

**LYNDAM HILL HOMEOWNERS ASSOCIATION
AT HISTORICAL POHICK CHURCH
ARCHITECTURAL REVIEW BOARD REGULATIONS**

EFFECTIVE SEPTEMBER 1, 2006

INTRODUCTION

WHEREAS, the Bylaws and the Declaration of Covenants, Conditions and Restrictions (also known as the Declaration) of the Lyndam Hill Homeowners Association, Inc. (also known as the Association) and the Virginia Property Owners Association Act give the Board of Directors of the Association (also known as the Board) the right to exercise for the Association all powers, duties and authority vested in or delegated to the Association not reserved to the membership by other provisions of the Articles of Incorporation, the By-Laws, or the Declaration, and

WHEREAS, the Board is charged to adopt and publish architectural rules and regulations for the Lyndam Hill community, and to establish penalties for any infraction thereof, and

WHEREAS, it is the intention of the Board, on behalf of the Association, to enforce the governing documents, rules and regulations equitably toward all Association members;

NOW THEREFORE, BE IT RESOLVED THAT

1. The Board does hereby adopt the attached set of ARCHITECTURAL REVIEW BOARD REGULATIONS (also known as the ARB Regulations) for the Lyndam Hill community with an effective date of September 1, 2006.
2. These ARB Regulations replace and supersede any previously promulgated ARB Regulations.
3. The Board of Directors shall inform the owners and residents of the Lyndam Hill community of these ARB Regulations on at least two occasions before commencement of any enforcement action.
4. The Board of Directors shall publish and make available complete copies of said regulations at no cost for each owner or resident of the Lyndam Hill community. Additional copies will be provided for a charge of \$5 each.
5. In the event the Association retains, employs, or engages an attorney to enforce any provisions of the By-Laws, Declaration, or these ARB Regulations, regarding any obligation of an owner or resident, then in addition to any remedies otherwise available to the Association, the owner or resident shall, as part of such and any legal action, or work performed by said attorney, be responsible for attorneys fees incurred by the Association in such enforcement action.

PURPOSE: The purpose of these ARB Regulations is to provide a consistent, systematic and uniform method of conducting business by the Architectural Review Board.

SCOPE: These regulations cover the authority, membership, and conduct of meetings, architectural standards, duties, responsibilities, and methods of requesting, reviewing and approving individual matters by the Architectural Review Board. These regulations are not intended nor should they be used to supersede any Covenants, Fairfax County ordinances or codes, Pohick Church Overlay District Regulations, Fairfax County Zoning Ordinances, or acceptable construction standards.

ACTION: The Architectural Review Board shall conduct its business in accordance with the attached ARB Regulations, and further shall bring any extraordinary business that comes before them to the attention of the Association's Board of Directors.

APPROVAL: All exterior changes or modifications to a lot or residence in the Lyndam Hill community must have prior approval of the Architectural Review Board. All requests must be submitted in writing on an Architectural Modification Request Form.

AUTHORITY: These regulations have been approved by the Board of Directors in accordance with the Article of Incorporation, the Declaration of Covenants, Conditions and Restrictions, and the Bylaws.

ARCHITECTURAL REVIEW BOARD REGULATIONS

Of the Lyndam Hill Homeowners Association

General: The members of the Lyndam Hill Homeowners' Association are bound and protected by the Declaration of Covenants, Conditions, and Restrictions (the "Declaration") applicable to all sections of the Lyndam Hill Homeowners Association as recorded in the Land Records of Fairfax County, Virginia. The Architectural Review Board (ARB) is specifically charged with the responsibility for application and enforcement of the Architectural Review Board Regulations. Membership on the ARB shall be restricted to the owners or residents of the Lyndam Hill community, and the Chairperson shall be a voting member of the Lyndam Hill Homeowners Association.

These ARB Regulations are not intended to supersede or modify the Articles of Incorporation, but to enunciate the consensus of the ARB as representative of the community on interpreting the Declaration, the Bylaws and the Articles of Incorporation, and to clarify and articulate the authority of the ARB, on behalf of the Lyndam Hill community, as set forth in Article VII of the Declaration and Article VII of the By-Laws of the Association.

These regulations are structured to parallel the Declaration and thus provide for easy reference. Where no comments are presented herein, the ARB deems the Covenants to be self-explanatory.

Membership: See Article VII of the Declaration.

Regular Meetings: The ARB shall meet on a quarterly basis. In the event that there is no ARB business to be addressed, the Chairman may cancel the regular meeting by so notifying the ARB members. In the event that it is known beforehand that a quorum will not be present, the regular meeting shall be rescheduled for the next convenient time.

Special Meetings: The ARB may meet specially to conduct its business as required by these regulations. A special meeting may be called by any ARB member or by the Board of Directors. It is necessary that a quorum is present at any special meeting; however, in the event that a quorum is unobtainable and there is pressing business to be dealt with that is clearly within the scope of responsibility of the ARB, a quorum shall not be necessary to conduct a special meeting. This quorum waiver is meant to serve in the best interests of the Association and will not be used as a means to circumvent full ARB action. In the event a special meeting is held in which a quorum is lacking, the Board shall be notified in writing within five (5) working days. Such notifications shall include the date and time the special meeting was held, the names of the ARB members present and a summary of the business conducted.

Responsibilities: In an effort to protect the investment of all residents, the ARB must review and respond in writing to all requests for exterior additions or modifications, to avoid any addition or modification which could adversely affect the intrinsic integrity of the community, the value of homes in the Lyndam Hill community, or the resale of a home. The ARB will concentrate on keeping all requested additions or modifications within the original architectural style established by the builder for the Lyndam Hill community, including choice of colors. Effects of natural drainage and erosion will be considered where appropriate. All alterations, modifications, or additions must meet pertinent County codes and all permits, variances, etc. must be secured prior to beginning work. It should be recognized that County officials applying Building Codes are only responsible for ascertaining that all construction is structurally sound.

All approved requests for exterior additions or modifications are valid for three months, and such additions or modifications must be completed within three months of the start date. Additional time to complete an approved project will be considered by the ARB upon receipt of a written extension request. A charge of \$10.00 per day for unreasonable delay in completion of an approved addition or modification may be imposed by the ARB.

All requests for additions or modifications will be submitted in writing to the ARB, through the Homeowners Association current management agent. The use of a survey plat, sketches, plans or illustrations from magazines or catalogs along with a written explanation of the project is required. In addition, preference of color (paint chip) and pertinent measurements must be included with the request when applicable.

Owners or their designated representatives wishing to personally present a request to the ARB are encouraged to do so. A personal presentation does not alleviate the requirement for written application. Each request is considered individually.

LOCAL ZONING AND PERMIT APPROVAL

It is the property owner's responsibility to secure any and all required building permits, structural plan approvals and zoning approvals prior to commencement of any work on any property. The Association's only concern is the aesthetics of the proposal as it relates to the overall community theme.

ARCHITECTURAL REVIEW BOARD DUTIES

The ARB Shall:

Conduct semi annual surveys for the condition and maintenance of each house and lot in the Lyndam Hill community. A written report of these surveys will be conveyed promptly to the Board of Directors. The report shall contain as a minimum any apparent violation(s) of these regulations, the Declaration or the By-Laws, or County ordinances. Each survey report should also include any recommended improvements to the Lyndam Hill community. Follow up surveys and actions shall be taken as directed by the ARB Chairperson, or by the Board of Directors. A written report of follow up surveys on major violations will also be required. The ARB will direct the means by which individual violators shall be notified which will include at least the following correspondence:

1. First, a letter of notification to inform and document cases of noncompliance of these Regulations, the Declaration or the By-Laws, and requesting corrective action. This letter will be sent 1st class mail.
2. Second, a letter of notification directing compliance within the time frame established in the Declaration (currently set as 14 days), including statement of their offender's right to appeal the decision of the ARB to the Board of Directors. The letter will indicate that the owner or resident shall be entitled to meet with the Board, or its management agent, at a time to be designated by the Board or its agent. This letter will be sent by certified mail, return receipt requested.

3. Third, if the matter is not resolved to the satisfaction of the ARB or the Board, a certified letter, return receipt requested, will be sent to the owner or resident, informing them of the penalty assessed for the unresolved violation.

The ARB Act promptly on any request pending before the ARB. Any and all requests shall be acted upon during the next regular or special meeting. Notification of approval or disapproval shall be conveyed to the applicant within fifteen (15) calendar days after the ARB meeting.

The ARB will keep sufficient records to adequately make periodic reports to the Board as may be required by the Board.

The ARB shall ensure that all violations of these regulations are addressed within thirty (30) calendar days or as arranged by the ARB. In the event of a pending sale of property in the Lyndam Hill community, the ARB the seller, upon receipt of a written request, of any violations pending against the property and shall request compliance before transfer of ownership of the property in question.

Homeowner Requests:

If an owner or resident desires to make any exterior repairs, replacements or additions that are covered by these regulations or the Declaration, the owner or resident shall submit, in writing, a request to the ARB for permission to make such exterior repairs, replacements or additions. The request shall be given to the ARB, in c/o the current management agent for the Lyndam Hill community. Two copies shall be submitted, one for the ARB Files, and one to be returned to the Homeowner with a statement of approval/disapproval. At such time when alterations are proposed to a property that is not covered in the ARB regulations, the ARB will advise the owner in writing on procedures. Work shall not be commenced until written authorization is received from the ARB.

ARB Action:

At each regular or special meeting all homeowner's requests shall be reviewed, and unless on site inspection is required, shall be voted upon by the ARB request and a written approval/disapproval notification shall be prepared. The ARB Chairperson shall schedule and coordinate the follow up inspection and final approval. In cases where on site inspection is required, the Chairperson shall schedule such inspection with the homeowner. The final inspection shall be conducted by a minimum of two ARB members. The result of the inspection will be discussed at the next ARB meeting to review and vote upon the pending requests and process it accordingly.

NOTICE OF VIOLATION

After all established procedures, notifications and appeals have been exercised for any enforcement process, the Association may levy a penalty assessment and enter upon said parcel to repair, maintain, and/or restore the Lot and the exterior of the building(s) and any other improvement erected thereon. The cost of all enforcement actions, to include but not limited to, such exterior maintenance, charges, all of the Association's legal fees, administrative fees, collection fees, and any other related cost shall be added to and become part of the annual assessment to which such Lot is subject.

The notification of violation shall be delivered to the homeowner in person, or by Certified United States Mail. Second notification of violation is not required. Notification that a charge has been imposed is required. Such notification may be sent by First Class Mail and Certified Mail. In addition to all and any remedies available to the Association for any violation of the Association's Declaration, Restrictive Covenants, Architectural Regulations, Parking and Vehicle Regulations, and Common Area Rules or Regulations, now in effect or hereafter adopted, the Association through its Board or Directors or its designated agent or any other agent, appointee, or officer of the Association may issue to the owner(s), tenant(s) or invitee(s) of either owner or tenant; as to any condition of such lot; or as to any use of such lot.

The Notice of Violation shall be mailed to the last known address of the owner and shall set out the nature and date of the alleged violation and a date, time and location that the Board of Directors shall determine if the Association shall find the owner in violation and whether the Board shall authorize a penalty assessment not to exceed \$50.00 and in addition, if the violation be continuing in nature, whether to authorize a continuing penalty charge, not to exceed \$10.00 per day until such violation is corrected. The Notice shall state the owner has the right to be present in person or by agent, with or without counsel to be heard on the issues at hand.

The ARB is hereby empowered to:

- a. Issue and authorize penalty assessments as described below;
- b. Without notice, suspend the running of any continuing penalty assessments;
- c. Without notice, waive any violation charge if in its discretion it feels the owner is taking adequate steps toward or has corrected the violation.

In the event the Association retains, employs, or engages an attorney to enforce any covenants, provisions, declarations, rules, regulations, or guidelines of the Association regarding any such obligation of the lot owner, then in addition to any remedies, available to the Association, the lot owner shall, as part of such and any legal action, or work performed by said attorney, be responsible for attorney fees incurred by the Association. In the event the sole remedy sought by the Association is money damages, the amount of attorney's fees shall be an equal amount and in no event less than \$75.00.

Any violation charge so authorized and issued shall be deemed an assessment and shall carry with it all rights and remedies due any other assessment of the Association.

PENALTY ASSESSMENT SCHEDULE FOR VIOLATIONS

The Association reserves the right to levy charges under the Virginia Property Owner's Association Act, Article 55. Effective August 31, 2006 all violations shall have a charge applicable to the infraction as follows:

Penalty Assessment Level A - \$50.00 per offense and/or \$10.00 per day for a continuing condition.

Penalty Assessment Level B - \$10.00 per offense and/or \$10.00 per day for a continuing condition.

Penalty Assessment Level C - \$25.00 per offense.

Penalty Assessment Level D - \$10.00 per offense.

Penalty Assessment Level E - Actual cost of repairs and/or maintenance.

No charge shall be levied against any homeowner until thirty (30) days after said homeowner has received written notification specifying the violation(s) and the corrective action necessary.

REGULATIONS:

The following Regulations specifically address individual areas of concern and provide further restrictions. All exterior modifications must be submitted and written approval granted prior to starting any exterior modification, unless otherwise noted in these Rules and Regulations.

Exterior Permanent Structures: Penalty Assessment Levels “A” and “E”

1. GENERAL:
 - a. All exterior modifications must be submitted with completed request form, plans, plat, and materials list and approved by the ARB prior to starting the modification. Plans must be Drawn on the plat by the owner, CC&R Article VI, Section 1 and 2.
 - b. All exterior permanent structures including but not limited to: covered porches, sunrooms, Florida rooms, sheds and bump-outs shall have an asphalt or neutral color vinyl roof that is not in stark contrast to existing asphalt shingles on the home. All additions and exterior structures must maintain the materials used by the builder: vinyl siding - same color and texture, asphalt shingled roofs to match an existing home roof in texture and color, windows must match existing windows - a variance in the size, but the same color, vinyl material and grids.

Paint and Stain standards: Penalty Assessment Levels “A” and “E”

1. Exterior color changes must be submitted for approval, CC&R Article VI, Section 1.
2. Exterior color changes will be approved only if the proposed color conforms to the character of the community, i.e. colors similar to those used by the builder. (DuPont Color Chart is available from the HOA).
3. Only those areas that are stained may be re-stained, such as the front door. Unpainted or unstained surfaces shall remain unpainted or unstained, i.e., brick, concrete, copper awnings.
4. Original colors for each home need not be submitted for re-approval.
 - A: Exterior trim colors:
 - DuPont Semi Gloss Wheat
 - DuPont Semi Gloss One Coat White
 - B: Shutters: DuPont Hearthstone/Tuxedo Gray
 - C: Front Door Stain: Gunstock Stain
5. All painted areas of any property must be kept painted and in good condition. Faded, peeling or missing paint from any area requiring paint must be properly prepared and repainted, as per CC&R Article VI, Section 12.
5. Fence and deck stain or sealant standards are written in a separate section for color standard for fences and decks.

Fence Regulations: Penalty Assessment Levels “A” and “E”

1. GENERAL:

- a. A homeowner must obtain approval after submission of an architectural request form, plans, plat, and materials list, prior to starting the fence modification. Plans must be drawn on the plat by the owner, CC&R Article VI, Section 13.
- b. It is the responsibility of the homeowner to ensure that the fence line is within his/her legal property bounds and not crossing onto an easement.
- c. Finished products are subject to final approval by on site inspections by an ARB member.
- d. All wood that comes in contact with the ground will be decay resistant or pressure treated with an EPA approved decay resistant chemical of 40 lbs or greater, per cubit foot, properly applied.
- e. Metal fencing materials, except for hardware and fasteners of any kind are prohibited.
- f. All fence posts shall be 4”x 4” and must be capped with a decorative finial and top rail to prevent water penetration.

Approved colors for fences and decks: Penalty Assessment Levels “A” and “E”

All fences shall be stained with a cedar tone Semi Translucent stain or a clear and colorless sealant. Stain or Sealant shall be applied to the fence every 2-3 years to preserve the wood and enhance its appearance.

Decks constructed with composite materials must remain their original colors as approved by the ARB on the Exterior Modification request.

Decks constructed in wood must be stained with a Cedar Semi Opaque Translucent Stain or sealed with a clear and colorless sealant. As an alternative a White Cedar stain can be utilized for Decks only.

Decks and fences are not approved for paint.

Fence Style # 1: Penalty Assessment Levels “A” and “E”

1a. ALTERNATE BOARD (BOARD ON BOARD) 1” X 6” X 6’ FENCE (EIGHT (8’) FOOT SECTIONS.

- a. Alternate Board rear fencing must be stained with a Cedar Semi Opaque Translucent Stain or sealed with a clear and colorless sealant.
- b. The alternate board fence shall be built to seventy-two inches (6’) in height.
- c. The alternate board fence shall have only a top supporting 2”X 4” rail, a middle 2”X 4” Supporting rail and a bottom 2”X 4” supporting rail placed in between the alternating slats. 1” X 6”X 6’ (FENCE) Slats shall be installed to the supporting rail alternating between the interior and exterior sides of the fence. Fence shall have a cap 1” X 4” by length of fence on the entire fence top. All Post shall be capped with a metal post cap.

1b. ALTERNATE BOARD (BOARD ON BOARD) GATES:

- a. Gates will conform to the style, look and construction of the alternate board fence. 1” X 6”X 6’ (FENCE) Slats shall be installed to the supporting rail alternating between the interior and exterior sides of the fence.
- b. Fences will have no more than two gates, which will swing in the owner’s direction of choice.
- c. Gates shall be braced on the interior side with top, bottom, and lateral supports and with hinges of sufficient strength for proper support.
- d. All gate hardware will match.
- e. The alternate board fence gate shall have only a top supporting 2”X 4” rail, middle 2” X 4” supporting rail and a bottom 2”X 4” supporting rail between the alternating boards. Gate shall have a cap 1” X 4” by length of gate on the entire gate top. All Post shall be capped with a metal post cap.

1c. FENCE LOCATION:

- a. Installation of fences on each side of the home shall be installed from the rear corner of the home. The installation of any fence must remain within the owner’s property. All fences must have approval prior to installation.
- b. Rear yard fences shall be installed only behind the residence so as not to extend beyond the sides of the residence, except that the fence on the rear lot line can extend the entire length of the rear lot line, except that there can be more owner’s rear lot line fence if there is an existing common area fence adjacent to the owner’s rear lot line.
- c. Fence Style # 1



Fence Style #2: Penalty Assessment Levels “A and “E”

Any behind lots 18 - 22 facing Telegraph Road must be constructed in accordance with the builder’s original design.

Fence Style # 2



Fence Style #3: Penalty Assessment Levels “A and “E”

The board must approve any other proposed fence styles.

MISCELLANEOUS REGULATIONS

Air Conditioners: Penalty Assessment Levels “A” and “E”

Window air conditioning units of any type may not be installed in any home. Only central units are allowed.

Antennas and Satellite Dishes: Penalty Assessment Levels “A” and “E”

Every effort should be made to install satellite dishes in the least conspicuous location that will allow for an acceptable quality signal on the rear roof of your home or rear yard. TV antennas should also be hidden from view in the rear of your home to the greatest extent possible without impairing reception. All satellite dishes and antennas must be approved prior to installation. No radio antennas shall be visible from the exterior of any lot. All exterior wiring in support of a TV antenna or a satellite dish antenna must be concealed and cannot be visibly seen hanging from the dwelling. Satellite dishes may not exceed 22” in diameter, CC&R Article VI, Section 10.

Attic Fans: Penalty Assessment Levels “A” and “E”

Attic fans shall be located to the rear or side of the roof peak and shall not be visible at ground level from the front of the unit. Turbine fans will not be approved. Professional installation of attic fans is strongly encouraged.

Awnings: Penalty Assessment Levels “A” and “E”

Exterior back deck and yard retractable awnings shall be approved on a case-by-case basis. Awning colors should conform to the color of the home. Approval must be acquired prior to installation.

Basketball Pole, Backboard & goal: Penalty Assessment Levels “B” and “E”

Permanent basketball hoops and goals can, upon approval by the ARB, be installed in the rear of homes on a case-by-case basis. Portable basketball goals shall not be placed in the street and must be stored between 8:00 p.m. and 8:00 a.m. on the garage side of the driveway or common area next to the driveway. The goals cannot block ingress or egress to the garage or back yard.

Clothes Drying Facilities: Penalty Assessment Levels “A” and “E”

No clothesline or clothes drying pole may be installed, CC&R Article VI, Section 3.

Dog Houses: Penalty Assessment Levels “A”, “B”, “C” and “E”

Dog houses must be enclosed in a fenced rear yard and require ARB approval prior to construction. Dog Houses may be approved by the ARB even if visible from neighboring property so long as it and the ground around it are kept neat, attractive, clean and unobtrusive and of reasonable size. Should complaints arise over an unkempt pet area, the ARB reserves the right to enforce applicable portions of this regulation, or of the governing documents of the Association.

Decks: Penalty Assessment Levels “A” and “E”

All decks require prior approval of the ARB. In addition, the owner shall comply with building ordinances of the County of Fairfax, as required. No deck shall be closer than five feet (5’) to the rear property line, CC&R Article VI, Section 2. No deck will serve as storage. No decks shall be built in the front of any home. Deck furniture and grills may be kept and stored on decks. If deck furniture and grills are covered, the cover must be an appropriate cover. Material for decks shall consist of:

- a. Pressure treated exterior lumber or neutral colored vinyl composite unless otherwise approved by the ARB. Neutral composite colors include sandalwood gray, cedar and redwood. White composite materials must obtain prior ARB approval.
- b. Within one foot of home for lower decks or attached to home and cannot be within one foot (1’) of the rear property line.
- c. Rear side privacy latticework for upper decks is not authorized, as this has not been approved by the Pohick Church Overlay District Regulations. Latticework for lower decks will be decided by the ARB on a case-by-case basis.

Exterior Energy Saving Devices: Penalty Assessment Levels “A” and “E”

Request for installation of exterior energy saving devices will be considered on an individual basis. All components must be placed at the rear of the dwelling, CC&R Article VI, Section 2.

Flagpoles: Penalty Assessment Levels “A” and “E”

Permanent, freestanding flagpoles are not permitted. A temporary flagpole staff that does not exceed six (6’) feet in length and is attached at an incline to the wall or pillar of the dwelling unit does not require approval by the ARB. Only one such flagpole staff shall be permitted per home, CC&R Article VI, Section 21.

Front Porch Seasonal Furniture: Penalty Assessment Levels “B” and “E”

Seasonal furniture must be removed for the winter months. This includes but is not limited to folding chairs, etc. All seasonal furniture must remain in good repair and appearance.

Garages: Penalty Assessment Levels “A”

Garage doors must be able to be closed completely at all times. No garage door shall remain open on a continuous basis, CC&R Article VI, Section 20.

General Property Appearance: Penalty Assessment Levels “B” and “E”

The exterior of all dwellings and yards must be properly maintained in a like new, orderly condition to the satisfaction of the Board of Directors, CC&R Article VI, Section 5.

Grills: Penalty Assessment Levels “B” and “E”

An application is required for permanent grills in the rear yard. Portable grills must be in the back yard. No permanent or portable grills are to be stored or placed in the front of any unit.

Hose Carts and Water Hoses: Penalty Assessment Levels “C” and “E”

All hoses and hose carts must be stored neat and tidy and may be stored unobtrusively in the front yard.

Iron Railing “Front Exterior”: Penalty Assessment Levels “A” and “E”

All iron rails must be maintained and remain black in color. Rails may not be removed permanently. Rails may be removed temporarily to accommodate moving.

Landscaping: Penalty Assessment Levels “A”, “B”, “C”, “D” and “E”

Minor landscaping work and minor planting in general do not require approval of the ARB however; major landscaping and plantings (i.e. modifications that would affect land contours or drainage, or planting hedges along property borders) shall require ARB approval. Hedges will not be permitted to grow above the height of 36 inches in the front yard. Lawn edging to be installed above ground must be constructed of high quality pressure treated lumber, brick or stone. Metal edging of any kind shall not be permitted. Temporary barriers erected for seeding or planting purposes shall not require prior ARB approval, but shall not remain in place for more than one month. Any deviation from this standard requires ARB approval, CC&R Article VI, Section 5.

Lawns: Penalty Assessment Levels “A”, “C” and “E”

Private front and rear lawns shall be neatly cut at all times, and not exceed six (6) inches in height. Failure to maintain lawns to this standard may result in the Association applying a charge to any respective lot’s annual assessment account to cover the cost of having the work done, as allowed by the governing documents and Board resolution, CC&R Article VI, Section 5.

Lighting (Exterior): Penalty Assessment Levels “A”, “C” and “E”

All exterior lighting fixtures must be maintained. Exterior dusk to dawn lantern poles must be in working order at all times. Only clear or soft white light bulbs can be installed in lantern poles. Only clear, soft white light bulbs and yellow bug lights shall be allowed in all other exterior lighting. Seasonal lighting shall be classified on its own. Motion Detector lighting and low voltage landscape lighting is allowed. No exterior lighting shall be directed outside the boundaries of any lot except for Association street lamps and individual residential low voltage landscape lighting. Any additional lighting must be approved prior to installation.

Material Storage: Penalty Assessment Levels “A” and “E”

No material or refuse shall be disposed of or stored on any part of the Association’s common grounds to include roads and walkways, except that which is incidental to ongoing construction projects undertaken by the Association. Only usual and normal material incidental to a residential area may be stored upon private lots within the Association. Decks and backyards will not be used for storage. Sheds shall be used to store no hazardous storage items, along with garages. All Sheds require ARB approval IAW CC&R Article VI, Section 2.

Nuisance Activity: Penalty Assessment Levels “A” and “B”

No noxious or offensive activity shall be carried on upon any portion of any residential property or Association property, nor shall anything be done thereon which may be or become a nuisance or annoyance to the neighborhood, CC&R Article VI, Section 6.

Patios: Penalty Assessment Levels “A”, “B” and “E”

Construction of patios of any kind shall require approval of the ARB. Construction of patios in front yards is not permitted. Rear patios at walkout level may be decorative brick, concrete slab, or completed in flagstone and shall be built to county code. Any permanent patio structure must be recessed one foot (1’) from the rear property line and requires ARB approval prior to construction.

Pets and Animals: Penalty Assessment Levels “A”, “B”, “D” and “E”

No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other household pets may be kept provided they are not raised, bred or kept for commercial purpose. Charges will be levied against respective lots where the animal resides for allowing any dog to leave a lot that is not leashed and under the control of the person walking the dog or for allowing any pet to defecate on Common Areas without immediately cleaning up any solid waste. Pet owners must remove waste in their yard daily to prevent rodent and insect infestation. Animals must not be allowed to become a nuisance with regards to barking excessively or trespassing on individual properties, CC&R Article VI, Section 8.

Front Porch Posts & Railings: Penalty Assessment Levels “A” and “E”

Replacement of porch railing with exact material, color and style does not require approval. Vinyl railings in the community are approved on a case-by-case basis. Vinyl must match exact color of existing railing and approved prior to installation and must be black or white in color.

Property Use: Penalty Assessment Levels “A” and “E”

No portion of the properties shall be used except for residential purpose and for purpose incidental or accessory thereto.

Pruning: Penalty Assessment Levels “B” and “E”

Trees, shrubs, and hedges, which restrict sight lines for vehicular traffic, shall be cut back or removed. Under no circumstances shall trees or shrubs be allowed to interfere with pedestrian walkways or vehicular traffic. All plants must be kept properly trimmed and mulched to enhance the home and community. All specimens must be kept within the property lines of the respective home, CC&R Article VI, Section 4.

Recreation & Play Equipment: Penalty Assessment Levels “B” and “E”

Semi-permanent play equipment that either constitutes a structure or is appurtenant to an existing structure requires approval. Examples include sand boxes, playhouses, swing-sets, etc. The following factors will govern approval: color and materials, scale and design, and location. Note: only installation of play equipment in the back yards will be approved.

Roofs and Gutters: Penalty Assessment Levels “A” and “E”

All roofs and gutters must conform to style, material and color as constructed by the original builder. They must be maintained at all times. No modifications to a rood or roofline may be made, i.e. skylights or chimneys, without the prior approval from the ARB.

Seasonal Lighting: Penalty Assessment Levels “B” and “E”

For holiday and festival lighting and decorations, an application is not required. Holiday lighting and decorations may be installed for a period not to exceed six weeks, weather permitting. After the period of use, all temporary lighting and decorations must be removed.

Security Bars: Penalty Assessment Levels “B” and “E”

In general, the use of security bars or grates on windows and doors is prohibited. Should security bars or grates become necessary on the lower and or basement rear facing side of the house, an application must be submitted to the ARB. In order to have the bars or grates installed on the rear facing basement windows there must be an alternate means of egress should there be a fire or other emergency in the basement.

Shutters: Penalty Assessment Levels “A” and “E”

All modifications, which include additions, style changes or removal, must be approved by the ARB.

Siding (Vinyl): Penalty Assessment Levels “A” and “E”

All siding must remain the same color as its original design. It must be maintained at all times.

Signs: Penalty Assessment Levels “B” and “E”

No sign of any kind larger than one foot square shall be displayed to the public view of the lot, except temporary signs not more than three-(3) feet square in area advertising the property for sale or rent. Signs, which do not meet the requirements of this paragraph, shall be removed by the ARB without notice. Realtor’s signs must be removed prior to or the day of closing or on the day the unit is rented, CC&R Article VI, Section 7.

Skylights: Penalty Assessment Levels “B” and “E”

Skylights shall be approved on an individual basis per specifications.

Snow Removal: Penalty Assessment Levels “B” and “E”

All common sidewalks (in front of or adjacent to an owner’s or resident’s property must be cleared and/or sanded within 12 hours of the end of a snowfall in order to provide safe passage. It is requested that residents volunteer to remove snow from walkways not in front of any home, in front and behind mailboxes and around fire hydrants

Stoops, Sidewalks and Porches: Penalty Assessment Levels “B” and “E”

All stoops, sidewalks and porches shall maintain the original appearance. Painted or carpet-covered stoops and sidewalks are not permitted. Stoops shall be maintained in good repair.

Storage Sheds: Penalty Assessment Levels “A” and “E”

In recognition of a homeowner’s need to provide additional storage of garden tools and equipment, requests for small storage buildings in the rear yards will be considered. Location, site, style (metal sheds of any type will not be permitted), and color will be considered by the ARB prior to approving the construction of a shed. A solid concrete floor, pressure treated wood or floor/base material is required, most vinyl sheds come with a floor that serves also as the mounting base. The shed shall be adequately secured to the floor. Sheds may not exceed 8’x10’ or a total of 80 square feet. The height of the shed shall not exceed 8’6” in height at the tallest point not including the base. Should the homeowner need a larger shed, they may submit a request to the ARB for review. Placement of shed must adhere to county code. All sheds shall be constructed and materials used must match the siding and shingle color of the house or as closely as possible. Storage Sheds are limited to one per lot.

Storm Doors: Penalty Assessment Levels “A” and “E”

All storm doors shall be full view and match the exterior trim color of the home. Current approved colors are white and almond; door hardware must be brass. Storm doors shall not be installed without prior written ARB approval, unless they are one of the following styles:

- a. Larson Full View– Signature Series
 - Signature Bevel
 - Signature Clear
 - Charleston
 - Williamsburg
 - Springfield

- b. Larson Full View Tradewinds Series
 - Full view Brass

- c. Pella Full view – Series
 - Montgomery – model 3800
 - One Touch Full View - model 4800
 - Royalton – model 4602
 - Ashford – model 4601
 - Kingsview – model 3802
 - Worthington – model 3801
 - Meadowview – model 3020
 - Wellsley – model 3010

Storm Windows/Shutters: Penalty Assessment Levels “A” and “E”

Storm windows and storm shutters are prohibited.

Swimming Pools: Penalty Assessment Levels “A” and “E”

Swimming Pools, spas and hot tubs must be approved by the ARB and will be considered on an individual case-by-case basis for the rear yard area only. All such structures must be located as to minimize sight and noise impact on neighboring properties. A minimum of 10 feet from property line must be maintained. Any homeowner contemplating an installation shall work closely with Fairfax County to address all issues and concerns prior to submitting a Request to the ARB. No permanent above ground pool structures will be authorized. Nominal-sized inflatable above-ground pools, which are temporary in nature, will be permitted to be erected no earlier than one week prior to Memorial Day and must be taken down no later than the weekend of Labor Day.

Trash Containers/Recycling Bins: Penalty Assessment Levels “C”

Trash containers and/or recycling bins are required to be stored in the backyard or stored in the garage and must be neat and clean. Should complaints arise over such an area, the ARB will request relocation of the containers/bins, or cleaning up of the areas, as appropriate. Trash containers and or recycling bins may not be set out prior to dusk the evening before collection. Empty trash containers/recycling bins must be returned to their proper storage location as soon as possible the same day trash/recycling is picked up, and no later than 8:00 PM. At no time shall any container be left out for an extended period of time while on vacation etc. CC&R Article VI, Section 9.

Vinyl Siding: Penalty Assessment Levels “A” and “E”

All siding must remain the same color as its original design. It must be maintained at all times.

Wiring: Penalty Assessment Levels “B” and “E”

All additional exterior wiring not originally installed by the builder must be concealed and cannot be visibly seen hanging from the dwelling. This includes, but is not limited to, additional phone lines, cable lines, satellite feed lines, and exterior lighting.

Yard Storage: Penalty Assessment Levels “A”, “B” and “D”

The yard (front, side or back) shall not be used for storage. Only a grill and appropriate lawn furniture will be allowed to be stored in the back yard or on the back deck. All other items must be stored in approved sheds, garages or in the home. No temporary swimming pools can be erected/stored in the front yard of any lot.

Lyndam Hill Homeowners Association Exterior Modification

The Architectural Review Board has 30 days to approve or disapprove this modification request. Do not start any exterior modifications prior to receiving this form back to you by mail, with initials on the approval line. Submit two (2) copies of your plans, filling this form out completely (2copies) along with 2 copies of the plat of your property, Fairfax County permits where applicable and send to the address below. Any uncompleted forms will delay your project. **(All approved modifications must be completed within six (6) months from the ARB approval date).**

Submission Date: _____ Project Completion Date: _____
Application Name: _____ Address: _____
Work Telephone: _____ Lot Number: _____
Home Telephone: _____ Mailing Address: _____

OUTLINE OF PROPOSED CHANGES:

____ Alternate Board 6' x 1"x6" Boards with top board.
____ Different style fence.
____ Deck (attached to house) ____ Deck (detached from house)
____ Full view Storm Door/Windows (style/color)
____ Security Door _____
____ Landscaping (provide diagram) ____ Other (specify) _____
____ Exterior Painting. Please list area to be painted and provide paint existing color. Provide paint sample of proposed color. _____

Other Work not listed above: _____

MATERIAL TO BE USED: _____

LAYOUT OF CHANGE (PROVIDE LOT SURVEY PLAN) ADDITIONAL COMMENTS:

PLEASE PROVIDE IF APPLICABLE:

HEIGHT: _____ WIDTH: _____ LENGTH: _____ SIZE: _____
COLOR/STYLE: _____

RETURN FORM TO:

ARB - Lyndam Hill HOA
C/O Turners HOA Mgt. Co.
Post Office Box 411
Lorton, Virginia 22199

HOMEOWNER'S SIGNATURE: _____

[ACC USE ONLY]

Date Received: _____ Initials: _____
Date of Notice: _____ Follow-up Site Review: _____
Date of Approval _____ Date of Denial _____

COMMENTS: _____

