

# **Burke Overlook HOA Architectural Standards**

**(Adopted November 3, 1988, amended April and September, 1992)**

## **1. INTRODUCTION**

These Architectural Standards are furnished to you to provide convenient information assistance as you plan any exterior changes to your property. All external changes or additions must be approved by the Architectural Review Board (ARB) before they are accomplished. These standards provide general directions about these procedures and information to help you plan any modification to your property.

The basic authority for maintaining the quality of design in Burke Overlook is the Covenants which all homeowners sign at closing and which are a part of every property deed. The following standards add definition to, and/or supplement Article XII Section 3 of the Covenants and govern all external property changes. Changes not defined in these standards will be considered in the spirit and interest of the covenants. **ANY PERMANENT CHANGE HAVING VISIBLE IMPACT MUST BE APPROVED BY THE ARB.**

It is the intent of the ARB to work with homeowners in harmony and cooperation. We are all neighbors. If there are questions or concerns, they may be directed to an ARB member or to a member of the Burke Overlook Homeowners Association Board.

## **2. PROCEDURE**

All exterior alterations require the approval of the ARB. ARB approval is not limited only to major alterations but includes such items as changes to color or minor modification of original architecture. For your convenience, a form is attached and must be used when submitting a request to the ARB. Additional forms are available from an ARB member if required.

The following procedures will be followed:

1. All requests should be submitted 30 days prior to beginning work.
2. A request for ARB approval is submitted on the form provided. Directions are on the form. Detailed information is required and will be helpful in speeding the approval process. Please note that adjacent neighbors must be informed of intended changes.
3. The ARB will receive the submission and will act on it within two weeks. However, if additional information is required or if requirements have not been satisfied, additional time will be needed. It is to the homeowner's advantage to read the Covenants before making application to the ARB.

4. When approval of a submission is granted, the homeowner must begin the work within 180 days or resubmit.
5. If a submission is not approved, the homeowner may appeal either verbally to the ARB or with a written request to the ARB. However, any request that is not approved will be returned with a clear description or reasons it was not approved.

### **3. CRITERIA FOR ARB DECISIONS**

1. The standards established in the Covenants.
2. Design compatibility with architectural characteristics of the neighborhood.
3. Location and impact on neighbors.
4. Workmanship must be equal to or better than that of original structures.

### **4. ENFORCEMENT OF STANDARDS**

The Covenants require compliance of all properties in Burke Overlook to the Standards of the Covenants. The following procedures have been adopted by the Burke Overlook Homeowners Association Board:

1. Any violation will be confirmed by an ARB member.
2. The resident in violation will be notified by telephone, or if that is not possible, by postcard by the ARB.
3. If the violation is not corrected within 20 days, a second notice will be sent by certified mail from the Homeowners Association Board.
4. If after another 15 day period no contact is made by the party in violation or if correction of the violation is not accomplished, a second certified mail notice will be sent informing the resident of the time and place of a hearing by the Homeowners Association Board.
5. If the case is not resolved during the hearing, it will be turned over to the legal representative or the Homeowners Association with a recommendation for legal action.

### **5. ARCHITECTURAL STANDARDS**

**FENCES:** Fences may be constructed in backyards only, within property lines, (end units may extend to property line even with back of building), and must be of the same construction and materials as sections erected by developer (alternating board, cedar or pressure treated wood, top rail, etc., up to six feet high, measured from ground

level, unpainted and unstained). Six foot sections between units should remain for privacy unless a written agreement is obtained from the owner of the adjacent property, and is submitted along with the application. If the proposed fence is to be less than six feet high, a connecting section should slope from existing sections down to the level of the new fence no more than a 45 degree angle (over a minimum of four feet). Gates should not open onto another owner's property.

All fences must be approved. Applications will include a site plan with all measurements, heights, materials and locations of gate(s).

**EXTERIOR PAINT:** No application is necessary to repaint building exteriors and trim with original colors. Only originally painted surfaces may be repainted. Roofs, brick facades, decks, fences, walkways, etc., may not be painted or stained; Colors other than those originally used require approval; any color not used by the developer must be similar to and compatible with existing colors.

Applications should include samples of proposed colors, a representation of how and where they will be used, and a description of the colors on adjacent units.

**STORAGE SHEDS AND DOGHOUSES:** Storage sheds and outbuildings are allowed in backyards only, inside property lines. They must be screened from view of adjoining Lots by fencing or landscaping and they must be securely anchored. The size, construction, and location on the property of any outbuilding must be approved by the ARB. The height of any outbuilding, in place, should not exceed the height of the fence by more than six inches. Colors and construction must be compatible with units or fencing, depending on placement.

To have the least possible impact on neighbor's views, proximity to the unit is preferred.

Doghouses should be visually unobtrusive and should follow the same guidelines as storage sheds.

Applications for all outbuildings should include a scale drawing indicating size (including height), location on Lot, description of construction, materials and screening, samples of colors, and a detailed illustration or photograph.

**PATIOS AND DECKS:** Plans for patios and structural alterations or additions to existing decks require approval. Design, construction, and materials must be compatible with existing structures, and neighbors' privacy and views must be considered and respected. Wood, brick, stone, and other natural materials are preferred for patios. Impact on drainage of adjoining property must be taken into account.

Applications must include a scale site drawing with location and dimensions, a description of materials and how they are to be used, any accompanying landscaping, lighting, etc., and any possible effects on adjoining properties.

**LANDSCAPING AND GARDENS:** Landscaping must never impair vehicular visibility. Plantings should be of a size, nature and location appropriate to the individual unit and Lot and to the aesthetics of the community as a whole, Plans should take into consideration neighbor's views and any potential effects on adjoining property.

Applications are not necessary for planting/replanting grass or individual shrubs. Approval is necessary for any tree(s) that will exceed 15 ft. at maturity, for individual plantings that will have a physical effect on others' property (either immediate or long-term), for multiple plantings such as hedges or clusters of trees that are visible from adjoining property, and for any unusual or major landscaping which has a visual or practical impact on neighbors and/or the community.

Vegetable gardens should be in backyards, within property boundaries, and should be restricted to cover an area no larger than 100 sq. feet. They should be neat and well maintained and must not adversely affect drainage of adjacent property.

Rock gardens should be in backyards only, and rocks should remain their natural colors.

Removal of any trees over four inches in diameter, measured two feet from the ground, requires approval. The ARB requests notification of removal of any smaller living trees for possible replanting to common areas.

Visible flowerbed borders should be unobtrusive, compatible with architecture and existing landscaping, and should not be painted or stained. Since some continuity with adjoining properties is desirable, similar or complementary border treatments for units in any group are acceptable.

Applications for landscaping should include names and descriptions of proposed plantings, approximate size at maturity, site drawings showing proposed locations and relationship to buildings and existing landscaping, and a statement of the potential impact on neighbors' property, views, privacy and existing landscaping.

## **6. MAJOR ALTERATIONS**

Major alterations such as porches and additional rooms are not permitted.

## **REPLACEMENT AND/OR REPAIR OF WINDOWS AND DOORS:**

**STORM AND SCREEN DOORS (adopted April 4, 1992):** Storm/screen doors should be simple full view frames without ornamentation such as scallops, scrolls, or imitation gate hinges. The color shall match the color of the front door as closely as possible. White or bare metal storm doors are not acceptable. Plastic coverings are also not acceptable.

Applications for storm/screen doors should include a drawing or photograph of the door, color proposed, and colors of the house.

Replacement storm or screen windows must match existing windows and frames.

**FIREPLACES AND CHIMNEYS:** Additional fireplaces and chimneys should be compatible in scale, materials, and color with the owner's house and adjacent homes. Chimneys must exit the roof line in the rear half of the house. This is in keeping with builder's original design and options.

Construction must be completed in six months. Building material must not accumulate.

**RECREATION EQUIPMENT:** Location of all permanent recreational equipment (swings, jungle gym etc.) should be in the backyard. Pools other than children's wading pools are not permitted. An application is necessary and a photograph or sketch of the equipment, dimensions, and color should all be included.

**AWNINGS AND TRELLISES:** Trellises should be constructed from pressure treated wood or painted the same color as one of the colors on the owner's home. No awnings may be placed on any home.

**MATS/OUTDOOR CARPET:** No permanent installation of outdoor carpet will be allowed on sidewalks or walkways.

**MAINTENANCE:** Owners are responsible for maintaining the exterior of their homes in reasonably good repair. If the Lot falls into disrepair, the Association has the right to provide exterior maintenance upon the Lot as follows: paint, repair, replace, and care for roofs, gutters, downspouts, exterior building surfaces, fences, trees, shrubs, grass, walks, and any other exterior improvements needed.

The cost of the repairs or maintenance shall be billed to the owner. Failure to pay will result in appropriate legal action.

**HOT TUBS: (Adopted September 1992)** Hot tubs should be installed onto existing patios. Privacy fencing and/or year-round landscaping must be provided as screening from and to all affected neighbors. A full fence is required around a hot tub if it contains 250 square feet of surface area or the water is over two (2) feet deep at any point. When fencing is not required, a locking top to the hot tub shall be installed.

If special wiring and water lines are required for installation of the hot tub, the homeowner must obtain a permit from Fairfax County. If, however, a hot tub will use an existing outside electric outlet and water supply, the hot tub is considered a "free standing" structure and no building permit is required.