

HOMEOWNER'S ASSOCIATION OF SHAKER WOODS, INC.  
ARCHITECTURAL CONTROL GUIDELINES  
November 1, 1991

I. PURPOSE

- A. These guidelines are intended to provide both general and specific rules of operation for the AECC and Board of Directors.
- B. While the guidelines attempt to foresee questions and problems as well as future items, it is realized that they cannot be all inclusive and therefore are intended as guidelines rather than inflexible regulations.
- C. The guidelines shall be primarily employed by the AECC. The AECC is charged with the responsibility of interpreting the guidelines and making recommendations to the Board of Directors based on that interpretation. The Board of Directors is charged with making and seeing to the enforcement of all architectural decisions.
- D. Guidelines may be amended by a majority vote of the HOA of Shaker Woods, Inc. Board of Directors provided that one month's notice has been given of the proposed motion and that a quorum is present.
- E. It is the intention of the AECC to work with all homeowners and assist them in meeting our community's AECC guidelines.

II. MEMBERSHIP OF ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE

- A. Members of the Committee shall be appointed by the Board of Directors.
- B. Members shall be appointed for a term of one (1) year.
- C. A Chairperson shall be appointed annually by the Board of Directors and shall be a member of the Board.
- D. A quorum exists when one-half of the total membership is present. A vote of the majority of those present at a meeting for which a quorum exists and for which notice has been duly given, is required for a Committee decision.
- E. Membership shall consist of five (5) voting members. These are not necessarily board members, except for the Chairperson.

III. RESPONSIBILITY AND FUNCTION

- A. The primary responsibility of the AECC is to advise and assist the Board of Directors in the discharge of responsibilities

with respect to covenants, by-laws and guidelines.

B. In fulfilling the Committee's responsibilities, the following tasks shall be performed:

1. Review plans for improvements on all lands affected by the covenants, by-laws and guidelines, and make recommendations to the Board of Directors as to approval or rejection of application for architectural changes.

2. Investigate and make determinations of instances of covenant violations.

3. Arrange for periodic dissemination to the community of information on the rules and their value to all residents.

#### IV. DESIGN REVIEW CRITERIA

A. The AECC evaluates all submissions on the individual merits of the application. It includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior change in one instance may not be for another.

B. Design decisions made by the AECC in reviewing applications are not based on personal opinion or taste. Judgements of acceptable design are based upon the following criteria which represent in more specific terms the general standards of the Covenants.

1. Conformance with Covenants - All applications are reviewed to confirm that the project is in conformance with the Covenants and By-laws.

2. Validity of Concept - The basic idea must be sound and appropriate to its surroundings.

3. Design Compatibility - The proposed improvements 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 use of materials, color and construction details.

4. Location and Impact on Neighbors - The proposed alteration should relate favorably to the landscape, existing structure and neighborhood. When a proposed alteration has possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with the affected neighbors prior to making application to the AECC. It may be appropriate to submit neighbor comments or include neighbor signatures along with the AECC application.

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

6. Color - Parts of the addition that are similar to the existing house, such as roofs, siding and trim, should be matching in color to the existing home.

7. Materials - Continuity is established by use of the same or compatible materials to those used in the original house. For instance, horizontal aluminum siding on the original house should be reflected in the addition.

8. Workmanship - The quality of work should be equal or better than that of the surrounding area. The AECC assumes no responsibility for the safety of new construction due to its approval of the change.

9. Timing - Projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and a safety hazard for the neighbors and the community. All applications must include estimated completion dates. If such a period is considered unreasonable, the AECC may disapprove the application.

## V. GENERAL REQUIREMENTS

The AECC is charged with the duty of helping to preserve the aesthetic quality of the community in order to maintain the desirability of the neighborhood which should likewise maintain or enhance property values. These rules define the general area and nature of the committee's responsibility. The requirement for approval applies to all modifications outside of a house, including those prior to the distribution of these guidelines. Approval is required whether modifications were accomplished by the builder or the homeowner.

### A. Background Information

1. To conform to the rules, each proposal must be specifically reviewed by the AECC in writing even though the improvement conforms to these guidelines, the Covenants and By-laws.

2. The AECC will consider only written requests as hereafter outlined. Oral requests will not be considered.

3. If a proposal is rejected, the AECC will provide rationale for the rejection. The applicant is free to request that the AECC and the Board of Directors reconsider its position, and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability. This does not apply to a proposal which would violate any covenant.

4. The AECC and/or Board of Directors will answer a request as promptly as possible. Failure of the AECC or the Board of Directors to approve or disapprove a request within sixty (60) days shall be construed as approval of the request.

5. In the absence of the review of an application for architectural change by the AECC, the Chairman of the AECC may, at his/her discretion, submit an application, and recommend approval or disapproval, to the Board of Directors for their approval or disapproval, provided that a quorum is present and due notice has been given in accordance with the By-laws.

6. No alteration or change, permanent or temporary, may be made on common ground or open space without approval, including landscaping.

#### B. Application Procedure

1. Each homeowner will submit his proposal for exterior addition, change, alteration or improvement to his property in writing to the Chairman of the AECC using the Application for Architectural Change form. The proposal will contain a description of the project, including the height, width, length, size, shape, color, location and description of materials to be used on the proposed improvement. Photographs or sketches of similar completed projects will aid in the Committee's consideration. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.

2. The Chairman of the AECC will record the date of receipt of the application. Each request must be specifically reviewed by the AECC or Board, even though the intended improvement conforms to the Covenants and By-laws.

3. The Committee will, after making a decision, forward the application and its recommendations to the Board. The Board will indicate in writing the decision to the homeowner.

4. If a proposal is rejected due to a violation of the AECC guidelines then the applicant is free to request information which might clarify the request or demonstrate its acceptability. This does not apply to violations of the Covenants.

5. Many items require county permits. It is the homeowners responsibility to obtain all required county approvals. Approval of any Application for Architectural Change does not waive the necessity of obtaining the required county permits. Likewise, obtaining a county permit does not waive the requirement for AECC approval. The Committee and Board will not knowingly approve a project which is in violation of the county building or zoning codes.

#### C. Request for Rule Violation Investigation

1. Any homeowner may communicate to the Chairman of the AECC orally or in writing a request for the Committee to perform a rule violation investigation. The complainant may remain anonymous.
2. A rule violation investigation will be conducted on all requests. Any homeowner in alleged violation of rules will be notified by the Chairman of the AECC at the initiation of the investigation and will be informed of the procedures used in the investigation.
3. The rule violation investigation shall consist of any or all of the following procedures:
  - a. Consideration of alleged violation with respect to the Covenants, By-laws, etc.
  - b. Holding of a discussion between the AECC and the homeowner.
  - c. On-site investigation of alleged violation with invitation for accompaniment of homeowner. Generally, the Committee or appointed members will not cross the homeowner's property lines without attempted prior notification to the property owner.
4. If the problem cannot be resolved between the homeowners and the AECC then the findings shall be forwarded to the Board for further action. (See Declaration of Covenants, Conditions and Restrictions, Article VII, Section 14.)
5. The President of the Board of Directors shall notify in writing the Committee and the alleged violator of the decision of the Board.
6. Action taken against the homeowner shall be determined at the discretion of the Board of Directors.

## VII. PROJECT REQUIREMENTS

### A. Major Exterior Alterations

#### 1. General

a. Any addition to an existing building, any exterior alteration, modification or change to an existing building must be submitted in writing and must have the reviewed approval of the AECC before any work is undertaken.

b. These include, but are not limited to driveway modifications, porches, decks, rooms or other additions to a house.

c. No structure of a temporary character, and no trailer, tent, shack, barn, pen, kennel, run, stable, outdoor clothes drier, shed or other buildings shall be erected, used or maintained on any lot at any time. (Reference Covenants, Article VII, section 8.)

2. Materials and Color (See Section IV.B.6.)

a. The design of major alterations shall be compatible in scale, materials and color with the applicant's house and adjacent houses. For example, new windows and doors shall match the type used in the existing house and should be located in a manner which will relate well with the location of exterior openings on the existing house.

b. Excess material and debris shall be immediately removed after completion of construction.

c. In general, only those areas that are painted may be painted; only those areas that are stained may be restained; unpainted surfaces and unstained areas shall remain unpainted and unstained. Repainting and restaining of surfaces with colors identical to original structures does not require review or approval by the AECC or Board.

B. Minor Exterior Alterations

1. General - There are numerous exterior modifications of smaller scale which may still require AECC approval. The same basic principles of compatibility of scale, materials and color apply. Consideration must also be given to impact on neighboring properties.

2. Attic Ventilators - Attic ventilators must be small in size as functionally possible. They should be located on the least visible (generally the rear ) side of the roof and not extend above the ridge line.

3. Air Conditioners - Unless located in a completely unobtrusive location at the rear of the house, air conditioning units extending from windows will not be approved.

4. Exterior Antennae - All exterior antennae are a direct violation of the Covenants. These include all types of exterior antennae or aerials, including satellite dishes. (Reference Covenants, Article VII, Section 10.)

5. Awnings - Awnings on windows and doors are prohibited in the front and sides of the dwelling. Rear awnings must be approved by the AECC.

6. Storm Windows - Storm windows that are of the same material and style as the existing window frames and that fit inside the existing window tracks as a replacement window do not need approval. Any exterior fitted storm windows need AECC approval.

7. Front Doors - Brass kick plates and harmonious door knockers do not need approval. Storm and screen doors for the front door must have prior AECC approval. They must be straightforward without ornamentation. Generally, the color of storm doors must match the entry door behind it, or must be of some neutral color that is architecturally similar to and compatible with the surrounding neighborhood.

8. Exterior Lighting - Exterior lighting shall be directed in a manner that it does not create annoyance to the neighbors. Any light pole fixture permanently in the ground must have approval unless it is a replacement of an existing and previously approved fixture. Application should include wattage, height of fixture above ground, design of the fixture and the complete description and location on the property.

9. Exterior Painting - Repainting or staining to match original colors need not be submitted for approval. Color changes apply to house siding, doors, shutters, trim, roofing and other structures. Change of exterior color must relate well to the color of other houses in the immediate area and must be submitted for AECC approval, along with a sample of the proposed color.

10. Mailboxes - Replacement of a mailbox or post with an identical design does not require the approval of the AECC. Changes in color or design must be submitted for approval.

#### C. Decks

1. Decks are an extension of the house and are to be located primarily behind the house. However, decks can be considered along the sides of the house according to their respective merits.

2. Modifications to existing decks should provide continuity in detailing such as material and the design of railings and trim.

3. Material and color shall be compatible with the applicant's house. In general, wood left naturally is the preferred option. However, decks which are stained or painted will be considered based on the merits of their design and their compatibility with the existing home and surrounding houses.

4. All decks must be submitted for approval by the AECC. Applications should include the site plan showing dimensions and relation to the house, description of materials including any colors, details of railings, posts, stairs, benches and other details as required to clearly describe the proposal.

#### D. Patios and Ground Level Decks

1. Application must be made and AECC approval obtained.

2. Patios should generally be located in rear yards. However, side yard locations will be evaluated according to their individual merits.

3. Materials should have natural weathering qualities such as brick, wood, stone and concrete.

4. If changes in grade or other conditions which will affect drainage are anticipated then they must be indicated on the application.

#### E. Fences

1. Application must be made and AECC approval obtained.

2. No fence will be approved if its installation will obstruct sight lines for vehicular traffic.

3. Chain link fences are not permitted.

4. No fences are allowed in the front yard or in the side yard (street side) of any corner lots.

5. Fences must be six (6) feet in height or less. The height and design of fences should generally conform to other fencing in the area. All fencing shall be constructed of wood, except rail or other open types of wood fencing may have wire screening attached. Fences shall remain unpainted.

6. All designs of wooden fencing shall be allowed as long as they are aesthetically pleasing and properly maintained.

7. The post side of fencing should face the inside of the fenced area, so that the finished side of the fence faces out.

8. Fencing for private swimming pools must conform to both state and local laws, as well as the aforementioned guidelines.

9. Gates should match fencing in design, color, materials and height.

#### F. Landscaping and Planting

1. Minor landscaping work and planting within property boundaries, in general, do not require approval.

2. Trees, hedges and shrubs which restrict sight lines for vehicular traffic shall be cut back or removed.

3. No planting will be allowed if there is interference with any easement.



4. Retaining walls should be kept as low as possible. Use of indigenous rock, wood or brick which matches the house is encouraged. Because retaining walls alter existing land forms, the design of such walls should be carefully considered to avoid poor drainage patterns.

5. Entrance walks in general do not require AECC approval, provided that materials and design style match the existing house. Patios, retaining walls, alterations to landings and other major landscaping requires AECC approval.

#### G. Recreation and Play Equipment

It is all too easy for equipment such as swings, basketball backboards, etc. to be less than pleasurable in appearance. Therefore, creatively designed and visually appealing equipment is encouraged. The guidelines listed below are provided in an effort to recognize the need for play equipment with the goal of minimizing its visual impact.

1. Location - Generally, such equipment should be placed in rear yards only. Consideration will be given to lot size, equipment size and design, etc.

2. Basketball backboards cannot be attached to garages, houses or placed on a common driveway.

3. All play equipment, especially metal play sets, must be well maintained so that it is not rusted or otherwise unsightly.

4. Playhouses must be reasonable in scale, and may not be used for storage or any purpose other than recreational.

5. AECC application should include site plan showing relation to adjacent property lines, applicant's house and adjacent houses.

#### H. Swimming Pools

1. Generally, all pools must be located in the rear of the house. Consideration will be given, however, for lots with unique configurations.

2. All swimming pools must be the below ground type.

3. Fencing - The pool and any mechanical equipment must be contained within a fenced area. Fences and gates for pools should conform to the Architectural Guideline requirements for fences and applicable county codes.

4. AECC approval must be obtained before adding a swimming pool. Approval of the fence will be considered a part of the swimming pool application and shall be contingent upon the completion of the pool. Childrens' portable play pools (such as inflatable pools) do not require approval.

## I. Pets

1. Dogs, cats and other domestic pets must not be a nuisance to the neighborhood.
2. Pets shall be attended to at all times and must be registered, licensed and innoculated as required by law.
3. As the Covenants are currently written, dog houses and kennels are not permitted.

## J. Miscellaneous

1. Trash Cans - Trash and garbage containers, lawn bags and other garbage is not permitted to be placed in front of the house or at the street except on days of collection or after sunset on the day immediately preceding days of trash collection. No burning of any trash or yard debris is permitted.
2. No junk vehicle, vehicle larger than a 3/4 ton truck, house trailer, horse trailer, boat or other similar machinery or equipment shall be kept on the property. (Likewise, it is a violation of Fairfax County law to park these vehicles on the street in front of your house or on any other street in the neighborhood, and may be result in a criminal citation.)
3. Clotheslines - Use of clotheslines is prohibited.
4. Gardening Materials - Bagged mulch, topsoil, etc. must be stored behind the house or in the garage if it is not intended for immediate use. Bulk mulch, topsoil, etc. which can only be delivered to the front of the house must be used in a reasonable period of time so that it does not become a visual nuisance.
5. Firewood - Firewood must be stored at the rear or side of the house, stacked neatly and not create a visual nuisance. Houses on corner lots may not store firewood in the side yard which faces the street.

HOMEOWNER'S ASSOCIATION OF SHAKER WOODS, INC.  
ARCHITECTURAL CONTROL GUIDELINES  
AMENDMENT TO NOVEMBER 1, 1991 GUIDELINES  
AMENDMENT NO. 1 DATED JULY 13, 1992

Add to the Architectural Guidelines as follows:  
Section VII. PROJECT REQUIREMENTS, A.1.d.:

d. Detached buildings and structures such as pool houses, gazebos, greenhouses and storage areas, which are constructed of architecturally similar materials to the home will be considered for approval by the AECC on a case by case basis. A combination of size and location relative to the lot, design and finishing materials, and visibility from adjacent lots and the street will be used to determine acceptability. (Reference Covenants, Article VII, Section 8A) Furthermore, such buildings and structures must comply with the following guidelines.

1. The structure shall not exceed 80 square feet total, the dimensions of the sides shall not exceed 8 feet by 10 feet, and the roof ridge shall not be greater than 8.5 feet high measured from the ground at any point.

2. The roof shall have a design and pitch similar to the main house, and the roofing materials must match the existing house.

3. The structure must be set back from the property line at least three (3) feet and must be located entirely behind the rear plane of the house. Corner lots are considered to have two front yards, therefore the structure must be behind the rear plane of the house but cannot extend into the side of the yard facing the street.

4. Exterior walls must be constructed of brick, wood or some other type of siding run horizontally which closely matches the style and size of the original house. Horizontal wood siding must match the unfinished wood on a wood deck, such as pressure-treated pine, cedar or redwood. Structures without solid walls, such as gazebos, must be constructed of wood materials which match an existing deck or are similar to other decks in the neighborhood.

5. Any painted trim, windows or doors must match the trim colors of the existing house. The door color should match the window/roof trim color instead of the front door color. Structures with unfinished wood siding should also have unfinished trim.

6. Where natural landscaping such as trees and shrubs are not existing, the structure must be landscaped in a manner that will provide minimal visual impact to adjacent homes and will fit harmoniously with the existing home and

**Architectural Control Guidelines**  
**Amendment No. 1 Dated July 13, 1992**  
**Page 2**

lot. Once landscaping is established as a part of the design included in the Architectural Application, either from existing trees/shrubs or new ones added with the structure, then it must be maintained as long as the structure exists. Thus, if the landscaping is damaged or destroyed, it must be replaced with new trees/shrubs in order for the AECC approval of the structure to remain valid.

7. All applications should include the concurrence of all other homeowners impacted visually by the addition of the building or structure. The refusal of a visually impacted homeowner will not necessarily preclude approval of an application, but will enable to AECC to determine if there is a justifiable reason for their concern or objection about the proposed structure. Likewise, the concurrence of all visually impacted homeowners does not assure approval of an application.

8. All applications must include the following information. Otherwise, they will be returned to the homeowner for completion.

- a. Dimensioned plans and a front and side elevation, all drawn to scale. Plans must show existing and proposed landscaping.
- b. A site plat showing the entire property, the location of the main house, the location of the proposed structure, existing and proposed landscaping, and the distance of the structure from the main house and adjacent property lines.
- c. A description of all materials and colors for the proposed structure.

In addition, a member of the AECC will inspect the proposed location to ensure that the structure will meet the architectural requirements included herein. The AECC will also be glad to assist homeowners in preparing their application in order to facilitate the approval process.

9. Since all back yards do not provide a natural setting or potential room to accommodate such a structure, only those lots which can meet the above requirements will be permitted to construct a detached building or structure.

10. Attached additions to homes which include pool houses, gazebos, storage areas, and other similar structures

**Architectural Control Guidelines  
Amendment No. 1 Dated July 13, 1992  
Page 3**

deck, as applicable, but are not necessarily reviewed under the same criteria as detached buildings and structures. The requirements for attached additions are covered elsewhere in the Covenants and the Architectural Guidelines.

11. Any questions regarding the approval of detached structures should be addressed immediately to the AECC. Under no circumstances may a homeowner construct a detached structure prior to the submission and approval of an Application for Architectural Change.