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**PROTECTIVE COVENANTS**

**AND**

**ARCHITECTURAL**

**DESIGN GUIDELINES**

**December 2017**

**Version 1.5**

**RECORD OF CHANGES – VERSION 1.1**

| **PAGE** | **COLUMN** | **PARA** | **CHANGE** |
| --- | --- | --- | --- |
| Cover |  |  | Changed version to 1.1; new date is November 2003 |
| 1-1 | 1 | 1 | Qualitative statement added: “Cavanaugh Crossing is a unique upscale community with distinctive architectural design. The following protective covenants have the specific intent of maintaining the integrity of the community architectural vision.” |
| 2-4 | 1 | 1 | The second bullet, add the following sentence: “No verbal approval by a Board or ARC member is authorized.” |
| 2-5 | 1 | 1 | The first bullet, add the following sentence: “Failure to pay fines may result in a lien being placed on the property in violation.” |
| 3-5 | 1 | 1 | The first bullet is changed to read “Planters, such as urns are permissable on the front step landing area, providing their size, color and design is in keeping with the architecture of the community.” |
| 3-5 | 2 | 2 | Add Lots 25 and 26 to those lots considered “unique.” |
| 3-5 | 2 | 2 | The last bullet, add: “and Furnace Road.” Also, add “for homes bordering Furnace Road, the only acceptable fence style is Figure 3-2.” |
| 3-6 | 1 | 1 | The second sentence of the third bullet is changed to read: “The ARC strongly encourages that fences be stained/painted white.” |
| 3-8 | 1 | 1 | The first sentence of the first bullet under Flagpoles and Flags is changed to read: “Yard flags are permitted provided the height of the holder does not exceed two feet.” |
| 3-8 | 2 | 1 | The second sentence of the first bullet is changed to read: “Permanent goals may be erected at the rear of the rear side of the driveway.” |
| 3-9 | 1 | 2 | Under Signs, add the second bullet which reads: “Signs designating the house address are permissible in the front plant bed area providing the size, color, and design are in keeping with the architecture of the community.” |
| 3-11 | 1 | 1 | The fourth bullet is changed to read: “Screening or hedges are not allowed along community side-walks or driveway front.” |
| 3-11 | 2 | 1 | The second bullet, add the following sentence: “All construction will maintain a level horizontal plane.” |
| 3-11 | 2 | 1 | The sixth bullet is changed to read: “The center grass strip in the driveway is one of the primary unique architectural designs of the community. As such, the center grass strip shall not be hardscaped, except for a length not to exceed six feet in the rear median. Hardscaping that is concrete shall match the color and architecture of the existing slab. Asphalt shall not be used.” |
| 3-12 | 1 | 2 | Vegetable Gardens is changed to “Gardens.” |
| 4-1 | 2 | 2 | The third bullet is changed to read: “Mulch types should be neutral in tone and free from unnatural distinctive coloring.” |
| 4-2 | 1 | 2 | The last sentence is changed to read: “No vehicle will be repaired, worked on, or modified in the front of any home.” |
| 5-1 |  |  | Page number has been inserted |
| 6-3 |  |  | Add the following declaration the bottom of the form: “NOTE: Acknowledgement of receipt of Application by the ARC does not constitute approval for any architectural change, beginning of construction, etc. Official notification will come from the CCHOA Board through the management company.” |

**RECORD OF CHANGES – VERSION 1.2**

| **PAGE** | **COLUMN** | **PARA** | **CHANGE** |
| --- | --- | --- | --- |
| Cover |  |  | Changed version to 1.2; new date is October 2009 |
| 2-1 | 1 | 3 | Adds language and rules for ARC governance |
| 2-2 | 1 | 3 | Deletes the statement about validity of concept from the previous version |
| 3-2 | 2 | 1 | Adds new paragraph – describes the process for outside air conditioner compressor replacement |
| 3-6 | 1 | 5 | Adds new paragraph – allows plastic wing walls to be replaced with wood materials that match the style and design of the original wings |
| 3-8 | 2 | 1 | Adds new paragraph – defines style and color of mailbox replacement or repair |
| 3-12 | 2 | 3 | Adds new paragraph – addresses additional permitted landscape designs (with ARC application and approval) |
| 4-2 | 2 | 2 | In the sections explaining vehicles and parking, language is added designating the cul-de-sac areas at each end of Haines Drive as “visitor parking” |

**RECORD OF CHANGES – VERSION 1.3**

| **PAGE** | **COLUMN** | **PARA** | **CHANGE** |
| --- | --- | --- | --- |
| Cover |  |  | Changed version to 1.3; new date is November 2010 |
| 3-14 | 1 | 3 | Adds options to individual homeowner mailbox and mailbox stands, to include where each may be purchased |
| 4-2 | 1 | 2 | Adds paragraph addressing boat and RV parking |

**RECORD OF CHANGES – VERSION 1.4**

| **PAGE** | **COLUMN** | **PARA** | **CHANGE** |
| --- | --- | --- | --- |
| Cover |  |  | Changed version to 1.4; new date is December 2013 |
| 3-14 | 1 | 1 | Standardizes the allowable mailbox and pole to the MP 102; eliminates other options |
|  |  |  |  |

**RECORD OF CHANGES – VERSION 1.5**

| **PAGE** | **COLUMN** | **PARA** | **CHANGE** |
| --- | --- | --- | --- |
| Cover |  |  | Changed version to 1.5; new date is December 2017 |
| 1-1 | 1 | 1 | Adds specific language about property occupancy and use in accordance with the Association’s declarations and Fairfax County Zoning Ordinances. |
| 3-16 | 2 | 1, 3 and 6 | Clarifies curbside placement and removal of trash, debris, and receptacles prior to and post trash day pick-up |

| **PAGE** | **COLUMN** | **PARA** | **CHANGE** |
| --- | --- | --- | --- |
| Cover |  |  | Changed version to 1.6, new date is July 2024 |
| 3-11 | 1,2 | 2,3,4,5 | Allows Vinyl Fence to specification |
| 3-10 | 1 | 4 | Allows Specific alternative exterior lighting |

| **PAGE** | **COLUMN** | **PARA** | **CHANGE** |
| --- | --- | --- | --- |
| Cover |  |  | Changed version to 1.7; new date is July 2924 |
| 3-9 | 1 | 1 | Standardizes Decking oprions to include Composite boards |

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SECTION 1

INTRODUCTION

# Objectives

Cavanaugh Crossing is a unique upscale community with distinctive architectural design. The following protective covenants have the specific intent of maintaining the integrity of the community architectural vision.

## 1.1 General Property Use and Occupancy

Cavanaugh Crossing is zoned by Fairfax County Government as a single-family dwelling community.  Pursuant to Article V, Sections 1 and 5 of the Declaration and the County Zoning Ordinance, each lot is limited to no more than one (1) dwelling unit per lot and limits the number of people that can live in a single-family residence. Accordingly, the creation of a separate rental in the basement or garage of a residence or elsewhere in the house would be in violation of the zoning ordinance unless it meets certain criteria.  Among other county requirements for authorized rentals are consideration of building and safety codes, to include proper egress.  The addition of a second kitchen as part of rental of part of the house is also not permissible under county regulations without a Special Permit Resolution issued by the County Board of Zoning Appeals. Please consult with Fairfax County regarding exceptions which may require a county-issued Rental Occupancy Permit and a County inspection.

Pursuant to Article V, Section 12 of the Declaration, if a homeowner leases their house, the lease must provide that the tenants are subject to the Declaration, Bylaws, Articles of Incorporation and any rules or regulations of the Association. The lease term must be for at least six (6) months. Any violation of the Governing Documents is grounds for termination of the lease.

If a homeowners intends to lease a portion of their house, the HOA shall be notified and provided with proof of compliance with the County Zoning Ordinance and any requirements imposed by the County on such subdivision of the house.  This generally will include proper county permitting and inspection.

Any unauthorized rental will be reported to the County Zoning Enforcement Branch-Department of Code Compliance as a possible violation for the County to investigate.

## Application of this Document

This document is both a guide for the Architectural Review Committee (ARC) and Cavanaugh Crossing property owners. These ARC standards are broad based and are intended to address the exterior aspects of both site and architectural construction or alterations at Cavanaugh Crossing. Since it is impossible to address each specific design condition, these are “performance standards” which define the principal factors, which should be considered when developing a design solution. They are not intended to be all-inclusive, but rather serve as a guide to what may be constructed. The specific objectives of this document are:

* To maintain and improve the quality of the living environment in the Cavanaugh Crossing community.
* To provide uniform guidelines to be used by the Architectural Review Committee (ARC) in reviewing applications.
* To increase resident awareness and understanding of the Protective Covenants and their intent.
* To illustrate basic design principles that will aid residents, builders, and architectural designers in developing home design plans and exterior improvements that are in harmony with the immediate neighborhood and the community as a whole.
* To assist builders and/or residents in preparing an acceptable application to the Architectural Review Committee.

This document’s organization affords ease of use for those wishing to make improvements to an existing residence at Cavanaugh Crossing. The development standards provide for site development, architectural design and exterior site elements for a wide variety of situations. Also included is a set of Landscape Architectural Design Standards, which apply to all home site development and all homeowners wishing to make exterior alterations should be acquainted with these procedures and requirements.

**SECTION 2**

**SITE PLAN AND ARCHITECTURAL**

**REVIEW PROCESS**

# Site Plan and Architectural Review Process

## The Architectural Review Committee

All residents’ benefit from the planning and design of Cavanaugh Crossing. A logical extension of this community planning and design effort is the assurance that high residential design standards will be maintained through the establishment of design controls. The assurance of continued high design standards protects property values and enhances the Community’s overall environment and livability. All homeowners shall be familiar with the Protective Covenants for Cavanaugh Crossing.

The Architectural Review Committee (ARC) ensures continued quality development at Cavanaugh Crossing by reviewing plans for all construction and exterior alterations by homeowners subject to the Protective Covenants.

The following rules govern membership on the ARC:

* The HOA Board appoints members to the ARC for one year terms
* Residents who have not previously served on the ARC will be given priority consideration to serve over those who have already served
* Opportunities to serve or vacancies that occur will be announced with the next newsletter but at least annually.

## Amendments to the Guidelines

The ARC will conduct an annual and continuing evaluation to determine if the guidelines need to be amended. Homeowners may, at any time, present suggested guideline changes to the ARC to be considered for public discussion by the Board of Directors. Once reviewed by the ARC, homeowner recommendations are forwarded to the Board of Directors with recommendations of

the ARC as to whether it believes such changes are appropriate.

## What Must Have Architectural Review Committee Approval

Conditions for Architectural Control:

* No improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work, which in any way alters the exterior of any home***,*** Lot or Common Area or the improvements located thereon, from its natural or improved state, existing on the date such property was first conveyed***,*** shall be made or done without the prior approval of the ARC. No building, residence, or other structure, fence, wall, or landscaping in-lieu thereof shall be commenced, erected, maintained, improved, altered, made or done on such property without the prior written approval of the ARC.

This paragraph explicitly states that the ARC must approve any change, permanent or temporary, to the exterior appearance of one’s property.

Each application is reviewed on an individual basis. For example, a homeowner who wishes to construct a deck, identical to another already approved by the ARC is still required to submit an application.

## Design Review Criteria

The ARC evaluates all submissions on the individual merits of the application. Besides evaluation of the particular design proposals, this includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be for another.

Design decisions made by the ARC in reviewing applications are not based on personal opinion or taste. Judgments of acceptable design are based on the following criteria as they relate to the Cavanaugh Crossing Community.

* Design Compatibility. The proposed improvement must be compatible with the architectural characteristics of the applicant’s house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural massing and style, quality of workmanship, similar use of materials, color, and construction details.
* Location and Impact on Neighbors. The proposed alteration should relate favorably to the landscape, the existing structure, and the neighborhood. The primary concerns are access, view, sunlight, ventilation, and drainage.

* Scale. The size (in three dimensions) of the proposed structure or alteration should relate well to adjacent structures and its surroundings.
* Color. Color may be used to soften or intensify visual impact. Primary parts of the structure such as roofs, facades, and trim should be compatible in color.
* Materials. Continuity is established by use of the same or compatible materials. Materials used elsewhere may vary. For example, wooden fences in the rear of the property. However, continuity and consistency with the overall scheme is to be adhered to, such as having consistent trim colors throughout the property.
* Workmanship. Workmanship is another standard, which is applied to all exterior construction. The quality of work should be equal to or better than that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards. Cavanaugh Crossing Homeowner’s Association assumes no responsibility for the safety of new construction by virtue of design or workmanship.
* Timing. Projects, which remain uncompleted for long periods of time, are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If the construction period is considered unreasonable, the ARC may disapprove the application.

## What to Include in an Application

An ARC application form is available from the Homeowners Association representative, and a sample application can be found in Chapter Six of this document. When submitting the application, all information must be included, or the application cannot be approved. Attention and care to this part of the process will avoid frustration and delay. The following items are required by the ARC in order to review and approve or disapprove an application:

* A Site Plan: This should show the property boundaries, the location of the proposed improvement, dimensions and the distance from that improvement to the property lines. This can be drawn in on a photocopy of the property plat.
* Drawings and Photographs: To provide graphic illustration of size and form of proposed improvements. A wide variety of graphics material is acceptable from manufacturers catalogue excerpts, photographs, freehand sketches, or mechanical drawings. As projects will not be judged on quality of rendering, artistic shortcomings should not discourage homeowners from submitting projects to the ARC, although submitted material must be “readable”. The level of detail required depends on the complexity of the project. All graphic material should be accompanied by a written description of the project.
* Material and Color Samples: In many instances, the simple statement that a given improvement will be painted to match the existing house or trim color will be sufficient. In cases where new materials and colors are to be introduced, material samples, such as brick and paint chips of the exact color should be provided to the ARC. This will ensure adequate communication of intent.
* Neighbor relations: The ARC encourages homeowners to communicate plans for substantial projects to their immediate neighbors.

## Homeowner Submittal/ ARC Review Procedure

* The homeowner or authorized representative (architect or contractor) must submit required plans, drawings and documents.
* The responsible party will be notifiedof approval or rejection by a written letter. No verbal approval by any individual Board or ARC member is authorized. If the submittal is approved, a set of submittal documents indicating approval will be mailed to the homeowner or the authorized representative. If a submittal is rejected, the responsible party will be notified by letter indicatingwhat items are not in character with the design guidelines and covenants.
* The homeowner may submit at anytime a revised submittal package with changes that satisfy the ARC concerns. The ARC may review re-submittals prior to their next scheduled meeting. The homeowner will be informed ofapproval or rejection of a resubmitted application.

## Appeal of an ARC Decision to the HOA Board

An appeal may be made if the following occurred:

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

## Enforcement Procedures

The Protective Covenants require the ARC to ensure compliance of all lots. The following enforcement procedures have been established by the ARC:

* All violations shall be confirmed by a site visit by an ARC member.
* The owner will be notified, by written letter***,*** of any violations found.
* If the violation is not resolved within a reasonable period of time given the nature of the violation***,*** a second written notice will be sent by certified mail.
* If the violation is not resolved within fifteen (15) calendar days after notification of the second violation, a notice may be sent by certified mail informing the ownerof the time and place of a hearingconcerning the violation.
* None of the above shall preclude the Association, at any time, from seeking remedies at law or at equity to gain compliance of an owner in such matters.
* Non-compliance may result in violation fees being assessed. Failure to pay fees may result in a lien being placed on the property in violation.
* Be advised that failure of the ARC to enforce any provision, covenant, restriction, rule or regulation shall in no event be deemed a waiver of the right to do so thereafter.

## Actions Required Prior to Construction

* A copy of ARC approved submittal material must be on site at all times.
* The homeowner is responsible for obtaining all required local building permits.
* All alterations to the approved documents must be submitted to the ARC for approval before construction of those alterations begins.

SECTION 3

**GUIDELINES**

# Guidelines

These guidelines are an attempt to give direction and guidance to homeowners considering improvements to their home or property. As it is difficult to foresee every possible situation which may arise, it is neither practical, nor desirable for the ARC to attempt to dictate all architectural decisions. Rather, these guidelines attempt to address issues such as quality of construction, relationships between adjoining residences, compatibility of styles, materials, and colors. In short, the guidelines create a framework for design decision-making, rather than focusing on particular architectural details.

All applications to the ARC will be considered on their individual merits within the framework of these guidelines. Proper attention to these guidelines in preparing an ARC submittal will aid the homeowner in gaining timely approval. Builders and homeowners following these guidelines should expect timely approval or rational for disapproval from the ARC on all submissions.

Approval is revoked automatically if alterations or construction are not completed within 180 days of the approval date.

County Approvals:

All homeowners planning improvements should be aware of County regulations. Many site and home improvements require County approval which is the homeowner’s responsibility. ARC approval is not a substitute for County approval, (or vice-versa), and the ARC will not act as a referral service to the County. Fairfax County should be consulted prior to any commencement of any construction to verify what permits are needed and what construction practices should be followed.

## Architectural Design Guidelines

Major Exterior Alterations:

* Major alterations are generally considered to be those which substantially alter the existing structure either by subtraction and/or addition.
* The design of major alterations should be compatible in scale, materials, detailing, and color with the applicant’s house and adjacent houses.
* If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.
* Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material and debris should be immediately removed after completion of construction.

Additional Rooms:

* See general architectural guidelines at the beginning of this section.
* Major features of the house such as vertical and horizontal lines, projections, and trim details should be reflected in the design of the addition.
* Building footprints must continue to respect County required setbacks as described at the beginning of this section and maintain the integrity of the primary horizontal and vertical footprint.

Colors/Materials:

* Selection of color and materials (texture) is a key element in producing quality architecture. A sample board showing actual materials to be used in the house, including color, texture, stain, etc. must be provided for ARC review/approval.
* Brickwork shall match existing builder provided construction.

Exterior Painting:

* Repainting or staining to match original colors need not be submitted to the ARC for approval. Color changes apply not only to the house siding, but also to doors, shutters, trim, roofing, wrought iron railings and other appurtenant structures. Change of exterior color should relate to the colors of other houses in the immediate area. Brickwork shall not be painted.
* Curb side painting of addresses is encouraged in the event of emergencies (e.g. EMT, fire, police, etc). Painting shall be black lettering on a white background.
* The ARC encourages that front steps (kickboard and ledger) be painted or stained white to match the existing house trim.

Windows:

* No window film shall be used that presents a mirror effect.

## Site Development and Use Standards

Air Conditioners:

* Window air conditioning units generally will not be approved, other than those provided in original builder plans.
* Compressors for central air conditioning units and heat pump units are encouraged to be screened by architectural treatment or appropriate landscaping.
* Residents do not have to seek ARC approval

Antenna(s):

* Only Digital Satellite Systems(DSS) or Direct Broadcast Systems (DBS) antennas/dishes 1 meter or less in diameter will be permitted. Provided an acceptable signal can be obtained*,* the antenna/dish should be placed on the home in such a manner so as not to be seen from the street on which the front of the house faces. If acceptable signal cannot be obtained by mounting the antenna/dish at the rear of the home/lot, then the placement of such an antenna/dish requires ARC application showing the proposed location on the lot/unit. The ARC may require screening for any antenna/dish placed in the front yard.

Attic Ventilators:

* Attic ventilators or other mechanical apparatus requiring penetration of the roof should be as small in size as functionally possible and should be painted to match the roof. They should be located generally on the least visible side of the roof and not extend above the ridge line.

Carports:

* Carports of any type are not permissable.

Clotheslines:

* Use of clotheslines is prohibited.

Compost Piles:

* Compost piles of reasonable size are allowed, and shall be placed at the rear of the lot. Reasonable size is considered to be not greater than 48” by 48”. The ARC may require screening.

Decks and Patios:

Decks and patios are an extension of the house and thus have significant impact on its appearance. Decks and patios may also affect the privacy of adjacent properties. These two factors should be weighted heavily in the location and design of decks and patios.

* Privacy of adjacent homes should be considered when planning decks and patios.
* When designing and placing decks and patios, careful attention should be paid to the impact on the external architectural image, as well as the compatibility between the detailing of the deck and the house. Original horizontal and vertical footprints shall be maintained.
* Modifications to existing decks and patios should provide continuity in detailing such as material, color, and the design of railings and trim, and require additional ARC approval.
* Plantings should be provided to screen other structural elements and to soften visual impact.
* Decks should be quality grade wood and either left in its natural color or painted/ stained white to match the trim color scheme of the community. Composite Decking is an acceptable option
* Patio material should be brick, stone or slate. Open concrete is not permissable. Pavers and paved patios require ARC approval. A material sample shall be submitted with the application.

Deck Applications:

Applications must include the following information:

* Details of railings, posts, stairs, steps, benches, etc. as required to clearly describe proposal. Include height of deck off the ground. (Note: Fairfax County has a specific railing height requirement. The railing must be 36” in height if deck is more than 24” off the ground).
* Details of changes to windows and doors, if applicable.
* For all raised decks, (above 4’ off the ground), the ARC strongly recommends using 6”x6” vertical deck supports and landscaping around those supports.
* If the underdeck area will be used for storage, a land- scaping or screening plan is required. An approval must be obtained for underdeck storage.

Dog Houses:

* Dog houses should be compatible with the applicant’s house in color and material, and should be located where they will be visually unobtrusive. Molded plastic doghouses are not permitted.
* Dog runs are not allowed.

Electronic Insect Traps:

* Insect traps are allowed provided they are visually unobtrusive, offensive or loud.

Exterior Decorative Objects:

* Exterior decorative objects include such items as free-standing poles of all types, bird baths, wagon wheels, fountains, sculptures, ornamental birds and animals, etc. Their use should be limited and be in keeping with the style of the house and the overall character of the neighborhood.
* All decorative objects shall be located in the rear yard, and/or within the railing area of the front porch. Rear yard for this and other purposes is defined as 15 feet back of the front plane of the house to the back of the lot.
* Seasonal decorative items, i.e. Halloween, 4th of July, etc., shall be removed within 15 days of the event, or upon direction from the ARC.
* Planters, such as urns are permissable on the front step landing area, providing their size, color and design is in keeping with the architecture of the community.

Exterior Lighting:

* No exterior lighting shall be directed outside the applicant’s property.
* Lighting fixtures should match the original architectural style of the unit.- Options are available on Appendix 6.5
* Seasonal lighting should be removed within 30 days of the event.

Entry Lighting:

* Walkway lighting fixtures and poles on the front of the property will be limited to flower beds/planter areas, with ground type low voltage lighting such as Malibu decorative lights, etc.
* Lighting of driveways or the community sidewalk is not permissable.

Fencing:

Fencing can be used in many ways for many purposes, so careful consideration should be given to any fencing concept and its execution. Fencing can be used to define architectural space, provide privacy or security, and to demarcate property lines. It acts as a physical or visual barrier and consequently has an impact not only on the homeowner’s house, but on neighbors or users of adjacent land.

Fencing can also affect the appearance of a house, acting as an extension into the land or as an anchor to the ground. It can be used to increase or decrease the apparent size of a building, by extending a façade, or hiding a wing.

The intended function of the proposed fence should be understood before the type of fence or the construction materials are chosen. The function has many implications for type. The following guidelines should be adhered to when planning for a fence:

* No fencing shall be permitted in the front yard, with the exception of Lots 5, 6, 7 and 8, due to their uniqueness. As such, these fences must be four foot in height, and stained/painted white in color.
* Lots 1, 17, 25, 26, 35, and 47 are also considered unique, and therefore are also subject to additional ARC approval for fences.

* Any fences bordering Hooes and Furnace Road must be stained/painted white. For homes bordering Furnace Road, the only acceptable fence style is Figure 3-2.
* There is one acceptable four foot fence style, which is shown at Figure 3-1. Wood or vinyl- Vinyl must be professional grade
* It is recommended that backyard fences be six feet in height. There are two acceptable wood six foot fence styles, which are shown at Figures 3-2 and 3-3.
* Six foot Vinyl Privacy fence can be approved for usage- Professional grade only. color white only smotth or textured.
* There are 3 approved options. Figures 3-3, 3-4 and 3-5. See Appendix 6-4 for more details

Composite Fencing options

* + Composite Fence options will be considered upon submission- (Not facing Hooes or Furnace Road)
* Must be verticel design
* Must match general wood colors
* All side fencing must terminate 15 feet from the rear of the front wing fences installed on each home.
* Plastic wing walls may be repalced with materials that match the original or they may be replaced with wood materials that significantly match or are of similar size, style, shape and color. Replacement wing walls must be positioned in the same location as the wing walls being replaced.
* Fencing may be left a natural finish. The ARC strongly encourages that fences be painted or stained white.
* Fencing which is finished on one side only must be constructed with the finished side facing out. Gates should match fencing in design, material, and height.
* Solid fencing used for privacy screens immediately adjacent to the house shall not exceed 6’-0” in height and have ARC approval.
* Planting can be integrated with all fencing schemes in order to soften the visual impact.
* Fencing shall be wood-on-wood. Treated southern pine is recommended. Redwood or other materials with a distinct color are not permissible.
* The tops of all fences should be maintained horizontal. If the ground slopes, the fence shall be stepped.
* The bottom of the fence should be no more than 6” to 12” above the ground. Vertical members should be plumb and the post shall be capped.
* Chain link fencing, wire mesh, vinyl, barbed wire fences, and metal fencing are not acceptable.
* Fences connecting to or continuing from any existing fence shall abut by post and not be secured to the existing fence.

A white picket fence next to a house

Description automatically generated

Figure 3-1.

4 foot picket style fence, stained white, Wood or Vinyl approved for front yards for those lots facing Hooes Road

Figure 3-2.

6 foot wood-on-wood fence, horizontal step, vertical caps and white stain

Figure 3-3.

6 foot wood-on-wood fence, natural finish and lattice treatment

A tree in a pot next to a white fence

Description automatically generated

Figure 3-4

Standard Privacy PVC Professional Grade

A white fence with a lattice top

Description automatically generated

Figure 3-5

Lattice top Privacy PVC Professional Grade

A white fence with a white picket fence

Description automatically generated

Figure 3-6

Scalloped top PVC Professional Grade to match wing walls

Furniture:

* Lawn or deck/patio furniture shall be in keeping with the architecture of the community and manufactured as outdoor furniture.
* Hammocks are not appropriate for the front porch or yard.

Flagpoles and Flags:

* Yard flags are permitted provided the height of the holder does not exceed two feet. Flags displayed shall not be objectionable. US and Virginia State flags are always permissible, when properly displayed.
* Permanent, freestanding flagpoles are not permitted at Cavanaugh Crossing. Wall mounted brackets attached to the house for flags are permitted. The bracket’s size shall not exceed 4”.

Gutters and Downspouts:

* Gutters and downspouts should match those existing in color and design and must not adversely affect drainage on adjacent property.

Mailboxes:

* Mailboxes will be standard throughout the community. Effective 1 January, 2014 there is only one allowable style of mailbox, which is the MP-102 (pictured below). Homeowners desiring to retain their original, wooden mailbox must have notified the AAA Management Company by certified mail by 13 December, 2013. Homeowners choosing to retain the builder installed legacy mailbox must ensure it is properly maintained in good condition with the correct colors. Boxes should be repainted with Rustoleum brand or equivalent spray paint, color Hunter Green gloss. Posts should be repaired and repainted using McCormick brand paint, the color is Carolina Slate.
* Box numbering, etc., shall be in keeping with the overall architectural theme of the community.



Figure 3-4. MP 102 All Aluminum Mailbox and Post

Recreation and Play Equipment:

The following guidelines are to minimize the visual impact of recreational and play equipment.

* Freestanding basketball goals are permitted. Permanent goals may be erected at the rear or rear side area of the driveway. Goals may not be mounted or attached to the house/garage. Goals must be kept in driveways, and are not permitted in the streets or pipe stem.
* Houses with garages in the front or those that border Hooes Road may have free- standing goals only. As such, when not in constant use, goals should be stored out of sight.
* Play sets or other play structures shall not exceed eleven feet (11’) in height.
* Equipment shall be placed in the rear yard with careful consideration of placement, size of equipment and style to minimize the visual impact on adjacent properties.
* Kiddy pools may be erected only on the rear of any lot.

Shutters:

* Shutters that are added to a house should be compatible with the style of the house and should be of proper proportions to match the window to which they relate. The color should be compatible with the colors of the house.

Signs:

With the exception of signs advertising the sale or rental of property (and then only one sign per lot), no sign shall be erected on any residential lot.

* Vendor provided security signs may be displayed.
* Signs designating the house address are permissible in the front plant bed area providing the size, color and design are in keeping with the architecture of the community.

Solar Collectors:

* Solar collectors are not allowed.

Front Storm, Security and Screen Doors:

* Storm and screen doors should be painted to match the trim color of the house (white) or anodized aluminum. The door style shall be a simple metal or wood frame with full glass.
* No metal grillwork or decorative trim shall be allowed on either storm or screen doors.

Storage Sheds:

* Well-designed and sited storage sheds improve the neighborhood image by concealing many cluttering objects such as gardening tools, trashcans, bicycles, etc.
* While sheds must provide sufficient volume for their intended use, they must be of a size that is appropriate for the property and not exceed 140 square feet of storage area.
* Freestanding sheds must be located 4’ from the rear of the lot line and 2’ from the side lot line.
* The highest point of the shed should not exceed the height 11 feet.
* No metal, plastic or pressboard storage sheds will be allowed.
* Only gable style roofs will be allowed on sheds.
* Shed colors and roofing shall match that of the home.

Sun Control Devices:

* All sun control devices require ARC approval.
* Sun control devices (awnings, trellises, etc.) must be compatible in style, color and materials with the architecture of the house and must be located in the rear of the house.
* Sun control devices shall be of one color and match the trim or dominant color of the house.

Hot Tubs, Whirlpools and Spas:

In order to have a hot tub, whirlpool or spa, an application must be submitted to the ARC following procedures in these guidelines. Address privacy screens or landscaping, if appropriate. If the hot tub, whirlpool or spa is being added in conjunction with building a deck or patio, placement must be indicated on the plat.

Swimming Pools:

* No above ground pools will be allowed.
* Generally, the wall of a swimming pool should be kept an adequate distance away from adjacent property. Pools or pool facilities cannot be located within the setback areas of a lot.
* Removal or disturbance of existing trees should be minimized.
* A fence must protect the pool and mechanical equipment.
* Fences and gates should conform to that portion of these standards pertaining to fencing.

Trash Removal:

* No trash, recyclables, yard debris or containers shallbe placed for pickup at appointed locations prior to 5:00 p.m. on the previous day prior to pick-up.
* Trash containers shall be manufactured for trash storage purposes only. For environmental and aesthetic purposes, the container lid must be closed when placed at the curb prior to pick-up.
* All trash containers shall be removed from the street the day of pickup and stored on the side or rear of lots out of sight from the street and adjacent lots or pipe stem.
* Each resident is responsible for keeping his or her property free of trash. Care should be taken to prevent wind-blown trash from originating on their property.
* Cavanaugh Crossing open space is not a dumping ground for trash, including organic debris such as leaves, branches, and lawn clippings.
* Bagged yard clippings, recyclables and other debris shall be placed at the curb the evening of the day prior to pick-up and removal.

Utility Lines:

* No overhead utility lines will be allowed within the lot boundaries except where provided by the Developer.

Yard Sales:

* Individual yard sales are permissible with prior ARC approval. The association may schedule communit yard sales twice each year.

## Landscape Guidelines for Homeowners

* A comprehensive landscaping plan will enhance the overall image of a community.
* In any planting composition, there should be a predominant plant material with accent planting for interest and contrast.
* ARC approval is not required for minor improvements such as single species plantings. However, landscaping that replaces more than 25% if the existing turf with plant materials and/or includes walls, gardens, etc, requires ARC approval. This includes new plant beds, plantings that change the topographical contour, or those in the front yard.
* Screening or hedges are not allowed along community sidewalks or driveway front.
* Plant types and materials should be appropriate in character, habitat, species, size, number and arrangement and be consistent with the theme of the community.

* Plantings should be maintained and kept in healthy condition.
  + Irrigation systems require ARC approval.
  + Retaining walls or bed bordering areas shall be clay brick or stone. Any hardscaping or changes to bed edging requires ARC approval.
* Brick shall be mortared, and stone may be mortared or stacked. All construction will maintain a level horizontal plane.
  + The ARC strongly encourages the use of brick or stone.
  + Only one type of paver is permissible for use. The permissible paver is Castle Rock Slate. Applications for paver use must be accompanied by a sample of the product.
  + Plastic stripping for plant bed bordering shall not be used.
* The center grass strip in the driveway is one of the primary unique architectural designs of the community. As such, the center grass strip shall not be hardscaped, except for a length not to exceed six feet in the rear median. Hardscaping that is concrete shall match the color and architecture of the existing slab. Asphalt shall not be used.
* Arbors, trellises, gazebos or other landscape structures require ARC approval. Such landscape structures shall not be constructed solely with plastic materials.
* Use of railroad ties is not permissible. Use of timber is permissible in the back yard only, and shall not be used in the front or side yard areas
* Applications to ARC should include a description of the plant variety and species, and a drawing showing the relationship to the home and neighboring houses.

Gardens:

If a vegetable garden does not meet all of the following criteria, an application must be submitted to the ARC:

* The grade on which it is planted does not exceed a slope of 1’ in 20”.
* The property below it is not threatened by water flow damage from the garden.

Rock gardens are not allowed in front yards. No rocks shall be painted.

Locations of gardens shall be in the rear of the property and not exceed 25% of the rear property total area.

**Section 4**

**Maintenance Guidelines**

# Maintenance Guidelines

## General

Proper maintenance is necessary to ensure safety, visual quality, and property value at Cavanaugh Crossing and is one of the responsibilities of property ownership. The items included under maintenance are mowing lawns, trash removal, and maintenance of exterior building appearance. It is the responsibility of the ARC to ascertain what constitutes a violation. The following examples will aid the homeowner in determining his or her responsibilities within the covenants. This list is not meant to be inclusive.

Exterior Appearance:

The following items constitute a partial list of items considered to be a violationn of maintenance covenants:

* Deteriorating wood trim.
* Loose shutters.
* Dented, rusted, faded or broken mailboxes to include a post that requires reconstruction, straightening, or painting.
* All peeling exterior paint.
* Broken or damaged fences.
* Sheds needing painting or other types of repair, including repair or replacement of doors.
* Broken or unkempt playground equipment.
* Decks having obvious missing or broken parts.
* Lighting fixtures damaged or not working.

Lawn and Plant Beds:

* Lawns should be mowed, edged, and watered regularly to include the area along the sidewalk and curb. Grass heightshould not exceed 5 inches and be kept in good condition.
* Plant beds should be maintained in a neat and orderly manner. Dead plant matter and weedsshould be pruned and removed. Lawn clippings should not be left on sidewalks or swept into streets.
* Mulch types should be neutral in tone and free from any unnatural coloring.
* Residents are responsible for protecting their lot from erosion damage. Removal of plant cover or exposing soil renders land vulnerable to erosion.

Animals:

* Owners shall abide by existing Fairfax County lease laws.
* Owners walking their dogs in the common areas are responsible for retrieving droppings so that other owners may realize full enjoyment of the community. Pet owners are responsible for the immediate cleanup and disposal of pet waste.

Boats and Recreational Vehicles

Article V of the original CC&Rs allows for temporary parking of boats and RVs with Board approval. The following guidelines are established:

* Homeowners will use the ARC application form to request boat/temporary RV parking.
* The Board will consider requests to park boats and RVs on a case-by-case basis, depending on the size of the lot, size of the boat or RV, and visibility from the street.
* Boats must be parked at the back of the lot near the rear end of the driveway, and preferably to the rear of the house or garage.
* RVs may be parked in the homeowner’s driveway on a temporary basis for loading/unloading, not to exceed three days. Permanent RV parking/storage is not allowed.
* Boats and RVs may not be parked on community streets under any circumstances.

Vehicles and Parking:

Homeowners shall garage their vehicles, or park them in existing driveways. Street/curb areas shall not be used as permanent parking for vehicles.

Commercial vehicles are not allowed to be stored in the community. Any commercial vehicle regularly used by a homeowner to commute to and from his place of business shall be garaged when driven home.

Due to the limited amount of on-street parking, the cul-de-sacs at each end of Haines Drive are reserved for “visitor parking.”

No vehicle shall be repaired, worked on, or modified in the front of any home.

SECTION 5

DESIGN STANDARDS

FOR

SITE CONSTRUCTION

# Design Standards for Site Construction

## In General

* All construction activity shall be contained on the lots for which a building permit has been issued. Any adjacent parcel, property or facility damaged during construction shall be promptly restored to its original condition to the satisfaction of the ARC.
* All construction personnel shall park in the applicant’s driveway and in front of the applicant’s house.
* All sites shall be maintained in a clean and orderly manner. The storage of materials shall be in an inconspicuous area of the site and shall be neat and orderly. Building materials, trailers, equipment, etc., must be stored in a safe and orderly fashion beyond the drip line of all trees being saved.
* The applicant shall be responsible for keeping dirt and mud off the public streets and for cleaning, washing, and sweeping.
* Upon completion of construction and permanent stabilization on a lot, all building debris must be removed from the lot within 2 weeks. All debris blown from the construction site will remain the home-owner’s responsibility to remove.

**SECTION 6**

ARCHITECURAL REVIEW COMMITTEE

**APPLICATION**

# Cavanaugh Crossing Homeowners Association Architectural Review Application

Name: (please print)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Lot #\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone: Home:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Work:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Project Description

|  |
| --- |
| 1. Only one project  per application |
| 2. Enclose plat sur-  sur vey for structural  projects |
| 3. Use additional  sheets if  necessary |
| 4. ARC=Architect-  ural Review  Committee |

**INSTRUCTIONS, CONDITIONS AND REQUIREMENTS**

1. Please read the architectural governing documents prior to completing this application.
2. Applications must be submitted with detailed plans, sketches, drawings, pictures, catalog illustrations and specifications of your project to be retained for ARC files. I also understand and agree that no work on this project shall commence until written approval from the ARC has been received by the applicant.
3. If the applicant knows of a structure that is design, built or colored in the community, list that address on this application.
4. Approval of any project by the ARC does not waive homeowner responsibility for obtaining Fairfax County approval and permits, when required. Further, obtaining Fairfax County permits does not waive the requirement for ARC approval or limit its jurisdiction.
5. It is incumbent on the homeowner not to build on parkland, common ground, buffers, or any easement, whether public or private. Contractors’ vehicles may not drive across common grounds or areas. Call Miss Utility at 1-800-257-7777 before digging.
6. The homeowner is responsible for any construction damage to or clean-up of common grounds or neighboring property. This includes street areas.
7. The homeowner, not the Association, is responsible for any drainage problems resulting from construction and/or planting.
8. External color changes are limited to zonal variations of the original color. Tow official manufacture chips of each color applied are required. Larger samples may be further required. Dried paint on the house must match the samples on the application.
9. For approved applications, the ARC will issue an approval form specifying any parameters or conditions for the project. Work must commence within thirty (30) days of approval and be completed within six months. This form and ARC approval document should be retained with the homeowners’ papers and provided to succeeding owners.
10. Should your application be denied, you may request a hearing by the ARC within 15 days of the denial. If the ARC decisions remain unchanged, you may appeal to the Association Board of Directors within 15 days after receipt of the decision.
11. I understand that any construction or exterior alteration undertaken by me or on my behalf prior to approval of this application is not allowed, and that if alterations are made, I may be required to return the property to its former condition at my own expense.
12. The ARC meets monthly. Applications should be submitted to the head of the Architectural Review Committee no later than thirty (30) days prior to the meeting to allow for an initial review of completeness and to ensure consideration.

I agree to abide by the above instructions, conditions, and requirements. I further agree to adhere to Association and Fairfax County regulations and to the plans submitted with this application. I understand that any deviation from the project description above or attached requires a new application and subsequent ARC approval.

I further agree to indemnify, defend, save, reimburse, and hold the ARC, the Board of Directors, and the Association, its agent or employees harmless from any and all costs, damages, suits, or any liability whatsoever, including any violation fees, sanctions, and any reasonable attorney’s fees incurred as a result of activity arising out of or related in any way to the ARC change and/or project applied for herein, if approved, including any building or construction or anything related thereto on any lot, common area, buffer, or easement area.

By affixing my signature to the application I understand duly authorized representatives from the Board are authorized to enter my property at any reasonable time for the purpose of inspecting the proposed project, the project in progress, and the completed project, and that such entry does not constitute a trespass.

Homeowner’s Signature (Renters may not apply) Date

Homeowner’s Signature (Renters may not apply) Date

**RECEIPT OF**

**CAVANAUGH CROSSING HOMEOWNERS ASSOCIATION**

**APPLICATION**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of the Architectural Review Committee, acknowledges receipt of application to:

from:

Homeowner Lot #

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ARC Member Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

NOTE: Acknowledgement of receipt of Application by the ARC does not constitute approval for any architectural change, beginning of construction, etc. Official notification will come from the CCHOA Board through the management company.

Fence Specification appendix

PVC Fence Requirement

All Fence requests must comply with the following requirements.

* Only color allowed- White. (White Textured is allowed)
* Professional grade only with (Virgin PVC/Vinyl only, no recycled materials can be used in the Vinyl) See guidance below to better understand.
  + Consumer Grade Vs. Professional Grade
  + There are two types of vinyl fencing, consumer and professional grade. Consumer grade vinyl fencing is what you might find at your local “big box” hardware store. It is typically made from recycled plastic and sold in 6ft panels. Since these products are made from cheaper materials you can expect them to fail within ten years. Especially if you install them in harsh conditions (extreme cold or heat).
  + With consumer grade vinyl fence you can expect the components like the horizontal rails and pickets will have significantly less size and thickness. Posts are also likely to be shorter with consumer grade vinyl fencing products/ These fences will have much shorter life span and will develop finish quality issues much sooner than Professional Grade.
  + Professional grade vinyl fencing, on the other hand, is manufactured using virgin vinyl mixed with UV inhibitors and impact modifiers. This mixture is extremely efficient at protecting your fence from sun damage and allowing your fence to stand the test of time. So in other words, the higher the vinyl quality, the better it will perform in cold and in heat.
  + Professional grade vinyl fencing also offers interior ribbing on its pickets or other forms of general reinforcement. They include galvanized steel reinforcement channels in their bottom rails to prevent sagging. Their sections are also typically a full 8ft in length which means less posts during installation.

Exterior Lighting Options Appendix

Wall mount Options

Direct Replacement

Progress Lighting Model P5650-31

Optional replacement

<https://www.lampsplus.com/products/hancock-collection-18-and-one-half-high-outdoor-wall-light__14104.html>

A black outdoor light fixture

Description automatically generated

Post Mount

Direct Replacement – Progress Lighting Part Number P5450-31

Optional replacement

Home Depot Part # 204640571

