

MVHA ARCHITECTURAL GUIDELINES
As Amended August 15, 2002
At the Board of Directors Meeting

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1. Introduction

The Board of Directors of the Merrifield View Homeowners Association are here reissuing the Architectural Guidelines of the Association, and defining related procedures. These Guidelines were approved by the Association on November 8, 2000, in furtherance of Article VIII of the Association's covenants. The Guidelines are designed: to guide the homeowners and the Association in making architectural decisions pursuant to Article VIII of the Covenants (which requires the Board of Directors or a Committee thereof to approve all changes and alterations as to harmony of external design in relation to surrounding structures); to help maintain Merrifield View as a community where people want to live; and to allow the homeowners preference as much as possible within the Guidelines.

The Guidelines presented below are generally similar to the prior version (last amended in June 1976), but contain some changes. The Board requests that all homeowners review this document, especially if they are contemplating external changes to the appearance of the home. An existing architectural fixture in place as of November 8, 2000 that does not comply with the new Guidelines need not be changed or replaced if the fixture clearly complies with the earlier Guidelines or if the homeowner received the Association's written approval. The homeowner, however, must comply with these new Guidelines if he/she makes any change to or replacement of the fixture.

2. Procedure for Homeowners to Request Changes

a. Attachment I is a copy of a form that homeowners or others acting in their behalf should use to request authorization for architectural changes. This form (along with any pertinent plans or specifications) must be mailed (registered or certified mail is recommended) to the Association at the following address:

Merrifield View Homeowners Association
 Attn: Architectural Advisory Committee
 P.O. Box 54
 Merrifield, VA 22116

b. The Association's Architectural Advisory Committee (AAC) will promptly consider the request and notify the homeowner in writing of its decision. If the homeowner mails the request by certified or registered mail and the AAC fails to mail its written reply within 60 days of receipt, then the request will be considered approved.

c. A homeowner receiving an adverse decision from the AAC may appeal the decision to the Board of Directors within 30 days of receiving the AAC's decision. The Board will consider the appeal at its next regularly scheduled meeting and render its decision as soon as reasonably practical.

3. Architectural Characteristics

a. All homes must conform to these Architectural Guidelines except for such variations or exceptions as may be approved in writing by the Association. No homeowner may make any change or alteration to the exterior of any home without the prior written approval of the Association, except as stated below. In general, no change will be approved which makes the appearance of the home deviate from the prevailing architectural characteristics of the neighborhood.

b. Every home must have the following architectural characteristics unless that characteristic was lacking when the home was originally built, or unless the Association granted an exception:

(i) two wrought-iron railings cemented into the front steps of the home (units having steps along the side of the home must have only one such railing);

(ii) shutters on all mid-level and higher-level windows except the rear;

(iii) decorative molding above the front door in the shape of original construction;

(iv) backyard fences, as described in Section 10, "Fences", enclosing the entire backyard;

(v) windows of the type set forth in Section 9, "Windows and Exterior Weather Insulation";

(vi) a front walkway and steps, made of concrete;

(vii) a front door made of wood or steel, with decorative panels. The front door may have a small glass window (or window paneling) in the shape of a half-circle, square, or rectangle. The installation of door/window configurations that do not conform to the above must be approved in advance by the Association in writing. Storm doors are optional but, if installed, must conform to the characteristics set forth in Section 9, "Windows and Exterior Weather Insulation." The homes were generally built with decorative molding framing the front door; this molding may not be

removed or replaced except with the Association's advance written approval;

(viii) gutters and downspouts at the front and back of the home, being the same color as the trim or white;

(ix) a light beside the front door made of brass or black metal;

(x) a street number above the front door, in italicized lettering or Arabic numerals, in brass or black, and/or a street number (brass or black color) to the left or right of the front door on a plaque painted the same color as the trim.

c. The following are specific guidelines for certain home styles:

(i) Certain homes in Merrifield View were originally built with closets protruding from the rear second level. The exterior of these closets must be made of painted wood, vinyl, aluminum, or aluminum alloy siding. The color of these closets must match the trim color of the rear of the home.

(ii) Certain homes in the neighborhood were originally built with dormer windows on the front upper levels. These windows must be either white or the same color as the trim on the front of the home. The wood facing of these dormers may be covered with vinyl or aluminum siding if the color and style of siding is approved by the Association in writing prior to its installation.

d. No wood, vinyl, aluminum, or other siding is permitted on the homes except as specifically set forth above.

e. Shutters cannot be removed without the advance written approval of the Association.

4. Maintenance

All homes, fences, structures, railings, walkways, and landscaping must be maintained in a neat and orderly manner. All painted surfaces must be maintained free of dirt, rust, chipping, and wood rot or decay.

5. Exterior Painting, Staining, and Roofing

a. The Merrifield View Development exterior is basically a "Williamsburg" or "Colonial" type of architecture. Any color changes requested must conform to the Williamsburg or Colonial colors in the paint charts of major paint manufacturers.

b. Any change in the color scheme of a home must be approved in writing by the Association prior to painting. A homeowner may repaint the home without prior approval if there is no change in the existing color scheme.

c. The Association will not approve changes in the color schemes that:

(i) Result in adjoining homes having identical color schemes, or a cluster of homes having identical or very similar color schemes.

(ii) Consist of only a single color scheme (i.e., front door, shutters, and trim all painted the same color).

(iii) Do not conform to the general appearance of the homes and development.

d. The wrought-iron railings at the front or side of each house shall be painted black only.

e. The brick and the front steps and walkway must conform with the guidelines set forth in Section 7, "Permanent Surfaces."

f. Dormer windows and exterior closets must conform with the guidelines set forth above and in Section 9, "Windows and Exterior Weather Insulation."

g. Fences must conform to the guidelines set forth in Section 10, "Fences."

h. A homeowner may replace roof shingles of the same type and colors without the Association's prior approval. All other shingle replacements require the prior written approval of the Association. Roofs on adjacent houses should not have the same shingle colors.

6. Decks, Awnings & Coverings

a. Uncovered decks in the back yard shall be permitted without the Association's prior approval if the floor surface is within a foot of the lowest ground. Otherwise, no above-ground decks may be installed.

b. Patio awnings or patio coverings may not be erected without the Association's prior written approval. Homeowners desiring to install an awning or covering must submit a request to the Association that describes the planned installation relative to design, location, height, color, etc.

c. No awnings or coverings over windows or front doors may be erected on the exterior of any home, except for holiday awnings or coverings which must be removed promptly after the holiday season.

7. Permanent Surfaces

a. The front steps and walkway must be made of concrete (the steps may be made of concrete surface and brick base) and may not be painted.

b. No front or side yards may be surfaced with brick, flagstone, decorative concrete or any other artificial material.

c. A homeowner may surface the fenced-in portion of the backyard (i.e. install decking, brick, stone or concrete patios) so long as the installed surface does not create a drainage problem for a neighbor. Advance approval of the Association is not required for such surfacing.

d. No homeowner may paint or alter the color of the brick on the home without the prior written approval of the Association.

8. Landscaping, External Plants, Accessories, Tools and Equipment

a. Any type of flower, shrub or tree may be planted on homeowners' lots without the Association's prior approval as long as such planting does not and will not:

- (i) interfere with underground utilities (the homeowner should contact "Miss Utility" at 1-800-257-7777 prior to digging),
- (ii) infringe upon the rights of other homeowners,
- (iii) inhibit the safety and security of the adjacent homes and the neighborhood in general, or
- (iv) intrude upon or otherwise interfere with use of the sidewalks in front of the homes.

b. Any home landscaping must be maintained in a neat, safe and orderly manner. All grass must be mowed as frequently as necessary to keep it below 6 inches in length (incidental ornamental grasses excluded).

c. All dead shrubbery and trees must be removed promptly and disposed of in a lawful manner. The root systems for dead trees and shrubbery do not have to be removed from the ground, but all stumps must be ground to a level below that of the surrounding ground.

d. Garden hoses at the front or side of the home must be neatly rolled and stored beside the home or on a wall mount. Other garden accessories, tools, or equipment that are stored at the front or side of the home must be concealed by landscaping.

e. Window boxes for plants or flowers are permitted on the front of the home if they are maintained in a neat, safe and orderly manner.

f. No lawn ornaments are permitted except for holiday ornaments, which must be promptly removed after the holiday season.

9. Windows and Exterior Weather Insulation

a. All windows must either be paneled with individual panes of glass in each panel, or be the single-pane type with panel inserts installed. Window paneling must be in the general shape, size, and style of Williamsburg or Colonial homes. Replacement of windows or window paneling in such shape, size, and style with practically identical windows is permitted without the advance approval of the Association; replacement with a different shape, size, or style requires advance written approval.

b. Storm windows of a color that matches the window trim or white baked enamel may be installed by homeowners without the Association's prior approval.

c. Storm doors may be installed by homeowners if they meet the following guidelines:

- (i) they must be the same color as the front door or front door trim; and
- (ii) their grill work must either match the color of the front door or front door trim, or be black to match the wrought-iron railings at the entrance.

10. Fences

a. Homeowners must enclose their rear yard with a six-foot high, unfinished stockade fence with the following characteristics:

(i) pickets must be rounded on the outside (flat-faced pickets are not acceptable), pointed at the top, 3/4 of an inch thick, and 2.5 to 3 inches wide;

(ii) pickets must be nailed (not stapled) to the horizontal runner posts;

(iii) pickets must be made of either a natural or a pressure-treated lumber; and

(iv) all pickets must be set and maintained fairly vertically (a fence or portion of a fence tilted more than five degrees from vertical does not conform). Most fences in the neighborhood have pickets made of cedar (#1 grade) with a 20-year life, and use 4"x4" pressure-treated pine posts set in dry pack cement. Homeowners should contact "Miss Utility" at 1-800-257-7777 prior to installation of fencing to prevent the accidental cutting of underground lines.

b. The exterior and interior of stockade fences may not be stained except with colorless stains that preserve the life of the wood and that do not materially alter its appearance from the look of natural wood or otherwise do not cover the wood grain. Red-stained fences in place as of November 8, 2000 may be re-stained the same color and repaired, but may not be replaced with a color-stained fence.

c. For end units, the fence may be installed to enclose part of the end unit's side-yard property, provided that the fence does not enclose more than the rear half of the side yard.

d. No wrought-iron or other fence is permitted in the front of a home unless it was in place as of November 8, 2000. Such fence must be maintained in the same manner as wrought-iron railings and may be repaired but not replaced.

e. Homeowners may not replace or maintain their fence outside of their property line without the Association's prior written approval. The Association reserves all rights with respect to any fence that encroaches on Association property.

11. Detached Structures

a. If the backyard has been enclosed with a fence conforming with these guidelines, storage sheds, greenhouses, children's playhouses, or other small structures meeting the following guidelines can be constructed by the homeowner within the backyard, without the Association's advance approval, provided that:

(i) all such structures are built and used in accordance with applicable laws and regulations; and

(ii) no structure is higher than the fence of the homeowner involved.

b. Construction or installation of any structure outside of the enclosed rear yard is not allowed.

12. Exterior Clothes Lines

Clothes lines will be allowed in rear yards only if:

- (i) the yard in which the clothes line is installed is completely enclosed by a fence conforming with these guidelines; and
- (ii) no part of the clothes line or any supporting pole protrudes above the fence.

13. Exterior Antennas, Satellite Dishes, and Similar Devices

a. One or more antennas (including satellite dishes and similar telecommunications devices) may be installed without the Association's prior approval if each meets either of the following two conditions:

- (i) it is installed below (and does not protrude above) the top of the backyard fence; or
- (ii) it is installed on the rear roof of the home and does not protrude above the peak of the roof.

b. The Association may permit other placement if the homeowner can demonstrate to the Association that a clear communications signal cannot be obtained in the backyard or lower part of the rear roof. Any antenna or telecommunications device installed by the homeowner must conform to applicable laws and FCC regulations.

c. Any antenna erected for the purpose of transmitting electromagnetic signals must be registered with the Association. This rule does not apply to transmissions from ordinary cordless or cell phones, baby monitors, walkie-talkies, or CB radio antennas inside the home.

d. Homeowners may not install or operate any transmitting device that generates interference with another homeowner's receiver.

14. Ventilators, Fans, and Air Conditioners

a. Homeowners may install a power roof ventilator without the Association's prior approval. However, the ventilator may be installed only on the rear roof, or inside the attic in conjunction with the existing side vent in the case of end units.

b. Ventilators for kitchen exhaust may be installed only with the prior written approval of the Association.

c. Dryer ventilators may be installed without the Association's advance approval as long as the vent is installed in the back of the home (in the area enclosed by the rear privacy fence, though not necessarily below the top of the fence). Some end units were built with dryer ventilators on the side of the home; other end units may install a dryer ventilator on the side with the Association's advance written approval.

d. Window ventilators, window fans, and window air conditioners may not be installed or used.

e. Generally, air-conditioning fans must be installed within the backyard fence. With the Association's prior written approval, end

units may have air conditioning fans installed on the ground on the side of the home (outside of the fence) if evergreen landscaping has been situated to minimize the visibility of the fan from the front, side, and back of the home.

f. Utility lines (other than underground lines), including cable TV leads, may enter the residence only at the rear of the home. Utility lines (other than cable TV) must not feed through the wall above the level of the electric power meter. Cable TV lines may feed through the wall at a level above the electric power meter if the cables are run along corners, behind downspouts, and only in horizontal and vertical runs in a way which minimizes their appearance.

15. Trash and Trash Containers

a. Each home may permanently place one trash container, of the type specified below, outside of the rear fence of the home.

b. The trash container must be sealed and rodent-proof. The only trash containers permitted outside the rear privacy fence are as follows:

(i) one brown, rectangular metal trash container in the style originally supplied with the homes; or

(ii) one alternative trash container of a similar capacity with an attached lid. The alternative trash container must either: 1. must fit onto the existing concrete pad without overhanging the common area sidewalk in any way, or 2. For homes without an existing concrete pad, must be located behind the fence without overhanging the common area sidewalk in any way. Trash containers of one or several of the following colors are ordinarily acceptable: black, brown or dark green. Use of other colors requires advance written approval of the Association.

c. Proper maintenance of the trash container is the homeowner's responsibility (as with all other property of the homeowner). The brown metal trash containers must be painted a color approved by the Association. The paint color currently approved by the Association is comparable to Rustoleum brand "Leather Brown" (catalog number 7775).

d. In order to maintain the safety and health of the neighborhood, trash may be stored in the backyards of the homes only temporarily between regular trash pick-ups. All trash stored in the backyards of the homes must be kept in sealed, rodent-proof containers.

16. Lights

a. No upward-facing spotlights may be installed without the prior written approval of the Association. Spotlights that shine downward-only may be installed without the Association's prior approval provided that such lights do not shine outside the property boundaries.

b. Holiday lights may be displayed provided that they are removed promptly after the holiday season.

17. Signs and Flags

a. "For sale" and "For rent" signs of the type commonly used by realty companies may be displayed temporarily in front of the home on the homeowner's premises.

b. No other commercial advertisements may be displayed without the Association's prior written approval.

c. Decorative flags may be displayed outside the home, and flag holders may be affixed next to the front door. No freestanding flag poles will be permitted.

d. No other signs, flags, placards, posters, or electronic displays may be displayed without the Association's advance written approval, except for holiday-related items, which must be removed promptly after the holiday season.

18. Storage

No storage of any property will be permitted in the front, side, or rear of the home, except for property stored inside the rear fence (which may not protrude above the top of the fence), garden equipment (as discussed in Section 8(d)), and the approved trash container beside the rear fence. For instance, firewood may not be stored outside the rear fence. All items stored must be maintained free of stench, pests, or other nuisances.

ATTACHMENT 1
REQUEST FOR ARCHITECTURAL CHANGES
MERRIFIELD VIEW HOMEOWNERS' ASSOCIATION

name: _____

date: _____

Merrifield View home unit number: _____

mailing address: _____

phone: _____

e-mail: _____

description of proposed architectural change (please be specific, and attach copies of any relevant plans and specifications and additional pages if necessary):

reasons for proposed change and other comments (attach additional pages if necessary):