

**HIDDENBROOK HOMES ASSOCIATION
ARCHITECTURAL CONTROL GUIDELINES**

Administration and enforcement of the subdivision plan of architectural control is one of the chief legal responsibilities of the Hiddenbrook Homes Association. By Declaration of Covenants dated 8 August 1972, (covenants) Miller and Smith, Inc., the Hiddenbrook developer, invested the Association with the authority to review and approve exterior structural alterations and improvements, both to promote architectural harmony and to preserve the development plan. Prior to the sale of the first Hiddenbrook lot, Miller and Smith, Inc. recorded these covenants among the public land records of Fairfax County. Hence, they have the effect of law and may be enforced through application to the courts.

Article VI of the Declaration of Covenants provides that:

"No building, fence, wall, antenna, swimming pool or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board..."

Paragraph 5 of Article VII states that:

"No noxious or offensive activity shall be carried on upon any portion of the residential property, nor shall anything be done thereon or permitted to remain on any lot which may be or become a nuisance or annoyance to the neighborhood."

Paragraph 10 of Article VII states that:

"No structure or addition to be a structure shall be erected, placed or altered on any lot until the plan and specification, including elevation, material, color and texture and a site plan showing location of improvement with grading modifications shall be filed with and approved in writing by the Board of Directors of the Association or an Architectural Control Committee appointed by the Board. Structure shall be defined to include any building or portion thereof, fence, pavement, driveway or appurtenances to any of the aforementioned."

In the exercise of this authority, the Association's Board of Directors has constituted an Architectural Control Committee (ACC). Accordingly, you must obtain the approval of the ACC before beginning work on any external structural improvement or alteration of your property.

To assist the homeowner in determining whether the ACC will approve a specific application, the Association has promulgated architectural control guidelines. As the word implies, these standards are merely guideline, not absolute and inflexible rules and regulations. They evolve from prior decisions of the Committee in reviewing applications involving similar facts and circumstances. In every instance, however, the ACC will review and consider an application upon its merits. A homeowner should not conclude the ACC will invariably deny an application solely because it may fall outside the bounds of these guidelines. The sole standard which the ACC is obliged to employ is the impact of a proposed improvement on the external architectural and topographical harmony of the Hiddenbrook development.

The Association understands that some of its members may regard architectural control as an unreasonable restriction on their personal liberty. Without debating the philosophical merits of this position, the Association asks its members understand that the election of a planned community, with these attendant restrictions, is the product of decisions made by the developer and public officials over a decade ago, not the whim or passing fancy of the present directors or officers of the Association. Abandonment of architectural review would be a breach of faith not only with these persons, but also with our friends and neighbors who choose to live here in reliance on the preservation of the Hiddenbrook architectural and development plan. Indeed both the directors of the Association, and the members of the ACC, have an affirmative and legal obligation to administer and enforce architectural controls to the best of their ability.

The following are the architectural control guidelines duly promulgated and adopted by the ACC and the Association's Board of Directors.

I. GENERAL

A. Background

1. Any change to the exterior appearance of any house or lot must be approved by the Architectural Control Committee before work is started.
2. The Committee will consider only written requests from homeowners. Renters will forward all requests to the Committee through the appropriate homeowner.
3. Each request is considered on an individual basis, upon its merits, and there are no automatic approvals or denials.
4. The Committee will not approve any alteration, which would have an adverse or deleterious architectural or topographical effect on neighboring property or common areas. The committee may consult with an applicant's neighbors regarding any alteration.
5. If a homeowner's application for alteration is disapproved by the Committee, the homeowner may:
 - a. Resubmit a modified plan.
 - b. Submit new or additional information which might clarify the original plan and demonstrate its acceptability. In doing this, homeowners are invited to meet with the Committee.

c. Appeal, in writing, to the Board of Directors within thirty (30) days after final disapproval by the Committee.

6. The Committee will consider written and signed complaints from any Association member describing alleged violations of the Covenants. If the Committee determines that a violation has occurred, it will take the necessary action to rectify the situation.

7. As required by the Covenants, the Committee will answer all applications promptly. If the Committee fails to reply to the homeowner within thirty (30) days of the postmark of the application, the application is deemed approved. It is understood that the approval process may take longer than thirty (30) days if the applicant does not furnish the required information in his initial request.

8. If an Association member or resident, including a member of the Architectural Control Committee or the Board of Directors, believes that a violation of the Architectural Control Guidelines and governing documents involving Architectural Control exists on a

Hiddenbrook Homes Association member's property, a complaint may be submitted to the Chairperson of the Architectural Control Committee. The complaint should be prepared and submitted in accordance with the procedures of the HHA Resolution entitled "Covenants Violations: Due Process Procedures and Penalties".

B. Application Procedures

1. A letter describing the proposed project is sent by the homeowner, to the Chairman, Architectural Control Committee, Hiddenbrook Homes Association, P.O. Box 582, Herndon, Virginia 20170. To ensure prompt action by the Committee and recording of the date of receipt, applications are to be mailed and not delivered to Committee members.

2. The description of the project should be brief but specific containing, in addition to a description of the general nature of the project, all information necessary for the Committee to make an informal decision. Necessary information includes height, length, width, shape, type of materials, and colors.

3. For house additions or the installation of detached structures, copies of construction plans and specifications must accompany the application.

4. Where a project may affect neighboring properties it is recommended that the applicant discuss the project with his neighbors before submitting the application to the Committee. This is particularly important when the project could have adverse impact on neighbors by affecting drainage, view, or ventilation.

5. For projects such as fences, screens, retaining walls, driveways, and house additions, the location of the project on the lot and its relation to neighboring lots is an important factor in the Committee's consideration. Applications for such projects should include a copy of the plat or similar sketch showing the location of the project and its relation to adjoining properties and common areas.

C. Fairfax County Permits

Adherence to Fairfax County building and zoning codes is the responsibility of the owner. Approval by the Committee of a project does not relieve the owner from the responsibility of getting building and work permits from the Fairfax County authorities.

D. Miscellaneous Requirements

1. The quality of materials and workmanship on any project should be equal to or better than that of the surrounding area. Committee approval includes the right of the Committee to inspect the project during installation and at completion to insure execution of the approved plan.
2. All projects will be completed as expeditiously as possible to permit the least possible annoyance or nuisance for neighbors. Project applications for major construction or alterations will include an estimated completion date.
3. Storage of materials before and during construction should be, if possible, in areas not visible from the street and should not create hazards.

II. SPECIFIC PROJECT REQUIREMENTS

A. Building Alterations and Detached Structures

1. General

- a. Any addition to an existing building, any exterior alteration, modification, or change to any existing building or any detached structure must have Committee approval before any work is begun. Examples of such projects includes porches, decks, garages and carports, greenhouses, and storage sheds.
- b. Any addition, alteration, modification, or change to any existing building will be compatible with the architectural design and character of the original building. Any detached structure will be compatible with the primary structure.
- c. Additions forward of the rear line of the house are not acceptable except when there is no other alternative. Additions to the side or the front of the house, including patios, shall only be approved when it is not possible to locate to the rear of the house.

2. Detached Structures

- a. The Committee will consider an application for a detached structure. In such cases, the Committee will consider the structure's impact on neighboring properties and common areas and may require the installation of screens or additional landscaping to lessen the structure's visual impact upon neighbors.
- b. Storage sheds should be no larger than 8 feet wide, 12 feet long, and 8 feet high.

3. Awnings, Storm Doors, and Screen Doors

- a. Canvas and metal awnings are discouraged.

b. The front entrance door(s) to the living area must be metal or wood, similar in appearance to the type used for the original and blending with the rest of the home and neighboring homes. Front entrance doors with a glass area exceeding two (2) square feet will not be approved. Storm doors must be in harmony with the style of the home and painted the same color as the entrance door. The glass area restriction does not apply to storm doors. Garage doors must be of the paneled type identical or very similar to the original. The storm and entrance door color must be the same as the approved shutter color or the casing trim color. The garage door color must be the same as the approved casing trim color. Committee approval is required for door replacements and additions.

4. Materials and Colors

a. The Committee is concerned with maintaining the original architectural concept of our community, developed by Miller & Smith.

b. Exterior color changes will be approved only if the proposed colors are similar to the original color combinations (which are not necessarily the existing colors) used by the developer on the requestor's home or other homes in the immediate surrounding area (within Hiddenbrook). No high gloss finishes will be approved. Semigloss finishes may be approved for doors and shutters.

c. Although the color or stain that is chosen is an approved developer color, it should be compatible with the siding and roof shingle color and must be in harmony with the surrounding homes.

d. Pastel colors, e.g., soft, delicate hues or light tints, will usually not be approved as they are not in harmony with the original developer color selections.

e. Brick facades should not be painted as doing so would be contrary to the original Miller & Smith scheme.

f. Poured concrete foundations may be painted only if the color matches the siding of the house.

g. Roofing material also must be color compatible.

h. The color(s) of any additions or repairs must comply with the color(s) of house.

B. Fences, Screens, and Walls

1. General

a. Any fence, screen, wall, edging, or erosion barrier, which exceeds the height of eight (8) inches above grade level must have Committee approval before installation. Only materials that blend with the exterior of the house and surrounding shall be used regardless of the height.

b. The Committee asks that all homeowners consider the retention of as much as possible of the open, natural setting of Hiddenbrook by not installing fences, particularly those placed to delineate boundaries. If the security of children or pets

makes fencing necessary, homeowners should consider the use of open wood fencing such as open post and rail and vertical staggered or open board fence. Open wooden fencing may be supplemented with appropriate wire mesh to restrain children and pets. Where privacy is the purpose, suitable privacy screens should be erected as, for example, around a patio area. Boundary delineation can be accomplished with shrubs and trees or other natural means.

c. The Committee discourages the installation of any solid fencing, such as stockade along boundary lines as too often they have an undesirable impact on neighboring properties by causing unwanted shade trees and loss of view of open areas. Courtesy, alone, would indicate the need of any homeowner planning a solid boundary fence to ascertain his neighbors' views.

d. The desired standard is for fences, screens, and walls to be no further towards the front of the property than the rear line of the house. Only in special circumstances, with adequate justification, will the Committee consider a location forward of the rear line of the house.

e. Chain link fence or other solid metallic fencing is inconsistent with the theme of the neighborhood and, therefore, shall not be approved by the Committee.

f. No fence, screen, or wall will be approved of its placement obstructs sight lines for traffic.

g. Fences constructed on corner lots or on pipestems shall be erected so as to minimize the impact on neighboring properties, particularly their front yards.

2. Type and Dimensional Requirements

a. Masonry (brick and block) and stone walls will generally not be approved for boundary markers. Walls of this type may be approved for decorative or screening purposes around such areas as patios provided their architectural character is in harmony with the neighborhood. The Committee may require this type of wall's visual impact on neighbors to be softened by appropriate plantings.

b. Boundary fencing and any screening should not exceed six feet in height above grade.

c. Free-standing screening should not exceed six feet in height nor exceed 32 feet in length.

3. Materials and Finish

a. If a fence or screen with a finished and an unfinished side is approved, the finished side shall face the public and/or neighbors, that is, posts and other supports shall be on the side facing the installer's property.

b. All painting or staining of fences and screens should complement that of the primary structure and be in harmony with the neighborhood.

c. Gates, if installed, should match the fence in materials and design, and be of the same height and color.

d. Where necessary of the security of children or pets, plans may include wire integrated into wooden fencing provided the wire is an integral part of the design and wood is the predominant visual factor. Such wire should be of welded steel fabric, no larger than 16 gauge, 1" x 1" square, or 2-5/8" x 2" rectangular mesh installed with the wires running vertically and horizontally. Wire should be non-reflecting; natural-colored vinyl-coated wire mesh is recommended.

C. Retaining Walls

1. Retaining walls which divert surface water to adjoining lots or common ground or otherwise substantially change drainage patterns will ordinarily not be approved.

2. For retaining walls higher than three feet, the Committee may require the applicant to provide a professional's written assurance of the wall's stability and structural adequacy.

D. Swimming Pools

1. Because of the small lot size, the character of the neighborhood, and the existence of a community pool, permanent swimming pools are strongly discouraged. Homeowners contemplating such a project should consult the Committee during early planning stages.

2. In addition to meeting Fairfax County requirements for pool security fences, the applicant's plan for the fence must be architecturally acceptable to the Committee.

3. Above ground pools exceeding 18" projection above grade will rarely, if ever, be approved by the Committee.

E. Hot Tubs/Spas

As with swimming pools, applications for installation of hot tubs, spas, etc. must be submitted to the Architectural Control Committee well in advance of planned Installation/construction. The application must contain complete descriptions, dimensions and proposed location.

F. Solar Collectors

The Committee will usually require solar collectors be installed such that the collector is as close to parallel to the roof surface as possible. If a collector is mounted on a rack, the angle between the roof and the collector surfaces should be minimized. The collector and any racks or mounts should be painted to harmonize with the roof color and architectural background.

If multiple collectors are proposed, spaces or gaps between units should be minimize such that piping, wiring, and control devices are concealed. Collectors should not be visible above the roof ridge line from adjacent properties or the street.

G. Driveways and Patios (Paving)

1. Extending, widening, or rerouting of existing driveways require Committee approval before work is started.
2. When constructing or matching material, reasonable extensions and widenings of driveways will ordinarily be approved provided drainage patterns are not changed to affect neighboring lots.

H. Exterior Antennas

1. Exterior antennas of any type and for any purpose must be approved before installation, Exterior antennas generally will not be approved. Antennas installed under the roof perform well in the Hiddenbrook area. In those unusual cases where an exterior antenna is required and its installation is approved, the following requirements should be met:
 - a. The antenna should be firmly anchored, as inconspicuously as possible, on the lower rear slope of the roof.
 - b. Antenna masts should not extend above the roof ridge and should be constructed of galvanized steel.
 - c. Antenna booms should not exceed 12 feet in length.
 - d. Straps and other fastenings should be of noncorrosive material.
2. Satellite dishes for reception of T.V. and other signals may be approved for exterior installation under the following conditions:
 - a. The dish must be firmly attached to roof, chimney or other part of the house. Separate structures for the dish will rarely be approved.
 - b. The dish installation materials must be fastened to the house in a location that is as inconspicuous as possible and still receive an adequate signal.
 - c. The dish and fastening material must be rust proof and noncorrosive.

I. Motor Homes, Mobile Homes, Camping Trailers, Cargo Trailers, Boats, Commercial Vehicles and Related Equipment

1. Permanent or temporary (other than overnight) parking or storage of motor homes, mobile homes, trailers, boats, commercial vehicles, e.g., buses, taxi cabs, vans, or trucks with commercial logos and related equipment outside the garage or house of any homeowner is not permitted. Parking or storage on the common areas, including the pipeline easement, is not permitted.
2. Where application is made for such exterior storage, it should be accompanied by a plan for screening the item from view from any of the street and neighboring lots. As screening and fencing is limited to a height of six feet above grade, applications for storage of equipment exceeding six feet in height will ordinarily not be approved. In the case of trailer-borne equipment such as boats, this six-foot height limitations includes the heights of the trailer and equipment.

3. Storage locations and screening plans will be carefully assessed by the Committee as to their effect upon neighboring lots.

J. Inoperative and Junk Vehicles

Lots and driveways should not be used for storage of inoperative vehicles or major repair or rebuilding of vehicles for more than 72 hours. This is in no way precludes homeowners from using their driveways for routine maintenance and minor repair of their vehicles. Vehicles which are not currently registered and State inspected (where required) are considered inoperative.

K. Play Equipment

Children's play equipment such as basketball nets, sandboxes, swings, slides, playhouses, and tents do not require approval of the Committee as the Association has conferred blanket prior approval for these structures, provided however that such equipment is not located forward of the rear house line and is not visible from the street or public right-of-way. Play equipment will generally not be approved if located forward of the rear line of the house.

L. Landscaping and Planting

1. In general, landscaping and planting do not constitute structures as defined by the covenants and hence do not require the approval of the Committee.
2. Conspicuous fruit and vegetable gardens should be restricted to rear yards and shall not be visible from the streets. Corner lots generally require screening of gardens and approval by the Committee.
3. Trees over four inches in diameter, measured two feet above the ground level around the tree, may not be cut without Committee approval.
4. Trees, hedges, and shrubs shall not extend over a line which is vertical from the inner edge of the sidewalk to a height of seven (7) feet and shall not restrict sight lines for traffic.
5. The height of the grasses, weeds, or other plant vegetation present upon lawn areas shall not at any time exceed eight (8) inches in height.

M. Miscellaneous

1. Exterior lighting should not be directed in such a manner as to create an annoyance to neighbors.
2. No sign of any kind that is illuminated and/or larger than two square feet shall be displayed to public view on any lot except for temporary real estate sale or rental signs of not more than four square feet.
3. Trash and garbage containers should not be in public view except on days of collection or the night before. No accumulation or storage of litter, new or used building materials or trash of any other kind shall be permitted on any lot.

4. Clothing, laundry, and wash should not be aired or dried except in rear yards where reasonable effort will be made to screen its being seen from the streets.

5. Firewood should not be stacked forward of the front corners of the house.

6. No horse, pony, cow, chicken, pig, hog, sheep, goat or other domestic or wild animal shall be kept or maintained on any lot other than common household pets, provided that they are not kept, bred or maintained for commercial purposes.

N. Committee Advice

All members of the Committee are available to advise applicants as to the appropriateness of proposed project. Such advice, however, shall not be construed as permission to proceed with the project

As adopted by the Board of Directors of Hiddenbrook Homes Association on the 20th day of November, 1995.

Timothy Jones
President

Kathy Dunlap
Secretary