

**OAK MARR COURTS  
HOMEOWNERS  
ASSOCIATION, INC.**

**P.O. Box 351  
Oakton, Virginia 22124**

**ARCHITECTURAL CONTROL  
HANDBOOK**

**As Amended January 2025**

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## **ARTICLE 1. INTRODUCTION**

### **PURPOSE OF THE ARCHITECTURAL CONTROL HANDBOOK**

1. The primary purpose of the *Architectural Control Handbook (Handbook)* is to familiarize Oak Marr Courts (OMC) homeowners with their own responsibilities and with the objectives, scope and application of architectural guidelines and standards, which will be employed to maintain the aesthetic appearance and environmental quality of the community.

1.1 The *Handbook* enumerates specific architectural guidelines and standards, which have been adopted by the Board of Directors of the Oak Marr Courts Homeowners Association, Inc. (OMCHA). It also explains the application and review process, which must be followed by homeowners seeking approval for any exterior modifications or changes to their homes or lots, which are subject to approval by the Architectural Review Committee (ARC).

1.1.1 This *Handbook* will serve as a valuable reference resource and will assist homeowners in preparing acceptable applications for review by the ARC. All homeowners are encouraged to familiarize themselves with its contents and to retain the *Handbook* for future use.

### **BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS**

1.2 The legal documents establishing the OMC community contain covenants or restrictions, including those pertaining to architectural controls. Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of whether or not these owners are familiar with such covenants.

1.3 The primary purpose of design covenants is to maintain architectural and aesthetic design standards for the entire community. The adoption and enforcement of design standards is intended to achieve the following objectives:

1.3.1 Maintain consistency with the overall design concept for the community;

1.3.2 Promote harmonious architectural and aesthetic design qualities and features;

1.3.3 Promote and enhance the visual and aesthetic appearance of the community.

1.4 The enforcement of design standards not only enhances the physical appearance of a community but also protects and preserves property values. Homeowners in communities, which enforce design covenants, are protected from actions of neighbors, which can detract from the physical appearance of the community and, in some cases, diminish property values.

## **ROLE OF THE ARC**

1.5 All OMC homeowners are automatically members of OMCHA, which is a non-profit, non-stock corporation, and which owns and is responsible for the upkeep and maintenance of all common properties within the OMC residential community.

1.6 The OMCHA is also responsible for the administration and enforcement of all covenants, which are applicable to homeowners' real property, including design covenants and restrictions. Article VII (Architectural Control) of the Declaration of Covenants, Conditions And Restrictions (Declaration) for OMCHA provides that responsibility for the enforcement of design covenants shall be exercised by the Board of Directors of the Association or through its designated committee, the ARC, the members of which shall be appointed by the Board of Directors.

1.7 The primary responsibility of the ARC shall be to regulate the external design, appearance, maintenance of and improvements to the properties in such a manner so as to preserve and enhance value and to maintain a harmonious relationship among structures and the natural vegetation and topography of the community.

1.8 In addition, the ARC shall perform the following activities in furtherance of its responsibilities:

1.8.1 Review and approve, modify or disapprove, written applications submitted by homeowners for improvements or additions to homes, lots, or common areas;

1.8.2 Conduct periodic inspections to determine compliance with the architectural standards and approved plans for alterations.

1.8.3 Recommend changes in architectural guidelines to the Board of Directors.

1.8.4 Adopt procedures for the exercise of its duties.

1.8.5 Maintain complete and accurate records of all actions taken.

1.8.6 The ARC will report to the Board as directed regarding trends, concerns and suggested changes to the Handbook.

1.9 The Board shall appoint three or more homeowners to the Architectural Review Committee (ARC) and it shall be responsible for reviewing and approving (or disapproving) all applications for modifications to dwelling units and residential lots proposed by individual homeowners.

## **ARTICLE 2. MODIFICATIONS REQUIRING REVIEW AND APPROVAL BY THE ARC**

2. The general conditions for the design review requirement are set forth in Article VII of the Declaration. Essentially all changes, permanent or temporary, to the exterior appearance of a dwelling unit or lot are subject to review and approval by the ARC. The review process is not limited to major additions or alterations, such as adding a room, deck or patio. It includes such items as changes in color, materials, landscaping, and requests to use Common Areas. There are a number of exceptions to this otherwise inclusive review requirement (i.e., for which no change request or approval is required).

2.1 Building exteriors may be repainted or re-stained provided that there is no color change from the original. Similarly, exterior building components may be repaired or replaced so long as the original appearance is preserved. However, no mixing and matching of HardiePlank® and cedar siding together shall be permitted.

2.2 Minor landscape improvements will also not require an application. This includes foundation plantings, trees or single specimen plantings. In general, landscape improvements of a small scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure will be exempt from the design review process.

2.3 Neither mulch, nor rocks, nor gravel shall be permitted to replace grass in the front yard (see Section 6, 6.26.3).

2.4 If there should be any doubt as to whether a proposed exterior change may be exempt from design review and approval, homeowners should first seek clarification from the ARC before proceeding with the improvement.

2.5 Common Areas: The common areas are for the nonexclusive use and enjoyment of all owners. Homeowners are required to be aware of their property boundaries and not infringe upon the common areas with landscaping, by erecting structures, storing property or dumping debris outside their own area.

The ARC may consider homeowner requests for small, nonpermanent projects that are immediately adjacent to their own property for uses such as landscaping or other projects that enhance the community. However, restoration of such projects to the Common Areas original state, even if approved by the ARC, may be required when the homeowner sells its property.

## **ARTICLE 3. DESIGN REVIEW CRITERIA**

3. There is an advantage to architectural guidelines, which provide definitive, "dos" and, "don'ts," with no resort to judgment or discretion. Such specificity provides clear guidance to homeowners as to whether or not contemplated improvements will be permitted. To the extent possible, specificity has been incorporated in the architectural guidelines. However, total specificity is neither possible nor desirable. The appropriateness and acceptability of certain improvements, particularly those of a major nature, may depend on a number of circumstances and factors, which must be documented and evaluated on a case-by-case basis. An improvement, which is appropriate for one type of house, lot size and location, may be inappropriate in another situation.

3.1 The criteria listed below provide the basis for both the development of design guidelines and the evaluation of individual design proposals by the ARC.

3.1.1 Design Compatibility: The proposed modification or improvement should be compatible with the architectural characteristics of the applicant's house, adjoining houses and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality or workmanship, and similar use of materials, color and construction details.

3.1.2 Scale: The scale of the proposed improvement should relate to the size of the applicant's home, the location and size of the lot, adjoining homes and surroundings. This criterion applies to both structural and landscape modifications.

3.1.3 Impact on Neighbors: The proposed improvement should relate favorably to the landscape, the applicant's home, adjacent homes and the neighborhood. Consideration will be given to both visual and functional impacts on neighbors. Visual impact refers to the aesthetic appearance of the proposed improvement, which includes consideration of design quality, scale, location and architectural compatibility. Functional impact refers to such concerns as view, sunlight, ventilation and drainage. Examples of adverse functional impact include structural additions, which would cause a material loss of sunlight or ventilation to a neighboring dwelling or an alteration of topography, which would change natural drainage patterns to the detriment of a neighboring property.

3.1.4 Color and Materials: Continuity or compatibility of color and finishing materials with the original construction and surrounding dwellings will be a specific consideration in evaluating the appropriateness of specific proposed improvements.

3.1.5 Relationship to Environment: Proposed improvements should not have a negative impact on the natural environment. The removal of trees or other vegetation, grading and other topographical alterations will be assessed for potential adverse impacts, such as a material change in the rate and/or direction of storm water run-off and soil erosion.

## **ARTICLE 4. APPLICATION AND REVIEW PROCEDURES**

- 4.1 All applications for proposed improvements must be submitted in writing to the ARC. Applications must be completed in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies, which must be remedied in order to be considered for review. In general, applications must:
- 4.1.1 Preferably be typed or legibly written on either 8 1/2 x 11" or 11" x 17" paper.
  - 4.1.2 Include no more than one proposed change per request.
  - 4.1.3 Include the name, address, lot number and phone number of the applicant.
  - 4.1.4 Provide complete plans for proposed physical changes (i.e., additions, deletions, alterations, substitutions, etc.) to show how the proposed change will fit in with the existing structures and surroundings; include location, dimensions, materials, etc., in sufficient detail to permit easy evaluation (inadequate description will result in delay of the approval process).
  - 4.1.5 For color change requests, or to describe proposed color for additions or physical modifications, provide a color sample and, if it should be a standard color, the name of the color and manufacturer.
- 4.2 Homeowners should send both email and mail applications for proposed changes to the following:

*Mailing Address:*

Architectural Review Committee  
Oak Marr Courts Homeowners Association, Inc.  
P. O. Box 351  
Oakton, VA 22124

*Email Address:*

President@oakmarrcourts.com

- 4.3 Supporting Documentation: The application must include a complete and accurate description of the proposed improvement(s). In order to permit evaluation by the ARC, supporting exhibits will frequently be required. Examples include: a site plan showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material and/or color samples, etc.
- 4.4 Time Frame for Completion of the Review: The ARC is required to provide notification to homeowners of approval or disapproval of any proposed improvement within thirty days after the receipt of the properly completed application. Upon receipt of said application the ARC chairman

shall provide written notification to the applicant. Any application not so acted upon within the thirty-day period is deemed to be approved. However, the thirty-day review period will only commence upon the receipt of a complete application form, including all required exhibits. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.

4.5 Notice by ARC Chairman to the Board of Directors: Where an application by a homeowner may involve an issue not previously addressed by the Board of Directors or by the ARC, or the request by the Homeowner is for a material change to the exterior of the property or surroundings (e.g. deck additions, additional skylights, windows, tree removal or addition, etc.) the ARC chairman shall provide notice to the Board of Directors forthwith so that the Board may have the opportunity, if it should so desire, to determine what the policy or decision will be. Should the Board of Directors choose to deliberate whether to set policy in such a circumstance, notice shall be provided to the ARC chairman, who shall defer action by the ARC on the application pending the decision of the Board of Directors. The Board of Directors shall notify the ARC forthwith of its decision in the matter.

4.6 Notice of Approval/Disapproval: Homeowners who have submitted design review applications shall be given written notice of the decision of the ARC.

4.7 Appeals Procedure: Homeowners may ask the ARC to reconsider adverse decisions and, if desired, appeal to the Board of Directors.

4.7.1 A homeowner may appeal a decision of the ARC by submitting a written request for reconsideration thereto. This request should include any new or additional information, which might clarify the requested change or demonstrate its acceptability. The ARC must respond, in writing, to a request for reconsideration within thirty days from the date of receipt of such a request.

4.7.2 If the ARC should deny a request for reconsideration, the decision may be appealed in writing by the homeowner to the Board of Directors. Unless the ARC should grant a waiver to the homeowner no appeal shall be considered by the Board of Directors without a prior request for reconsideration having first been made to the ARC. In the event a member of the Board of Directors should also be a member of the ARC and should have participated in rendering a decision thereof, that member shall be disqualified from participating in adjudicating any appeal therefrom to the Board of Directors.

## **ARTICLE 5. ENFORCEMENT PROCEDURE**

5.1 The Declaration Empowers the Board of Directors or its designees, the ARC or OMCHA Management Company, to enforce compliance with the architectural standards of the OMCHA. The following enforcement procedures shall be used to ensure compliance.

5.1.1 A violation may be observed and reported to the ARC by any homeowner, who shall document it with a picture of the alleged violation. The ARC shall maintain a record of such notifications and the disposition of each.

5.1.2 A violation may also be observed by the OMCHA Management Company, which performs periodic inspections of the homes as designated by the Board of Directors and ARC. The OMCHA Management Company will document, as appropriate, and provide the ARC records of such notification and the disposition of each.

5.1.3 The alleged violation shall be confirmed by a site visit by a member of the ARC or OMCHA Management Company, or both, if deemed necessary.

5.1.4 The ARC or Management Company shall contact the homeowner in violation in writing by advising him of such and requesting appropriate action to remedy it. In the event of an emergency, notice shall be reasonable under the circumstances.

5.1.5 If the violation should continue for thirty days after initial notification to the homeowner in violation (or if no substantial progress should be made in curing the violation, where such remedy would require more than thirty days) the ARC shall send a certified letter of notice to the owner, with a copy to the Board of Directors detailing the violation(s) and requesting appropriate action(s) of remediation. This letter shall provide notice that the violation must be remedied within fifteen days from the date of mailing of the letter (or alternatively, that the homeowner in violation must submit to the ARC a written plan, including timing, for the abatement of the violation within a reasonable period of time, where such violation cannot be cured within the fifteen-day time period).

5.1.6 If the violation should not be abated by the homeowner within fifteen days from the date of mailing of the certified letter, or if sufficient progress should not have been made to abate such a violation in accordance with a plan agreed to by both the homeowner in violation and by the ARC, the ARC shall notify the Board of Directors, which shall send the homeowner in violation a certified letter informing him of the time and place of a formal hearing by the ARC.

5.1.7 If the violation should not be resolved to the satisfaction of the ARC during such a hearing, the ARC shall submit a written complaint to the Board of Directors, together with a recommendation for appropriate resolution of the matter. This complaint shall specify the nature of the violation and shall summarize the actions taken by the ARC and the homeowner in violation.

5.1.8 The Board of Directors, as appropriate, shall notify the homeowner of the violation and convene a formal hearing to consider the matter.

5.1.9 As a result of this hearing, the Board of Directors may take appropriate action including referring the matter to legal counsel for action to secure compliance.

## **ARTICLE 6. ARCHITECTURAL AND DESIGN GUIDELINES**

6. The regulation of the external design, appearance, use, location and maintenance of the properties and of improvements of the respective lots in such a manner so as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography of the neighborhood is set forth in greater specificity hereafter.

6.1 Antennas (Including Satellite Dishes): Homeowners may use antennas including satellite dishes without the need to seek approval of the ARC. Care should be taken to minimize visibility from the front of the house consistent with technical requirements of the equipment. Satellite dishes that are no longer in use should be removed.

6.2 Attic Ventilators, Turbines and Solar Tubes: Attic ventilators, turbines and solar tubes are permitted provided that they be painted to match the color of the roof (if roof mounted) or the color of the house siding or trim (if mounted on a gable end). Ventilators, turbines and solar tubes should be mounted on the least visible side of the ridgepole so as to minimize their visibility.

6.3 Awnings: Exterior awnings are prohibited.

6.4 Chimneys: Installation of a chimney, other than those originally included/constructed with the original home is prohibited.

Existing Chimneys shall be properly maintained and periodically cleaned/power washed to remove soot, mildew or other materials that may adhere to the original brick surface and color.

6.5 Clotheslines: Clotheslines or similar apparatus for the exterior drying of clothes are prohibited.

6.6 Compost Piles: Compost bins are prohibited in the community.

6.7 Decks: All construction, renovation or renewal of an existing deck must be approved by the ARC. Homeowners are advised to consider the following factors:

6.7.1 Location. Decks should generally be located only in rear yards. Front and side yard locations will be evaluated on their individual merit.

6.7.2 Scale and Style. Decks, particularly elevated decks, should be of a scale and style, which are compatible with the home to which attached, adjacent homes and the environmental surroundings.

6.7.3 Deck Materials. Deck materials may be made of either wood or composite material as approved in Appendix A of the *Handbook*.

6.7.4 Color. Wood Decks may be painted or stained according to the colors set forth in Appendix A. Certain approved composite deck colors are also listed in Appendix A.

6.7.5 Under-Deck Storage. Elevated decks have an under-deck area, which can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. The use of decorative screening or landscaping to minimize adverse, visual impacts is encouraged and may be required by the ARC, particularly in the case of high decks.

6.7.6 Setback Requirements – Decks are not permitted to encroach into any setback areas that are defined by Fairfax County zoning laws. No waivers will be permitted by the ARC.

6.8 Doghouses and Dog Runs: Doghouses and dog runs are prohibited.

6.9 Domestic Animals: - No horse, pony, chicken, pig, hog, sheep, goat or other domestic or wild animal shall be maintained on any lot. Common household pets, such as dogs and cats, may be kept or maintained, provided that they are confined to the property and are not kept, bred, or maintained for commercial purposes and do not create a nuisance or annoyance to surrounding lots of the neighborhood.

Pet owners are responsible for their animal's excrement that must be removed and disposed of in a proper way on both the owner's property and that of their neighbors' and common areas. Destruction of neighboring property is addressed under Fairfax County Ordinances.

When not on the owner's property pets must be on a lease and must be directly under the owner's control at all times.

6.10 Dumping of Debris: The dumping of lawn clipping, soil, or debris on common areas or open lawn areas is prohibited. This includes wooded areas of the community.

6.11 Exterior Air Conditioners: Individual air conditioning units extending from windows are prohibited. Exterior air conditioning units or heat pumps may be relocated or added with the approval of the ARC and with the approval of adjacent owners. Reasonable steps shall be taken to minimize the visual impact to adjoining properties.

6.12 Exterior Decorative Objects: Approval will be required for all exterior decorative objects, whether natural or man-made, which were not part of the original construction design, either as a standard or optional feature. Examples include bird houses, bird baths, driftwood, weather vanes, sculptures, boulders and stones, fountains, free-standing poles of all types, mail boxes, house identification numbers and any item attached to approved structures. These items will be evaluated using the design review criteria set forth in Article 3 of this *Handbook*.

6.13 Exterior Lighting: Original lighting fixtures, which are attached to the house, may not be altered without prior approval of the ARC. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house. No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it should result in an adverse visual impact to adjoining neighbors due to location, wattage or other features. The use of colored lights is prohibited.

As we have become more sensitive to our environment, LED lighting has been developed that is far more efficient than the old incandescent bulb that was in standard use when Oak Marr Courts was developed in the 1980's and early 1990's. Many homeowners in our community have transitioned their exterior lighting to LED lighting, either by installing a completely new fixture with integral LED lighting or simply inserting an LED lamp (bulb) in the old fixture. Initially, the LED lights generated a light level generally described as "Daylight" or "Bright White". These lights have a very cold, or harsh, lighting quality. As LED lighting technology has developed, the ability to replicate the soft white lighting that was consistent throughout Oak Marr prior to LED's has become readily available. In connection with these changes, lamps (bulbs) that fall in the range of 2700K - 3000K and are designated/labeled Soft White versus the other options (e.g., Bright Light) should be utilized. Alternatively, if an owner decides to replace exterior fixtures with integral lighting, lamps (bulbs) that produces the same "Soft White" illumination as the new bulbs should be utilized.

Exterior lights attached to the house or deck related to holiday periods should be removed within sixty (60) days of the holiday date.

6.14 Exterior Painting: An application to ARC is not required in order to repaint or re-stain an object to match a currently approved color for the house (See Appendix A) . However, all exterior or color changes must be approved by the ARC. This requirement applies to siding, doors, shutters, trim, roofing and other appurtenant structures. Garage doors must be painted the same color as the house trim.

6.15 Exterior Structural Alterations to the House: Any exterior structural alteration to the house shall require approval of the ARC and shall conform to the design review criteria set forth in Article 3 of this *Handbook*.

6.16 Fences: ARC approval is required prior to the construction of any fence. Guidelines for the construction and approval of fences are provided below:

6.16.1 Chain-Link Fences: Chain link fences will not be approved under any circumstance.

6.16.2 Lot-Line Fences: Lot-line fences for the back single-family detached homes shall be post-on-board fences, which do not exceed 42" in height, unless the fencing already exists in which case it will be considered Privacy Fencing with the requirements listed in

Section 6.16.3 below . With approval of the ARC, wire mesh, which is not visible from adjoining properties, may be used in conjunction with such lot-line fences in order to enclose the lot for pets and small children. Privacy fences may be constructed as lot-line fences to enclose the rear yards of housing units. In general, no lot-line fence may be erected for the front and side yards of housing units.

6.16.3 Privacy Fencing: Privacy fencing shall apply to rear and side fencing that already exists on the dwelling. Privacy fencing may not exceed six feet in height, and the style of fencing shall be the same as that was constructed by the builder or currently exists. Replacement of Privacy Fencing that is exactly the height, material, & color of the existing Privacy Fencing shall not require ARC approval.

All fences shall be constructed of pressure-treated wood and may be stained or left to weather. Any stains other than a transparent or semi-transparent stain must receive ARC approval.

To erect a Lot Line Fence , homeowners must include all of the following information with their completed application:

- A photocopy of the house site plan (plat) with a location drawing of the proposed fence.
- A drawing or picture of the fence
- The dimensions of the fence

6.17 Firewood: Firewood shall be kept neatly stacked and shall be located to the rear of the residence and in such a manner as to avoid adverse visual impacts for adjoining properties. Screening may be required in certain cases. Firewood should be stacked in piles which do not exceed six feet in length and four feet in height for both aesthetic and safety considerations. Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks.

6.18 Flagpoles & Flags: Flagpole staffs, which do not exceed six (6) feet in length and are attached at an incline to the wall or pillar of the dwelling unit do not require approval by the ARC. The installation of a permanent or freestanding flagpole is prohibited.

6.18.1 Flags – The only flags permitted are the United States flag, collegiate flags or seasonal and holiday flags. Seasonal or Holiday flags must be taken down not later than thirty (30) days subsequent to the end of the season or holiday. Flags of a political nature are allowed thirty (30) days prior to an election and must be taken down no later than thirty (30) subsequent to election results. Other flag requirements include:

- The flag must be no greater than five (5) feet in length and three (3) feet in width.
- The flag shall not have rips, tears or unraveled thread, and not be faded more than half of its original brightness. Once the flag loses more than half of its original brightness it shall be removed.
- Neither the flagpole nor the flag shall be illuminated by lighting that is installed to the primary purpose of lighting the flagpole or flag.

6.19 Garage Doors: Should be left in a fully closed position except when the garage is being used for entry and exit and for cleaning and/or yard work. Cutouts of garage doors for pets or other means, as well as windows are prohibited.

6.20 Generators & Air Conditioning: Homeowners may site non-portable generators connected to piped-in natural gas with approval of the ARC and with the approval of adjacent homeowners. Steps shall be taken to minimize the visual impact to adjoining properties by adding landscaping screening of the generator. Exercising of generators shall occur only between the hours of 11:00 am – 3:00 pm. Homeowners should place Air Conditioning units on the sides of homes. If not practical, approval by the ARC is required, and steps will be required to minimize the visual impact to adjoining and surrounding properties by adding landscape screening.

6.21 Grills (Permanent): Permanent grills must be placed in the rear yard of the house and as far as practical from the adjacent property lines.

6.22 Gutters & Downspouts – All house gutters and downspouts must match those existing in color and design and must not adversely affect drainage on adjacent property and must be maintained in a reasonable manner. Replacement with an exact duplicate of the original does not require approval by the ARC.

All downspout extensions from the base of the house must be buried in such a manner to adequately manage runoff according to correct engineering practices and legal codes.

6.23 Home and Lot Maintenance Repair: Homeowners are responsible for keeping their homes in good repair and for maintaining their lots in a neat, well-groomed manner consistent with the level of care and maintenance prevailing throughout the community. Homeowners are therefore expected to repair/replace broken or distorted shingles, siding, trim, fence boards, or other architectural components that present an unsightly appearance. Likewise, faded, peeling or blistered stain or trim paint must be re-coated whenever such have deteriorated in appearance. Similarly, landscaping should be maintained in a neat, well-groomed manner.

6.24 Hot Tubs/Spas: Exterior hot tubs or spas must be located in the rear yard adjacent to the dwelling unit. The incorporation of hot tubs as an architectural feature of decks and/or patios is encouraged. The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck or patio to which attached or most closely related. The addition of Hot Tubs/Spas must be approved by the ARC as with any other exterior addition/alteration.

6.25 In-Home Businesses. Except as permitted by local zoning ordinances for single family dwellings, no part of the homeowner's property shall be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending or other such non-residential purposes.

6.26 Landscaping: All major landscaping must be approved by the ARC prior to installation.

In general, a design review application is not required for minor landscape improvements with the following exceptions:

6.26.1 Approval is required for plantings intended to form a hedge or natural screen and which will attain more than six feet in height.

6.26.2 An application is required for the installation of railroad ties, garden timbers or similar structures, which will form a wall over 12 inches high and 8 feet long.

6.26.3 A proposed improvement, which is of such a scale or type as to be inconsistent with the existing design features of the home, adjacent units and the surrounding area shall not be approved. Examples include the substantial or total removal of turf and replacement with another material, such as mulch or gravel, which is strictly prohibited. Homes which have substantial rock or gravel areas covering the front yard area must replace this surface with grass upon notification by the ARC or the sale/transfer of ownership of their home, whichever is earlier.

6.26.4 Vegetable or herb gardens not located between the rear line of the house and the rear property line and are enclosed within a fence require ARC approval.

6.27 Patios & Courtyards: All patios, which are not building options, require approval. Patios should generally be located in rear yards, although front and side yard applications will be evaluated on their individual merit. Adverse drainage requirements, which might result from the construction of a patio, should be considered and remedied. The use of a partially porous patio surface and the installation of mulch beds adjacent to the patio represent possible approaches to eliminate drainage concerns.

Existing brick courtyards shall be properly maintained and periodically cleaned/power washed to remove mildew and other materials to restore the brick fascia to its original surface color.

The placing of fixtures, materials, planters, pots and decorative objects on top of the brick courtyard structures is prohibited.

6.28 Privacy Screens: Privacy screens on decks require ARC approval. The ARC may approve applications for privacy screens on decks to shield neighbors from view while they use their decks. These screens should be tasteful and consistent with the aesthetic and architectural standards of the OMCHA including the design review criteria set forth in Article 3 of this *Handbook*.

6.29 Recreation and Play Equipment: Semi-permanent play equipment, which either constitutes a structure or is appurtenant to an existing structure, requires approval. The following factors govern approval of such equipment.

6.29.1 Location: Generally, such equipment will be placed in rear yards. Equipment which is of such a scale or type as to be inconsistent with the existing design features of

the home, adjacent units and the surrounding area shall not be approved.

6.29.2 Basketball Backboards: Shall not be approved under any circumstance.

6.30 Security Bars: In general, the use of security bars or grates on windows and doors shall be prohibited. Exceptions may be made where the security apparatus will not be visible from the street and from adjoining properties. Homeowners concerned about the security of their residence are advised to consider alternatives, including alarms and sophisticated lock systems.

6.31 Short-Term Leasing – Short Leases/Agreements (less than one-hundred twenty (120) days for temporary or transient housing or vacation rentals are considered “business use” and are expressly prohibited.

6.32 Sidewalks and Pathways: Sidewalks and pathways should be set back at least four feet from the property line and installed flush to the ground. Only stone, brick, concrete or similar durable construction material should be used. The scale, location and design should be compatible with the lot, home, and surroundings.

6.33 Siding – Exterior siding is restricted to either cedar planks as was originally used on homes within Oak Marr, painted in approved colors (See Appendix A) or HardiePlank in approved colors as provided in Appendix A.

6.34 Solar Panels: Solar panels are prohibited. If the enactment of a relevant local ordinance or state or federal law or regulation pursuant thereto should confer a right to a homeowner to install solar panels on his house, the ARC thereafter shall not prohibit their use. However, the homeowner must still make application to the ARC prior to installation of the solar panels to ensure compliance, consistent with technical requirements and with the design review criteria set forth in Article 3 of this *Handbook*. Solar panels should be integrated into the roofline in the least obtrusive way possible consistent with their intended use.

6.35 Storage Sheds: Freestanding or prefabricated storage sheds shall not be permitted. Plans for any other type of shed that may be desired by the homeowner must be reviewed and approved by the ARC prior to construction, and must include the following attributes:

6.35.1 Must be attached to the back of the residence.

6.35.2 May not exceed six (6) feet in height.

6.35.3 Must be compatible with the design qualities of the residence (matching materials, colors and roofing of the home).

6.36 Storm/Screen Doors and Windows: In general, storm/screen doors which are full view (no panels) and which are painted white or the same color as the unit door to which attached are appropriate and will be approved.

6.37 Trash Containers: Trash and recycling containers shall not be placed for pickup prior to 6:00 PM or dusk, whichever comes first on the evening before pickup, and shall be removed from view by midnight the day of pickup.

Trashcans and recycling containers shall not be permitted to remain in public view except temporarily on the days of trash collection.

6.38 Tree Removal: A homeowner may remove a tree on his property if they obtain the approval of the ARC, which shall not be unreasonably withheld.

6.39 Televisions – TV or other projection screens that are attached to the exterior of the house are prohibited.

6.40 Yard Signs: Only signs advertising a property for sale or rent may be displayed. However, signs of a political nature proximate to an election shall be permitted. Such signs must meet applicable county regulations with respect to size, content and removal. Signs may only be placed in the front yard of properties no earlier than thirty (30) prior to an election and must be removed no later than thirty (30) days subsequent to the election date or results whichever is later.

## **ARTICLE 7. VEHICLES, PARKING AND STORAGE OF BOATS, TRAILERS, CAMPERS, MOBILE HOMES, AND RECREATION VEHICLES**

7. The regulation of the storage and parking of vehicles in such a manner so as to preserve and enhance values and to maintain a harmonious relationship among structures and neighbors is set forth below.

7.1 The following types of vehicles may not be parked or stored in open view on residential lots or parking areas or streets within the boundaries of the OMC community.

7.1.1 Any boat or boat trailer.

7.1.2 Any motor home, recreational vehicle or self-contained camper.

7.1.3 Any camper slip-ons where the camper backs are higher than the roofline of the cab of the truck.

7.1.4 Any mobile home, trailer, or fifth wheel vehicle.

7.1.5 Any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance.

7.1.6 Any other vehicle not defined above, which is not normally or regularly used for daily transportation, including dune buggies, non-operational automobile collections or other automotive equipment not licensed for use on the highways of Virginia.

7.1.7 Any vehicle defined in Chapter 112 of the Fairfax County Code such as a commercial vehicle or any vehicle with commercial signs, advertising or visible commercial equipment.

7.1.8 Any private or public school or church bus.

7.1.9 Any vehicle with an automobile cover. They must be placed out of sight in garages.

7.1.10 Any vehicle falling in the above classifications may be stored in a garage out of open view. Such vehicles owned by a resident may be temporarily parked in a private driveway or cluster parking area for a period not to exceed five days in any calendar year. Prohibited vehicles owned by guests of residents may be parked within the community for a period not to exceed five days.

7.1.11 Vehicles owned by residents, that are not otherwise prohibited, are generally parked on residents' property. Parking on the street, or in cluster parking areas, is allowed for a period not to exceed 72 hours. However, every vehicle must be moved at least every 72 hours. The Chairman of the ARC, or President of OMCHA, may permit parking of permitted residents' vehicles up to 14 days. Static parking is not permitted.

## APPENDIX A

### **Oak Marr Courts Homeowners Association (OMCHA) Approved Exterior Colors**

The Architectural Review Committee's (ARC) standards are documented in the *Handbook*. In 2024 the Board of Directors and ARC approved updated and standardized colors for siding, trim and front doors for all homes in the neighborhood. Additionally, each house in the subdivision will have an approved color palette for siding, trim and front door, which is maintained by the ARC. Any desired changes to these assigned colors (or siding material, e.g., HardiePlank®) must be requested and approved by the ARC

### **IMPORTANT**

- Do not match paint using a chip or sample from your existing siding or trim. These materials fade and discolor with the passage of time.
- It is strongly recommended that you utilize the paint manufacturer (Benjamin Moore) colors and type of paint that are prescribed below. Deviations are discouraged and must be presented and approved by the ARC prior to painting your home.
- To avoid the same paint colors being utilized on houses next to each other, selections of paint and trim colors need to be approved by the ARC, prior to painting.

### **Approved Exterior Colors for Siding & Trim**

The schedule below reflects the current approved exterior siding colors for both home that have existing or planned HardiePlank and the corresponding approved Benjamin Moore Paint colors if the home has is painted cedar plank and repainting is planned.

Trim for both HardiePlank and Cedar Plank wood should be either the Benjamin Moore Semigloss Mixed White or White Dove as noted below. The garage door should be painted the same color as the trim with the same Benjamin Moore paint.

**Approved Exterior Colors for Siding & Trim (Continued)**

<b>JHardie Siding Color</b>	<b>Benjamin Moore Paint</b>
Light Mist	AF690 - Metropolitan
Gray Slate	AF710 - Secret
Pearl Gray	AF 6701 Nightingale
Aged Pewter	CC548 - Asphalt
Monterey Taupe	1537 River Gorge Gray
Khaki Brown	998 Cabot Trail

<b>Benjamin Moore - Trim Semigloss Paint</b>	<b>Benjamin Moore Paint No.</b>
Mixed White (Pure White)	OC-64 (Aura)
White Dove (Off White)	OC-17 (Aura)

**Approved Siding Color only in certain locations & circumstances**

<b>JHardie Siding Color</b>	<b>Benjamin Moore Paint</b>
Booth Bay Blue JH70-20	2122-20 Steele Cliff Gray

**Approved Colors for Front Doors**

Front Doors can be from the homeowner’s manufacturer of choice. Glass Designs such as floral or leaded glass or stained glass are prohibited.

<b>Color (Exterior Semi-Gloss)</b>	<b>Benjamin Moore Paint</b>
Dark Charcoal Grey	1616 – Stormy Sky
Black	2132-10 - Black
Deep Blue	HC154 – Hale Navy
Red	AF290 - Calinte
Green	HC124 – Cladwell Green

## Approved Trex & Natural Wood Colors for Decking

Submissions when either replacing an existing deck with a Trex or similar composite product, or repainting/replacing a natural wood deck requires approval of the ARC. Approved colors for composite and natural wood decking follow.

### Trex Decking

Color	Type of Trex Product
Island Mist	Trex Transcend
Foggy Wharf	Trex Enhance
Biscayne	Trex Transcend
Pebble Grey	Trex Select
Whidbey	Trex Signature

### Natural Wood Decks

Do not use Cedar or Redwood if replacing an existing deck. Pressure treated wood should be utilized. Benjamin Moore, Behr and Olympic offer Semi-Transparent Stains that can be matched to the Trex Colors above.

### Roof Shingles

Manufacturer – GAF

Shingle Type :

- GAF Timberline – Weathered Wood
- GAF Timberline – Pewter Gray
- GAF Timberline – Natural Shadow Charcoal

Any of the shingle types can be utilized for the Light Mist, Gray Slate, Pearl Gray, Aged Pewter and Booth Bay Blue siding (or related siding paint colors). It is recommended that the Weathered Wood shingle be utilized for the Monterey Taupe and Khaki Brown siding (or related paint colors).

The ARC has Product Boards and/or Brochures with samples of Siding, Door, Trex and Semitransparent colors/products for homeowners' review prior to starting any exterior project.

Please note that either replacing or repainting siding and trim colors other than the approved colors noted in the Handbook is prohibited. If painting the siding or trim is required when selling homes, new approved colors must be utilized.

**APPENDIX B**  
**Architectural Review Committee**  
**Template for Application by Homeowners for Property Improvements**

**ARC Governance:**

**Article 2. Modifications Requiring Review and Approval by the ARC**

Page 5 in the Oak Marr Courts Architectural Control Handbook

Essentially, all changes, permanent or temporary, to the exterior appearance of a dwelling unit or lot are subject to review and approval by the ARC. . .

**ARC Request Format:**

**Article 4. Application and Review Procedures**

Page 7 in the Oak Marr Courts Architectural Control Handbook

4.1.1 All applications for proposed improvements must be submitted in writing to the ARC. Applications must be completed in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies which must be remedied in order to be considered for review. In general, applications must:

- 4.1.1 Preferably be typed or legibly written on either 8 x 11 or 11 x 17 paper;
- 4.1.2 Include no more than one proposed change per request;
- 4.1.3 Include the name, address, lot number and phone number of the applicant;
- 4.1.4 Provide complete plans for proposed physical changes (i.e., additions, deletions, alterations, substitutions, etc.) to show how the proposed change will fit in with the existing structures and surroundings; include location, dimensions, materials, etc., in sufficient detail to permit easy evaluation (inadequate description will result in delay of the approval process).
- 4.1.5 For color change requests, or to describe proposed color for additions or physical modifications, provide a color sample and, if it is a standard color, the name of the color and manufacturer.

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Lot Number:** \_\_\_\_\_

**Phone No.** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Specify a complete and accurate description of the proposed improvement including Material & Color:**

**APPENDIX B**  
**Architectural Review Committee**  
**Template for Application by Homeowners for Property Improvements**  
**(Continued)**

**Send Completed Application to:**

Oak Marr Courts Homeowners Association – Architectural Review Committee  
PO Box 351  
Oakton, VA 22124

With a copy of the submission to [President@oakmarrcourts.com](mailto:President@oakmarrcourts.com)