

The Timbers Homeowners Association
Architectural/Environmental Guidelines
Tenth Edition

- I. This tenth edition of the "Guidelines" is effective as of December 1, 2016, and shall supersede and revoke all previous "Guidelines" and amendments.
- II. In order to be completely informed of all rules and regulations on environmental matters that legally bind homeowners, the Architectural/Environmental Control Committee (AECC) suggests that these guidelines be thoroughly reviewed and that homeowners refer to:

BY-LAWS of the Timbers Association:

- Article IV, section 1(e)
- Article IX, sections 1 & 2

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS:

- Article III, section 1(e)
- Article VI, sections 1, 2, 3, & 4
- Article VIII
- Article IX
- Article XI

- III. Definitions of frequently used terms:

1. The term project is defined as, but will not be limited to any improvement, alteration, construction, revision, modification, variation, or addition made on a lot or to anything within or on that lot.
2. The term occupant is defined as any person or persons presently occupying a property, (actual owner or renter). AECC approval of any project is granted to the homeowner only.
3. Visible (visibility) is interpreted literally, as defined in the dictionary. The AECC interprets visibility concerns on an individual basis. For example, a fence does not render everything within it "invisible" from neighboring property, and a garbage can placed behind a shrub does not render it "invisible" from sight.
4. The term common area is defined as any area outside of a homeowner's property line that is within the Timbers Association property.

- IV. AECC Membership and Responsibility:

1. AECC chairperson must be an active Timbers Association Board Member in good standing. AECC members are nominated and approved by a majority of the Timbers Association Board of Directors. The AECC members serve at the pleasure of the Timbers Association Board of Directors and are subject to removal from the AECC by a Timbers Association Board of Director's simple majority vote.
2. The AECC is responsible under the Timbers Covenants for preserving the architectural and environmental harmony, unity, and integrity of the Timbers community. These guidelines are not intended to stifle the imaginative or creative desires of residents. The guidelines are to assure that

standards are in place that maintains harmony, unity, and integrity while helping to enhance the aesthetics, appearances and value of both the homeowners' property and the community.

3. Any modification or improvement to the home requires a **written AECC pre-approval**. An **approved written request is required prior to beginning** any modification or improvement; **regardless** if the modification or improvement is permitted within the AECC guidelines. Approval for a project variance usually takes 30 to 45 days.

V. General Guidelines:

The following guidelines are intended to supplement the Covenants and provide homeowners with additional guidance in common areas of particular environmental concern. **The guidelines are not all encompassing, so homeowners should refer questions to the AECC before starting a project.**

1. **MAJOR ARCHITECTURAL CHANGES** to houses are NOT permitted which would modify the height, width, or length of the original designs. Changes to the architectural design of exterior walls and shared walls are NOT permitted, except where sliding doors and rear windows are involved, and then only after approval of a Project Request Form by the AECC.
2. **WINDOWS** must maintain the overall integrity of the surrounding townhouses and not detract from the consistent look and appearance. Replacement windows must be identical in size and design to the original when practical. ***The capping must match the siding/trim colors.*** Any modification to the original design in Sections III and IV must include interior divider grids that are the same color as the exterior window frame or white. Addition of small decorative windows (round, oval, etc.) to accent and brighten a room is considered possible based on the Project Request Form description and diagram submitted for review. All windows in a single row are required to be homogeneous in design, construction, color, etc.
3. **SKY LIGHTS** should not extend above the roof ridgeline. All other locations must be granted approval by the AECC. This includes, but is not limited to, the front or side of the townhouse home. NOTE: Homes in Section 4 have original skylights on both the front and back roofs.
4. **SHUTTERS** for exterior window treatments are allowed only in Sections 3 and 4. Replacement shutters must be louvered and identical in size and design. See EXTERIOR COLOR paragraph for color modifications.
5. **AWNINGS** are not allowed in any section of the Timbers. Any roof-like cover extending over or in front of any area (as over the deck or in front of a door or window) as a shelter is considered an awning.
6. **RESIDENTIAL HOUSE NUMBERS** are limited to one per home (except some end townhomes) with a combined total face area of less than 84 square-inches. They must be uniformly positioned and not detract from the look and appearance of the surrounding townhouses. It is important to ensure the numbers are not obstructed from view since it is a County requirement for residential house numbers to be visible from the street for emergency service personnel. Any changes in size and location must be approved by the AECC.
7. **EXTERIOR COLOR** changes must be approved by the AECC. These changes include, but are not limited to, gutters, decks, siding, shingles, brick and all other permanent objects. Paint color samples may be submitted with project approval forms along with photos of your home (to include connecting homes).

Homeowners are required to use an Association approved color. A homeowner is required to submit a project approval form for all color changes, even if using an Association approved paint color. The intent is to ensure community standards are maintained.

- McCormick (Colonial & Chesapeake Exterior Collection) paint colors are available for use.
- AECC requests should specify which color is being used for each building component (i.e. , main, trim, and accent).
- Each home should have at least 2 and no more than 3 colors.
- Connecting homes cannot be identical in color.
- White is an approved accent/trim color only.
- Black is an approved accent color only.
- Doors and Shutters are considered Accents.

8. EXTERIOR SIDING MATERIALS:

- a. Siding: Sections I & II were originally designed with vertical siding. Sections III & IV were originally designed with horizontal siding. **ALL REPLACEMENT SIDING MUST BE HORIZONTAL.** Aluminum and vinyl siding are the only siding types allowed. AECC must review and approve any request for variance to the siding guidelines.
- b. Horizontal Siding Compliance: Townhouses are required to meet the horizontal siding guidelines upon need of replacement; however the color is required to meet Association guidelines upon need of replacement and/or sale of home.
- c. Replacement facade material should be horizontal aluminum or plastic siding, emulating a "clapboard" design, and all with the same "exposure" to weather dimension -- about six inches. The use of vertical and horizontal trim boards should be retained in order to breakup and "panelize" the expanses of siding. Short version use horizontal siding (6" width) but maintain the current use of vertical and horizontal trim boards. Trim colors are to be contrasting and must be approved by the AECC. The Association recommends matching the McCormick (Colonial & Chesapeake Exterior Collection) paint colors.
- d. Brick: Brick is an allowable exterior material. The type, texture and color must match the original design. Any brick exterior must maintain harmony, unity, and integrity of the surrounding neighborhood homes. AECC must review and approve any request for variance to the brick guidelines.

9. FRONT AND SIDE YARD AREAS:

- a. Lawns must be trimmed, maintained by appropriate lawn products (including fertilizer and weed removers) and consist of appropriate lawn grass.
- b. Lawn Edging, which is visible above ground, may be used without AECC approval if the following conditions are met and maintained:
 - i. The material used must be compatible with the appearance of the townhouse and the community as a whole. Plastic or vinyl edging may not be used.
 - ii. Edging must not extend more than six (6) inches above ground level without approval.
 - iii. Edging must not alter drainage.

iv. Edging must not obstruct the public sidewalk.

Lawn edging, other than edging around planted areas must be approved by the AECC.

- c. Planting Areas and Rock Gardens may not be expanded into the original lawn area without approval by the AECC. Generally, the AECC approves conversion of less than 30 percent of the original front (and/or) back lawns (grass) area into planting area for flowers and shrubs. Such areas must be well maintained and must not obstruct the public sidewalk. Tiered planting areas combined with ground cover or flowers are permitted only after AECC pre-approval of a project design description.
- d. Flowers and shrubs maintained below a height of 36 inches and within the original planting area are allowed without AECC approval. Any new plantings over 36 inches must be approved by the AECC.
- e. Vegetable Gardens are preferred in back yards. However, vegetables can also be blended in with front yard garden/shrubs as long as planting beds are maintained on a consistent basis. Approval is required for any plants that will exceed the height of 48 inches. Stakes required for plants should be less than 48 inches and be neatly maintained. Wood or composite material can be used, however wood should be evenly cut and not appear to be scrap. Vegetable gardens are not authorized along walkways or sidewalks.
- f. Removal of trees and shrubs that exceed a height of 48 inches must be approved by the AECC. The AECC may require planting of a replacement tree, or shrub. Evergreen foundation shrubs may not be removed without approval and are generally required in front of all homes.
- g. Any other landscaping projects for front or side yards must be approved by the AECC, and will generally not be approved if concrete; asphalt, cement, or similar material is involved.
- h. Shrubbery must be neatly trimmed, and not block sidewalks, windows, or doors.
- i. Bare ground in planting areas is not permitted. Some type of mulch, ground cover, or small stones of 1-2" diameter or greater must cover the ground. Gravel is not an acceptable ground cover. Ground areas must be well maintained and kept free from fallen leaves, cuttings, trash, weeds and other debris.
- j. Trees may not be planted without AECC pre-approval. Trees rooting from airborne seedlings are not approved plantings and must be removed by the homeowner. Trees must be neatly pruned to ensure neat appearance, to remove dead branches, and to prevent encroachment over neighboring yards or common areas. Diseased trees that cannot be cured must be removed. Per Virginia law, the Association is not responsible for common area trees that grow on or over private property. Branches may be professionally pruned, if necessary.

10. REAR AND FENCED YARD AREAS:

- a. Lawns must be neatly maintained at all times at a height less than 6". Rear yard plant beds must be neatly maintained and free of weeds and long grass.
- b. Flowers, Gardens, and Shrubs may be planted in fenced yard areas without AECC approval if the following conditions are met and maintained:

- i. Drainage is not altered in any way.
 - ii. Plants are maintained at a height below the lot's lowest fence line.
 - iii. Plants do not encroach upon adjoining property, either above or below grade.
- c. Small Landscaping Projects such as walkways, gravel beds, or borders within fenced lawn areas, which do not alter drainage, using material such as gravel, sand, flagstone, natural colored rocks, or natural colored wood are allowed, with AECC approval, as long as the conditions listed in (a) above are met and maintained.
- d. Large Landscaping Projects such as patios or patio extensions must be approved by the AECC.
- e. Decks must be approved by the AECC. A Fairfax County building permit is required for all decks regardless of the height above grade. Decks are required to be a minimum of one (1) foot from the property line. Townhouses on end rows should not exceed past their home. Decks are not allowed to be more than 14 feet in depth from the back of the house, including steps. For additional information on building decks, minimum standards, and how to obtain a building permit go to:

<http://www.co.fairfax.va.us/gov/dpwes/publications/decks.htm>

In addition to the Fairfax County building codes, deck design must enhance the exterior appearance and not detract from the neighborhood. Plant hangers are allowed above upper-level decks. However, privacy fences or other wall-like structures are not permitted.

Deck materials can be wood or composite materials intended for use as deck material.

Decks can not be painted. Property Owners who wish to apply wood coatings to their decks should be aware that there are transparent, semi-transparent, and solid stains/finishes. Behr brand "Cedar Naturaltone" is allowed as a semi-transparent stain without approval. Behr brand "Redwood Naturaltone" is allowed as a solid stain without approval. Other colors are allowable with AECC approval and should be browns and other wood tones which are in harmony with the natural surroundings.

Owners should only use licensed and bonded contractors. Owners should check references of all contractors, see examples of their prior work, and determine if there are any prior complaints on file with the Better Business Bureau. Owners are responsible to insure that the prospective deck design conforms to safety standards and customary appearances.

- f. Sheds or other Outbuildings must be approved by the AECC and maintained in good condition. Sheds should be constructed of materials that complement the house colors, may be no higher than seven (7) feet above the lots natural grade, must be equal to or less than 50 square feet, and must be in the rear of the lot within the lot boundary. Sheds should be constructed on a foundation of concrete or weather resistant wood.
- g. All Yard Projects using concrete, asphalt or cement-type materials must be approved by the AECC.
11. CLOTHESLINES for drying or airing clothes and other materials are NOT permitted unless they are temporary, not attached to a fence, and not on a deck or otherwise directly visible from the common area, or any neighboring property.

12. FIREWOOD AND ALL OTHER MATERIALS must be neatly stored within fenced areas. It may not exceed the height of the lot's lowest fence line or create a nuisance for adjoining property. Firewood shall not be stacked or stored adjacent to building walls or in common areas. Firewood storage areas must be maintained to eliminate any rodent or pest infestations.
13. ATTIC FANS, HOUSE FANS, AND WINDOW AIR CONDITIONERS or rooftop fans, ventilators, and rooftop flashing must complement the house roof color. They must be located on the least visible side of the roof (usually the backside roof) and must not extend above the ridgeline. AECC approval is not required if the preceding conditions are met. House fans must not be used in a way that makes them visible from the outside. Window air conditioning units are NOT allowed, unless required for medical reasons: AECC pre-approval and a physician's certification of necessity are required.
14. TRASH shall be kept in covered trash containers. Trash and trash containers may not be kept in front or side yards, or visible to neighboring property at any time. Trash should be put out for collection no earlier than the evening before it is collected. Trash cans and recycling containers must be stored in the back yard.
15. EXTERIOR LIGHTING shall be located, operated and maintained so that it does not cause unreasonable glare or illumination on any other lot, or the common areas. Pole lights are not permitted. AECC approval is required for modifications to current light fixtures.
16. SATELLITE ANTENNA installations are subject to FCC guidelines. Antennas should be installed on the least visible side of the roof, and should not extend above the roof ridgeline. Antennas are not permitted on decks or on any part of any fence (shared or not), or on the front, back or side of the townhouse for any reason.
 - a. Satellite dishes may also be placed on a low, free standing post in the back yard. Post mounted satellite dishes may not exceed the community fence line standard height of six (6) feet (including the satellite dish hardware).
 - b. Homeowners are authorized one satellite antenna. A variance is required for more than one satellite antenna on their property.
 - c. As required by FCC guidelines, a variance will be granted based upon a proven need.
17. FRONT DOORS must be approved by the AECC. Material must be a wood, metal, or fiberglass with or without a decorative window. The decorative door window in Sections 3 & 4 cannot exceed 50% of the surface. In Sections 1 & 2, if decorative window exceeds 50%, it must be factory manufactured to be reflective, beveled, shaded, or textured to provide light while maintaining privacy and cannot be altered.
18. STORM DOORS must be approved by the AECC. Colors and design must be compatible with the particular house exterior and with the neighboring structures. They may be plain style with full or half view and the color must match the trim/siding or front door color.
19. FRONT DOOR STEPS must maintain the overall integrity of the surrounding townhouses and not detract from the consistent look and appearance. The metal handrails that lead to home owners front door must be maintained in good condition and have no visible rust. Any requests for variance must be granted approval by the AECC prior to modification.

20. FRONT YARDS must maintain the overall integrity of the surrounding townhouses and not detract from the consistent look and appearance. Front yards are non-storage areas. Prohibited items include, but are not restricted to, yard tools, snow shovels (when snow is not present), planter containers/pots left empty without any vegetation planter (during the growing season), toys, bicycles, ladders, chairs, etc.
21. TEMPORARY STRUCTURES are NOT authorized if the structure would violate the guidelines if it were permanent.
22. FENCES: The only fence style allowed is an Alternating Board on Board fence constructed from cedar, or pressure treated pine (identical to the type installed by the builder). No other fences are permitted.

Material: 4" x 4" wood posts
2" x 4" or 2" x 6" horizontal wood members
1" x 6" vertical wood sides
1" x 4" horizontal cap board
6" x 6" gate posts are allowed
Matching post caps are required for all exposed posts.

Finish: Fences may not be painted. Property Owners who wish to apply wood coatings to their fences should follow the guidelines for deck finishes.

Gate: Same as fence or flush board

Location: On side and rear of property lines (Fences for end homes may not extend forward of rear wall of building without AECC approval.)

Construction: The top of all fences must be of a consistent height of 6 feet and must be parallel to the ground. The bottom of all fences must be no more than 4 inches above grade level, and parallel to ground surface. No bracing of any kind is allowed.

23. ATTRACTIVE NUISANCES such as hot tubs, Jacuzzis, trampolines, and portable basketball hoops are the responsibility of the home owner and must follow the guidelines of the manufacturer, Fairfax County, State of Virginia and all other governmental or regulatory policies.
24. DRAINAGE on a lot is the responsibility of the home owner. If you believe it is owned by the Association, you should contact the Property Manager. If you believe it is a Fairfax County issue, call the Maintenance & Stormwater Management Division at 703-934-2800 or submit a comment to the Department of Public Works at <https://www.fairfaxcounty.gov/contact/mailform.asp?ref=70065>

VI. Project Submittal Procedure

1. Homeowners may submit any project request for consideration that they believe enhances the appearance of their home and their neighbors, even if it is outside of the established AECC guidelines. Homeowners may, but are not required to submit supporting letters from neighbors with their project request for AECC and Board review.
2. Any modification to the home requires written AECC approval regardless if the modification or improvement is permitted within the AECC guidelines. Approval for a project variance usually takes 30 to 45 days. Verbal approval is not valid for modifications.

3. Homeowners request AECC pre-approval for projects by submitting a completed AECC Project Approval Form. (The form is available at <http://timbers-hoa.org/> under downloads.)
4. The completed AECC project Approval Form includes all relevant information known to the homeowner that would assist AECC consideration, including items such as: written description, dimensions, materials, color, design, estimated time of completion, etc.
5. A drawing may be attached to the completed AECC Project Approval Form showing the location of the house, and indicating the location of the new project.
 - a. This drawing must indicate any anticipated changes to drainage that may result from the project, if any. If a project alters the flow of storm water, the homeowner will be held responsible for correcting any problems – even if the project was approved.
 - b. Projects must be approved by someone who has knowledge of proper drainage techniques (i.e. the management company or a landscape company).
 - c. The Virginia and Fairfax County general rule is that one cannot concentrate sheet flow and discharge a point source onto another's property.
6. Alterations to the common areas are only authorized with the Board of Directors written approval.
7. All projects shall be completed as expeditiously as possible in order to avoid being a nuisance to the neighborhood.
8. Homeowners are free to request reconsideration for any project rejected by the AECC. Homeowners may submit new or additional information or adjustments which might clarify the project or demonstrate its acceptability if it was previously rejected.
9. Approval of any project by the AECC does not waive requirements for building permits or zoning approval if required by Fairfax County. Conversely, a building permit does not equate to approval from the AECC.

VII. Violations and Procedures for Enforcement of the Environmental Guidelines

1. The Timbers Association Management Company conducts periodic checks of the Timbers property to identify conditions and projects that do not comply with the Covenants, By-laws and Guidelines.
2. Homeowners may submit written and signed complaints of possible violations. These are kept confidential by the AECC. The AECC provides the complainant a written response of findings if the AECC decides there is no violation.
3. If the AECC decides a violation exists, the following procedures are to be followed:
 - a. The Timbers Association Management Company or AECC informs the homeowner in writing that a violation is present. The letter describes the nature of the violation and remedial action to correct the violation. Except in emergency situations, the homeowner normally has thirty days (30) from the date of the notification in which to respond appropriately. Shorter or longer response periods are sometimes appropriate and are stated on the AECC letter or the AECC violation form.

- b. A second letter is sent to those homeowners who have not responded. The nature of the letter depends on the type of violation (major or minor).
 - c. Homeowners with major repairs to be completed have an additional thirty days (30) from the date of the second letter to respond appropriately. Those with minor repairs are reminded that the repair needs to be completed.
 - d. Any homeowner who has been sent a 30 day notice letter and has failed to correct the violations may be subject to a formal hearing before the Board of Directors.
 - e. If an unsatisfactory response (or no response) is received, a hearing is held in accordance with the Virginia Property Owners' Association Act.
4. The Board of Directors also has the option to correct violations and add the cost of such remedies to the normal assessment (dues) account of the homeowner. These costs may be collected through legal action, if necessary.
 5. The Board of Directors may also request injunctive relief through the courts to compel compliance.

VIII. The Architectural/Environmental Control Committee (AECC) is responsible to periodically review and update the AECC guidelines for approval by the Board of Directors. AECC decisions are forwarded to the Board for informational purposes only. Members of the AECC are appointed by the Board of Directors for a period of year. An AECC committee member can be removed from the AECC with or without cause by a majority of the Board of Directors.

IX. The Management Company conducts inspections and approves all requests within the AECC guidelines. They maintain a property file for each home. AECC requests outside of the approved guidelines are forwarded to the AECC for consideration and the Board of Directors for their information.