

**WHITTIER PARK HOMEOWNERS ASSOCIATION, INC.  
POLICY RESOLUTION NO. 1  
DESIGN GUIDELINES  
ARCHITECTURAL REVIEW BOARD (ARB)**

WHEREAS, the Declaration for Whittier Park Homeowners Association, Inc. ("Declaration") provides that the Board of Directors shall establish a Architectural Review Board; and

WHEREAS, the Board of Directors has appointed the membership of the Architectural Review Board pursuant to the Declaration; and

WHEREAS, Article III, Section 4 (b) of the Declaration, charges the Architectural Review Board with the duty to regulate the external design, signage, appearance, use and maintenance of Lots sold to Homeowners and certain Common Area (the "Property") including establishing minimum floor area specifications and building set backs; and

WHEREAS, the Board of Directors is required to adopt Design Guidelines proposed by the Architectural Review Board; and

NOW, THEREFORE, BE IT KNOWN THAT the following Design Guidelines are adopted by the Board of Directors.

## **I. OBJECTIVES AND GENERAL INFORMATION**

### **A. OBJECTIVES OF WHITTIER PARK DESIGN GUIDELINES**

This document's overall objective is to serve as a guide to aid members of the Architectural Review Board (ARB), staff, and residents in maintaining and enhancing Whittier Park's design environment. The guidelines described in this booklet address improvements for which homeowners most commonly submit application to the Architectural Review Board. They are not intended to be all inclusive or exclusive, but rather serve as a guide to what may be done. The specific objectives of this booklet are:

1. To increase resident's awareness and understanding of the Guidelines.
2. To describe the organizations and procedures involved with the architectural standards established by the Guidelines.
3. To illustrate design principles which will aid residents in developing exterior improvements that are in harmony with the immediate neighborhood and the Community as a whole.
4. To assist residents in preparing an acceptable application to the Architectural Review Board.
5. To relate exterior improvements to the plans for the Whittier Park development.
6. To provide uniform guidelines to be used by the Architectural Review Board in reviewing applications in light of the goals set forth in the founding Documents of Whittier Park Homeowners Association, Inc., and actions of the Board of Directors.

### **B. PROTECTIVE COVENANTS**

The basic authority for maintaining the quality of design in the Whittier Park development is founded in the Guidelines which are a part of the deed to every property in Whittier Park.

The intent of the Guidelines enforcement is to assure residents that the standards of design quality will be maintained. This, in turn, protects property values and enhances the Community's overall environment. Every Whittier Park property owner should receive a copy of all Guidelines in accordance with the Virginia Property Owners Association Act Chapter 26, Section 55-512. All too frequently this information is not read by the owner. Since these Guidelines are in accordance with the Declaration, By-Laws and Articles of Incorporation, they are binding on all owners whether or not they have been read. They should be periodically reviewed and fully understood. The Declaration, By-Laws and Articles of Incorporation establish the Whittier Park Homeowners Association, Inc., and the ARB.

C. **ROLE OF THE WHITTIER PARK HOMEOWNERS ASSOCIATION, INC. AND ARCHITECTURAL REVIEW BOARD**

The role of the Whittier Park Homeowners Association, Inc., of which every resident is a member, is not only to own and maintain open space, but also to conserve and enhance the resources of the total Community.

The Association accomplishes these functions in a variety of ways, one of which is by insuring, through the Architectural Review Board, the retention of harmonious, though diverse, design qualities of the Community. Surveys of planned communities show that providing this insurance is reflected in the preservation and enhancement of real estate values and is of prime importance to residents.

The ARB performs its task of insuring aesthetic quality of the homes and their environs by establishing and monitoring the architectural review process.

They insure that proposed exterior alterations comply with the objectives set forth in the Guidelines. This involves systematic review of all applications for exterior alterations submitted by residents.

From time to time, these Design Guidelines may be Amended by the Board of Directors upon their discretion.

D. **WHAT CHANGES MUST HAVE ARB APPROVAL?**

Article III, Section 4 of the Declaration explicitly states that all exterior alterations require the approval of the ARB:

**Conditions for Architectural Control.** No improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any Lot or Common Area or the improvements located thereon from its natural or improved state, existing on the date such property was first subject to this Declaration shall be made or done without the prior approval of the ARB. No building, residence or other structure, fence, wall or landscaping in lieu thereof, shall be commenced, erected, maintained improved, altered, made or done on such property without the prior written approval of the ARB.

This paragraph explicitly states that any change permanent or temporary to the exterior appearance of one's property must be approved by the ARB. Further, once a plan is approved it must be followed or a modification must be approved in accordance with Article III, Section 4 of the Declaration.

It is important to understand that ARB approval is not limited to major alterations such as adding a room or deck to a house, but includes such items as changes in color and materials, etc. Approval is also required when an existing item is to be removed.

Each application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these Guidelines.

#### **E. ARB REVIEW CRITERIA**

The ARB evaluates all submissions on the individual merits of the application. Besides evaluation of the particular design proposal, this includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be for another. Design decisions made by the ARB in reviewing applications are not based on any individual's personal opinion or taste. Judgments of acceptable design are based on the following criteria, which represent in more specific terms the general standards of the Protective Covenants.

1. **Validity of Concept.** The basic idea must be sound and appropriate to its surroundings.
2. **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 use of materials, color and construction details.
3. **Location and Impact of Neighbors.** The proposed alteration should relate favorably to landscaping, 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; large additions may cause unwanted shadows on an adjacent patio property or infringe on a neighbor's privacy.
4. **Scale.** The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.
5. **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 and trim must be matching in color.
6. **Materials.** Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, hardiplank siding on the original house should be reflected in an addition. On the other hand, an addition with hardiplank siding may be compatible with a brick house.
7. **Workmanship.** Workmanship is another standard, which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards. Whittier Park Homeowners Association, Inc., assumes no responsibility for the safety of new

construction by virtue of design or workmanship.

9. **Timing.** The majority of alterations may be constructed or installed by the residents themselves rather than a contractor. The alteration authority granted by the application will be revoked automatically if the alteration requested has not commenced within ninety (90) days following the date upon which such alteration is approved by the ARB.

#### F. **AMENDMENTS TO THE ARCHITECTURAL GUIDELINES**

These Guidelines may be amended to provide clarification, reflect changed conditions, or technology.

The ARB will conduct a yearly evaluation of the Standards to determine if amendments are required. Owners should also submit to the Whittier Park Homeowners Association, Inc., requests for additions or changes to the Guidelines. The actual amendment proceedings will involve public discussions with final adoption by the Board of Directors.

#### G. **APPLICATIONS**

The application forms call for information helpful to the ARB including any additional information, which may be useful in determining the scope and detail of the proposal. The signatures indicating awareness of four neighbors **must** be supplied and the form signed. The four signatures shall include those who are most affected because they are adjacent and/or have a view of the change. The ARB may waive this provision, in whole or in part, if those lots affected are unoccupied.

All information requested on the application must be complete or the application will be considered incomplete and returned. A house location survey showing the proposed modification must accompany **all** applications for exterior modifications.

#### H. **SITE PLAN**

A site plan is required as part of most applications. A site plan is a scaled drawing of your lot (site) which shows exact dimensions of the property, adjacent properties if applicable and all improvements including those covered by the application. Contour lines are required where drainage is a consideration. In most cases, the site plan for single applications should be developed from the house location survey provided to you when you purchase your home. More complex applications may require larger scale (20 or 10 scale) blowups of the plat plan or county approved development or site plans.

#### I. **REVIEW PROCEDURE**

All applications shall be mailed to the Association's Management Firm.

Each application will be checked for complete information by the Management Firm. If information which is pertinent for the review of the application is missing, the staff will return the application as incomplete.

If the application is complete, the review process begins.

The ARB will not act on the application during this public review period until the application is reviewed by a member(s) of the ARB. The application may be approved by this reviewing member(s) or held for review by the entire board.

The ARB must act upon all applications within ninety (90) calendar days after they have been submitted.

Applicants with special cases that require an interpretation will be notified and asked to be present for the meeting concerning their case.

The decisions of the Architectural Review Board will be sent by letter to the address on the application, whether or not the applicant attends the meeting. The ARB decision is binding after ten (10) working days to allow time for the appeal process.

An applicant may appeal an adverse decision of the ARB within sixty (60) days after such adverse decision is rendered, to the Board of Directors.

Appeals will be heard if the applicant or those affected feel that any of the following criteria were not met by the Board when reviewing the application:

- a. Proper procedures were followed during the administration and review process.
- b. The applicant and any other affected residents attending the meeting were given a fair hearing.
- c. The ARB decision was not arbitrary, but had a rational basis. To initiate the appeals procedure the applicant(s), or other affected residents must submit a request for an appeal within sixty (60) days of the applicant receiving the ARB decision. The appeal will be considered by the Board of Directors. In no event shall the ARB or the Board of Directors be required to reconsider an adverse decision when the proposal violates applicable zoning ordinances or approvals relating to Whittier Park.

## **J. ENFORCEMENT PROCEDURES**

The Guidelines requires the ARB to insure compliance of all lots with the Association architectural designs. The following enforcement procedures have been adopted by the Board of Directors:

1. All violations will be confirmed by a site visit by the ARB member.

2. If confirmed, a compliance notice will be sent.
3. If the violation is not resolved within fifteen (15) calendar days after the first written notice, a second written notice will be sent.
4. If the violation is not resolved within fifteen (15) calendar days after the second written notice, a third notice will be sent certified mail informing the resident of the time and place of a hearing by the ARB concerning the violation.
5. If the violation cannot be resolved by the ARB the violation may be turned over to the Board of Directors with a recommendation for legal action.

**K. MAINTENANCE REQUIREMENTS**

Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property. This includes, but is not limited to, items such as mowing grass in rear yards, removal of trash, and structural maintenance. Maintenance affects the visual character and in rear yards economic values of the property and neighborhood, and in some cases, safety. Violations of maintenance standards are violation of the Association Covenants.

Dumping of debris or lawn clippings on common areas/open space is prohibited.

1. Dwellings and Structures

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as fences, garages, and play equipment.

While it is difficult to provide precise criteria for what the Association deems as unacceptable conditions, the following cases represent some of the conditions which would be considered a violation of the Association Covenants:

- a. Peeling paint on exterior trim.
- b. Fences with either broken or missing parts.
- c. Garages in need of painting or other types of repair.

Most residents undoubtedly would not allow any of the above conditions to exist, as they seek to preserve and protect their investment in their homes and to limit their personal liability by keeping all improvements on their lots in good condition. The Whittier Park Homeowners Association, Inc., expects that all residents will do the necessary maintenance to prevent any of the cited conditions or others from occurring in Whittier Park.

2. Mowing

Turf areas need to be mowed at regular intervals, maintaining a maximum height to six (6) inches and a minimum height to two (2) inches. Changes to this requirement may be made according to specified plans.

Planted beds must be kept in a neat and orderly manner.

3. Lawn and Garden Fertilization

All soil should be tested before fertilizer is added. Special care should be taken not to over fertilize or to fertilize lawns and gardens when there is the least chance of run-off.

4. Trash Removal

Each resident is responsible for picking up litter on his property and/or debris on the open space which originated from his property.

Removal of trash and debris from all Association areas accumulating from resident usage will be completed as necessary. Remember that the removal of trash costs the Association dollars, and voluntary neighborhood cleanup, in addition to controlling litter at the source saves everyone money.

5. Erosion Control & Drainage Management

Each resident is responsible for seeing that the Lot area is protected from erosion and that storm drain structures are not blocked as not to cause additional erosion problems which could ultimately affect the common storm drainage facilities. Each resident is responsible for maintaining proper drainage through his property and shall not block or hinder natural drainage from adjoining properties

6. Pesticides and Herbicides

Pesticides and herbicides may be applied according to label instructions for the specified problem. 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 near adjacent residences and Common Areas. Avoid the use of pesticides and herbicides if at all possible, but when necessary, use the caution and follow instructions.

L. VA POAA - PROPERTY OWNERS ASSOCIATION ACT

Requires the Association to make available to an Owner or his authorized Agent within fourteen (14) days after receipt of a written request and receipt of the appropriate fee, to issue



an Association Disclosure Packet, which, upon receipt, the seller shall deliver to the purchaser. An Association Disclosure Packet which requires a statement as to whether any improvements or alterations made to the Lot, or uses made of the Lot or Common Area assigned thereto, are in violation of any of the Association's Governing Documents. It is important that Homeowners are in complete compliance with ARB guidelines in order to avoid potential problems during the resale of your home.

## **II. STANDARDS AND GUIDELINES FOR SINGLE FAMILY DETACHED HOMES**

### **A. MAJOR EXTERIOR CHANGES**

Major alterations are generally considered to be those which substantially alter the existing structure either by subtraction and/or addition.

Major building alterations include, but are not limited to, rooms, screened porches, garages, driveways and fences. Several types of changes may be combined on one application.

The design of major alterations should be compatible in scale, materials and color with the applicant's house and adjacent houses. The location of major alterations should not impair the views, or amount of sunlight and natural ventilation on adjacent properties.

Pitched roofs must match the slope of the existing roof on the applicant's house.

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

If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction materials must be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction. No debris may be allowed to accumulate during construction.

Applications are required for exterior changes to the property or houses.

### **B. FENCES**

Fundamental to Whittier Park's plan is the concept of common open space. The preservation of green space and natural features, as well as feeling of openness, contributes significantly to Whittier Park's difference from typical subdivisions. The purpose of this Community open space is to provide each residential lot with the atmosphere of a larger open area. Fencing if it is carelessly used or placed - encroaches upon open space and can even destroy it.

#### **1. General Guidelines**

Fences have traditionally been used as a physical and visual separation of two pieces of property. As today's landscaping and living style changes, so does the use, location, and design of fencing. Now that residential lots are becoming smaller, it is usually attractive and desirable to visually extend properties beyond the property lines. This should be kept in mind when considering fencing, which by its very nature tends

to physically define and separate areas and makes yards appear smaller.

Unquestionably, anyone's fencing will be shared by neighbors even if the neighbors have only to look at the other side of it. An inconsiderately placed fence can box a neighbor in or destroy his views. Therefore, it is important to remember in choosing a fence that there are various needs other than simply having a fence.

There are alternatives to fencing that may achieve the desired objectives. For example, short segments of privacy fence may be combined with landscaping to achieve the desired screening. Use of plant materials alone can be an alternative or planting schemes can be integrated with all fencing to soften the visual impact. **Front yard fences (or fences which appear to be in a neighbors front yard due to lot configuration) will not be allowed. No fences will be permitted in front yards.**

An application is required for all fencing and no fence shall be constructed upon the Property other than those provided by the Developer or those approved by the ARB.

## 2. Fence Types

Fencing should be appropriate for its intended purpose. For example, a "privacy fence" has different design considerations than a fence which is used to define property boundaries.

Any homeowner wanting to enclose their backyard with fencing must submit an application to the ARB.

## 3. Materials

- a. All fences shall be wood, which is left to weather naturally. Fencing which is finished on one side only must be constructed with the finished side facing out.
- b. Fencing should match or blend with existing adjacent fencing.
- c. Gates, should be compatible to fencing in design, materials, height, and color.
- d. Chain link fencing is not allowed.
- e. Long lengths of continuous solid fencing will not be approved. "Long is a function of the size of the property."

## C. PATIOS

Patios should be located in rear yards. Front or side yard locations will be evaluated on an individual basis. An application is required for all patios.

When patio schemes include other exterior changes such as fencing, lights, planting, sheds,

etc., other appropriate sections of these Standards and Guidelines should be considered during the completion of the application.

**D. SOLAR COLLECTORS**

Will not be allowed.

**E. GREENHOUSES AND SCREENED PORCHES**

Greenhouses and screened porches will be reviewed as room additions. An application with drawings must be submitted to the ARB.

**F. RECREATION AND PLAY EQUIPMENT**

Location and Size

Equipment must be placed in rear yards and it may not extend beyond the side plane of the home. Consideration must be given to lot size, equipment size and design, amount of visual screening, etc.

Permanent basketball backboards and poles are prohibited. Temporary basketball goals must be removed from sight when not in use and are never to remain in public view for any twenty-four (24) hour period.

**G. MINOR EXTERIOR CHANGES**

1. Air Conditioners - Exterior Unit

Air conditioning units extending from windows are prohibited.

2. Antennas & Satellite Dishes

No exterior antennas or satellite dish for the transmission of radio or television signals or for the reception of direct broadcast satellite service which exceed one (1) meter in diameter and/or exterior antenna for receiving video programming services via MMDS (wireless cable) that exceed one (1) meter in diameter may be maintained upon the exterior of any unit or upon the Common Areas without prior written approval of the ARB.

For approval by the ARB, the application submitted, therefore, must show the intended location of the dish on the site plan. The dish must be located in a place not visible from the street on which the house fronts. The color must be non-obtrusive and have a dull surface (not light reflective).

3. Clotheslines

No outdoor clothes dryers or clotheslines shall be maintained upon any of the Lots or the Common Areas at any time

No clothing, laundry or the like shall be hung from any part of any Living Unit which may be visible from the exterior of the Living Unit or upon any of the Common Areas or from or upon any balcony or patio.

4. Dog Houses and Animal Entry Doors

Only very small doghouses are permitted. Doghouses must match the existing color scheme of the home or left natural. Location of doghouses are restricted to rear yards only. Dog runs are prohibited.

5. Exterior Decorative Objects

Approval will be required for all introduced exterior decorative objects including natural and man-made.

Exterior decorative objects include such representative items as bird baths, wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, boulders, free-standing poles of all types and items attached to approved structures.

6. Exterior Painting

Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures. Change of exterior color for single family houses should relate to the colors of the houses in the immediate area. Repainting or staining a specific object to match its original color need not be submitted.

7. Flagpoles

Permanent, freestanding flagpoles will not be allowed on individual Lots.

Homeowners wishing to install temporary flagpoles which do not exceed six (6) feet in length and are attached at an incline to the front wall or pillar of the house or dwelling unit do not need to submit an application.

8. Gutters and Downspouts

Gutters and downspouts must match those existing in color and design and must not adversely affect drainage on adjacent properties. (No application is required.)

9. In-Home Business

The Association is concerned about the impact of in-home business on the residential character of the neighborhood and on adjacent neighbors.

While in-home business is encouraged as a source of income and community diversity, customer-intensive businesses which regularly attract large numbers of vehicles to the resident's neighborhood are not allowed.

The following special requirements must be met:

- a. Obtain permit from the City of Falls Church.
- b. No sign or other advertising device of any nature shall be placed upon any lot.
- c. No exterior storage of business-related materials will be allowed.

10. Landscaping

Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic on public streets or private alleys.

A maximum of three (3) inch calipers are allowed for trees.

Vegetable Gardens

An application must be submitted for vegetable gardens which do not meet the following conditions:

- a. It is located between the rear line of the house and the rear property line and sidelines of the house.
- b. Its size does not exceed 1/4 of the areas described in (a)
- c. It is not planted on a grade exceeding a ratio of five (5) feet to one hundred (100) feet.

11. Mailboxes

No modifications to the Community mailbox locations will be allowed.

12. Grills

All outdoor cooking equipment must meet City code and should be stored in backyards and at least ten (10) feet from any Property line.

13. Real Estate Sales/Rent Signs

Except for sales/marketing signs posted at the Property in connection with the sales activities of the Developer, and except for "No Parking" along the streets or alleys in the Property, and except for the Entrance Features, and except as permitted under Article VI, Section 1(c) here of, no signs of any character shall be erected, posted, or displayed in a location that is visible from another Lot that does not comply with the rules established by the Board of Directors.

14. Storage of Boats, Trailer, Camper, Mobile Homes or Recreational Vehicles

Except in connection with the construction activities of the Developer, no commercial vehicle, truck, boat, recreational vehicle or trailer, whether owned by the Owner or any other person, shall be permitted to remain on or be parked on Common Areas overnight.

The Board of Directors has defined "recreational vehicles" as follows:

1. Any boat or boat trailer.
2. Any motor home or other self-contained camper.
3. Any camper slip-ons where the camper backs are higher than the roofline of the cab of the truck.
4. Any mobile home, trailer or fifth wheel trailer.
5. Any pop-up camper/tent trailer or other similar recreation oriented portable or transportable facility or conveyance.
6. Any other vehicle not defined above which could not normally or regularly be used for daily transportation including dune buggies or non-operative automobile collections or other automotive equipment not licensed for use on the highways of Virginia.

15. Trash Cans

Trash containers and refuse disposal shall not be permitted to remain in public view that can be seen from another Lot except on days of trash collection.

16. Tree Removal

Trees may be removed only if they are dead or otherwise diseased. The Association shall be responsible for all tree removal in the park and other Common Areas of the Property.

17. Garages

Garages are to be used, per requirements of the City of Falls Church, for vehicle parking. Garages are not permitted to be used exclusively for storage.



### **III. STANDARDS AND GUIDELINES FOR ATTACHED TOWNHOMES**

#### **A. MAJOR EXTERIOR CHANGES**

Major alterations are generally considered to be those which substantially alter the existing structure either by subtraction and/or addition.

Major building alterations include, but are not limited to, rooms, screened porches, garages, driveways and fences. Several types of changes may be combined on one application.

The design of major alterations should be compatible in scale, materials and color with the applicant's house and adjacent houses. The location of major alterations should not impair the views, or amount of sunlight and natural ventilation on adjacent properties.

Pitched roofs must match the slope of the existing roof on the applicant's house.

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

If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction materials must be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction. No debris may be allowed to accumulate during construction.

Applications are required for exterior changes to the property or houses.

#### **B. FENCES**

Fundamental to Whittier Park's plan is the concept of common open space. The preservation of green space and natural features, as well as feeling of openness, contributes significantly to Whittier Park's difference from typical subdivisions. The purpose of this Community open space is to provide each residential lot with the atmosphere of a larger open area. Fencing if it is carelessly used or placed - encroaches upon open space and can even destroy it.

##### **I. General Guidelines**

Fences have traditionally been used as a physical and visual separation of two pieces of property. As today's landscaping and living style changes, so does the use, location, and design of fencing. Now that residential lots are becoming smaller, it is usually attractive and desirable to visually extend properties beyond the property lines. This should be kept in mind when considering fencing, which by its very nature tends

to physically define and separate areas and makes yards appear smaller.

Unquestionably, anyone's fencing will be shared by neighbors even if the neighbors have only to look at the other side of it. An inconsiderately placed fence can box a neighbor in or destroy his views. Therefore, it is important to remember in choosing a fence that there are various needs other than simply having a fence.

There are alternatives to fencing that may achieve the desired objectives. For example, short segments of privacy fence may be combined with landscaping to achieve the desired screening. Use of plant materials alone can be an alternative or planting schemes can be integrated with all fencing to soften the visual impact. **Front yard fences (or fences which appear to be in a neighbors front yard due to lot configuration) will not be allowed. No fences will be permitted in front yards.**

An application is required for all fencing and no fence shall be constructed upon the Property other than those provided by the Developer or those approved by the Architectural Review Board.

2. **Fence Types**

Fencing should be appropriate for its intended purpose. For example, a "privacy fence" has different design considerations than a fence which is used to define property boundaries.

Any homeowner wanting to modify their backyard with fencing must submit an application to the ARB.

3. **Materials**

- a. All fences shall be wood, six (6) foot, and of a style originally installed by the Developer. They should be left to weather naturally.
- b. Fencing should match or blend with existing adjacent fencing.
- c. Gates, should be compatible to fencing in design, materials, height, and color.
- d. Chain link fencing is not allowed.
- e. Long lengths of continuous solid fencing will not be approved. "Long is a function of the size of the property."

C. **PATIOS**

Patios should be located in rear yards. Front yard locations will be evaluated on an individual basis.

When patio schemes include other exterior changes such as fencing, lights, planting, sheds, etc., other appropriate sections of these Standards and Guidelines should be considered during the completion of the application.

D. **SOLAR COLLECTORS**

Will not be allowed.

E. **RECREATION AND PLAY EQUIPMENT**

Location and Size

Equipment must be placed in rear yards and may not extend beyond the side plane of the home. Consideration must be given to lot size, equipment size and design, amount of visual screening, etc.

Recreation and play equipment should be placed in rear yards only. Permanent basketball backboards and poles are prohibited. Temporary basketball goals must be removed from sight when not in use and are never to remain in public view for any twenty-four (24) hour period.

F. **MINOR EXTERIOR CHANGES**

1. **Air Conditioners - Exterior Unit**

Air conditioning units extending from windows are prohibited.

2. **Antennas & Satellite Dishes**

No exterior antennas or satellite dish for the transmission of radio or television signals or for the reception of direct broadcast satellite service which exceed one (1) meter in diameter and/or exterior antenna for receiving video programming services via MMDS (wireless cable) that exceed one (1) meter in diameter may be maintained upon the exterior of any unit or upon the Common Areas without prior written approval of the ARB.

For approval by the ARB, the application submitted, therefore, must show the intended location of the dish on the site plan. The dish must be located in a place not visible from the street on which the house fronts. The color must be non-obtrusive and have a dull surface (not light reflective).

3. **Clotheslines**

No outdoor clothes dryers or clotheslines shall be maintained upon any of the Lots or the Common Areas at any time.

No clothing, laundry or the like shall be hung from any part of any Living Unit which may be visible from the exterior of the Living Unit or upon any of the Common Areas or from or upon any balcony or patio.

4. Dog Houses and Animal Entry Doors

Only very small doghouses are permitted. Doghouses must match the existing color scheme of the home or left natural. Location of doghouses are restricted to rear yards only. Dog runs are prohibited.

5. Exterior Decorative Objects

Natural and man made exterior decorative objects will generally not be approved.

Exterior decorative objects include such representative items as bird baths, wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, boulders, free-standing poles of all types and items attached to approved structures.

6. Exterior Painting

Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures. Change of exterior color for single family houses should relate to the colors of the houses in the immediate area. Repainting or staining a specific object to match its original color need not be submitted.

7. Flagpoles

Permanent, free standing flagpoles will not be allowed on individual Lots.

Homeowners wishing to install temporary flagpoles which do not exceed six (6) feet in length and are attached at an incline to the front wall or pillar of the house or dwelling unit do not need to submit an application.

8. Gutters and Downspouts

Gutters and downspouts must match those existing in color and design and must not adversely affect drainage on adjacent properties.

No application is required.

9. In-Home Business

The Association is concerned about the impact of in-home business on the residential character of the neighborhood and on adjacent neighbors.

While in-home business is encouraged as a source of income and community diversity, customer-intensive businesses which regularly attract large numbers of vehicles to the resident's neighborhood are not allowed.

The following special requirements must be met:

- a. Obtain permit from the City of Falls Church.
- b. No sign or other advertising device of any nature shall be placed upon any lot.
- c. No exterior storage of business-related materials will be allowed.

10. Landscaping

Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic on public streets or private alleys.

A maximum of three (3) inch calipers are allowed for trees.

Vegetable Gardens

An application must be submitted for vegetable gardens which do not meet the following conditions:

- a. It is located between the rear line of the house and the rear property line and side lines of the house.
- b. Its size does not exceed 1/4 of the areas described in (a)
- c. It is not planted on a grade exceeding a ratio of five (5) feet to one hundred (100) feet.
- d. It does not damage property below it through the flow of water onto lower property.

11. Mailboxes

No modifications to the Community mailbox locations will be allowed.

12. Real Estate Sales/Rent Signs

Except for sales/marketing signs posted at the Property in connection with the sales activities of the Developer, and except for "No Parking" along the streets or alleys in the Property, and except for the Entrance Features, and except as permitted under

Article VI, Section 1(c) here of, no signs of any character shall be erected, posted, or displayed in a location that is visible from another Lot that does not comply with the rules established by the Board of Directors.

13. Storage of Boats, Trailer, Camper, Mobile Homes or Recreational Vehicles

Except in connection with the construction activities of the Developer, no commercial vehicle, truck, boat, recreational vehicle or trailer, whether owned by the Owner or any other person, shall be permitted to remain on or be parked on Common Areas overnight.

The Board of Directors has defined "recreational vehicle" as follows:

1. Any boat or boat trailer.
2. Any motor home or other self-contained camper.
3. Any camper slip-ons where the camper backs are higher than the roof line of the cab of the truck.
4. Any mobile home, trailer or fifth wheel trailer.
5. Any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance.
6. Any other vehicle not defined above which could not normally or regularly be used for daily transportation including dune buggies or non-operative automobile collections or other automotive equipment not licensed for use on the highways of Virginia.

14. Trash Cans

Trash containers and refuse disposal shall not be permitted to remain in public view that can be seen from another Lot except on days of trash collection.

15. Tree Removal

Trees may be removed only if they are dead or otherwise diseased.

16. Garages

Garages are to be used, per requirements of the City of Falls Church, for vehicle parking. Garages are not permitted to be used exclusively for storage.

**WHITTIER PARK HOMEOWNERS ASSOCIATION, INC.  
DESIGN GUIDELINES**

The foregoing Resolution is hereby adopted on this 1<sup>st</sup> day of April, 1999, without meeting, by all of the members of the Board of Directors.

Whittier Park Homeowners Association, Inc.

By:

W. Holladay Jr.

By:

Rita J. Bamberger

By:

John D. Gye

Members, Board of Directors