

FOREST RIDGE HOMEOWNERS ASSOCIATION

(FRHOA)

ARCHITECTURE CONTROL COMMITTEE (ACC)

PROCEDURES AND REGULATIONS

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**FRHOA ARCHITECTURE CONTROL COMMITTEE (ACC)
PROCEDURES AND REGULATIONS
JUNE 2017 Edition**

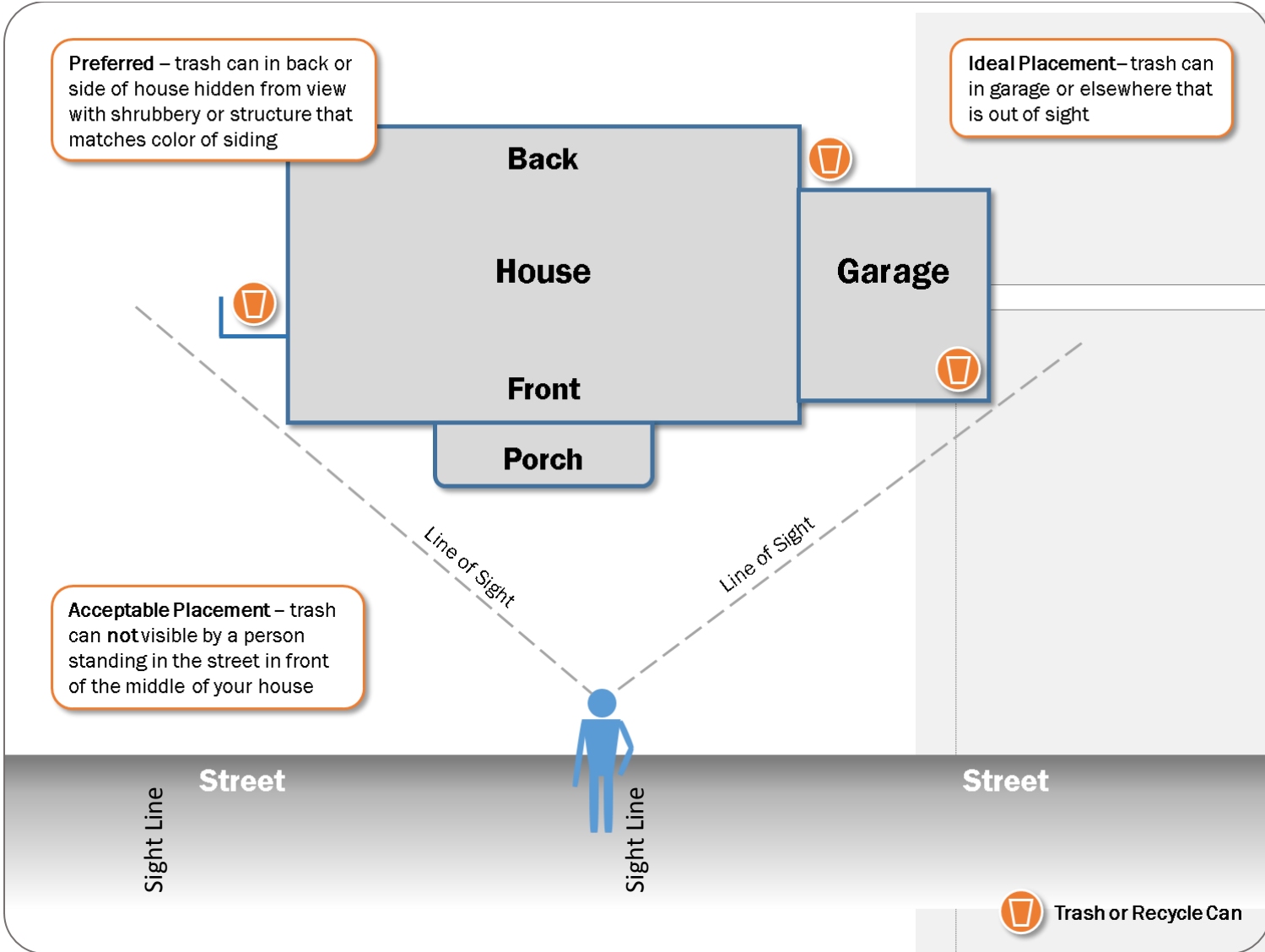
- I. Overview and Purpose of ACC for FRHOA
- A. The ACC is charged with preserving the design scheme, architectural style and aesthetic appeal of the Forest Ridge subdivision. Forest Ridge was originally designed as a community of earth tones within a forest-style setting, with open, unrestricted views of the wooded areas of the common areas and home lots. The design schemes of the dwellings incorporate natural materials and colors.
 - B. The ACC is authorized to and responsible for:
 - 1. Approving or disapproving, in writing and in a timely manner, all applications based on approved Association Regulations and the Covenants, Conditions, and Restrictions.
 - 2. Approving or disapproving, in writing and in a timely manner, all applications received by the ACC based upon a majority vote of the ACC members on such applications.
 - 3. Reporting violations and corrective actions within 30 days in writing to the homeowner.
 - 4. Periodically reviewing these ACC Regulations.
 - 5. Keeping and maintaining minutes of all ACC meetings, noting specifically persons in attendance, issues discussed and actions taken, except that any ACC application action shall be recorded on the application form.
 - 6. Ensuring timely compliance with approved applications.
 - 7. Conduct periodic property inspections as deemed appropriate.
 - C. These Regulations and ACC approval of a homeowner's application do not release that homeowner from his legal responsibility to comply with any required county ordinances, regulations or restrictions, and to obtain all necessary permits. Property owners are required to contact the appropriate county governmental agency for its regulations and to obtain any necessary county permit(s) before submitting an ACC application. Because FRHOA covers two counties (Fairfax and Loudoun), the homeowner is responsible to contact the appropriate county for all required ordinances and permits.
 - D. These Regulations constitute duly approved rules and regulations of the Forest Ridge Homeowners Association and are enforceable at law and in equity pursuant to Va. Code § 55-513A.
 - E. All provisions of the Covenants and these Regulations apply to both the owner and, if rented, to the occupant(s) of the property. It is recommended that the Covenants and these Regulations be specifically referenced in leasing agreements.

- F.** The primary requirement for all ACC reviews and approvals is that the character of the community be maintained. All exterior changes, modifications, or additions must be harmonious with the house, the surrounding properties and Forest Ridge in general.

- G.** These Regulations may be updated from time to time to allow the use of new technologies and materials. Homeowners are encouraged to share ideas and knowledge of new ideas that will improve materials, while still maintaining the design / aesthetic goals. All changes to these Regulations are subject to vote by the full Board of Directors and shall be published to the homeowners after an opportunity for homeowner input.

- H.** Limited Exceptions to any ACC Regulation may be granted where required by Virginia or county law or regulation. It is the responsibility of the homeowner to provide all documentation to justify the exception with the application. Any Limited Exception will be valid only until the item is replaced or the property is sold. At time of replacement or sale, the homeowner is responsible to apply for a renewed Limited Extension.

- I.** Several regulations require that items “not be seen from the street at the front of the house”. This is defined “from a position at the curb and at the center of the front yard looking towards the front plane of the house.” See the diagram below (trash can example).



Defined "Front of House View"
Trash Can Placement

Excerpts from FRHOA Governing Documents

- II. Excerpts from FRHOA Declaration of Covenants, Conditions, and Restrictions ("Declaration) relating to architectural control and protective covenants and restrictions.

The following excerpts are from the original Declaration for the Forest Ridge Home Owners Association.

ARTICLE VI ARCHITECTURAL CONTROL

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition 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 the harmony of external design and location in relation to the 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. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specification have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with.

ARTICLE VII PROTECTIVE COVENANTS AND RESTRICTIONS

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 and constructed improvements, the entire area hereinabove described, except as herein provided shall be subject to the following protective covenants and restrictions hereinafter referred to as The General Covenants:

- (1) All lots in the tract shall be known and described as residential lots and no structures shall be erected, altered, placed or permitted to remain on any residential building plot other than one detached, single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than two cars. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
- (2) All of said lots and yards shall be maintained in a neat and attractive manner so as not to detract from the appearance of the above-described development.
- (3) No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

(4) No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet, advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

(5) No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that two dogs, two cats or other household pets may be kept provided they are not kept, bred or maintained for commercial purposes.

(6) No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Trash or garbage receptacles shall not be visible from front of house.

(7) Easements for installations and maintenance of utilities, including sanitary and storm sewer lines, are reserved over the side and rear five feet of each lot.

(8) No trucks or trailers shall be stored or parked on any of said lots, nor shall any trucks or trailers be parked on any of the streets in said subdivision by the owners, lessees or other occupants of said lots.

(9) No drying of any wet clothes or airing of any garment or bedding shall be permitted to be done outside of the house located on any lot in the subdivision except within the rear yard area and except on Monday through Friday between the hours of 9:00 a.m. and 3:00 p.m. Clotheslines must be removed or retracted when not in use.

(10) Forest Ridge, Ltd., or its successors, reserves the right to amend, modify or vacate any of the protective covenants or restrictions contained in ARTICLE VII, whenever the circumstances, in the opinion of Forest Ridge, Ltd., or its successors, so deems such amendments, modifications or vacations advisable; otherwise, such covenants are to run with the land and shall be binding upon all parties claiming under them in accordance with the provisions of Section 3 of ARTICLE VIII.

ARTICLE VIII GENERAL PROVISIONS

Section 1. Enforcement. The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

FRHOA Revised ACC Regulations - Continued

III. Project Requirements – This section provides more detailed information to clarify the Protective Covenants and Restrictions set forth at Article VII in the Declaration and reprinted above. Most of these regulations have been developed in response to homeowner questions and concerns. For the latest regulations and sample, please check forest-ridge.org.

A. Alterations and Additions (*Building permit(s) probably required*)

1. An example of an alteration, addition, or a detached structure (house) includes, but is not limited to, new rooms, decks, garages, porches, fences, solar panels, chimneys, patios, swimming pools, playhouses, screened porches, roofing, exterior painting, and driveway modifications.
2. Any addition, exterior alteration, modification or change to an existing structure shall be integrated with the design character of the original building and compatible with the surrounding homes. Any new integrated structure, as defined in these Regulations, shall be compatible with the design of the larger structure and the community's design scheme.
3. Storage Facilities
 - a. Detached or prefabricated (metal or other material) storage facilities or buildings will not be approved.
 - b. All outside storage facilities / buildings, including under deck enclosures, must have the approval of the ACC before the work is undertaken.
 - c. Any storage facility must be located at the rear of the house and not visible from the front of the house. It must be attached to the back of the house and integrated into the design of the house.
 - d. The exterior of the facility / building shall be compatible with the design, character, and materials of the original building, including roofing.
 - e. Placement must meet all county requirements for setback and other relevant property/zoning regulations.

B. Materials and Colors Overview

1. An application with new paint color chip (non-returnable) is required for repainting or re-staining any part of the exterior surface with a new color.
2. No change in the existing exterior colors of any structure shall be made without express written authorization of the ACC.
3. Since manufacturers change names and colors periodically, the ACC does not maintain a list of approved colors and materials. It will be at the determination of the ACC Committee to determine if a specific color complies with the architectural and aesthetic style of the community.
4. An ACC change request that introduces new materials and/or styles not previously used within the FRHOA community requires a full product description, images, manufacturing details, and manufacturer of the new materials and/or styles to be included with the ACC change request,

and the new materials and/or styles must be approved by a majority of the FRHOA Board.

C. Specific Project Requirements (Not an inclusive list--the homeowner is required to contact the ACC if any project may be questionable).

1. Antennas and Satellite Dishes

- a. Antennas and satellite dishes must be less than 39.37 inches (3.0 meters) at the widest point and must be located at the least visually conspicuous location on the roof as possible. Free-standing antennas and satellite dishes will not be approved, unless allowed by FCC regulations.
- b. Other communication devices are not permitted unless allowed by federal law in residential communities.
- c. FRHOA and neighbors have no obligations whatsoever to permit or consent to the use of common area or neighboring private property in order to provide or maintain unobstructed lines of sight. Homeowners are not permitted to cut, prune, or otherwise clear trees, shrubs, or other vegetation from common grounds or neighboring properties to clear site lines, or to cause same.

2. Chimneys and Metal Pipes (*Building permit may be required*)

- a. The installation of a chimney or flue pipe requires ACC approval and submission of lot plat. County permits may also be required.

3. Common Grounds (also referred to as common areas)

- a. Please see Rules for Usage of Common Areas at www.forest-ridge.org/hoadocuments/commonareas.html
- b. Common grounds are for the enjoyment of the entire FRHOA community and all users are required to clean up after activities.
- c. No motorized vehicles are allowed on common grounds.
- d. No dumping of yard waste or trash is allowed on common grounds.
- e. No cutting or removal or planting of bushes, shrubbery, or trees is allowed on common grounds.
- f. FRHOA will periodically cut trees on the common grounds for safety purposes. These are usually cut into sections. It is FRHOA general policy not to remove most of these cut trees so as to provide a more natural environment. Homeowners may remove these cut tree sections for personal firewood, provided that no motorized vehicles of any type or nature are operated on the common grounds.

4. Decks / Patios / Porches (*Building permit may be required*)

- a. All new or modified decks, patios, porches (covered, screened, etc.) must receive the prior approval of the ACC. A lot plat must be included with the submitted application.
- b. Design of project shall be compatible with main dwelling structure in composition and architectural style.

- c. **Materials must be compatible with main dwelling structure. Decks and porches may be made from natural wood or recycled / synthetic materials, if colors are compatible with the architectural and aesthetic style of the community.**
 - d. **For patios, only stone, brick, or concrete will be considered. Screening, such as lattice, may be incorporated into the project, but colors must match those of project and be included in project application.**
- 5. Driveways and Parking Pads (*Building permit may be required*)**
- a. **All driveway expansion and material changes require ACC approval.**
 - b. **Maintenance, repair, and re-surfacing with same materials do not require approval, unless size of driveway will be altered.**
 - c. **Asphalt and concrete are acceptable materials. Crushed stone or gravel is not acceptable.**
 - d. **Driveways shall not extend beyond the front plane towards the back of the house, unless incorporated into original design of the house.**
 - e. **Driveways shall not be enlarged or extended towards center of the house.**
 - f. **All applications require a plat/drawing/sketch showing relationships and dimensions to nearby property boundary lines.**
 - g. **All projects must meet county zoning and property line regulations. Both Loudoun and Fairfax Counties have restrictions.**
 - h. **Some properties located on long driveways or pipe stems may be approved for a single car turnaround off their driveway.**
- 6. Fences**
- a. **Property line wooden fencing, or synthetic material (Trex or comparable products) that is the color of and looks like natural wood, of the split rail, paddock or crossbuck style, with a maximum height of four feet (48 inches) and at least 50% open construction is generally acceptable.**
 - b. **Careful consideration shall be given to the visual and aesthetic effect of the fence on adjacent properties.**
 - c. **Non-wooden fences, such as chain link, vinyl/plastic, stone, brick, wire, concrete block, or cinder block will not be approved.**
 - d. **Fences of 4 feet or less in height shall not be erected forward of the plane formed by the front of the house. Fences over 4 feet, approved by Limited Exception, shall not be erected forward of the plane formed by the back of the house.**
 - e. **Fence color shall be compatible with existing structures and surroundings. Fencing may be stained or painted with a clear or light colored preservative.**
 - f. **Fencing may have metal fabric attached, provided the fabric is on the inside, does not extend above the top rail (or cross board), is of small gauge (2" x 2" or 2" x 4") and of open web design. Fabric must be galvanized material or equivalent.**
 - g. **Privacy fencing at property lines is not allowed, but privacy**

screening may be incorporated into deck or porch designs on the back of the house. Shrubbery may also be used for additional privacy.

- h. Exception #1: Homeowners living on an outside border of the community or in another similar situation, may apply for consideration of an exception on a case-by-case basis. In such cases, the fencing may be solid (less than 50% open), but not to exceed six feet in height. Exception will only be approved for community border line, not between FRHOA lots or between lots and FRHOA common area. Natural color requirements still apply. Please see notes on Limited Exceptions.
- i. Exception #2: Although county and other government regulations may change from time to time, they currently require that residential properties with pools be surrounded by a non-climbable fence with a minimum height of four feet. Residences with an ACC-approved pool may have a non-climbable privacy fence not to exceed 6 feet in height. Please see Swimming Pools / Hot Tubs / Water Structures section below.

7. Gutters and Downspouts

- a. All installations must receive prior approval to ensure color compatibility. Application must include current paint color and sample of new color. Repainting gutters and downspouts with the same color do not require approval.

8. Holiday / Seasonal Decorations and Lighting

- a. All seasonal / holiday decorations and lighting may be up no more than 45 days prior to the holiday and shall be removed no later than 30 days after the holiday.

9. Landscaping and Planting

- a. Generally, landscaping work and ornamental planting do not require the approval of the ACC.
- b. Trees and shrubs that restrict sight lines of vehicular traffic or encroach on sidewalks shall not be allowed per VDOT regulations.
- c. All plantings forward of the front plane of the home shall be ornamental. Fruit and vegetable plantings and gardens are restricted to the sides and back of house.

10. Play / Sports Equipment (*Building permit may be required*)

- a. Swing sets, sandboxes, etc., do not require the approval of the ACC provided that all such equipment is located behind the house and out of view from the street.
- b. Basketball backboards mounted on a house or mounted poles/posts require ACC approval. Backboards must be mounted on 4x4 posts painted to match front of house or professionally manufactured poles. All equipment must be maintained in neat and attractive

- order.
 - c. Both Fairfax and Loudoun counties have ordinances or regulations pertaining to the use of sports equipment on public streets. Use of such equipment must comply with all local governmental ordinances and regulations at all times.
 - d. Digging (horseshoe pits) or other alterations of the common grounds is not allowed at any time.
- 11. Propane Tanks (*Building permit may be required*)**
- a. All installations of propane tanks for use with gas fireplaces, etc. require prior approval of the ACC, except that smaller tanks used for temporary or portable grills do not require approval.
 - b. Tanks must be shielded from view from the front street. Use of shrubbery is encouraged for shielding.
 - c. Any structural shielding must match color scheme of house.
- 12. Refuse / Yard Waste / Recycle Containers**
- a. Refuse / Yard Waste / Recycle containers shall be placed at curbside in front of house no earlier than 3 PM the day before pick-up is scheduled and removed/stored no later than 11 PM the day of pick-up.
 - b. At all other times containers must be stored where they cannot be seen from the front of the house.
 - c. Containers shall be placed at curbside in such a manner as to avoid interference with neighbor's driveways and mail delivery.
- 13. Retaining Walls (*Building permit may be required*)**
- a. All retaining walls over 18" are required to be approved by ACC to verify County building permits
- 14. Roofing Materials / Colors**
- a. All installations and replacement of roofing shingles, except those of the same color and style, require approval of ACC. Applications must include a sample of the color of replacement shingles so that the ACC can determine if desired color is acceptable.
- 15. Siding and Exterior Painting**
- a. All installations of new siding, or painting of siding and trim except those of the same color and style, require prior approval of ACC. Applications must include a sample of the color of replacement materials or paint so that ACC can determine if desired color is acceptable.
- 16. Skylights (*Building permit may be required*)**
- a. All skylights require prior approval by the ACC.
 - b. Units must be compatible with primary dwelling in material and color of the roof.
 - c. Not more than two (2) skylights may be viewable from the front of the street.

- d. Maximum dimensions are 24" x 48" and five (5) inches in height.
17. Solar Panels require ACC approval (*Building permit may be required*)
- a. It is the intent of these regulations to permit the use of solar collector panels.
18. Swimming Pools / Hot Tubs / Water Structures (*Building permit may be required*)
- a. Swimming pools and hot tubs must adhere to all appropriate county current regulations and safety precautions, in addition to all ACC regulations.
 - b. A temporary pool / above ground pool of any type shall be 24 inches in depth or less
 - c. Both Loudoun and Fairfax require minimum 4 foot high, non-climbable barriers for pool, hot tub, etc. See county regulations for full or current details. FRHOA will provide Limited Exceptions allowing non-climbable privacy fences not to exceed six feet in height.
 - d. Exception: Temporary above-ground pools do not require ACC approval provided that they are:
 - a. Not visible on property from the front street and only in place between May 1st and September 30.
 - b. Temporary pools will not be considered as a justification for a non-approved, non-compliant fence.
19. Windows
- a. All window installation, replacement and /or modifications require approval by ACC unless they are the same style (slide / double-hung, or grid / non-grid) and color.
 - b. All windows on each plane of the house must match each other in style and color. Exceptions may be a "bay" or other type of special window. Such windows must still be compatible, however, with all other windows on that plane of the house and shall be identified in the ACC application.
20. Window and Through-the-Wall Air Conditioning Units
- a. Units will not be approved for front of house.
 - b. Units must be installed where windows were placed in original design.
 - c. Through-Wall Units must be integrated into the design of a renovation or home addition and require ACC approval.
21. Yard Signs
- a. No sign of any kind shall be displayed to public view except one professional sign no larger than one square foot (i.e. security system), one sign no larger than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

22. Car / Vehicle Parking Restrictions and Covers

- a. All motor vehicles parked in the Forest Ridge community shall comply with all relevant laws and ordinances of the Commonwealth and of the County.
- b. Any motor vehicle not garaged and parked or stored on any lot, must be in operable condition, and have current state license plates, county sticker, and inspection sticker. The term "not garaged" is defined as "not being totally within the confines of the garage attached to the residential dwelling situated on a given lot."
- c. No trucks and/or commercial vehicles are allowed to be stored or parked overnight on any of the lots within this subdivision. An exception would be rental moving trucks, which may be parked for two consecutive nights for loading or unloading.
- d. The term "truck" is defined as:
 - i. Any vehicle with a payload capacity in excess of 0.75 tons (1500 lbs); or,
 - ii. Having tandem axles; or,
 - iii. Having a Virginia/other state license plate designating it to be a truck
- e. The term "commercial vehicle" is defined as:
 - i. Any truck, van, or vehicle with visible signage; or,
 - ii. Having ladders, tools, or equipment affixed anywhere on the vehicle.
- f. No motor homes shall be parked or stored on any lot. "Motor home" shall mean a private motor vehicle with a normal seating capacity of not more than 10 persons, including the driver, designed primarily for use as temporary living quarters for human beings. Motor homes, trailers, boats, and other like recreational vehicles are permitted in the subdivision for no more than two weeks in the spring for "spring cleaning" to prepare for the summer travel season, and for no more than two weeks in the fall to prepare them for winter storage. These vehicles must be parked in the homeowner's driveway for this purpose.
- g. No inoperable motor vehicles, trucks, or vans are permitted to be stored or parked on any lot of the Forest Ridge subdivision unless stored completely within the confines of a garage so that it is not visible from outside. The term "inoperable" is defined to mean:
 - i. the vehicle is incapable of moving; or
 - ii. the vehicle does not have a current state license plate, county sticker, and inspection sticker.

- h.** Parking on the lawn or any grassy areas is prohibited.
- i.** Parking must occupy a legal spot on street, be garaged, or fully on driveway. It is against county ordinances to block any portion of the sidewalk so as to obstruct access to pedestrians.
- j.** Street parking must be parallel to street curb. Head-in or perpendicular parking is a county violation.
- k.** Vehicles parked or stored on any lot may be covered under following circumstances:
 - i.** Covers must be made specifically for vehicles. Tarps or other materials may not be used either temporarily or permanently;
 - ii.** Covers must be in good conditions with no holes or tears and be in a natural or muted general color approved for the community;
 - iii.** Covers must not have signage;
 - iv.** Covers are not be used to conceal illegally inoperative, unlicensed or uninspected vehicles.

V. Application Requirements

A. General Information

- 1.** Property must be in good standing with annual assessments and ACC requirements before any new application will be considered.
- 2.** Only current homeowner on FRHOA records may submit an ACC application.

B. Application Form and Required Documents

- 1.** The more information provided with your ACC request, the easier it is for the Committee to render a timely and accurate evaluation. If the plans are not complete, legible and reproducible, the Committee may be forced to reject the proposal because of insufficient information.
- 2.** All applications must include:
 - a.** Plat or plan showing the location of new construction. Plats may be obtained through appropriate county real estate records office;
 - b.** All dimensions (length, width, height, roof slope, etc.) of the new construction or modification;
 - c.** Detailed drawing / sketch of the proposed construction or modification. Measurements of new project and relevant house structure or property are required in most cases. Photos of current house/yard details should be provided in order to clarify the proposed construction or modification, where applicable;
 - d.** Description or samples of construction materials;

- e. Sample of the proposed colors. Present colors must also be indicated if appropriate;**
- f. If new project includes any fencing, a certified plat plan indicating proposed construction of new fence and a drawing showing the location of any existing fence(s) of adjacent properties to avoid unreachable corridors;**
- g. Where a building permit is required, copies (non-returnable) of documents that will be submitted for the building permit shall accompany the ACC application. Homeowners may want to obtain ACC pre-approval of design and colors before obtaining any required permit(s) from county. Final approval is required after building permits are provided to ACC. The 30-day approval time period starts with ACC receipt of final application and required building permits.**