

# George Mason Forest HOA

## ACC Guidelines

**Purpose:** These Guidelines are developed and approved by the GMFHOA Board of Directors to provide information to assist property owners and residents of the GMFHOA in complying with the standards of property maintenance and appearance as set forth in *Article VII, Declaration of Covenants, Conditions, and Restrictions*. In addition, the Guidelines provide the Architectural Control Committee (ACC) with a common standard for judging whether or not the desired standards are met.

**Architectural Control Committee (ACC):** The ACC is a committee of not less than three (3) property owners appointed by the GMFHOA Board under the authority provided in the *Declaration of Covenants, Conditions and Restrictions (DCCR)* and *Bylaws*. The ACC is the agent of the Board charged with the responsibility to help protect the values of the GMF property owners by preserving the architectural standards of the community. This is done through enforcing the high standards of community appearance as contained in *DCCR, Article VII*, and these Guidelines. The ACC assists the owners in determining if planned exterior improvements or changes to their home or property are consistent with the DCCR; provides information regarding approval procedures; reviews requests for change; and conducts property pre-sale inspections to determine if for-sale property is in compliance with community standards.

### **Section 1- Permanent Structures:**

Definition: Permanent structures include, but are not be limited to, any building or portion thereof, fence, pavement, driveway, flagpole, light, pole, hot tub, sauna, pond, recreational equipment, retaining wall, or appurtenances to any of the aforementioned. Structures also include any excavation, fill, ditch, dam, other thing or device which affects or alters the natural flow of surface waters from, upon or across any Lot, or which affects or alters the flow of any waters in any natural or artificial stream, wash or drainage channel from, upon or across any Lot. These examples of structures are illustrations and not limitations. (*DCCR, Art. 1, Sec.11*)

- A. Structure erection, improvement, or alteration: Without prior ACC review and approval, no structure shall be erected, externally improved, demolished, rebuilt, or altered. Except as provided for in *DCCR, Art. VII, Sec. 18*, no structure shall be permitted to remain on any residential lot other than one detached, single-family dwelling not to exceed two and one-half stories in height and containing a private garage. (*DCCR, Art. I, & Art, VII, Sec.3*). Owners are responsible for obtaining county zoning approval concerning property line set-backs for home additions.

**B. Houses:**

- (i) **Architectural Style:** Houses shall retain the same architectural style as the original structure with exterior facades of brick, horizontal siding, stone, stucco or a combination thereof. No one story or “contemporary” style dwelling shall be permitted.
- (ii) **Painting:** Prior ACC approval is required regarding proposed color changes in paint. Color samples must be submitted for approval. The ACC has a set of approved colors for guidance. Repainting a house in the same color, or replacing roofing with the same material and color does not require ACC approval.
- (iii) **Siding & Roofs:** ACC approval is required for any changes in color or materials to existing house siding or roofing. Brick, stone, stucco, vinyl or aluminum siding is acceptable with ACC approval. Skylights, solar tubes and other roof-top sources of natural light are acceptable without ACC approval.
- (iv) **Replacement windows:** ACC approval is required for style and color of trim. The windows must be compatible and with a style similar to the original windows of the house. To maintain the existing architectural appearance of the community, windows with grids are suggested for street-facing windows.
- (v) **Front Porches:** ACC approval is required to add or renovate a front porch, add or replace a front walk or porch or walk railings, resurface or replace the porch floor or roof.

**C. Gazebos:** ACC approval is required to install a new gazebo. It must be located in the rear of a house (not forward of the rear corners of the house), and have a character consistent with the design and colors of the house. They must be well-constructed with open sides, properly maintained, and not used as a storage shed. (*DCCR, Art. 18*)

**D. Garages:** Garages shall not be permanently remodeled or modified to serve other than as a garage. Prior ACC approval is required for changes to the external appearance of garages including new doors, windows, and painting, etc. Any exterior changes must be in a style compatible with the house. (*DCCR, Art VII, Sec.1 & 18*)

**E. Hot tubs or Spas:** Hot tubs or spas on decks or patios are acceptable with prior ACC approval. All aspects including, but not limited to landscaping, a lockable cover, and safety fencing must meet county requirements.

**F. Rear Storage Boxes:** A low storage box or chest not more than thirty-six (36) inches in height is acceptable without ACC approval if it is in a suitable location in the rear of the house or adjacent to a pool. It must be well-constructed and maintained, and of a color consistent with the exterior décor of the house.

**G. Outdoor Lighting:** Prior ACC approval is required for outdoor lighting including patio, deck, post, flood, or yard lights. ACC approval is not needed to install solar or low voltage lights thirty-six (36) inches or less in height. The light fixtures must be maintained in good condition. Light fixtures must be in a style compatible with the house style. When choosing the location and direction of lighting, any adverse impact on neighbors must be minimized. Lights, including security lights, must be situated so as to not shine directly into neighboring houses.

- H. Patios: Prior ACC approval is required to install, modify, or expand a patio. Patios must be constructed of concrete, stone, slate, or brick. Appropriate consideration must be given to County requirements as to grading changes, railings, and other aspects of the patios.
- I. Outdoor Pools: Prior ACC approval is required to install, modify or expand a pool. All pools must be installed in-ground. No above ground pools are acceptable. All plans must meet county regulations for permits. Children's pools, either inflatable or solid molded plastic that can be stored out of sight when not in use are acceptable.
- J. Decks: Prior ACC approval is required to install, modify, or expand a deck. All decks and portions thereof including, but not limited to, decking, supports, railings, built-in benches, sun screens, trellises, pergolas, roofs, and other appurtenances must be made of pressure-treated wood, simulated-wood, vinyl or other type of decay-resistant material. The size, style, location, and color must be consistent with the design and colors of the house. The county must also approve the deck design and location for safety and other considerations.
- K. Driveways: Prior ACC approval is required for changing any driveway, including common driveways or "pipe stems". Driveways shall only be constructed of poured or stamped concrete, brick, paving stone, or permeable concrete. Any coloration must be ACC approved. Asphalt is not acceptable. **NOTE:** The street sidewalks and driveway entry/exit apron of each property are owned by Virginia Dept. of Transportation (VDOT) and cannot be changed without its permission. (See *DCCR, Art VIII* for specific information concerning responsibility for common driveways.)
- L. Awnings and Canopies: ACC approval is not required to install rear deck and patio covers of canvas or similar material. The colors should complement the color of the house. Exterior window shade awnings of any material are not permitted.
- M. Fences, Walls & Enclosures: Prior ACC approval is required to install fences, walls and enclosures. Fences may enclose side and/or back yards, but not front yards. Except as noted herein, fences shall be constructed of wood or wood-like decay-resistant material with matching gates. No fence shall be more than seven feet in height from the ground, and set no further forward than the front corner of the residence. The style of wood and wood-like fences must be board-on-board, stockade, split rail, crossbuck, or picket. Galvanized welded wire or green vinyl-coated wire may be used on the inside of a split rail fence. The wire should extend to and stop at the top rail. Fence color must be natural wood, or similar earth-tone. A fence along the rear boundary of a property backing onto the GMFHOA common land or other undeveloped areas may be wrought iron or similar metal material and black in color. Twisted, all-wire, or chain link fences, or metal posts with wood fences are not acceptable. Owners are responsible to insure that any fence, wall or enclosure is installed within their property line. A set-back of 4-6 inches is recommended.

## Section 2 - Temporary Structures:

Definition: Temporary structures include but are not limited to trailers, tents, individual living units, shacks, sheds, barns, other types of storage outbuildings, PODS, kennels, playhouses, and recreational equipment (DCCR, Art.VII, and Sec.6).

- A. Sheds, storage buildings, kennels/dog runs, individual living units, or large wood or large vinyl playhouses: These type structures are not approved.
- B. Plastic playhouses, swings, and play sets: These and other types of play, recreational, or sports equipment may be set up without ACC approval. They must be well maintained or removed. Playhouses must not be used as storage sheds. Playhouses shall be placed in the rear yard and be not more than fifteen (15) feet in height.
- C. Basketball backboards: ACC approval is not required to install a backboard. Backboards should be attached to the house or to a freestanding post in such a location so as to not block, inhibit, or endanger vehicles or pedestrians. The backboards must be maintained in good repair or removed. When choosing the location for a backboard, the impact on neighbors must be considered. Mobile basketball backboards used in the vicinity of the street should be returned to an appropriate location on the resident's property after use. **NOTE:** VDOT officials have stated that portable basketball backboards should not be placed on the street or on the strip between the street and the sidewalk, both of which are state-owned.
- D. Temporary portable storage containers/ PODS: One storage container or POD may be placed for a period of not more than seventy-two (72) hours in any one week. The ACC may approve a longer period with justification provided by the resident. (DCCR Art. VII, Sec.6). Such containers shall not exceed eight and one-half feet in height or a cumulative gross floor space of 130 square feet. They must be placed on the resident's driveway in such a safe manner as to not impede pedestrian or vehicular traffic. The containers must also be in compliance with applicable county regulations.

## Section 3 -- Lot and Yard Appearance:

- A. Maintenance: Lots and yards shall be maintained in a neat and attractive manner. Except for flower gardens, shrubs and trees, all open Lot areas shall be maintained as lawns. Lawns must be regularly cut and neatly maintained. Trees, shrubs and bushes must be pruned regularly and not allowed to encroach into sidewalks, roads, or common areas. Removal of trees or shrubs growing entirely on owner property does not require ACC approval. Minimum clearance of seven (7) feet over sidewalks is required for safety. Plant beds shall be neatly mulched or planted and shall not be overrun with weeds. The appearance of mailboxes must be well maintained.
- B. House & Front Yard Decorations, Displays & Sculptures: A limited number of house and yard decorations, flags, seasonal banners, decorations and other displays are permitted without ACC approval. Except as noted herein, the following are examples of what is acceptable. If there is any question, contact the ACC.
  - (i) House Decorations & Displays: Temporary decorations for seasons, special events, or seasonal holidays such as, but not limited to July 4<sup>th</sup>, Memorial Day, Halloween, and Thanksgiving. NOTE: Musical or noise emitting displays or decorations must be GMFHOA Board approved.

- (i) Internal Construction/Remodeling: Internal home modifications do not require ACC approval, however, such construction may have an adverse external impact and must be concluded within six (6) months.
  - (ii) Dumpsters: Dumpsters or other construction containers must be placed on the owner's Lot. Per Fairfax County code, such containers may not be placed in the street.
  - (iii) Flags & Banners: Temporary sports team, school or other similar banners. ACC approval is required to install a free standing flag pole, which in no case can be of greater height than twenty-five (25) feet. Rather than a flag pole, owners are encouraged to mount a flag on the front face of the house. No more than two flags, each no larger than four-by-six (4x6) feet, may be permanently mounted on the front of the house.
  - (iv) Front Yard Decorations & Displays: A limited number of yard decorations and displays such as seasonal flags, statues, figures, sculptures, or other tasteful items not more than forty (40) inches tall. Raised planting areas in the front yard of the house should be constructed with brick, stone, timber, or other natural appearing material.
- C. Landscaping Plans: Plans must be submitted for ACC approval only if the completed work will adversely impact neighbors or will change the water drainage pattern from the Lot. Landscaping must also not adversely impact on the Resource Protected Areas (See DCCR, Art. IX).
- D. Unsightly Construction: Residents must make all reasonable efforts to reduce undesirable exterior effects of home repair/renovation and to require cooperation by home contractors. Deleterious conditions such as noise, the presence of portable toilets, dumpsters, construction equipment, and mud, dirt, and unkempt grounds from any construction that has not concluded within six (6) months after commencement shall be considered unreasonable and inappropriate. When circumstances beyond the resident's control lead to a longer period of adverse exterior conditions, the resident must present an explanation and plan to remedy the situation to the ACC.
- (ii) External Construction: Requests for ACC approval of plans for external home or yard changes must include an estimate of duration of the project. Construction must proceed expeditiously once commenced. No structure shall be permitted to remain in an unfinished condition for longer than six (6) months after commencement of construction.
- E. Dumpsters: Dumpsters or other construction containers must be placed on the owner's Lot. Per Fairfax County code, such containers may not be placed in the street, or in any place that causes a safety hazard, or blocking line of sight. Violations will be reported to the county and VDOT for action.

**Section 4 - Common Areas/RPA:** The GMFHOA owns several common areas. The GMHOA common land sections along the two streams are classified by Fairfax County as Resource Protected Areas (RPA), and are subject to strict environmental restrictions and enforcement. Residents with Lots adjoining RPAs are prohibited from extending their yards in those areas, removing vegetation, planting non-native (i.e not native to Virginia) or invasive plants, or otherwise encroaching into the GMF common

lands. The common areas are not to be used for any type of storage, compost containers/ piles, dumping or disposal of leaves, grass clippings, tree limbs, yard debris, or garden waste of any kind. If such dumping, disposal or use takes place, the resident shall be liable for legal action by the county and the GMFHOA Board of Directors may hire a contractor to remove such materials and charge the offending Lot owner for the costs of removal. (*DCCR, Art VII, Sec.9*)

**Section 5 – Signs:** No signs of any kind shall be displayed to the public on any Lot, on any structure, or in the window of any building without approval of the ACC. (*DCCR, Art VII, Sec 7*). No electronic or otherwise illuminated sign is permitted anywhere. The ACC has approved the following signs for placement in the community:

- A. Community Entrance Signs: Residents, owners, and realtors may place a limited number of temporary sale, rental, or event signs at the entrances and no more than three directional signs within the community. Signs must not be placed on private property without the Lot owner's approval. Signs advertising services or businesses are not acceptable. Unauthorized signs will be removed.
- B. Temporary Signs On Lots: One post not more than eight (8) feet high with a sign advertising the property for rent or sale; one yard sale sign; one sign advertising a home improvement/remodeling contractor performing work at that site is permitted. These signs must be removed as soon as sale, rental, or work project is completed. Such signs must not be more than six (6) square feet in size. Temporary Lot signs announcing sports, school events, scouting activities, and other special occasions are permitted. These signs must not be placed more than 14 days prior to the activity or event, and must be removed immediately after the event.
- C. Other Permitted Signs: Signs by security companies are permitted. These must be no larger than twelve-by-twelve (12 x12) inches in size. Only one security sign may be placed near the front façade of the house. Other security signs may be placed at the rear or sides of the house as needed. On request by residents, other types of Lot signs may be approved from time to time by the GMFHOA Board.

## **Section 6 – Animals:**

- A. Raising, Keeping, Boarding Animals: No animals, livestock, reptiles, birds, or poultry of any kind regardless of number shall be raised, bred, boarded, or kept on any Lot except that two dogs and two cats or other common household pets may be kept provided it is not for commercial purposes, and such domestic pets are not a source of annoyance or nuisance to the community. (*DCCR, Art. VII, Sec. 8*)
- B. Control of Pets: Issues concerning control of pets should be brought directly to the GMFHOA Board. (See *DCCR Art.VII, Sec. 8* for details on restrictions).

## **Section 7 -- Trash and Waste Disposal:**

- A. Trash and Waste Containers: Trash, garbage, recycle and waste other than yard debris shall be kept in sanitary containers with lids to prevent attracting animals and wind-blowing. All such containers shall be kept in a clean and sanitary condition. Trash or garbage receptacles should be stored in the garage if possible, but in no case should they be visible from the front of the house,

- B. Waste & Debris Pick-up: Garbage, recycle and waste containers, lawn debris and grass bags should not be placed in the street not more than 24 hours before the day of scheduled pick-up. After pick-up containers should be removed and stored as soon as possible. If items are not picked-up, remove them from the street until the next scheduled pick-up day. Containers and bags should be placed away from the curb to permit free flow of rain/snow water in the gutter. Collection contractors usually require tree limbs and long items be cut to a four (4) foot length and tied in bundles or they will not be picked up.
- C. Pick-up schedules: Schedules are set by collection contractors. Residents must stay informed as to seasonal changes in pick-up schedules. There are usually different schedules for summer-fall and for winter pick-up.

### **Section 8 -- Exterior Structural Appurtenances:**

- A. External Antennas: ACC approval is not required for mounting external antennas for TV, or other broadcast services so long as such antennas meet the restrictions set forth in the *DCCR, Art. VII, Sec. 10*. Such antennas should be placed in the most unobtrusive location possible. Radio broadcast antenna must meet county zoning code restrictions.
- B. Solar Collectors: ACC approval is required for installation of solar collectors. Roof solar panels, roof solar shingles or other external solar collection fixtures must be architecturally designed for and compatible with the house design. Ground mounted solar panels may be installed only in the rear yard.

**Section 9 – Easements and Set-backs:** The ACC or GMFHOA Board does not have the authority to resolve owner-to-owner property line problems, set-back restriction issues, or county easement violations. Owners should bring such issues directly to the appropriate Fairfax County authority or other agency.

### **Section 10 - Motor Vehicles, Trailers, & Boats:**

- A. Vehicles in storage/ not in regular use: Vehicles not in regular use, including recreational vehicles, house trailers, boats, boating equipment, camping equipment, or commercial/industrial vehicles shall not be regularly or habitually parked or stored on Lots unless located wholly within the Lot's closed garage. (*DCCR, Art. VII, Sec. 12*)
- B. Temporary Presence: Contractor vehicles shall be temporarily located on a Lot only to the extent reasonably necessary to carry out repairs or other contracted work. No vehicles, including RVs and campers, shall be located stationary on the driveway of a Lot for more than thirty (30) days without ACC approval.

**Section 11 – Outside Drying:** Outside drying of such things as clothing, garments, bedding, camping and sports equipment may be done on any Lot anytime during the day provided the items are removed within twelve (12) hours.

**Section 12 -- Pre-Sale Inspections:** As a part of the preparation of the Disclosure Packet required for new buyers, the ACC performs a pre-sale visual exterior inspection of every property that is for sale. The house exterior and grounds are visually inspected by a member of the ACC to determine if the exterior of the house and property maintenance are in compliance with the GMFHOA DCCR. A written report is provided to the officer of the GMFHOA who signs the legally mandated Disclosure document. This fulfills the fiduciary responsibility of the Board to certify to a new buyer whether the property is in DCCR compliance or not.

**Section 13 – Reporting Violations:** A Lot owner may submit a complaint of another resident's non-compliance and request enforcement of the Restrictive Covenants through the ACC or GMFHOA Board. Complaint forms may be obtained from the GMF Website, <http://gmfhoa.org>

**Section 14 -- ACC Review Procedure:**

- A. Submitting Applications: Before starting, each Lot owner must submit an application for ACC approval of plans and specifications for all projects that modify, change or improve the external appearance of their property. Forms may be obtained from the GMF Website, <http://gmfhoa.org> or from any ACC member. The ACC members are listed in the GMFHOA telephone directory and on the GMFHOA website. Completed forms may be submitted to any ACC member.
- B. ACC Approval: The ACC is responsible for approving or rejecting each application. Project work must not be started until the homeowner has received official electronic or written ACC approval. ACC failure to respond officially within sixty (60) days of receiving the application shall mean approval of the application unless the request would violate an express restriction or prohibition in the DCCR. (*DCCR, Art. VII, Sec. 16*).
- C. Disapprovals: Modification or changes to homeowner property made prior to ACC approval and subsequently disapproved by the ACC or GMFHOA Board, may be removed at the expense of the homeowner.
- D. Appeal to ACC Ruling: An owner may challenge the ACC ruling at any time. This must be in the form of a written appeal to the GMFHOA Board within thirty (30) days of the receipt of the ACC's written decision. The Board will normally consider such challenge at its next regularly scheduled meeting if sufficient time exists from the date of notice of the challenge for investigation, hearing, and deliberation. Any delay in action or lack of action by the Board should not be assumed to be acceptance or rejection of the ACC decision.