrictions.

1. Voluntary Enforcement.

Every effort will be made to accomplish enforcement of the covenants in a spirit of community cooperation. Nevertheless, the ARC may recommend to the Wessynton Homes Association Board appropriate enforcement action when a violation is brought to its attention.

2. Violations and notification.

The ARC receives reports of and confirms violations of the Covenants, Conditions and Restrictions and notices homeowners of such violations. The ARC also reviews homes for conformance with the Covenants, Conditions and Restrictions of the Association as a part of disclosure package preparation.

In the event that a violation is identified and not corrected, the ARC makes recommendations to the Wessynton Homes Association Board of Directors for the appropriate action.

Any homeowner may request that an owner or tenant cease or correct any act of omission that appears to be in violation of the Association Covenants, Conditions and Restrictions. Such requests should be made before any request is made to the ARC for formal action.

A formal complaint begins with the filing of a written complaint to the ARC. The complaint shall include a written statement that should set forth in clear and concise language the acts with the offending party ("respondent") is charged. The complaint shall specify the provisions of the governing documents with the respondent is allege to have violated. Upon receipt of such a complaint, the ARC will investigate the need for further action. In the event that the complaint is supported, the ARC will issue of notice of violation to the homeowner in writing.

Homeowners in violation of covenants will be notified by letter from the ARC and requested to correct the violation as soon as possible but not later than thirty (30) days from the date of notification.

3. Failure to correct violations.

If the homeowner does not correct the violation within thirty (30) days of receipt of the Committee chair's letter, the chair will advise the Board of Directors. The Board may take further enforcement steps, including initiating legal action, to obtain compliance with the covenants.

4. Right To Appeal.

The homeowner has the right to appeal any decision of the Committee to the Board of Directors within forty-five (45) days of receipt of the decision. The appeal is to be addressed to the President, Wessynton Homes Association, and may be presented in person at a board meeting. The Board of Directors will respond in writing to the homeowner's appeal within forty-five (45) days of receipt.

Approved April 13, 1999

Official: President /s/ Collis N. Phillips