WHEREAS, Section III.5(e) of the First Amendment to the Deed of Amendment to the Deeds of Dedication of Reston (“Amended Reston Deed”) provides the Reston Association (“RA”) Board of Directors with all powers necessary and appropriate for carrying out the purposes of the Association which are enabled by law or the Reston Documents; and

WHEREAS, Section III.6 of the Amended Reston Deed sets forth the composition and responsibilities of the Design Review Board (“DRB”); and

WHEREAS, Section III.6(d)(1) of the Amended Reston Deed delineates the responsibilities of the DRB stating that the DRB has the power to interpret, administer, and render decisions involving the design covenants in Deed Section VI.1 in accordance with the published Design Guidelines; and

WHEREAS, Section I.1(a) of the Amended Reston Deed defines Affected Party as any owner of Property subject to the Amended Reston Deed, including but not limited to the Board of Directors, or Cluster, or Condominium, or their agents who register with the DRB and who is materially impacted by the use or design of another Property owner; and

WHEREAS, Section III.6(4)(vi) of the Amended Reston Deed delineates that notice of DRB decisions be delivered to the applicant and all Affected Parties; and

WHEREAS, Section III.6(4)(vii) of the Amended Reston Deed states that the DRB is to consider and decide appeals from applicants or Affected Parties; and

WHEREAS, Section X.2 of the Amended Bylaws for Reston (“Bylaws”) stipulates that any applicant or Affected Party shall have the right to meet with and be heard by the full-DRB or the DRB Panel considering an application; and

NOW, THEREFORE, BE IT RESOLVED, that the following procedures shall govern the manner in which the Design Review Board processes Affected Party registrants:

1. **Definition of Affected Party.** Any owner of Property subject to the Amended Reston Deed, including but not limited to the Reston Association Board of Directors, or Cluster, or Condominium, or their agents who register with the DRB and who is materially impacted by the use or design of another Property owner. Such owner or agent must request Affected Party status in accordance with the procedures in Section 2 of this Resolution.
2. **Affected Party Registration Procedures.** Any person wishing to register as an Affected Party shall provide in writing the reasons for making such a request to the DRB Secretary. Written requests of registration from those receiving “neighbor notification”, as per Section II.c.2 of Design Review & Covenants Administration Resolution 8, about a Design Review Application must be sent within five business days from the date of notification. The DRB Secretary shall provide written notice to the applicant that a request for Affected Party status has been made prior to the DRB meeting to consider the application.

3. **DRB Criteria for Considering Affected Party Registration Requests.** In determining whether a property is materially affected, the DRB shall consider the following criteria:

   a. What is the location of the owner's property relative to the applicant's property;
   b. Will the alteration or improvement be clearly visible from the owner's property;
   c. Will the proposal significantly affect the privacy, view, value, structural integrity, natural environment, or peaceful enjoyment of the owner's property or, in the case of a Cluster Association, that of individual Cluster properties or the Cluster’s Common Area;
   d. Will the proposal, in the case of a Cluster Association, contravene or alter the Cluster’s standards/Design Guidelines; and
   e. Will the proposal establish a precedent within the neighborhood for review of similar items?

4. **DRB Determinations on Affected Party Requests**

   a. Granting of Affected Party status in an application process shall preempt staff level review of the application and require, at a minimum, review by a DRB Panel.
   b. The full-DRB or any DRB Panel may deny an Affected Party request from any owner (except the Reston Association Board), if it determines that the owner's property is not impacted materially by the application.
   c. If Affected Party status is denied by a DRB Panel, the decision can be appealed to the full-DRB.
   d. If Affected Party status is denied by a DRB Panel and the Member wishes to appeal the decision, the Member must declare this intent at the DRB Panel Meeting. The review of the application in question would then be delayed until after the full-DRB makes a determination.
   e. An Affected Party request originally heard and decided by the full-DRB cannot be appealed.

5. **Affected Party Rights.** Any owner of property who has been granted Affected Party status:

   a. Has the right to be heard at meetings of the full-DRB or DRB Panels in accordance with Section 5 of this Resolution;
b. Shall be notified of DRB decisions and subsequent reviews to be held by the DRB; and
c. Shall be notified of an appeal by the applicant, and may file his or her own appeal of any
DRB decision made subsequent to registration, all with respect to the application which
impacts the Affected Party's property and all in accordance with these procedures.

6. **Presentations by Affected Parties.** Affected Parties may present their comments and
supporting material in writing, orally, or both. If presented orally, Affected Parties shall abide
by the following rules:

a. When called to speak by the chair of the full-DRB or a DRB Panel, a speaker will state
his or her full name and street address.

b. An individual Affected Party, representing his or her own interest or opinion, is
allotted approximately three (3) minutes to speak.

c. Affected Parties speaking on behalf of a homeowners’ group, Reston Association
committee, or Reston based organization are allotted approximately five (5)
minutes.

d. Comments shall be timed by the DRB Secretary. The DRB Secretary will indicate
when the speaker’s allotted time, as outlined above, has expired. This is done to
ensure all speakers are given equal time. Rules b and c above are subject to change
at the discretion of the chair of the full-DRB or a DRB Panel.

**ATTEST:** Resolution was adopted at a Regular Meeting of the Reston Association’s Board of
Directors held on March 8, 2012.

*Cate L. Fulkerson*
_____________________________
Assistant Secretary