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**OAKTON RIDGE HOMEOWNERS  
ASSOCIATION**

**ARCHITECTURAL GUIDELINES AND  
DESIGN STANDARDS**

**ORHOA-AGDS-R4**



## TABLE OF CONTENTS

<b><u>Section</u></b>		<b><u>Page</u></b>
<b>I</b>	<b>OBJECTIVES .....</b>	<b>1</b>
<b>II</b>	<b>INTRODUCTION.....</b>	<b>2</b>
<b>III</b>	<b>MODIFICATIONS REQUIRING HOA BOAR APPROVAL....</b>	<b>3</b>
<b>IV</b>	<b>FORMAT FOR SUBMISSION OF APPLICATIONS.....</b>	<b>5</b>
<b>V</b>	<b>APPLICATION REVIEW CRITERIA.....</b>	<b>6</b>
<b>VI</b>	<b>ENFORCEMENT PROCEDURES .....</b>	<b>8</b>
<b>VII</b>	<b>SPECIFIC GUIDELINES.....</b>	<b>10</b>
	1. Fences .....	10
	2. Storage Sheds.....	11
	3. Patios and Decks.....	11
	4. Trellises and Privacy Screening.....	11
	5. Windows and Doors.....	11
	6. Recreation and Play Equipment.....	12
	7. Antennas/Satellite Dishes .....	12
	8. Doghouses.....	12
	9. Exterior Painting.....	13
	10. Flagpoles.....	13
	11. Barbecue Grills .....	13
	12. Compost Piles .....	13
	13. Hot Tubs.....	14
	14. Exterior Unit Air Conditioners .....	14
	15. Clotheslines.....	14
	16. Gutters and Downspouts.....	14
	17. Attic Ventilators.....	14
	18. Trash/Recycling Containers, Recyclable Materials, Yard Waste	14
	19. Firewood .....	15
	20. Real Estate Sales Signs.....	15
	21. Solar Panels.....	15
	22. Maintaining Sight Lines and Easements.....	15
	23. Cutting Trees, Trimming Trees or Plant Branches.....	16
	24. Exterior Lighting.....	16
	25. In-Home Business.....	16
	26. Walkways and Lead Walks.....	17
	27. Driveways .....	17

**TABLE OF CONTENTS (Continued)**

<b><u>Section</u></b>		<b><u>Page</u></b>
	28. Skylights .....	17
	29. Mailboxes.....	17
	30. Awnings .....	17
	31. Electronic Insect Traps .....	17
	32. Screened Enclosures, Porches, and Gazebos .....	17
	33. Landscaping .....	18
	34. Vegetable Gardens .....	18
	35. Holiday Decorations .....	18
<b>VIII</b>	<b>GENERAL MAINTENANCE GUIDELINES.....</b>	<b>19</b>
	1. Exterior Appearance .....	19
	2. Mowing.....	19
	3. Landscape Maintenance.....	19
	4. Mulched Areas.....	19
	5. Lawn and Garden Fertilization .....	19
	6. Trash Removal.....	19
	7. Erosion Control.....	20
	8. Pesticides and Herbicides .....	20
<b>IX</b>	<b>PET CONTROL and WILDLIFE.....</b>	<b>21</b>
<b>X</b>	<b>VEHICLE CONTROL.....</b>	<b>22</b>
	1. General.....	22
	2. Commercial and Recreation Vehicles.....	23
<b>XI</b>	<b>REVISIONS &amp; AMENDMENTS TO THE GUIDELINES</b>	<b>24</b>

**APPENDIX**

**OAKTON RIDGE HOMEOWNERS ASSOCIATION  
ARCHITECTURAL MODIFICATION FORM**

**Notice of Violation**

**2<sup>nd</sup> and Final Notice of Violation**

**ORHOA Community Directory Form**

## SECTION I

### **OBJECTIVE**

The objective of the Oakton Ridge Homeowners Association (ORHOA) architectural guidelines is to describe regulations to enable homeowners to maintain aesthetically pleasing residences throughout our neighborhood. These guidelines and standards were established by the Board of Directors and the Architectural Review Committee (ARC), to help homeowners understand ORHOA regulations for submitting applications to the Homeowners Association. This document is not intended to be all-inclusive, but rather to serve as a summary of requirements for making exterior improvements and maintenance of houses and lots throughout our community.

The *specific* objectives of this handbook are:

- ✓ ..... To provide uniform guidelines for the Board of Directors and Architectural Review Committee in reviewing applications based on the goals set forth in the Declaration of Covenants, Conditions and Restrictions of our community and the actions of the Board of Directors.
- ✓ ..... To assist homeowners in preparing and submitting acceptable and complete applications.
- ✓ ..... To illustrate basic design principles that will aid homeowners in developing exterior improvements that are in harmony with the community as a whole.
- ✓ ..... To increase homeowners' awareness and understanding of the Declaration of Covenants, Conditions and Restrictions that govern the responsibilities of residents in Oakton Ridge.

## SECTION II

### **INTRODUCTION**

All residents benefit, both aesthetically and economically, from continual maintenance and approval of upgrades to homes and lots in Oakton Ridge. The purpose of design and maintenance control is to assure residents that the standards specified in these guidelines will be maintained and enforced. This, in turn, protects property values and enhances the community's overall environment.

### **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

The authority for maintaining the quality of design in the community is based on the Declaration of Covenants, Conditions and Restrictions (Declaration). This Declaration is a part of the deed to every property. The Declaration establishes the Oakton Ridge Homeowners Association.

At the time you purchased your home, you should have received a copy of the Declaration in the homeowners' document package. The Covenants therein "run with the land," and are binding on all homeowners. As a result, each homeowner should fully understand and abide by these Covenants.

### SECTION III

#### **MODIFICATIONS REQUIRING HOA APPROVAL**

*ALL* exterior alterations (additions, eliminations or modifications) of the structure(s) and landscaping require the approval of the Board of Directors. The Oakton Ridge Board of Directors has delegated the review and approval authority to the Oakton Ridge Architectural Review Committee (ARC), a committee of at least three homeowners appointed by the Board.

As stated in Section 23 of the Declaration of Covenants, Conditions and Restrictions, “(a) Building Restrictions. No building, fence, wall or other structure shall be commenced, erected or maintained upon the Property, nor shall any exterior addition to or change or alteration therein be made (including change in color) until the plans and specifications showing the nature, kind, shape, height, 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.

Section 24 states:

(h) “Structural Additions. No Owner shall erect or permit to be erected on any Lot any fence or structural addition or improvement, without the prior written consent and design approval of the Board of Directors. The grading of any Lot shall not be changed in any manner that will cause an adverse effect on any adjacent Lots.”

These paragraphs explicitly state that any change, permanent or temporary, to the exterior appearance of one’s property must be approved in advance of any modification. Further, once a plan is approved, it must be followed, or a revised plan must be submitted and approved.

In addition, Section 23 (a) further states that “*Under no circumstances shall an Owner install a fence past the rear plane of the dwelling unit (i.e., front and side yard fencing is prohibited).*” As such, the board has no discretion to approve any fencing beyond the rear plane of the home. The Board may approve one exception to this rule for the specific purpose of screening from view utility equipment that services the dwelling. This exception is allowed in Section 24 (m) of the Declaration which states: “*Any equipment or units required for utilities which service a dwelling may be located in the side yard of a Lot, in which event any screen or fence shielding such equipment may be located on such side yard.*”

Each application is reviewed on an individual basis. There are no “*automatic*” approvals, unless provided for specifically in these guidelines. For example, a homeowner who wishes to construct a deck or fence identical to one already approved for a different lot is still required to submit an application.

**MODIFICATIONS REQUIRING  
APPROVAL**

**COUNTY APPROVALS**

Many architectural modifications or exterior actions require Fairfax County review and permits. Please note that approval by the HOA does not relieve an Owner from any obligation to obtain required governmental permits. It is the homeowner's responsibility to obtain all County approvals and permits that may be required by the County.

Fairfax County authorities should be contacted prior to beginning any work in order to verify what procedures must be followed and to obtain required permits. COUNTY APPROVAL DOES NOT PRECLUDE THE NEED FOR HOMEOWNERS ASSOCIATION APPROVAL AND VICE VERSA.

**LOCATING UNDERGROUND UTILITIES**

Virginia 811 (formerly "Miss Utility") MUST BE CONTACTED PRIOR to any digging for construction of decks, fences, planting trees, etc. The webpage is "va811.com".

Virginia 811 is a free service that helps you locate, and mark buried utility lines before you start any digging project. You can contact Virginia 811 three days before you dig, check your ticket status, and get safety tips and training for excavators. The phone number is 1-800-552-7001. Please use the ADC "Fairfax County" map as reference for identifying the correct location.

## SECTION IV

### **FORMAT FOR SUBMISSION OF APPLICATIONS**

Each completed application should be submitted to the Architectural Review Committee. Architectural Modification Forms can be obtained on the Oakton Ridge Homeowners web page <http://www.oaktonridgehoa.org/>. Completed forms can be emailed to the Chair of the Architectural Review Committee (ARC). The web page lists the Chair's name and email address of ARC. Alternatively, applications can be mailed to the address specified on the Architectural Modification Form. Generally, the following items must be submitted as part of every application:

- ✓ ..... **A SITE PLAN** – A site plan is most easily prepared by submitting a copy of the property plat. Proposed changes should be shown including dimensions and distances from adjacent property lines.
- ✓ ..... **MATERIALS AND COLOR** – Description of the materials and colors to be used and an indication of the existing colors and materials should be provided. Where materials and/or colors are compatible but different from those of the existing structures, samples of color chips should be submitted for clarity.
- ✓ ..... **DRAWINGS AND PHOTOGRAPHS** – A graphic description should be provided in the form of the manufacturer's literature, photographs and freehand or mechanical drawings. Detail should be consistent with the complexity of the proposal. Relationships of major architectural features (i.e., existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, exterior elevations for proposed structure, and if appropriate, plans or provisions for landscaping or grading, etc.), should be shown as they affect the applicant's house. In any case, a written description should accompany the sketch or photograph.
- ✓ ..... **SIGNATURES REQUIRED** - Acknowledgment by all adjacent property owners is required. Their signatures indicate an awareness of the applicant's intent and do not constitute their approval or disapproval of the application.

### **REVIEW PROCEDURES**

Applications will be reviewed for completeness. If incomplete, the application will be returned to the homeowner requesting additional information. Each Application must be reviewed within 45 days of submission. If the HOA fails to act upon a properly submitted application within 45 days after submission, the application will be deemed approved. As outlined in Section 23(b), one of the duties of the Board is as follows: *(b) "Duties of Review. The Board of Directors shall regulate the external design, appearance and locations of the Property and improvements thereon in such a manner as to preserve and enhance values and to maintain harmonious relationship among structures and the natural vegetation and topography. In furtherance thereof, the Board of Directors shall: Review and approve, modify or disapprove, within forty-five (45) days, all written applications of Owners for improvements or additions to Logs or for modifications and changes to the improvements to the Lots. All applications not acted upon within forty-five (45) days shall be deemed approved."*

## SECTION V

### **APPLICATION REVIEW CRITERIA**

All submissions are evaluated on the individual merits of the specific application. The characteristics of the house type and the individual site will be taken into account when evaluating the particular design proposal. What may be an acceptable design in one instance may not be in another.

The following criteria represent the general standards that will be used in reviewing and evaluating each application and design:

✓ ..... **VALIDITY OF CONCEPT**

The basic idea must be sound and appropriate to its surroundings.

✓ ..... **DESIGN COMPATIBILITY**

The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar type of materials, color and construction details.

✓ ..... **LOCATION AND IMPACT ON NEIGHBORS**

The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood. The primary concerns are access, view, sunlight, ventilation and drainage. For example, fences may obstruct views, breezes or access to neighboring property; decks or larger additions may cast unwanted shadows on an adjacent patio or property or infringe on a neighbor's privacy. Likewise, if changes in grade or other conditions that will affect drainage are anticipated, they must be identified on the application. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

✓ ..... **SCALE**

The size of the proposed alteration should relate well to adjacent structures and its surroundings.

✓ ..... **COLOR**

Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house such as roofs, masonry and trim should be matching in color.

✓ ..... **MATERIALS**

Continuity is established by use of the same or compatible materials used in the original house. The options may be limited somewhat by the design and materials of the original house.

✓ ..... **WORKMANSHIP**

Workmanship is another standard that applies to all exterior alterations. The quality of work should be equal to or better than that of the community. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.

✓ ..... **TIMING**

Projects should be completed as quickly as practical after approval but at most within twelve months of beginning the project. Those projects that are not completed within twelve (12) months could become a nuisance and safety hazard for neighbors and the community.

**SECTION VI**

**ENFORCEMENT PROCEDURES**

Pursuant to the Virginia Property Owners Association Act, § 55-513 *Adoption and enforcement of rules*, the Board “shall have the power to establish, adopt, and enforce rules and regulations with respect to use of the common areas and with respect to such other areas of responsibility assigned to the association by the declaration, except where expressly reserved by the declaration to the members.” In addition, the Board may “(i) suspend a member's right to use facilities or services, including utility services, provided directly through the association for nonpayment of assessments which are more than sixty days past due, to the extent that access to the lot through the common areas is not precluded and provided that such suspension shall not endanger the health, safety, or property of any owner, tenant, or occupant and (ii) assess charges against any member for any violation of the declaration or rules and regulations for which the member or his family members, tenants, guests, or other invitees are responsible.” ... *The amount of any charges so assessed shall not be limited to the expense or damage to the association caused by the violation, but shall not exceed fifty dollars for a single offense or ten dollars per day for any offense of a continuing nature and shall be treated as an assessment against the member's lot ...*”

In addition, the VA Property Owners Association Act § 55-515 *Compliance with declaration* places special importance to compliance with the Declaration and states “Every lot owner, and all those entitled to occupy a lot shall comply with all lawful provisions of this chapter and all provisions of the declaration. Any lack of such compliance shall be grounds for an action or suit to recover sums due, for damages or injunctive relief, or for any other remedy available at law or in equity, maintainable by the association, or by its executive organ or any managing agent on behalf of such association, or in any proper case, by one or more aggrieved lot owners on their own behalf or as a class action. The prevailing party shall be entitled to recover reasonable attorneys' fees and costs expended in the matter.”

The Board of Directors has established the following procedures to enforce the rules and regulations as set forth in these guidelines:

- ✓ ..... All owners and residents of the Association shall comply with all of the provisions of the Articles of Incorporation, Declaration of Covenants, Conditions and Restrictions, the Bylaws and all rules and regulations. Methods of enforcement may include any or all means provided by the VA Property Owners Association Act.
- ✓ ..... In the event any rule or regulation of the Association is not complied with, the owner shall be notified of the non-compliance in a letter sent by first class mail and sent via email. If no response is received within 30 days the non-compliance letter will be sent by certified mail, return receipt requested. Notice shall be sent to the address shown in the records of the Association.
- ✓ ..... If the owner is a nonresident, a copy of the non-compliance notice shall also be sent to the tenant, at the unit address, by first class mail.
- ✓ ..... Pursuant to the Virginia Property Owners Association Act, § 55-513, *Before any such charges or suspension may be imposed, the member shall be given an opportunity to be heard and to be represented by counsel before the board of directors or other*

*tribunal specified in the documents. Notice of a hearing, including the charges or other sanctions that may be imposed, shall be hand delivered or mailed by registered or certified mail, return receipt requested, to the member at the address of record with the association at least fourteen days prior to the hearing.*

- ✓ ..... In addition to the above stated enforcement procedures, in any instance where the non-compliant condition presents an immediate health or safety hazard, the Association may demand immediate action by the Owner to correct the condition. Failing such immediate action, the Association may refer the matter to Fairfax County or State of Virginia authorities for action and/or schedule a hearing at the earliest possible date to consider enforcement action.

**PLEASE NOTE: FAILURE OF THE BOARD OF DIRECTORS TO ENFORCE ANY PROVISION, COVENANT, RESTRICTON, OR RULE AND REGULATION SHALL IN NO EVENT BE DEEMED A WAIVER OF THE RIGHT TO DO SO IN THE FUTURE.**

### **RIGHT OF ENTRY**

*As stated in Section 6 (b) of the Declaration: The Declarant and/or the Association and their agents and employees shall have the irrevocable right and easement of access to each Lot as necessary for: (i) the inspection, maintenance, repair or replacement of the Common Area accessible therefrom; or (ii) the abatement of any violation of any laws or orders of any governmental authorities having jurisdiction over the Property; or (iii) grading, re-grading or any other reasonable activity as may be required in connection with construction on any Lot or Common Area. The Declarant shall repair any damage caused to any Lot as a result of such easement and/or Association at no cost to the Owner of the Lot. The cost of any repairs made to any Lot at the request of the Owner shall be chargeable to the Owner of the Lot.*

### **ANNUAL INSPECTIONS**

The Architecture Review Committee conducts annual inspections, typically in the Spring, to check on the exterior appearance of houses and lots. The purpose of the inspection is to ensure maintenance of the house and lot meets HOA guidelines and standards described in Section VII and Section VIII. If violations are observed, homeowners will be sent a notification, which describes the issue. Homeowners are expected to address the violation(s) within a timely manner.

## SECTION VII

### **SPECIFIC GUIDELINES**

The guidelines that follow address a broad range of exterior alterations for which homeowners frequently submit an application. As it would be impossible to address each specific design condition, these guidelines present the principal factors, which should be considered when developing a design. More specifically, these guidelines define the limits to size, quality of construction, location, materials and color based on the intended use and relationship to adjoining properties rather than focusing on particular construction detail or a specific design alternative. As stated earlier, all projects are to be completed as soon as practical but at most within twelve (12) months.

Major alterations are generally considered to be those that substantially alter the existing structure either by subtraction and/or addition. Major building alterations include, but are not limited to, construction of driveways, garages, fences, patios, decks, porches, greenhouses, rooms, fireplaces, chimneys, other additions to a home, etc.

#### 1. FENCES

Fences must be approved prior to construction and will be approved on a case-by-case basis. Location, style, height, materials and color will be considered. No chain link fence will be permitted. Fences are to be compatible with the applicant's house and the prevailing materials of adjacent houses in the community to maintain architectural harmony. The following restrictions apply:

- ✓ ..... Fence heights will not exceed 6' above grade. Fence heights may not be less than 4'.
- ✓ ..... Gates will consist of compatible materials and style.
- ✓ ..... Fences will be maintained in "like new" condition and will not be allowed to deteriorate into a state of disrepair.
- ✓ ..... The unfinished side of the fence (showing the posts and other supporting members) must face the interior of the Lot on which the fence is built.
- ✓ ..... Fences must be installed entirely within a homeowner's lot line. A 1 ft. set back from the property line is recommended to facilitate proper maintenance of the fence.
- ✓ ..... Fences may not be installed past the rear plane of the house (i.e. front and side yard fencing is prohibited unless approved by the Board of Directors).
- ✓ ..... A line of vegetation (trees or shrubs) along a property line that provides a barrier is considered a fence and requires approval.

2. STORAGE SHEDS

All outside storage sheds must be approved prior to construction or installation and will be approved on a case- by-case basis. Sheds should have an architectural design compatible with the design of the house: same materials, color schemes, roof pitch, etc. They must be of a size and location that is appropriate for the size of the property and home. They should be designed to appear as part of the house/landscaping/fence (if applicable) themes. The shed must be designed and placed to “respect the visual rights and aesthetic interests of neighborhood property” – views from other properties will be considered. Additional landscaping may be required to lessen the visual impact of the shed. Metal sheds are prohibited.

3. PATIOS AND DECKS

Patios and decks are restricted to rear yards and an application must be submitted prior to construction.

*Decks:* Applications must include a site plan showing deck size, property lines, height of the deck above the ground (side view), description of materials to be used (including any paint and/or stain or natural finishes), and details of railings, posts, steps or stairs, trellises or other privacy screening, etc. to clearly describe the proposal. The addition of a deck requires Fairfax County permit and approval. Applicants are responsible for maintaining any required setback from property lines according to Fairfax County regulations.

4. TRELLISES AND PRIVACY SCREENING

The use of arbors, trellises and other privacy screening will be reviewed on a case-by-case basis and should be incorporated into the overall design of the deck or patio, as appropriate.

5. WINDOWS AND DOORS

New windows and doors require approval and must match the type used in the applicant’s house. They should be located in a manner which will relate well to the location of other exterior openings in the existing house.

Proposed changes in color to existing doors, including garage doors, require approval.

Storm and screen doors require approval. Storm doors must be full-view with kickplates less than 20” in height, and must have clear, uncolored glass. Door color may be white, black, brown, or painted the same color as the entry door or surrounding trim. Other colors may be approved. No ornamentation, such as but not limited to scallops, scrolls and imitation gate hinges will be approved.

Storm windows do not require approval; however, frames must be painted white or match the trim of the house.

No plastic covering is allowed on the exterior of doors or windows.

6. RECREATION AND PLAY EQUIPMENT

Installation of recreation and play equipment requires approval.

Freestanding (removable only) basketball backboards are allowed (on the property only and not on any public street). Backboards cannot be attached to the house or garage. All other equipment should be located in rear yards. Permanent installations require approval.

Consideration should be given to lot size, equipment design and size, amount of visual screening, relation to adjacent properties, usage, and noise levels when installing play equipment. Recreation and play equipment must be wood and/or plastic construction. All recreation play equipment must be maintained for safety and appearance.

7. ANTENNAS/SATELLITE DISHES

No radio, television or other tower, pole, satellite dish, antenna or similar structure shall be erected on any part of any lot or dwelling, including but not limited to radio or television antennas. Provided, however, a video reception device covered by the Telecommunications Act of 1996 may be installed on a lot if no part of the video reception device is visible from the street on which the house fronts.

Such permitted video reception devices include video antenna and direct broadcast satellite dishes up to 1 meter in diameter. Other types of antennas (e.g. AM/FM radio, ham radio, Citizens Band radio and Digital Audio Radio Services) are not permitted.

Antennas/satellite dishes should be selected and located to minimize their appearance from the street and neighboring properties. The location should take advantage of screening provided by existing structures and/or vegetation. Rooftop TV and freestanding antennas are discouraged. Alternate solutions, such as cable TV, compact satellite dishes, or antennas located within attics or other structures are recommended.

If a permitted video reception device cannot be reasonably installed or maintained in compliance with these requirements, the lot owner must so state in writing to the Board with a reasonable explanation of the encumbrance that prevents compliance with these requirements.

8. DOGHOUSES

Applications for doghouses must be submitted prior to construction and will be approved on a case-by-case basis. Doghouses must be compatible with the applicant's house in color and material or match a natural wood fence. They must be located where they are visually unobtrusive. Doghouses must be in the rear yard and dog runs are prohibited.

9. EXTERIOR PAINTING

Color changes apply to the house siding, doors, shutters, trim, roofing, and other visible appurtenant structures. No party will paint, stain, varnish, apply siding or otherwise cover the exterior of a building that changes the original color or design of the building without approval. Approval to re-paint or re-stain to match original colors *is considered maintenance and is not necessary*.

10. FLAGPOLES

Flagpole staffs, which do not exceed 6' in length and are attached at an incline to the front wall or column of the house do not require approval. Any deviation from this general guideline requires approval, except as limited by the VA Property Owners Association Act, § 55-513.1. *Flag display, which limits HOA restrictions on “displaying the flag of (i) the United States, (ii) the Commonwealth, (iii) any active branch of the armed forces of the United States, or (iv) any military valor or service award of the United States.” ;*

11. BARBECUE GRILLS AND FIREPITS

No outdoor open fires are permitted on any lot. Fires are allowed in standard barbecue grills or firepits. *The installation of a permanent barbecue grill or firepit requires approval.* Permanent barbecue grills or firepits must be located in the rear of the property and as far as practical from adjacent property lines. Specific fire code information for grills is available from the Fairfax County Fire Marshall's office. A complete application requires the following information:

- a) ... A site plan showing the relation of the barbecue grill or firepit to the house, property line, and adjacent neighbors.
- b) ... A picture and/or detailed drawing of the barbecue grill or firepit with dimensions.
- c) ... The color and style of the house.
- d) ... A description of the materials being used to construct the barbecue grill or firepit. Brick used in construction of the firepit, should match the color of brick of the house.

12. COMPOST PILES

Small compost piles may be installed in the rear of a lot adjacent to a garden and must be screened from view of adjacent neighbors using appropriate vegetation. However, such installation should not become a dumping ground for trash and become a nuisance.

13. HOT TUBS/SPAs

Plans for hot tubs/spas and whirlpools must be approved prior to construction and will be approved on a case-by-case basis. Hot tubs/spas and whirlpools must generally be located in rear yards and mechanical equipment must be screened from outsiders' view.

Additional landscaping may be required to lessen the visual impact of the hot tub/whirlpool. Changes in grade or conditions that will affect drainage should be indicated. Again, approval will be denied or may be rescinded in the event it is determined that adjoining properties are adversely affected by changes in drainage.

14. EXTERIOR UNIT AIR CONDITIONERS

Air-conditioning units installed in windows are prohibited. Exterior ground units may be added to or relocated only when they do not interfere visually with neighbors.

15. CLOTHESLINES

Exterior clotheslines or other clothes drying apparatus are prohibited.

16. GUTTERS AND DOWNSPOUTS

Gutters and downspouts must match existing gutters in color and design and must not adversely affect drainage on adjacent properties. Downspout extensions must be visibly obscured (e.g., buried or hidden by plantings).

17. ATTIC VENTILATORS

Attic ventilators or other mechanical devices requiring penetration of the roof should be as small in size as functionally possible and should be painted to match the roof color or be mill finish. They should be located on the backside of the roof and not extend above the ridgeline. Any other location requires approval.

18. TRASH & RECYCLING CONTAINERS, RECYCLABLE MATERIALS AND YARD WASTE

The Association's trash contractor is responsible for trash, recycling and yard waste pick up. Containers should not be placed on the curb before 4:00 p.m. the day before pick up. To minimize the time trash and recycling containers remain on streets, empty containers must be removed from the street by 8:00 AM on the day after trash and recyclable materials are picked up.

Only items that are accepted by the Association's trash contractor should be placed in Recycling containers. Current Recyclable Materials include: paper, cardboard, plastic bottles and containers, aluminum and steel cans and scrap metal. Glass food jars and beverage containers are not currently recycled. Styrofoam packaging should not be placed in Recycling bins.

Yard waste for pick up must be placed inside trash containers or in 30 gallon paper yard waste bags. The Association's waste contractor will not pick up yard waste in plastic bags. Branches less than 4 feet in length must be placed close to the street. Yard waste is typically picked up very early on Wednesday, which is the day after trash and recycling materials are picked up.

No trash or recycling containers may be visible from any street except on the evening prior to normal trash pick-up. Per Section 24 of the ORHOA Covenants, Trash and recycling containers may not be stored in front of the house. If containers are stored outside on homeowners' property,

they must be screened from view from the street. Approval by the Architectural Review Committee is required for enclosures that screen trash containers. Applications should clearly indicate placement, style, and dimensions of the enclosure.

19. FIREWOOD

*Firewood may not be stored on the common areas.* Firewood on the homeowner's lot shall be neatly stacked, located in the rear yard and screened from view from the street. Piles may not exceed 4' in height or 6' in length or 4' in width. They may not contain debris or other non-firewood material. They shall not create a fire hazard.

20. SIGNS

REAL ESTATE SALES SIGNS

*Section 24 (e) No Signs. No signs of any kind shall be displayed to the public view on any Lot or inside the dwelling except for real estate "For Sale" or "For Rent" signs not to exceed six (6) square feet in size."*

Real Estate Signs may be placed on Association common ground at the discretion of the Board of Directors. Signs must be removed immediately upon obtaining a signed contract.

SECURITY SIGNS

Security System signs warning of the presence of a security system may not exceed 8" x10".

OTHER SIGNS

Other signs such graduation, holiday, etc. are allowed for a short period not to exceed two weeks. Contractor signs are allowed while active work is on-going.

21. SOLAR PANELS

Solar panels are prohibited.

22. MAINTAINING SIGHT LINES AND EASMENTS

Care should be exercised when planting and maintaining trees and shrubs to prevent obstruction of sight lines required for vehicular traffic, and no approval shall be given by the Board for any tree, hedge, or other landscape feature which when planted will obstruct such sight lines.

Pavement, plantings, and other landscape materials shall not be planted or permitted to remain upon any lot: (i) if such materials may damage or interfere with any easement for the installation or maintenance of utilities; (ii) in violation of the requirements of such easements; (iii) unless in conformity with public utility standards; or (iv) if such materials may unreasonably change, obstruct or retard direction or flow of any drainage channels. Otherwise, the installation of such materials within utility easements shall be permitted.

23. CUTTING TREES, TRIMMING TREES OR PLANT BRANCHES

Section 24(f) of the Declaration of Covenants, Conditions and Restrictions prohibits the sawing and removal of any existing live tree from a homeowner's lot without approval. Requests to remove trees by sawing must be submitted to ORHOA for approval. No tree, alive or dead maybe removed from ORHOA common grounds without approval.

Trimming of branches on trees or plants located on homeowners property is permitted, however an application must be submitted and approved by the ORHOA to trim, prune, or remove of any portion of a tree or plant that is twelve (12) feet or taller that results in the removal of thirty percent (30%) or more of its structure (branches, limbs and leaves). Using a certified arborist is encouraged to ensure proper trimming is performed, which will help maintain the health of trees and maintain the appearance of landscaping

24. EXTERIOR LIGHTING

Low voltage exterior landscape lighting does not require prior approval. Intruder-activated security lighting exceeding these specifications is permissible. No exterior lighting should be directed outside of lot boundaries. Permanent High voltage (e.g. 110v) exterior lighting does require prior approval.

25. IN-HOME BUSINESS

Fairfax County regulates in-home businesses. In addition to the County controls, the Association is concerned about the impact of in-home business on the residential character of the neighborhood and on adjacent neighbors. As the homes are intended for residential use only, the Board must first approve all prospective in-house businesses.

Persons considering using their home for customer-oriented business should consider the impact of the business on immediate neighbors and the neighborhood in general. Parking relating to the business should not interfere with the normal traffic patterns in the community and with access of neighbors to their driveways.

If the in-home business is approved, the following requirements must be met:

- ✓ ..... Permit obtained from Fairfax County.
- ✓ ..... Copy of the Permit provided to the Homeowners Association.
- ✓ ..... No sign or other advertising device of any nature shall be placed on the Lot.
- ✓ ..... No exterior storage of business-related materials will be allowed.
- ✓ ..... No commercial vehicles are allowed to be parked in public view.

Although the Association does not expressly prohibit in-home day care services, the above requirements must be met. Care should be taken so that this service does not cause annoyance to

neighbors or interfere with the rights of other homeowners relating to the “quiet enjoyment” of their property.

26. WALKWAYS AND LEAD WALKS

Any installation, relocation or resurfacing of walkways must be approved. Applications for such modifications should include location and specifications regarding material to be used. Varying colors and patterns will be permitted and should coordinate with the house color and treatments. Walkways and lead walks should connect with driveways. Direct connection of walkways and lead walks to the front sidewalk will generally not be permitted.

27. DRIVEWAYS

All driveways shall be asphalt, concrete or brick. It is in the best interest of homeowners to seal coat their asphalt driveways as required over time to prevent disintegration of the surface. Damaged driveways (i.e., potholes, sections cracked off, etc.) must be repaired within a reasonable time period. Any extensions to the driveway, to provide a turnaround or additional recreational use requires approval and should not principally be used to store vehicles. In addition, on some lots, a screen of trees or shrubs may be recommended to improve the visual impact of approved driveway extensions.

28. SKYLIGHTS

All skylights will be restricted to locations on the rear of the units. Trim and materials should match and/or complement unit features.

29. MAILBOXES

Replacement mailboxes shall approximate the same color and size of the original mailbox.

30. AWNINGS

No awnings are permitted on the front or sides of homes. Retractable awnings are allowed on the rear but must be approved prior to installation.

31. ELECTRONIC INSECT TRAPS

No device shall be installed or maintained in such a way as to cause discomfort to adjacent homeowners; e.g., the noise generated by the device might be offensive to others. The owner or guests of the owner may only operate electronic insect traps during those times when the immediate area protected by the trap is in active use.

32. SCREENED ENCLOSURES, PORCHES, AND GAZEBOS

No screened enclosure, porch or similar type structure shall be commenced, erected or maintained upon the property until the plans and specifications have been approved. As a general guideline, screened enclosures and porches must conform to the guidelines for patios and decks. Architectural drawings are required. Addition of screened enclosures must comply with Fairfax County building codes and permitting.

33. LANDSCAPING

Approval is required only for trees and shrubs that form a screen, barrier or act as a fence line as provided in Section VII Item 1. Approval is not required for flowerbeds. However, INVASIVE plants that tend to outgrow their bounds and could become a nuisance may be planted ONLY in pots. These plants include, but are not limited to: bamboo, mint, ivy and marjoram. Approval is required if landscaping entails major ground contouring that may impact drainage.

34. VEGETABLE GARDENS

Vegetable gardens are to be located in the rear yard and must be mulched and kept free of weeds. They may not exceed 1/4 of the area in which they are planted. At the end of the season, all stakes and dead plant material must be removed.

35. HOLIDAY DECORATIONS

All holiday decorations are considered temporary and must be removed within 30 days of the holiday.

## SECTION VIII

### GENERAL MAINTENANCE GUIDELINES

Property ownership includes the responsibility for maintenance of all structures and grounds that are a part of the property. This includes but is not limited to items such as mowing grass, weeding of planting beds, removal of trash, and structural maintenance. Maintenance affects the visual character and economic value of the property and neighborhood, and in some cases, safety.

#### 1. EXTERIOR APPEARANCE

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, play equipment, etc. Siding or exterior surfaces must be kept clean of algae, dirt and other surface discoloration.

#### 2. MOWING

Turf areas are to be mowed at regular intervals, maintaining a maximum height of 6". Grass is to be edged to prevent grass from encroaching onto the curbs and sidewalks.

#### 3. LANDSCAPE MAINTENANCE OF LOTS

Trees shrubs and other landscaping should be pruned to prevent interference with persons walking on sidewalks or with traffic on the community streets. Diseased limbs and disfiguring vines should be removed. Shrubs and trees located close to intersections and driveway entrances should be trimmed to prevent the obstruction of the view of persons driving vehicles on the community streets.

#### 4. MULCHED AREAS

Mulched areas such as tree bases and plant beds must be kept free of weeds and be re-mulched as necessary to maintain a neat weed free appearance.

#### 5. LAWN AND GARDEN FERTILIZATION

Special care should be taken to avoid over-fertilization of lawns and gardens and to avoid fertilization where runoff will flow into storm water retention areas and streams in the area.

#### 6. TRASH REMOVAL

As stated in the Declaration of Covenants, Conditions, and Restrictions in Section 24(m), "Trash, Clotheslines. All rubbish, trash, and garbage shall be regularly removed from the Property, and shall not be allowed to accumulate thereon. All clotheslines, refuse containers, wood piles, storage areas, and machinery and equipment shall be prohibited upon any Lot, unless obscured from view of adjoining Lots and streets on the rear of the Lot by a fence or

*appropriate screen approved by the Board of Directors. In no event shall a fence or screen to shield such storage be placed on the front or side yard of a Lot. Any equipment or units required for utilities which service a dwelling may be located in the side yard of a Lot, in which event any screen or fence shielding such equipment may be located on such side yard. Nothing herein shall be deemed to apply to the storage on the Property by Declarant or Participating Builder of building materials during, and for use in, the construction of the improvements on the Property.”*

Each resident is responsible for picking up trash and litter on their property to prevent windblown trash from entering the street.

At no time are the Association’s common areas to be considered a dumping ground for debris. Neither trash nor organic debris (leaves, grass clippings, branches etc.) is to be dumped in common areas. It is the homeowner’s responsibility to ensure that their contractors (e.g. landscape and construction workers) also adhere to this policy. Failure to do so will result in a charge to the homeowner for removal of the debris.

7. EROSION CONTROL

Each resident is responsible for maintaining their property to control the effects of erosion. This includes the maintenance of ground cover, shrubs and trees, which aid in soil retention. Storm drains or storm runoff areas landscaped into properties should remain free of obstructions that can cause additional erosion problems.

8. PESTICIDES AND HERBICIDES

Pesticides and herbicides must be applied according to label instructions for the specified item. Emphasis should be placed on organic/biodegradable materials in order to ensure the least harm to the natural environment. Care in application is extremely important. It is recommended that the application of pesticides and herbicides be avoided if at all possible, but when necessary, used with caution and instructions followed. HOMEOWNERS ARE NOT TO APPLY PESTICIDES AND/OR HERBICIDES TO COMMON AREAS.

## SECTION IX

### **PET CONTROL & WILDLIFE**

As stated in Section 24(d) of the Declaration, “*No Livestock and Poultry: Restrictions on Domestic Animals. No livestock, including, without limitation, horses, poultry or reptiles of any kind, shall be kept or bred in any Lot. Fairfax County requires that pets must be leashed while on the Property and all pet waste collected and disposed of by the Owner.*”

The following are specific rules and regulations governing pets:

1. The Association has extended permission to both the *Fairfax County Director of Animal Control* and the *Fairfax County Animal Warden* to enforce all applicable portions of the Fairfax County Code regarding all animals and pets within the common areas.
2. Owners and all other persons who are owners and/or custodians of pets shall not allow such pet to run at large in the community. A dog shall be deemed to run at large while roaming, running, or self-hunting or when not restrained by a dependable leash and controlled by a responsible person as defined by the Fairfax County Code.
3. All pets must have appropriate shots, licenses and tags, as required by Fairfax County Code.
4. Pet owners shall be responsible for immediate cleanup and proper disposal of pet wastes.
5. Residents or guests who own pets shall ensure that their pets do not become a nuisance to other residents in the community. Actions, which may constitute a nuisance, include, but are not limited to: barking, crying, scratching, or being hygienically offensive.
6. Pets shall not be chained or leashed on any common area.
7. Pet owners shall incur any and all costs for repairing damage to common areas caused by their pet(s).
8. Residents should report any violation(s) of the above items to *Fairfax County Animal Control (703-830-3310)*.
9. Any other violations should be reported, **in writing**, to the Association with specific information as to the name and address of the owner, time and date, and description of the pet.

#### **PET WASTE**

A Pet Waste Station is located in the park area at the intersection of Autumn Crest Drive and Pond Mist Way. Residents are to pick up pet waste and dispose of the plastic bags in the waste station container. Pet waste is removed weekly by a contractor. Pet waste is not to be deposited in other individual homeowner’s trash receptacles.

#### **WILDLIFE:**

Oakton Ridge has an abundance of wildlife (e.g., deer, squirrels, foxes, etc.). Homeowners shall not feed wildlife, except for birds. As defined in § 1-230 of the Code of Virginia, it shall be unlawful for any person to place, distribute, or allow the placement of food, {...}when it attracts any species of wildlife {...}.

## SECTION X

### VEHICLE CONTROL

Specific rules and regulations regarding vehicles have been adopted and are as follows:

1. GENERAL

- A. No vehicles, including but not limited to automobiles, trucks, motorized bicycles, motorcycles, mini-bikes, go-karts, etc. shall be operated, or parked, or abandoned upon any common area of the community.
- B. Vehicle repairs are not permitted. Major repairs (including but not limited to engine transmission, rear-end overhaul) are prohibited on a lot, unless performed within the owner's garage.
- C. Dumping, disposal of oil, grease, or any other chemical, residual substances, any substance or particles from holding tanks of vehicles of any type (as a result of the repair, maintenance, or carelessness) is not permitted. Any violations will be prosecuted to the maximum extent permitted by law. Disposal must conform to environmental regulations.
- D. The dumping of motor oil and other petroleum products into the storm sewers is a direct violation of the State Water Control Law and may lead to civil penalties and cleanup costs for the responsible person(s).
- E. All motor vehicles (including motorcycles, snowmobiles, dune buggies, etc.) shall be operated in the paved areas of lots only and on public streets. No motor vehicles may be driven on trails or unpaved portions of the Common Area, except such vehicles authorized by the Board of Directors to maintain, repair, or improve the Common Area.
- F. Owners of vehicles will be held liable for ALL costs to repair damages to common areas caused by negligence, repair operations on the vehicle or storage of any combustible, dangerous or otherwise hazardous material on common areas (regardless of the type of container).
- G. Any unlicensed person is prohibited from operating any motor vehicle within the property.
- H. All persons operating motor vehicles shall conform to all traffic control signs posted on the premises, and in accordance with the provisions of the traffic ordinances of Fairfax County and the State of Virginia. The Fairfax County speed limit for residential streets is 25 MPH!, It is highly encouraged that residents maintain a lower speed after entering the community from West Ox Rd.
- I. Operation of any motor vehicle violating the 1950 Code of Virginia, as amended, is prohibited. The Board of Directors hereby gives consent to all appropriate law enforcement officers who are hereby empowered to enforce all motor vehicle laws within the community.
- J. Vehicles parked on the Property must display current State of Virginia license plates, inspection sticker, and a current Fairfax County registration sticker. This does not apply to military personnel, who are exempt from these requirements if they display current home state license plates. Violations of this rule shall result in the posting of notice on

the vehicle directing removal of the vehicle or correction of the violation within 5 days. All actions shall be coordinated with the Fairfax County Police Department in accordance with the applicable requirements of the Code of Virginia, as amended.

- K. All vehicles must be maintained in an acceptable state of repair: Powered vehicles must be maintained in an operative condition, no junk vehicles permitted on a portion of a Lot visible from neighboring property.
- L. The Board of Directors is empowered to have vehicles which are in violation of the Code of Virginia removed from common areas, at the owner's risk and expense, provided proper notification has been given to the owner.

## 2. COMMERCIAL AND RECREATION VEHICLES

As stated in Section 24(c) of the Declaration of Covenants, Conditions and Restrictions, "*Vehicles.* *No trainer, boat, camper, commercial vehicle, unlicensed vehicle, or disabled vehicle may be parked on the Property without written consent of the Board of Directors.*"

## SECTION XI

### **REVISIONS & AMENDMENTS TO THE GUIDELINES**

The Board of Directors will conduct a periodic evaluation to determine if amendments to the guidelines and other regulations herein are warranted. It is anticipated that any changes would be primarily additive and would not involve substantive changes of the existing guidelines and regulations.

Revisions and Dates of ORHOA Guidelines & Standards:

ORHOA-AGDS-R2, October 2004

Section VII-18. Trash & Recycling Containers and Yard Waste, August 2022

ORHOA-AGDS-R3, March 2024

## APPENDIX

**Oakton Ridge Homeowners Association Architectural Modification Form dated 3-12-2024**

**Notice of Violation dated 3-28-2024**

**2<sup>nd</sup> Notice of Violation dated 3-28-2024**