

## Guidance for Fencing for North Hill Community and ARB Approval policies



The Declaration of Covenants, Conditions & Restrictions governing the North Hill neighborhood (as recorded in Deed Book 5877, page 0405 in the land records of Fairfax County, Virginia) (the “Covenants & Restrictions”) impose certain restrictions intended to preserve the value and desirability of the North Hill neighborhood. Among those restrictions are restrictions upon the type, size and location of fences.

Section 11 of the Covenants & Restrictions provides that:

“No fence or similar enclosure may be built on any lot except a rear yard fence. The allowable fence types are (a) a board-on-board fence and (b) a (3 rail) split-rail fence. Both fence types are limited in height to four feet. Other fencing may be approved by the Architectural Review Board if deemed appropriate by the Board to provide security around approved swimming pools, or for other reasonable purposes. Such fences will ordinarily not be lot line fences and shall be located to reduce impact on other lots. Any fence built on a lot shall be maintained in a proper manner so as not to detract from the value and desirability of surrounding property. The words rear yard as set forth throughout these covenants shall not include any area that extends in front of the building restriction lines as established by the zoning ordinances of Fairfax County, Virginia and shall apply to both of the street frontages on all corner lots. In the event the building is set back more than the building restriction line, or lines as set forth above, the fence cannot be located closer than the front of the building or extension thereof as located on said lot and in the case of corner lots, said fence cannot be located closer to either street than the house is located from said street.”

Four-foot board on board fence and (3 rail) split-rail fence are the only type, style and size of fencing permitted by right under the Covenants & Restrictions.

Although fences of other types and style require prior approval by the Architectural Review Board (the “ARB”), the ARB has adopted a policy that certain other types and styles will generally be approved if limited in height to four feet. Those other types and styles are shown on the attached page. In the case of lots backing to Braddock Road and Rt 123, the ARB generally approves 5- and 6-foot fences of attractive natural wood color solid and taller styles. Only natural wood colors (or black, if metal) are generally approved. In all other requests the ARB will consider the impact upon the degree of obstruction of the visual view scape of neighboring lots and will view negatively requests for styles which create visual obstructions for neighboring lots. Homeowners considering fencing should generally consult with neighboring lot owners and requests that are accompanied by written evidence of favorable views of neighbors, while not determinative, are generally viewed by the ARB in a more favorable light.

Example of 3 rail split rail fence			Example of board on board fence		Black metal fencing (favorably considered for request for ARB approval of fences exceeding 4 feet)	