

Tysons Manor
Architectural Guidelines

Approved at Annual Meeting 1995

March 1, 1996

Dear homeowners and residents of Tysons Manor:

Here are our community's Architectural Guidelines. These guidelines assist the Architectural Control Committee in keeping Tysons Manor an attractive and pleasant community.

As a homeowner and/or resident of Tysons Manor you have a stake in the community's appearance and general condition. None of us want to live in a rundown neighborhood or one that has no character or commonality of design. These guidelines will help us all keep our community bright, fresh and appealing.

TMHA Architectural Guidelines

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A.	Purpose and Objectives	P. 13

I. Introduction

- A. The purpose of the Tysons Manor Homeowners' Association (TMHA) Architectural Guidelines is to comply with Article IX of the Bylaws and to serve as a guide to aid property owners/residents and members of the Architectural Control Committee (ACC) in maintaining and enhancing the Tysons Manor (TM) environment. The guidelines described in this publication address modifications property owners/residents are most likely to make to their property. While the guidelines cannot be all inclusive, any exterior modifications within TMHA are governed by the principles addressed herein. The objectives of this publication are:
1. To increase TM property owners'/residents' awareness and understanding of the architectural guidelines supporting the TMHA By-Laws.
 2. To provide uniform criteria for ACC review and approval of applications for exterior modifications.
 3. To describe the procedures involved in the process of review, approval, and appeal of applications for exterior modifications.
 4. To provide information and background by which the Board may enforce guidelines.
 5. To maintain consistent, fair and reasonable design standards for the community.

The TMHA assumes no responsibility for the quality or safety of construction by virtue of approval under these guidelines.

B. Role of the Architectural Control Committee (ACC)

The role of the TMHA of which every property owner and resident of Tysons Manor is a member, is to conserve and enhance the resources of the total community and to own and maintain open space within the community. The Association accomplishes these functions in a variety of ways, one of which is by ensuring, through the ACC, the retention of harmonious design qualities, within Tysons Manor. The ACC applies and interprets guidelines for exterior, modifications to properties, processes applications for those modifications, and monitors compliance with the guidelines. This is accomplished by semi-annual, documented walkthroughs and follow ups. The ACC is appointed by the Board of Directors. The ACC is also responsible for maintaining the ACC records.

C. Property Modifications Requiring ACC Approval

Any change, permanent or temporary, to the exterior appearance of properties and structures within TMHA requires compliance with these guidelines and, requires the written approval of the ACC (unless otherwise specifically stated in these guidelines.) The requirement for written ACC approval before exterior changes may be lawfully made is not limited to major alterations, but includes such items as changes in color and materials. Each application for ACC approval is reviewed on an individual basis. There are no automatic approvals. A property owner who wishes a modification which is similar to one already approved by the ACC is still required to seek ACC approval for the modification. The best rule regarding applications is: "When in doubt, apply for ACC approval."

D. Amendments to the TMHA Architectural Guidelines

The TMHA architectural guidelines set forth in this publication may be amended in accordance with the TMHA Bylaws. The architectural guidelines and any amendments must be consistent with the Bylaws. The ACC will conduct a periodic evaluation of the guidelines to determine whether amendments are required. Property owners/residents may submit requests to the ACC for additions or amendments to the guidelines. The ACC will make recommendations on each proposed change to the Board of Directors. Proposed amendments will be provided to the community. The Board of Directors will hold an announced public meeting at which residents will have an opportunity to comment on the proposed amendments. The Board will take action within 30 days from the meeting. Changes to the ACC Guidelines will become effective upon written approval by 75% of the homeowners.

II. Application, Review, Appeal, and Enforcement Procedures

A. Applications for Architectural Review Board Approval

Written approval of the TMHA Architectural Review Board is required for all changes to the exterior appearance of the residential structure and/or lot before work begins. All applications shall be submitted to the ACC in writing. Applications should contain what the scope of the proposed work is, the length of time until the work is complete, and the outcome of the changes in appearance to the house. Applications shall also contain drawings, sketches, etc., of the proposed change to assist the ACC in making decisions as well as a copy of the plat, when necessary. All applications must be signed, by the applicant. Applications are available from ACC members.

B. Incomplete Applications

All applications must be completed in full. Incomplete forms will be returned to the applicant with a statement explaining the deficiencies which must be corrected by the applicant before the ACC will accept the application for review.

C. ACC Review Criteria

The ACC will evaluate all submissions on the individual merits of the application. When reviewing an application, the ACC shall evaluate all of the applicable circumstances and factors concerning the application in general, and the home of the applicant in particular. An exterior change which is appropriate for one location within the community may be inappropriate in another location. To the greatest extent possible, ACC members shall not base their rulings on their personal opinion or taste. Judgments of acceptable design shall be based on the following criteria or general standards:

1. Design Compatibility. The proposed exterior change must match the architectural characteristics of the applicant's house, the adjoining houses, and the neighborhood setting. ACC members will determine the compatibility of the proposed exterior change by reviewing whether it is similar in architectural style, quality and use of materials, color and construction details with the applicant's house, adjoining houses, and the neighborhood setting.
2. Scale. The scale of the proposed exterior change must harmoniously relate to the size of the applicant's home, location and size of the lot, adjoining homes, and the neighborhood setting. This criterion applies to both structural and landscape changes.
3. Impact on Neighbors. The proposed exterior change must not adversely affect the value of the homes of neighbors or the lifestyle of the neighbors.
4. Color and Materials. The color and finishing materials of proposed exterior changes must match the color and finishing materials of the original construction exactly or as closely as possible.
5. Relationship to Environment. The proposed exterior change must not adversely affect the natural environment. if it is necessary to remove trees or other vegetation, or to change the grading and ground features in order to effectuate the proposal, the proposed change may be disfavored by the ACC.

Applications are approved during meetings of the ACC at which at least three ACC members are present. A majority vote of those members present at an ACC meeting is required to approve an application. Meetings of the ACC will be subject to the call of the Chair.

D. ACC Review Procedures

At meetings called by the Chair, the ACC will officially receive, review, and vote to approve or disapprove any/all applications. The ACC will review the application as quickly as possible. If the ACC fails to respond to a completed application within thirty (30) days of its receipt, the application will be deemed approved.

The ACC has the power to approve or disapprove completed applications. It does not have the power to grant exceptions to the design standards. Only the Board of Directors has the power to grant exceptions to the design standards.

E. Reconsideration of an ACC Decision

1. Requests for the ACC to reconsider its decision shall be submitted in writing to the ACC within 15 days of the date of its original decision.
2. Decisions of the ACC may be appealed by the applicant to the Board of Directors. An appeal must be requested in writing and submitted to the Board of Directors within fifteen (15) days after the date of the written notification to the applicant of the ACC's decision. Appeals will be reviewed by the Board of Directors at the next Board meeting. The applicant will be informed of the time and location of the Board of Directors meeting and may attend the review. A decision of the majority of the Board of Directors will be final and will be given in writing by the Board to the applicant within a week of its decision.

F. Enforcement Procedures

The TMHA Bylaws require the ACC and the Board, of Directors to ensure that all TM properties comply with the covenants and architectural guidelines, including those which require that properties and structures be properly maintained. When an apparent architectural violation is discovered, either through an ACC walkthrough or report of another homeowner, the ACC will pursue the following procedures:

- a. All violations will be confirmed by a site visit by an ACC member or a member of the Board.

- b. The ACC will send the property owner and the resident an initial notice requesting that they correct the cited violation. The letter will contain:
 - 1. Detailed identification of the violation
 - 2. Length of time allowed to correct the violation
 - 3. Liaison person to contact on ACC
 - 4. Possible allowance for time extension on repair and reason for time extension
- c. In the event of violation non-compliance, the ACC shall inform the Board of Directors of the violation and the Board of Directors may take appropriate action to restore the property. Appropriate action may include, but is not limited to: (1) levying a special assessment on the homeowner for contractor's parts and labor, and (2) using other legal methods if TMHA is not reimbursed in a timely manner (See Article IX of the Declaration of Covenants, Conditions, and Restrictions). The Board of Directors further reserves the right to pursue any and all remedies made available to it by the Virginia Property Owners Association Act and/or any rule of the Association.

III. Architectural Standards and Guidelines

Property Use and Maintenance

- 1. General.

Property ownership and residence includes the responsibility for maintenance of all structures and grounds which are a part of the property in good order, appearance and repair. This includes, but is not limited to, items such as trimming bushes, removal of trash, repair and upkeep of fences and antennas, and structural maintenance.
- 2. Use of Residence and Property.

One purpose of the ACC is to promote the beauty, safety, and welfare of the Tysons Manor community. In-home businesses have the potential to impact on neighbors and the atmosphere of Tysons Manor. While in-home businesses are permitted (subject to Fairfax County requirements and applicable zoning ordinances), customer-intensive businesses which regularly attract large numbers of vehicles are not allowed.

- a. No business sign or other advertising device, with the exception of those listed in Section IIIT, may be placed on any lot, structure, or common area within TM, or on any vehicle regularly parked on property within the Community.
 - b. No visible exterior storage of business-related materials is allowed.
- A. Attic Ventilators and Metal Flues
Attic ventilators and metal flues shall be placed on the rear side of the roof peak. ACC approval is required for new fixtures.
- B. Barbecue Grills
Barbecue grills are not allowed in front yards or on front porches.
- C. Chimneys
Replacement chimneys must be masonry with brickwork matching any existing brickwork already on the house. Chimney caps and any vent through the roof must be painted black or the color of the roof. The addition of wood-burning stoves not vented through an existing chimney must be approved by the ACC and meet County specifications.
- D. Clotheslines
Outside clotheslines are not permitted. Railings and fences are not to be used to dry clothes.
- E. Compost Piles

NO COMPOST PILES SHALL BE PERMITTED WITHIN TYSONS MANOR
- F. Exterior and Window Air Conditioning Units and Fans

Exterior air conditioning units must be placed within the rear patio areas of each townhouse. Units presently outside of fences can remain in their present location. However, when a unit needs replacement, the new unit must be installed inside the fence. In the interim, homeowners with units outside of the fence must plant trees and/or shrubs around the unit to form a sight and sound barrier.

Window air conditioning units and fans are not allowed in front or back windows within TM.

G. Exterior Antennas and Satellite Dishes

No exterior antennas or satellite dishes are permitted without ACC approval.

H. Exterior Painting

Repainting the exterior of the house does not need approval of the ACC if the same color is being used. Any changes in color will need prior approval by the ACC. This includes doors, shutters, trim, railings, and roofing.

I. Fences

All fences shall be solely of wood, brick, or wood and brick construction. They shall be compatible with adjacent fences, and either left a natural color but treated with an added wood preservative or stained dark brown. Any changes in existing fences must be approved by the ACC.

Fences shall be six feet high. Wooden fences should be constructed with vertical planks. The planks shall be arranged to block views from the outside into the homeowner's yard.

J. Firewood

Firewood must be kept neatly stacked off the ground and located to the rear of the residence immediately adjacent to fences. Firewood must not be stacked or stored in common areas. Firewood platforms may be left open or have a roof and 2 sides (no total enclosures or tarp-like coverings.)

K. Flagpoles

Permanent free standing flagpoles are not allowed. Flagpoles may be attached to the front of the house in a size that is appropriate to the property.

L. Gutters and Downspouts

Gutters and downspouts must be maintained and match those existing in color and design. They must not drain onto adjacent properties.

M. House Numbers

House numbers on dwellings are mandatory. House numbers must be between 3 and 4 inches high, legible, and easily visible.

N. Lampposts/Exterior Lighting

Each townhouse must have and maintain a lamppost with an automatic electric eye. Lampposts must be kept in good working order. Changes to the posts or tops are to be approved by the ACC. Posts must be painted black and tops must be black or brass. Changes or additions to exterior lighting need ACC approval. No exterior lighting shall be directed outside the applicant's property. Light fixtures which are proposed in place of original fixtures must be compatible in style and scale with the applicant's townhouse. Applications for exterior lighting need to include wattage, and a complete description, including descriptive material of the light fixture and location on the property.

O. Landscaping and Gardens - Front

No vegetable gardens are permitted in front yards.

Trees or plants must be placed and maintained in a manner that does not obstruct pathways and sidewalks.

Care must be exercised in selecting plant materials based on the size of the plant upon maturity, their future shade patterns, and their impact on abutting neighbors.

Bare ground in lieu of grass, mulching, or ground cover is not allowed. Mulched areas must include an equal area of ground cover, flowers, shrubs, or walkways.

All garden areas must be neatly maintained throughout and after the growing season. This includes removal of all unused stakes, trellises, and dead plantings.

P. Mailboxes

Mailboxes must be approved by the ACC.

Q. Outbuildings

Storage sheds may be constructed within the fenced patio of a townhouse; however, prior approval is required from the ACC to ensure that the size and style is compatible with the neighborhood. No outbuildings shall be constructed outside the fence.

R. Railings

House railings must be kept in good condition and painted either black or white, or a color that matches the trim of the house.

S. Sidewalks/Stairs

Sidewalk areas from the common sidewalk to the front door are the responsibility of the individual townhouse owners and must be kept in good repair. In addition, these areas plus the common sidewalk in front of the townhouse, must be kept free of snow, ice, and other debris by the occupants.

T. Signs

1. Real Estate Sales/Rent Signs. These signs are to meet county specifications. Upon occupation of vacant units, they are to be removed immediately.
2. Yard Sale Signs. Signs of this nature are permitted for TM residences only. These signs may be posted for the day or days of the sale, and removed by nightfall of the last day of the sale. No sign may be posted in the yard of another resident.
3. Others. Signs used for any other type advertising are prohibited.
4. Political campaign signs may be allowed on individual property, not common areas and need to meet County specifications.

U. Solar Panels

Solar panels must have prior ACC approval and must be installed on the rear side of the roof. The collector panels must be as flush with the roof line as possible; if they are elevated, they must not extend above the roof line.

V. Storm Windows and Doors

Storm windows and doors must have frames which match the color of the existing door or house trim. Storm window frames may also be white, anodized aluminum, or colors compatible with the exterior colors of the house.

IV. Grandfather Clause

Any homeowner who may not be in compliance with the ACC's guidelines as stated in the revisions of 1995 will be grandfathered as of October 1, 1995. This does not include deterioration or non-maintenance of the property. The ACC either independently or in conjunction with the homeowner shall give written variances as of this date.

V. Enforcement of Guidelines--Limited Waivers

These Guidelines will be enforced against all property owners as of the effective date of the Guidelines.