

COMMUNITY HANDBOOK AND ARCHITECTURAL GUIDELINES



**LAFAYETTE PARK HOMEOWNER'S ASSOCIATION
ANNANDALE, VIRGINIA**

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SECTION 1

OBJECTIVES

OBJECTIVES OF THIS HANDBOOK

The overall objective of this handbook is to serve as a guide to both the Homeowner and the Architectural Review Committee (ARC). These rules, regulations, guidelines and standards address the ongoing standards of the community as well as improvements, some of which require homeowners to submit applications to the Architectural Review Committee for review and approval, *PRIOR* to making any changes. They are not intended to be all-inclusive or exclusive, but rather serve as a guide for the review and approval process for improvements that may be made in the community.

All residents benefit from the planning and design that have been an important part of the development of the Lafayette Park community.

The purpose of design controls is to assure residents that the standards of design and quality will be maintained. These design controls are set in place to preserve the natural beauty of the property, to insure its best use and most appropriate development and to prevent the erection of poorly designed or constructed changes. The entire area shown on the plat shall be subject to all of the protective covenants and restrictions.

The specific objectives of this booklet are:

- To provide uniform guidelines to be used by the Board of Directors and the Architectural Review Committee in their inspection of the community, and their review of applications from homeowners for modification to their property;
- To describe the organization and the procedures involved with the architectural standards established by the *Declaration of Covenants, Conditions and Restrictions, and the By-Laws*;
- To assist homeowners in preparing an acceptable application package for submission to the Architectural Review Committee;
- To increase homeowners' awareness and understanding of the Declaration of Covenants, Conditions and Restrictions, and the By-Laws;
- To maintain a harmonious relationship among structures and the natural vegetation and topography throughout the Association.

SECTION 2

DESIGN REVIEW AND APPROVAL

DESIGN REVIEW COVENANT

The authority for maintaining the quality of design in the community is found in the Declaration of Covenants, Conditions and Restrictions which are a part of the deed to every property. The original founding documents establishes both the Homeowners Association (HOA) and the Architectural Control Committee.

ARCHITECTURAL DESIGN REVIEW

The Architectural Review Committee: In 1975, the *Association By-Laws* established the Architectural Control Committee. The committee is composed of three (3) representatives appointed by the Board of Directors. Hereafter references to the Architectural Control Committee will be referred to as the Architectural Review Committee (ARC). The ARC has the following duties and responsibilities:

- review and evaluate all applications for additions, color changes and any other change from the original design intent for the property
- ensure that the architectural harmony of the community is preserved over time.

All proposed changes and alterations, including, but not limited to, fence replacement, retaining walls, signs, windows and door replacement, additions or projections from a townhouse require written application and written approval by the ARC. Proposed improvements and alterations, including any grading, excavation, tree removal, change of exterior colors, or other work which in any way alters the original exterior appearance of a townhouse or its grounds require prior written approval of the Architectural Review Committee in concurrence with the board of directors.

Design approval will be based on the proposed modifications

- (a) size and location
- (b) exterior design
- (c) color and character of its exterior material
- (d) guarantee of quality of the workmanship
- (e) construction time schedule, and
- (f) compatibility with other structures throughout the property.

ARCHITECTURAL REVIEW CRITERIA

All exterior additions, changes or alterations (including changes in color or materials) to any building, fence, wall or other structure may NOT commence prior to the written approval of the ARC. Further, once a plan is approved it must be followed or a revised application must be submitted to and approved by the Architectural Review Committee.

All plans and specifications must be submitted in writing by the homeowner and should contain the following applicable information:

- A general site plan showing the location of all proposed and existing buildings, fences, walls or other structures on the Lot.
- Exterior elevations for the proposed building, fence, wall, structure, or addition, change, or alteration.
- Specifications of materials, color scheme and other details affecting the exterior appearance of the proposed modification.
- Description of the plans and provisions for any changes in landscaping or grading.

Your contractor can provide the plans and most information required. Each application is reviewed on an individual basis. There are no “automatic” approvals. These applications should be considered a safeguard for both the homeowner and the community. *Any issues with compliance can be addressed at the beginning of the review process, rather than near completion of a project.* See *Exhibit C* for more specific information pertaining to submitting applications for changes.

The following criteria represent in more specific terms the general standards that will be used in reviewing and evaluating applications for proposed design changes or improvements.

- **Validity of Concept:** The basic idea must be sound and appropriate to its surroundings.
- **Design Compatibility:** The proposed improvement must be compatible with the architectural characteristics of the applicant’s house and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, use of similar materials, color and construction details.

- ❖ **Location and Impact on Neighbors:** The proposed modification should relate favorably to the landscape, the existing structures, and the neighborhood. Prior to submitting a homeowner's architectural modification form, the applicant is required to discuss the proposal in detail with adjoining neighbors and obtain approval signatures.
 - **Scale:** The size of the proposed modification should relate well to adjacent structures and its surroundings.
 - **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, masonry and trim should match in color. Paint colors should conform to the current Pre-Approved Paint list.
 - **Materials:** Continuity is established by use of the same or compatible materials as used in the original townhouse design and construction.
 - **Workmanship:** Workmanship is another standard which is applied to all exterior alterations. The final appearance and quality of work should be equal to or better than that of the community as a whole. Poor construction or finishing practices, besides causing the owner problems, can be visually objectionable and impact the community as a whole. Poor workmanship or substandard construction practices can also create safety hazards.
 - **Timing:** Projects shall be completed within three (3) months of approval, otherwise in-progress projects could become a nuisance and safety hazard for neighbors and the community.

Definitions

The following definitions are included here to clarify specific words used throughout the handbook.

Adjacent: Next to; adjoining; sharing a common boundary.

Baluster (Picket): One of a number of short vertical numbers set in a series used to support a hand rail.

Compatible: Similar in architectural style and quality of workmanship as well as in use of materials, color and construction details.

Front Yard: A yard or a plot of ground facing the street or sidewalk which extends from the front line of the building to the front property line and across the full width of the plot.

Guidelines: A statement or other indication of policy by which to determine a course of action; a recommended design requirement.

Material: The substance or substances out of which something can be made or constructed.

Rear Yard: The yard across the full width of a plot; extends from the rear line of a building to the rear property line.

Shall: A mandatory procedure or requirement.

SECTION 3

ARCHITECTURAL MODIFICATIONS REQUIRING ARC APPROVAL

All **exterior** alterations require approval from the Architectural Review Committee.

- No improvement, alterations, repairs, changes of paint colors, excavations, changes in grade or other work which in any way alters the exterior of a 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 without the prior approval of the ARC. No building, residence or other structure, fence, wall or landscaping project, shall be commenced, erected, altered, without the prior written approval of the ARC.
- The Covenants explicitly state that any **change**, permanent or temporary to the exterior appearance of one's property must be approved by the ARC.
- **County Approval:** *ARC approval does not negate the requirement for a homeowner to comply with County and State building codes and regulations.* Proper permits are the responsibility of the homeowner.
- "Miss Utility" (1-800-552-7001) should also be contacted prior to any digging for construction of decks, fences, landscaping projects, gardens, etc.

SECTION 4

FORMAT FOR ARC APPROVAL SUBMISSIONS

A sample of the form which must be used in applying for approvals is attached as Exhibit C. Generally, the following items should be a part of every application.

A Site Plan A site plan is most easily prepared by submitting a copy of the house location plat. Proposed changes should be indicated including dimensions and distances from the adjacent property and houses.

Material and Color Samples of the materials and colors to be used should be submitted for clarity, along with detailed descriptions of materials to be used.

Drawings and Photographs A graphic description should be provided, and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, exterior elevations for proposed structures, and if appropriate, plans or provisions for landscaping or grading, etc., should be shown as they affect the applicant's house, and as they relate to adjacent houses. In any case, the sketch or photograph should be accompanied by a written description.

Review Procedures All applications shall be submitted to the ARC, whether the application is for a permanent or temporary improvement. The application will be reviewed for completeness. If the application is complete, the review process will begin. If not, a Request for Additional Information will be mailed to the homeowner. If additional information is not received within ten (10) days of the date of the request, the

application will be automatically denied. The ARC will have thirty (30) days to review a completed application. The decision of the ARC will be sent by letter to the applicant's address. Failure of the ARC to act upon any completed application submitted within thirty (30) days from date received by the Committee shall be deemed to have been approved as submitted.

Appeal of an ARC Decision

An appeal may be made if it appears that the following situations occurred:

1. Proper procedures were not followed during the administration and review process.
2. The ARC decision was arbitrary and had no rational basis.

To initiate the appeals procedure, the applicant or other affected residents must submit a request in writing within ten (10) days from the date of notice from the ARC. All appeals must be submitted directly to the Board of Directors of the Lafayette Park Homeowners Association at the Association mailing address: 6921A Lafayette Park Drive, Annandale, VA 22003.

SECTION 5

ENFORCEMENT PROCEDURES

The following procedures will be taken by the Board of Directors to enforce the rules and regulations as set forth in these guidelines:

- All owners and residents of Lafayette Park shall comply with all rules and regulations, and all provisions of the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions, the By-Laws, and this Community Handbook. Failure to comply with the aforementioned documents shall be grounds for an action to recover damages or for injunctive relief, for suspension of voting rights, for assessment of rules violation charges, foreclosure of liens or any other legal or equitable relief deemed appropriate.
- In the event any rule or regulation of the Lafayette Park Homeowners Association is violated, the owner and, if applicable the tenant, shall be notified by mail. Notice to the owner shall be sent to the address shown on the books of the Association.
- If the owner is a non-resident, a copy of the violation notice shall also be sent to the tenant, at the dwelling address, by first class mail.
- In any instance where the violation presents a health or safety hazard, the Board of Directors may take immediate action, at the owner's expense, to correct the violation. Notification to the owner of the action taken and the costs incurred will be made by certified mail.
- The owner shall have the right to appeal any violation citation. The request for appeal must be submitted in writing, and received by the Board of Directors within fourteen (14) days of receipt of the violation notice.
- In the event the Owner does not bring the violation into compliance within the number of days specified, or submit a request for appeal within fourteen (14) days of the receipt of the violation notice, the Board of Directors will proceed with enforcement procedures as indicated in the Compliance Procedures for Due Process Resolution No. 02-01 of May 13, 2002 (Appendix A).

Failure of the Board of Directors to enforce any provision, covenant, or rule and regulation shall in no event be deemed as a waiver of the right to do so thereafter.

SECTION 6:

SPECIFIC COMMUNITY GUIDELINES, STANDARDS AND GENERAL CONDUCT

RESALE DISCLOSURE STATEMENT

A Resale Disclosure Statement is required by the Virginia Property Owners Association Act. The Board is required to issue a Resale Disclosure package to you or your settlement agent (within 14 days after requested) prior to the closing of the sale of your home. This package provides information on the current status of assessment dues and payments and the existence of any architectural current violations. The Resale Disclosure package helps to protect the future buyer against unknown problems with past owners' architectural violations or past due assessments. Also provided in this package will be information pertaining to day-to day community living. If everything is in order, it also protects the seller from potential lawsuits involving violations of the Governing Documents by subsequent owners. The package cost \$25.00 and will be available within fourteen (14) days after the request is made.

THE ASSOCIATION'S COMMON GROUNDS EXTERIOR APPEARANCE

Trash containers, bicycles, toys, strollers/baby carriages, wood piles, ladders or other articles of personal property shall not be allowed or permitted to be left in the front or sides of any lot or anywhere on the Association's common property when not in use. Personal property items must be stored in the rear of the enclosed lot or inside the house. The association may impound and make a charge for their return.

VEHICLES AND PARKING

Vehicle Repairs: No portion of the parking lot or the Association's common grounds shall be used for the repair of automobiles.

Authority To Tow

1. The authority to tow or immobilize a vehicle is authorized by the State of Virginia under section 46.1-551 of the Traffic Code.
2. Any vehicle found in violation of the parking rules and regulations may be removed from the common areas after ten (10) days notice. Notice shall be deemed given when a representative of the Board of Directors places an approved written notice or vehicle citation upon the motorized

vehicle or trailer, camper etc. which states the nature of the violation, the date and time of the notice, and the date when the vehicle will be towed.

3. The Board of Directors may also take such other remedies as are allowed by law and the Association documents, including but not limited to: special assessments for damage to the streets, parking areas and common areas, injunctions, rules violation charges or other appropriate legal actions.

4. The Board of Directors shall maintain and be responsible for cleaning, painting, and maintenance of all parking spaces. The Association may require the homeowners to remove their vehicles from their designated parking spaces to allow the Association to perform its obligations.

General Parking Restrictions

1. Each home is allotted space for two (2) operational vehicles; one (1) space which is reserved. Boats, commercial trucks (except when making deliveries or repairs, and similar conveyances are not permitted to park in the Association lot. A non-operational vehicle is a vehicle which does not have a current registration or county registration or inspection sticker or which, in the opinion of the Board of Directors, is in such a state of disrepair so that it cannot be operated.

2. The Board may arrange for the removal, at the owner's expense, from Lafayette Park Drive any non-operational or none compliant vehicle. A representative of the Board will make a thorough effort to contact the owner before the Board arranges for the removal of the vehicle. The owner will have ten (10) days to remove the vehicle. If it has not been removed from Lafayette Park Drive within the ten days, the Board will arrange for its removal, at the owner's expense.

3. When a home has more than two vehicles, the owner will be required to find alternate parking for the extra vehicle(s). The Board of Directors may remove, at the owner's expense, excess vehicle(s) which have not been voluntarily moved. The procedures noted above will be followed before removal is arranged.

4. An operational vehicle owned and belonging to a non-resident of Lafayette Park and which is parked on Lafayette Park Drive for seven consecutive days without being moved, may be removed by the Board, at the owner's expense.

5. Any motorized vehicle parked on the property and utilizing a vehicle cover is subject to inspection by the removal of the cover in order to view plates, stickers and vehicle condition.

6. All commercial vehicles including but not limited to commercial vans and trucks (including non-lettered vehicles but displaying ladder

racks, tools, trash or debris indicating obvious hauling, paint materials, etc.), taxicabs, buses, cars with commercial lettering are prohibited from parking in Lafayette Park. Campers, trailers, boats, etc. are also prohibited from parking in Lafayette Park.

Reserved Parking

1. Each home is assigned one (1) reserved parking space on Lafayette Park Drive, which is marked “RESERVED” and by lot number as shown on the Association’s plat map.

2. If a vehicle is parked in a homeowner’s reserved space, and the vehicle is not authorized by the homeowner to be parked in the space, that homeowner is responsible for calling the towing company designated by the Board of Directors to arrange for the removal of the illegally parked vehicle, if the Homeowner desires to have the vehicle removed. If the Homeowner knows the identity of the owner of the vehicle, before arranging for towing, the homeowner is encouraged, but not required, to contact the owner to afford an opportunity to move the vehicle. Directors serving on the Board of Directors will not make towing calls on behalf of homeowners.

3. The Board of Directors will maintain an agreement for towing services with a Fairfax County licensed towing contractor. The telephone number to reclaim a towed vehicle has been posted on signs at the entrances to Lafayette Park Drive. Homeowners having disputes with the towing company designated by the Board of Directors may inform the Board in writing of the complaint so that the Board may monitor the Association’s arrangement with the towing company. The Lafayette Park Homeowners Association assumes no liability for disputes between a homeowner and the towing company or the owner or operator of a vehicle that is towed.

Inclement Weather

The Board of Directors may regulate the operations and/or parking of vehicles on Association roadways and parking areas in the event of snow, sleet, hail, freezing rain, or ice, or the threat thereof. In addition to the general powers granted by this section, the Board may also prohibit the abandoning of vehicles on designated parking areas. Under no circumstances will vehicles be parked in such a way as to impede the ingress/egress of service vehicles assigned to plow, apply sand, or whose mission is to maintain accessibility to the streets and parking areas for the residents. The Board may authorize the immediate removal of vehicles on Association roadways and parking areas that

are stalled, stuck, parked, or abandoned in these areas and shall authorize the storing of removed vehicles. Towed vehicles are subject to the imposition of charges for removal and storage, all at the owner's expense.

ADOPTED BY LAFAYETTE PARK HOMEOWNERS AND THE BOARD OF DIRECTORS AS OF MAY 19, 1997.

Noxious or Offensive Activity

No noxious or offensive activity shall be carried on upon any portion of The Property, nor shall anything be done thereon that may be or become a nuisance or annoyance to the neighborhood.

ANIMALS AND PET CONTROL

Pet Houses

Pet houses are *NOT* permitted.

Breeding & Raising Animals

No animals, livestock or poultry of any kind shall be raised, bred or kept on the lot, except that dogs, cats and other standard household pets may be kept, provided that they are not raised, bred or kept for any commercial purposes.

Leashed & Controlled Pets

Pet owners shall be liable for any and all costs for repairing damage caused by their pet(s). Owners and all other persons who are owners and/or custodians of pets shall not allow such pets to run at large at Lafayette Park. Pets shall be deemed to run at large while roaming, running or self-hunting on the Association's common property or the private property of others, or when not restrained by a dependable leash and controlled by a responsible person as defined by the Fairfax County Code.

Vaccinations, Licenses, Tags

All pets must have appropriate vaccinations, licenses and tags, as required by Fairfax County Code.

Clean-Up & Disposal of Pet Wastes

Pet owners shall be responsible for immediate clean-up and proper disposal of pet wastes deposited on the Association's common grounds, the front, side and back yards of all Lots, and the public and private property immediately surrounding the Association. Cat litter and dog wastes should be disposed of in a tightly sealed plastic bag and placed at curbside in appropriate trash receptacles on normal trash collections days.

Nuisance

Residents or guests who own pets shall ensure that their pets do not become a nuisance to other residents in the community. Actions that may constitute a nuisance include, but are not limited to: barking, crying, scratching or being hygienically offensive.

Resolution of Problems

Should a dispute not be resolved in a satisfactory matter, violations of the above items may be reported to Fairfax County Animal Control by any Homeowner.

PLAY AREAS AND PARENTAL RESPONSIBILITIES

Parents and caregivers of children are responsible for their behavior and safety. Playing in the streets is discouraged.

IN-HOME BUSINESSES

Fairfax County regulates in-home businesses. In addition to County control, the Association is concerned about the impact of in-home businesses on the residential character of the neighborhood and on adjacent neighbors. Therefore, customer-oriented businesses are not allowed.

For other businesses, the following special requirements must be met:

- a. Permit obtained from Fairfax County.
- b. Copy of Permit on file with the Board of Directors.
- c. No sign or other advertising device of any nature shall be placed upon any lot or common area.
- d. No exterior storage of business-related materials will be allowed.
- e. No employees other than residents of the home will be allowed.
- f. No commercial vehicles will be allowed to park in Association parking areas overnight in accordance with the parking policies.

Although the Association does not expressly prohibit in-home day care businesses, the above requirements must be met. Care shall be taken so that this service does not cause an annoyance to neighbors or interfere with the rights of other Homeowners relating to the "quiet enjoyment" of their property.

HOME EXTERIOR REPAIRS AND MAINTENANCE

EXTERIOR MATERIALS, COLORS AND PAINTING

Color changes apply to, but are not exclusive of, the house, doors, shutters, trim, roofing and other visible adjoining structures, such as fencing and sheds. No homeowner shall paint, stain, varnish, apply siding or otherwise cover the exterior of a structure, that does not comply with the Association's standards and guidelines—including pre-approved colors and the design of the building—without submitting an application to the ARC for approval, or denial.

No Application Needed for Routine Maintenance

Applications are not required for routine maintenance or repainting that matches the Association's pre-approved colors.

Pre-Approved Colors

Homeowners shall choose from a selection of pre-approved colors, with sample color charts for viewing available from the ARC. In selecting colors, it is important for homeowners to consider the colors of the brick, roof, trim, shutter and door as a whole design element, as well as the colors of surrounding houses.

Brick and Concrete

When making repairs, replacements or other alterations, the new brick, mortar, cement and other materials must match those provided by the original builder, in style, color and material. For those four houses in the 6800 block (6861, 6863, 6865, 6867) that have a slate sidewalk on private property in the front of their homes, the walk must remain slate unless all four homeowners agree to change the walk and steps to match the concrete color and style throughout the community.

WINDOW AND DOOR REPLACEMENT

Windows

Windows must be the same size as the original and must contain the same number and size grids, also referred to as **lites**, as the windows installed by the original builder. Window grids must either be white or the pre-approved color of the house trim.

Rear Doors

Doors in the back of the house must be one of two styles: sliding glass or French style with glass panes.

Trim

Trim includes, but is not exclusive to, window frames, door frames, downspouts, pediments, fascia boards, siding and soffits. All trim on an individual house must be the same pre-approved color.

Wood and Trim Replacement:

Trim wood may be replaced by similar wood materials that matches the style of the original builder's materials and the pre-approved colors of the Architectural Guidelines and Standards.

Shutters

There must be shutters on all windows that had shutters provided by the original builder. All shutters on an individual house must be a pre-approved and darker color than the trim. Whether a shutter is made of wood, vinyl or other material acceptable to the ARC, it must match in appearance, including style, with the shutters provided by the original builder.

Metal Window Cover

Some house models have a metal covering over their bay window. This covering must retain its original style, consist of a metal material, and appear as a copper color that is approved by the ARC.

STORM AND SCREEN DOORS

Material & Color

Storm doors and screen doors that match the house trim or shutters and consist primarily of glass are permitted. All others must have prior approval from the ARC before installation.

Doors

The main door must appear to be wood and its style must have small pane windows at the top, or panels similar to those provided by the original builder. Doors must either be painted the same color as the trim or the shutters. If a house is one of the original models without shutters, a pre-approved color must be used for the door.

PATIOS AND DECKS (ABOVE GROUND AND GROUND LEVEL)

Applications for patios and decks must be submitted to the ARC for review and approval prior to construction. Applications must include builder's preliminary working drawings showing size of deck or patio, location as it relates to applicant's house, as well as property lines, description of materials to be used; height of the deck from the ground or size of the patio, and details of railings, posts, stairs, steps, and benches, alterations to existing physical structure of the house, etc. These details must be clearly described in the proposal application.

Additional design elements

When patio or deck schemes include other exterior changes, such as fencing, lights, landscaping, trellis work, etc., the appropriate sections of these guidelines should be consulted prior to application submission.

Style

Railing styles should be compatible with the overall deck design and architecture of the Association's previously approved sample as shown in Exhibit E.

Drainage

If changes in grade or their conditions that may affect drainage are anticipated, they must be identified on the application. Drainage swales which have been constructed to facilitate water drainage should not be altered by structures or plantings. Approval will be denied if drainage swales are modified or if adjoining properties are adversely affected by changes in grading and/or drainage.

Location

Patios and decks will be restricted to the rear yards and may not extend forward of the back wall of the house.

Compliance with County Building Codes

All decks will be constructed using appropriate support posts/piers as required by county building codes.

Materials, Color & Sealing

Decking, band boards, railings, posts, steps, and pickets may be sealed to maintain their original wood color. Painted decks or synthetic material are not permitted.

ROOFS

The roofing color, style and material should match those provided by the original builder. Ridge vent shingles should match the color of shingles used on the roof.

ATTIC VENTILATORS

Attic ventilators or other mechanical devices requiring penetration of the roof should be as small in size as functionally possible. They should be located on the backside of the roof and should not extend above the ridge line.

CHIMNEYS

Chimneys or fireplaces may be added to the house only after approval is granted by the ARC.

GUTTERS, DOWNSPOUTS AND SOFFITS

Gutters should be maintained regularly. Gutters and downspouts must match existing gutters and downspouts in both pre-approved color and design and must not adversely affect drainage on or adjacent properties. Soffits may be changed from the original screen style to metal or other materials with proper ventilation. The new material must be a pre-approved color and professionally accepted material.

EXTERIOR LIGHTING

Location & Size: The location of the front and rear house lights should remain the same as installed by the builder and the size must be in proportion to the entry way.

Wattage: Lighting installations shall employ lamps with wattage not exceeding one hundred (100) watts.

Direction: No exterior lighting shall be directed outside the boundaries of a lot. Lamps shall be directed or shielded to avoid the creation of a glare or nuisance to neighbors on adjoining properties or streets.

Landscape or Security Lights: Installation of landscape lighting for the front or side yards or building, landscape lighting for the rear yard that is affixed above the sight line of the fence, or security lighting must be approved by the ARC.

SOLAR PANEL AND SKYLIGHTS

Solar panels and skylights are *NOT* permitted.

ANTENNAS AND SATELLITE DISHES

No exterior antenna, satellite dish, or other device for the transmission or reception of radio or television signals or any other form of electromagnetic radiation shall be permitted without the prior written approval of the ARC.

The application for such a device shall be approved by the ARC if the proposed device will not be visible from the surrounding lots, streets, or common areas of the community; otherwise, the application for such a device will not be approved.

The ARC retains the power to approve an application for such a device if the following criteria are satisfied by the applicant:

- a. The device is twenty-four (24) inches or less in its dimension;
- b. The device is located on the rear of the roof;
- c. The device is designed to resemble other structures, devices, or improvements otherwise allowed by these guidelines or is adequately obscured from view by an acceptable visual barrier;
- d. The device is of a color and material which are reasonably compatible with the color and materials of the home, and
- e. The device does not adversely affect the view or lifestyle of neighbors, the electromagnetic reception of the radios or television sets of neighbors, or the value of the homes of neighbors.
- f. Wires and cables must be secured neatly to the house. The ARC may require a homeowner to adjust how cables are affixed.

The ARC reserves the authority to conditionally approve applications for such devices.

ADDITIONAL STRUCTURES AND YARD OBJECTS

STORAGE SHEDS

Applications for storage sheds must be submitted to the ARC prior to construction. Storage sheds can aesthetically affect both individual property

and the neighborhood. As a result, all storage sheds shall be compatible with both the architecture and landscape surrounding the house.

- Building materials shall be compatible with the applicant's house in color and material or match a natural wood fence and must be located in rear yards where they will be visually unobtrusive. Shingles on shed roof shall be compatible with shingles on the house.
- The shed shall be designed to respect the "visual rights" and aesthetic interests of neighborhood properties. All such approved structures shall be located in the rear yard of any property in a location selected to minimize impact on neighboring properties. Sheds shall not exceed 64 square feet in floor space for each residence. Sheds shall not be higher than six (6) feet at the top of the roof line.
- Wood sheds shall be made of pressure treated wood, left unpainted, or stained the natural color of the wood.

LADDER STORAGE

For security concerns, Homeowners are discouraged from storing ladders in their yards. If Homeowners choose to store ladders externally, they must be stored in the the Homeowners rear yard horizontally, and below the top of the fence line.

POOLS AND HOT TUBS

Plans for hot tubs must be submitted to the ARC for approval on a case-by-case basis. Permanent above ground and in-ground pools are prohibited.

Location of Hot Tubs: Hot tubs must be located in the rear yard, and mechanical equipment must be screened from outsiders' view. However, all locations will be evaluated according to their respective merits. Views from other properties will be considered and additional landscaping may be required to lessen the visual impact of the hot tub. Changes in grade or conditions that will affect drainage should be indicated along with plans for the mitigation of adverse effects on neighboring properties. Approval will be denied or may be rescinded in the event it is determined that adjoining properties are adversely affected by changes in drainage.

County Codes: Installations must conform to County building codes and a copy of the Fairfax County Permit/Approval must be submitted to the ARC prior to installation.

RECREATION AND PLAY EQUIPMENT

Semi-permanent or permanent play equipment, which either constitutes a structure or is adjacent or appended to an existing structure, requires approval from the ARC prior to placement.

Location: Such equipment must be placed in rear yards below the site lines of the fence.

Scale and Design: The equipment should be generally compatible with the lot size. The design and any visual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.

Backboards: Backboards may not be attached to town homes or trees or affixed to permanent or semi-permanent free-standing poles.

FIREWOOD

Firewood shall be kept neatly and safely stacked in the rear yard in such a manner as to minimize visual impact, and must be kept within the property lines. For aesthetic and safety reasons, firewood stacks shall not exceed four (4) vertical feet and eight (8) feet in length. Hazardous conditions may result in the ARC requiring the homeowner to restack and/or remove firewood.

SIGNS

Real estate signs shall meet County regulations with respect to size, content and removal. A sign shall only be placed in the yard of the available property. Homeowners shall be limited to one sign per property. *Other signs of any sort are prohibited.*

EXTERIOR DECORATIVE OBJECTS

Exterior decorative objects in the front and side Lot yards as well as on the structure of the house are strongly discouraged. However, exceptions will be considered on a case-by-case basis.

Flagpoles: Free-standing flagpoles are *NOT* permitted.

Seasonal & Holiday Decorations: Seasonal and holiday decorations should reflect the season and must be removed within 30 days following the holiday.

BARBEQUE GRILLS

An application for the installation of a permanent barbecue grill must be submitted to the ARC for review and approval prior to installation. A

complete application for the installation of a permanent grill requires the following information:

- a site plan showing the relation of the barbecue grill to the house and adjacent lots;
- a picture and/or detailed drawing of the barbecue grill with dimensions;
- a description of the materials being used to construct the barbecue grill (if brick is being used, then the color must be similar to the brick color of the house); and
- any required County approval or County Fire Marshall inspection certificates.

Location: Permanent barbecue grills must be located in the rear yard of the Lot and as far as practical from adjacent lot lines.

Fire Code: Specific fire code information for barbecue grills is available from the Fairfax County Fire Marshal's office.

Portable Grills: Portable barbecue grills are restricted to the rear yard of the Lot and must be below the site lines of the fence.

EXTERIOR HEAT PUMP UNITS

Window or Door Units: Air conditioning units installed in windows are prohibited.

Replacement or Relocation of Units: Exterior ground units may be replaced or relocated providing they do not adversely impact neighbors, the Association, drainage, etc. Additionally, the ARC reserves the right to require additional landscaping or screening around heat pump units as may be necessary. Preapproval is required prior to relocation of a heat pump unit from its original location.

CLOTHES HANGING DEVICES

Exterior clothesline or clothes hanging devices are NOT permitted.

FEEDING OF PETS AND WILD ANIMALS

Homeowners are discouraged from leaving food for pets or wild animals in their yards, or hand feeding wild animals, including but not exclusive to, squirrels, chipmunks, birds, stray cats and dogs. These practices can encourage insects, pests and rodents that could harm landscaping and buildings and present a safety or health hazard to the community.

LANDSCAPING

EROSION CONTROL

Each Homeowner is responsible for seeing that his/her Lot area is protected from erosion and that drain structures are not blocked so as to cause additional erosion problems or flooding for his/her property, neighbors' properties, or the Association's common property. Shrubs, plants, grass, ground cover, or other materials are required in the front, side and rear yards for erosion control.

LANDSCAPING

Foundation Landscaping: Property ownership includes the responsibility to maintain and replace the landscaping along the front foundation of the homeowner's house with flowers, shrubs, trees, and ground covers.

Trimmed Shrubs & Maintained Gardens: It is the responsibility of the Homeowner to ensure that his/her shrubs and bushes are trimmed regularly and that all gardens are neatly maintained throughout the various seasons (this includes removal of all unused stakes, trellises, and dead growth, as well as collection of trash, replacement of mulch, etc.). All areas of the Lot (front, side and rear) must be maintained including areas that are visible from adjacent roads and lots, even if these areas are not readily visible to the Homeowner.

An application to the ARC, prior to installation, is REQUIRED for all landscaping projects except enclosed rear yards.

- (a) railroad ties, garden timbers, brick, stone, or any similar assemblage of materials and the like that form a wall or have the effect of changing the grading and/or drainage such that there may be an adverse impact on adjacent property; and
- (b) rocks or collections of rocks that exceed twenty-four (24) inches or form a wall. All rocks shall be left their natural color. The application to the ARC for approval, will be made on a case-by-case basis. The application must include a site plan with the location of existing and proposed walls or similar items drawn in, and information on landscaping plans and any grading changes and effects on drainage.
- (c) Any landscaping or gardens that are not covered above.

Underground Utilities: Homeowners should be aware of the locations of underground utilities such as gas lines, electric lines, telephone lines, water lines, cable TV lines, storm and sewer drains, etc. "Miss Utility" (1-800-552-7001) should be contacted prior to undertaking any major landscaping projects or digging.

VEGETABLE GARDENS

Vegetable gardens must be located in the rear of the homeowner's property and not be greater in size than 60 square feet of total coverage. Homeowners may be required to provide landscaping to minimize any impact to adjacent homeowners. Gardens should not be visible above the site line of the fence or from the street. Gardens should not adversely impact or damage neighboring properties in terms of weed growth, unsightliness, adverse drainage, insects, animals, etc. All dead plants and other supporting garden-related items (such as cages, stakes, etc.) must be promptly removed when the garden ceases to be productive for the season.

FENCES

Fence replacement must be identical (Shadowbox style) to the original constructed by the builder. An application to the ARC for approval must be submitted, prior to construction or installation, if any deviation is considered. Location, style, height, materials, and color standards will be maintained.

Fencing Requirement: All Lots must maintain fencing on all three sides of the rear yard, with the exception of those houses on the north and east border in the 6800 block whose rear yards face the woods, however fencing must be maintained between adjoining lots.

Location: No fence may be installed forward from the back plane of the house by more than 10 feet. Front yard fencing is **NOT** permitted. All fencing must be located on the property line, with the exception of six (6) end-unit Lots (6861, 6869, 6901, 6915, 6923, 6926), whose side fencing had been placed closer to the house by the original builder to allow for aesthetics near the Association's common property. In certain instances, fence locations may require adjustments in order to preserve various existing natural safe and buffer areas, and declared easements.

Size & Style: Only wooden shadowbox fences are permitted. All fences shall be six feet (6') in height.

Color & Sealant: If sealed and/or stained, all fences shall maintain their original wood color.

Installation: Fencing on the ground shall be installed in such a way that the bottom line of the fence will follow the slope of the ground. The

bottom fence line shall be installed to allow drainage and prevent bottom board deterioration.

Maintenance: All fences and gates must be maintained including shared fences.

Gates: Gates must be the same material and height of the fence.

WALLS

Refer to the section on LANDSCAPING for information on wall materials and sizes. Walls, including retaining walls, located in the front, side or rear yards require an application to the ARC, prior to construction/installation, for approval, conditional approval or disapproval.

TRELLISES, ARBORS AND PRIVACY SCREENING

Applications for trellises and/or arbors, and privacy or lattice screening on decks must be submitted, prior to construction, to the ARC, for approval. Trellises, arbors and privacy and lattice screening should be incorporated into the overall design of the deck, patio, or lot landscaping.

Privacy or Lattice Screening: Privacy or lattice screening should be installed in conformance with the following criteria: (a) screening may not be installed as a “free-standing” wall or as a fence; (b) lattice work must be installed with framing; (c) lattice work must be incorporated as part of the overall deck design and connected to it; (d) lattice work may not be installed in place of deck railing.

TREES

The preservation of existing trees is strongly encouraged.

Damaged & Dead Trees: Dead trees or trees that by force of nature (storm, lightning, wind, etc.) have been damaged, uprooted, severely bowed or downed must be removed expeditiously by the Homeowner. Any clearing of trees needs to be approved by the ARC. No tree located on the Association’s common grounds can be cut by a homeowner or his/her representative. Clearing of brush or understory vegetation with trunks up to 6” in diameter does not require approval.

Aesthetics & Safety: In addition, existing trees must be maintained by the Homeowner, not only for aesthetics reasons but for safety, in such a manner that the trees do not interfere or intrude upon adjacent property, unless the Homeowner has written permission from adjacent Homeowner(s) consenting to the intrusion or interference with his/her property. Tree coverings that impede common areas, or hang over roofs, common walkways or the parking lot shall be trimmed and maintained by the Homeowner.

WALKWAYS AND LEADWAYS

Location: Walkways may not be relocated or new ones created. Plans for installation or relocation of walkways must be submitted prior to construction to the ARC. Applications for such modifications should include the location and specifications regarding material to be used.

Repair or Replacement: Existing walkways that are repaired or replaced with like materials, design and size does not require approval by the Board.

RAILINGS AND RAMPS

Black Wrought Iron: All railings in the front of the Lot must be black wrought iron and match the design used by the original builder. If the original builder provided a railing on the walkway or steps, a railing must be retained.

Wooden Railing: Compatible wooden railing must be used on the steps approaching the four houses (6861, 6863, 6865, 6867) in the 6800 block of Lafayette Park Drive. If the slate walk and wooden steps are ever changed to cement, the wooden railing must be replaced with one matching the style and color of wrought iron railings in the rest of the community.

Ramps and Railings: For those homeowners who want to install a ramp, or a railing where one did not originally exist, an application must be submitted to the ARC, prior to installation.

GENERAL MAINTENANCE

TRASH CONTAINMENT AND REMOVAL

Collection Contractor: The Association's trash contractor is responsible for trash and recycling collection including the kinds of materials and preparatory procedures that are permitted, and additional charges to the homeowner for removal of certain kinds of materials.

Trash Storage and Collection Hours: It is recommended that trash be collected and stored in trash receptacles with secure lids, and not solely in plastic bags. Trash containers, lawn bags, and cans may not be stored on the Association's common grounds, in the front or side yards of Lots, or in public view of the house. Trash receptacles, recycled bins and materials from yard work including, but not exclusive to, branches, leaves, grasses and weeds shall not be permitted to remain in public view, except after 7 p.m. the evening before trash pick-up. Homeowners must retrieve empty trash cans and recycle bins by 11 pm the evening of trash pickup. Each resident is responsible for picking up litter on his/her property and preventing windblown debris from occurring. If trash or debris should become separated from its container, it is the responsibility of the Homeowner to retrieve and repack the contents.

Organic Debris: Organic debris such as leaves, grass clippings and branches are not to be left on the front, side or rear yards of a Lot or dumped on the Association's common property, except in compliance with existing trash collection rules.

Accumulation of Unused Materials: Rear yards must not accumulate or store garbage, trash, unused appliances, pet wastes, tires, etc.

OPEN FIRES

According to the Fairfax County Fire Marshall, the only open fires allowed on the Association property are barbecues. All other open fires require a permit and must be in compliance with Fairfax County Fire Regulations. Burning of trash is prohibited.

MOWING

Mowed & Edged Regularly: Each owner is responsible for maintaining that portion of his/her own lot which is not maintained by the contracted lawn company. All grassy areas of a Lot and those with other ground cover plants must be maintained, including those visible from roads or other lots.

SNOW REMOVAL

Homeowners must clear snow from the sidewalk(s) in front of their houses. The unmarked parking spaces cleared by individuals may be maintained as a reserved space as long as the snow obstructs spaces not cleared by a resident, or until the Board declares snow emergency parking ended.

MULCHED AREAS

Mulched areas such as tree and shrub bases, and plant beds must be kept weed-free and be re-mulched as necessary.

COMPOST PILES

Compost piles are **NOT** permitted

PESTICIDES AND HERBICIDES

The use of organic/biodegradable materials is encouraged in order to ensure the least harm to the natural environment and water sources. Care in application is extremely important. Avoid use of pesticides and herbicides if at all possible, but when necessary, use with caution and follow instructions. Pesticides and herbicides should only be applied according to label instruction for the specified problem.

SEVERABILITY

Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

APPENDIX A:

LAFAYETTE PARK HOMEOWNERS ASSOCIATION. INC.

POLICY RESOLUTION NO. 02-01

ADOPTED MAY 13, 2002

(CREATION OF PROCEDURES TO ENSURE DUE PROCESS IN ENFORCEMENT CASES)

WHEREAS, pursuant to its authorities in the Declaration of Covenants, Conditions and Restrictions and Bylaws, the Board of Directors enforces numerous regulations of the Association, including, but not limited to, those regulations set forth in the Declaration, and resolutions governing the use of the Association's facilities; and

WHEREAS, the Board of Directors has determined that it is in the best interest of the Association and its members for the Board to clarify and refine its enforcement procedures and the rights of the members to due process in connection with those procedures;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors adopts the following policy:

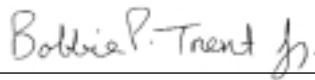
1. Unless the Board declares an emergency, the Board of Directors must provide members with a written notice and an opportunity to cure any alleged violation of the Association's regulations before the Board may begin any enforcement procedures.
2. The Board shall send a first notice of citation in writing and deliver it personally or via first class mail, to the member at his/her address listed in the Association's records.
3. The first notice of citation shall generally advise the member of the nature of the offense, cite the specific provision within the Association's regulations which the member has allegedly violated, specify the remedy required, and state the number of days within which the member must complete corrective action. A sample-first notice of citation is attached hereto as Exhibit A.
4. If the member does not remedy the offense within the number of days requested in the notice of citation, the Board of Directors reserves the power to issue a second notice of citation, which shall follow the basic form of the first notice of citation and include any additional information deemed important by the Board of Directors concerning the offense.

5. The second citation shall also warn the member of the Board's power to impose monetary charges (and suspend membership privileges) as a sanction for violations of the Association's regulations and shall inform the Homeowner of his/her right to request a hearing before the Board of Directors to contest the citation. This second notice shall also include a date by which the member must submit a written request for a hearing before the Board of Directors. A sample second notice of citation is attached hereto as Exhibit B.
6. The Board shall deliver the second notice of citation by hand or registered or certified mail, return receipt requested, to the member at his/her address listed in the Association's records. The Board will deem notification effective if any member fails or refuses to sign for any registered or certified mailing from the Association.
7. If the member does not remedy the offense within the number of days requested in the second notice of citation, and the member has not requested a hearing in writing by or before the date set forth in the notice, the Board shall deem the member to have waived the right to a hearing, and the Board shall have the power to impose monetary charges. The Board may levy monetary charges for a single offense in amounts up to \$50 and for continuing offenses in amounts up to \$10 a day. The accumulating monetary charges may be accrued up to \$900 for a single offense, as well as any other remedy available under the law. The Board of Directors shall not be required to conduct a hearing unless the member formally requests a hearing in writing by or before the date set forth in the second notice of citation.
8. When a member requests a hearing in writing by or before the date set in the second notice, the Board of Directors shall set the time, date and place of the hearing at its discretion, and then it shall deliver written notice of the time, date and place of the hearing to the member by hand or mailed by registered or certified mail, return receipt requested, at least fourteen (14) days in advance of the hearing date. At the hearing, the Board of Directors shall provide the member with a reasonable amount of time to present any and all defenses to the citation. The member may have counsel present at the hearing.
9. Following the hearing, the Board of Directors shall meet in executive session to determine whether it received satisfactory proof of the alleged violation, and if so, whether it should impose a sanction.

10. When the Board's judgment is unfavorable to the member, the Board may impose monetary charges as an assessment against the member's lot. The Board may levy monetary charges for a single offense in amounts up to \$50 and for continuing offenses in amounts up to \$10 a day. The accumulating monetary charges may be accrued up to \$900 for a single offense, as well as any other remedy available under the law.
11. Notice-of the Board of Directors decision regarding the imposition of monetary assessments or suspension of a member's privileges must be delivered to the member by hand or by registered or certified mail, return-receipt requested within three (3) days of Board's vote on the matter, as required by the Virginia Code.
12. The Board of Directors reserves the power to hold members legally responsible for ensuring that the members of their household, and their tenants, guests, or invitees comply with the Association's Covenants and Regulations.
13. The procedures outlined in this Resolution may be applied to all violations of the Association's regulations, but do not preclude the Association from exercising other enforcement procedures and remedies authorized by the Association's legal documents, including, but not limited to, the initiation of suit or self-help remedies. The Board of Directors reserves the power to assign all of its powers and responsibilities herein to a standing or special committee of its choice or to its manager or managing agent.

The effective date of this Resolution shall be May 13, 2002.

Lafayette Park Homeowners Association



President

EXHIBIT A

DUE PROCESS LETTER #1

[DATE]

Homeowner
Name and Address

Re: Notice of Violation [Address]

Dear _____;

In an effort to keep Lafayette Park looking its best, the Association has been undertaking a continuing program of house-by-house inspections of the community.

During a recent inspection, it was noted that the following item(s) at your address were in need of attention in order to comply with the covenants and guidelines of our community:

[Insert violation, including reference to guidelines or Bylaw section being violated and remedy required to cure violation]

If this is a recent condition, we understand that circumstances may have made it impossible to attend to this matter before now or that the condition may be a work in progress. However, corrective action must be taken to resolve the violation(s) within 60 days from the date of this letter.

Your cooperation is greatly appreciated.

Sincerely,

Lafayette Park Homeowners Association

Title

EXHIBIT B DUE PROCESS LETTER #2

[DATE]

Homeowner
Name and Address
Re: Re: Notice of Imposition of Monetary Charges [Address]

Dear _____;

The Association has notified you by letters dated _____ that the following violations exist at your property:

[Insert violation, including reference to guidelines or Bylaw section being violated and remedy required to cure violation]

While the Association had hoped that you would take action to correct the violation(s) in a timely manner, you have failed to take the required corrective action.

Accordingly, pursuant to Policy Resolution No. 02-01, the Board of Directors has the authority to levy monetary charges against you in the amount of \$50.00 for a single violation or \$10.00 per day for each continuing violation(s) of the Association's Covenants and Guidelines.

You have a right to request a hearing before the Board prior to the imposition of monetary charges. Any such request must be submitted in writing to the Board of Directors, 6912-A Lafayette Park Drive within 15 days of the date of the Violations letter.

If you submit a written request for a hearing within the time frame set forth above, the Board will provide you with written notice of the date, time and place of the hearing at least ten days in advance of the hearing date.

If you do not request a hearing in writing or correct the violation(s) on your property within 15 days of the date of this letter, the Board will impose monetary charges in the amount of \$50.00 [\$10.00 per day/per violation] for each violation(s) referenced above.

Sincerely,

Lafayette Park Homeowners Association

Name/Title

EXHIBIT C

LAFAYETTE PARK HOMEOWNERS

REQUEST FOR CHANGE OR ALTERATION REQUEST # _____
--

Note: Please complete and submit this form and one copy of each additional item (ex: plat map, diagrams, paint chips, etc.). For a list of specific items required for a complete application. A copy reflecting the action taken by the Architectural Review Committee will be returned to you within 30 days to become a part of your permanent record.

Only one Request is permitted per application. You must use separate applications for each request. Thank you for your cooperation.

Mail To: Lafayette Park Homeowners Association, 6921A Lafayette Park Drive, Annandale, VA 22003.

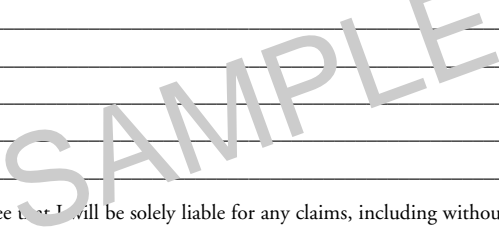
Homeowner's Name _____

Daytime Phone _____ Evening Phone _____

Lafayette Park Address: _____

Mailing Address: _____

Description/Diagram of Modification Requested: (Please include a diagram and description of modification, sketch or picture if applicable. If more space is needed, please use a separate sheet.)



I acknowledge and agree that I will be solely liable for any claims, including without limitation, claims for property damage or personal injury, which result from the requested change or alteration. I hereby indemnify the Association from and against any and all applicable codes and ordinances, and for obtaining all necessary permits and inspections for the requested change or alteration and further that I am responsible for all maintenance, repair and upkeep of said change or alteration.

(Date) Signature of Owner

- Approved as requested
- Approved subject to the following conditions/modifications

Disapproved for the following reasons:

Copy returned to Homeowner on

(Date) (Signature of ARC)

(Print Name and Title)

EXHIBIT D
TOWNHOUSE PERIMETER
FENCE CONSTRUCTION

SHADOWBOX DESIGN

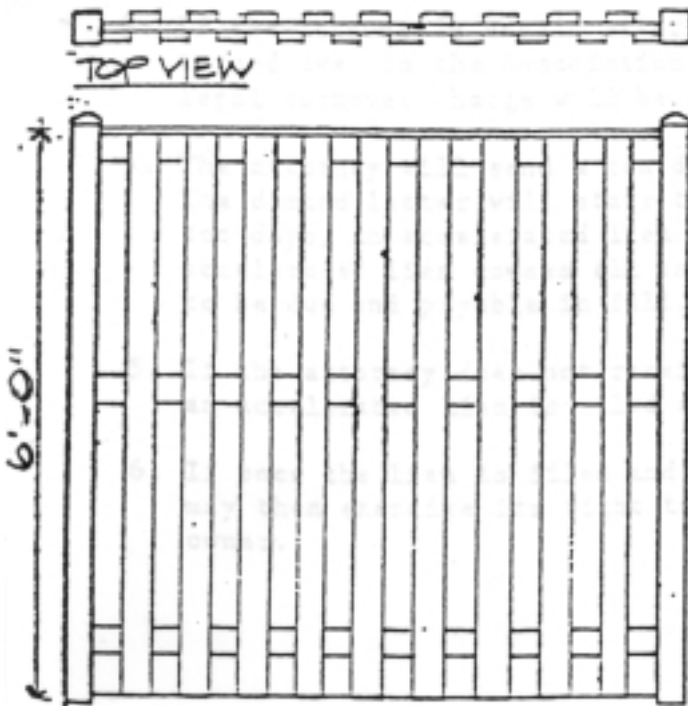
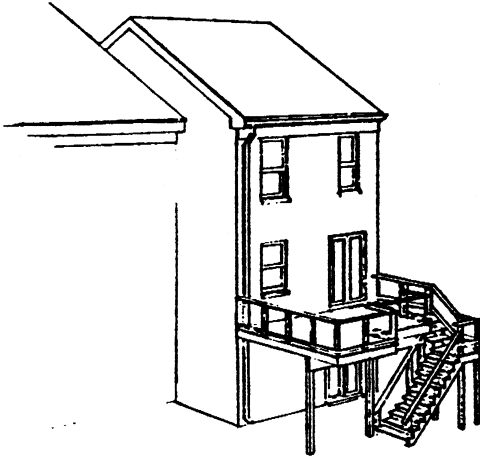


EXHIBIT E

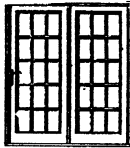
GENERAL DECK CONSTRUCTION



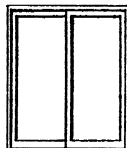
Note: Other designs may be acceptable including the elimination of stairs.



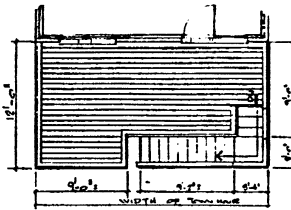
STANDARD
RAILING DESIGN



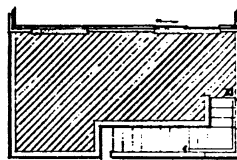
FRENCH DOORS



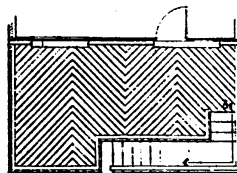
SLIDING GLASS
DOOR



STANDARD



DIAGONAL



HERRINGBONE
DECKING PATTERNS

LAFAYETTE PARK HOMEOWNERS ASSOCIATION

MAILING ADDRESS

6921A LAFAYETTE PARK DRIVE

ANNANDALE, VIRGINIA 22003-3230