

# Design Guide

## A. Objectives

This document is a guide both for the homeowners, who are automatic members of Newport Homes Association (NHA), and for the Architectural Control Committee (ACC), which acts for and advises the NHA Board of Directors. It is intended that this guide will increase the homeowners' awareness of the ways in which the integrity of Newport is preserved and of the responsibilities each homeowner must assume in the process.

These guidelines are, for the most part, broad based. They address exterior alterations, some of which require homeowner application to the ACC for review and approval.

Specific objectives of this guide are:

- To provide uniform guidelines to be used by the ACC in reviewing applications in light of the standards set forth in the Declaration of Covenants. Conditions and Restrictions (Covenants);
- To assist homeowners in preparing an acceptable application, when required, for prior approval of exterior alterations;
- To increase residents' awareness and understanding of the Covenants;
- To describe the procedures involved in interpreting and in implementing the standards established by the Covenants;
- To illustrate basic design principles, where possible, in order to aid residents in designing/planning exterior improvements that will be in harmony with the neighborhood community as a whole; and
- To maintain and improve the quality of the living environment in Newport.

## B. Covenants

The basic authority for maintaining the quality of design in Newport comes from the Covenants which are part of every deed of home ownership. The purpose of the Covenants is to assure residents that standards of design, maintenance, and use will be preserved over time and afford continuous protection of the interest of each homeowner.

This in turn, will protect property values and enhance the overall environment. The Covenants make membership in the NHA automatic and mandatory for each property owner and bestow rights as well as obligations. The ACC is specifically provided for to insure that proposed exterior alterations will comply with the standards set forth in the Covenants. This involves the regular review of all applications for alterations submitted by homeowners.

Every Newport homeowner should have received a copy of the Covenants at settlement. Since these Covenants run with the land, they are automatically and perpetually binding on all present and future homeowners and should be fully understood. They may be changed only by compliance with extensive provisions set forth in the Covenants themselves.

## C. Exterior Alterations Requiring Prior Approval

Article VI, Section 9 of the Covenants provides:

*“No Structure or addition to be a structure shall be erected. placed or altered on any lot until the plan and specification... and a site plan...shall be filed with and approved in writing by the Board of Directors of the Association or an Architectural Control Committee appointed by the Board. Structure shall be defined to include any building or portion thereof, fence, pavement, driveway or appurtenances to any of the aforementioned.”*

This provision requires that changes (excluding minor landscaping) to the exterior of one's property must be approved by the ACC. Further, once a plan is approved, the applicant must abide by it.

It is important to understand that ACC approval is not limited only to major alterations such as adding a room, deck, or fence; but it includes such items as changes in color, material, style, etc., as well as a variety of smaller items. Also, approval may be required when an existing item is to be removed.

Each application is reviewed on an individual case basis. There are no “automatics” approvals. A homeowner, who wishes to construct a deck identical to one already approved by the ACC, for example, is still required to submit an application. In every case, an application must be submitted and reviewed in order to consider the specific implications of location, appearance, and impact on surroundings.

Failure to obtain or conform to ACC approval for any alterations may ultimately subject the homeowner to legal action individually and/or against the homeowner's property by the Newport Homes Association.

#### **Summary Of Items Requiring Prior Approval:(consult individual guidelines for details)**

- (a) Major exterior house alterations including: fences, above- ground decks, patios and ground-level decks, storage sheds, RV and boat storage, garages, driveways and/or parking pads, additional rooms/sunrooms, porches, swimming pools, and hot tubs and spas.
- (b) Miscellaneous exterior alterations including: air conditioners, antennas, awnings, barbecues, border walls/ground planters, chimneys and metal flues, dog runs, lawn furniture/lawn decorations, playhouse/treehouse, retaining walls, signs, skylights, solar panels, and tree removal.

#### **Summary Of Items Not Requiring Prior ACC Approval Provided Guidelines Met:**

(consult individual guidelines for details)

- (a) Most attic ventilators (not visible from the street), clotheslines, dog houses located in rear yards, exterior lighting, firewood storage, gutters and downspouts, landscaping (unless required together with other alterations), mail boxes, recreation and play equipment in rear yards, shutters, storm and screen windows and doors, Street address numbers and vegetable gardens in rear yards.

## **D. Amendments to the Guidelines**

The NHA Board of Directors will review these guidelines biannually in order to determine if revisions are required or desirable. A preliminary review will be accomplished by a committee appointed by the Board. In addition, homeowners may submit recommended revisions at any time to the NHA Board for consideration. Each submission should include a detailed justification for the amendment.

Recommended revisions, whether submitted by individual homeowners or the review committee, will be considered either at the next regular Board of Directors meeting after submission or at a special meeting called for such purpose.

## **E. Maintenance Responsibility**

Property ownership includes the responsibility for proper maintenance of all structures and grounds which are part of the property or for which the grounds are used. This includes, but is not limited to, items such as mowing and trimming all grass, trimming bushes and trees, trash collection, storage of materials or accumulation of “eyesores”, and the actual structural maintenance of house, drives, fences, plantings, and the like. Maintenance work undertaken to restore to original or proper appearance does not constitute a change or require prior approval by the ACC.

Maintenance of property in good repair and neat appearance affects the visual character, economic value, and personal enjoyment of other properties in the neighborhood. While these issues can often be dealt with best at a neighborhood level, the ACC is responsible for and empowered to act in any and all such cases of improper maintenance or activities (external) on lots believed to be noxious or offensive.

## **F. ACC Review Criteria**

The ACC will evaluate all applications required by these guidelines to insure conformance with the Covenants. Besides evaluation of the particular design proposal, ACC review will consider the characteristics of the housing type, architectural design, individual site, and relationship to surroundings. Thus, what may be an acceptable change to the exterior of one type of house in one location may not be for another type of house in a different location.

Decisions of the ACC will be based upon the Covenants and judgments made according to the following criteria:

- (a) Conformance with Submission Requirements. Applications must meet the minimum needs for information and accuracy. (See section H.)
- (b) Conformance with the Covenants. All applications will be reviewed to confirm that the project is in strict conformance with the Covenants (as explained and elaborated upon by these guidelines).
- (c) Validity of Concept. The basic idea must be sound and appropriate to the surroundings.
- (d) Design Compatibility. The proposed alteration must be compatible with the architectural character of the applicant's house, adjacent houses, neighborhood setting, and natural topography. (Compatibility is generally defined as similarity in architectural style and motif; quality of workmanship; similar use of materials, color and construction details; and similar treatment of grade changes and natural features.)
- (e) The proposed alterations should relate favorably to the existing structure, adjacent structures, the neighborhood, the landscape, and general visibility by the public. The primary concerns are access, views, sunlight, ventilation, drainage, and natural disturbance. For example, fences may obstruct views, breezes, or access to neighboring properties; decks or larger additions may cast unwanted shadows on an adjacent patio or otherwise infringe on a neighbor's privacy.
- (f) Drainage. If changes in grade or other conditions affecting drainage are anticipated, they must be indicated, including provisions for storm water run-off and direction of flow. The need for drainage measures, such as sand or under-drains, must be considered. Approval will be denied if adjoining properties are adversely affected by changes in drainage. Modifications may also be required to rectify the diversion of water or other drainage problems resulting subsequent to

approval of the original design. Approval by the ACC does not waive the necessity for a property owner to correct subsequent drainage problems. The NHA and ACC assume no liability, through their approval, for subsequent correction of drainage problems. They remain wholly the responsibility of the homeowner.

- (g) Scale. The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and surroundings. For example, a large addition to a small house or extensive additions to pavement areas may be inappropriate.
- (h) Color may be used to soften or intensify visual impact. Parts of an addition that are similar in detail to the existing house such as roofs and trim should match in color.
- (i) Materials. Continuity is established by use of the same or closely compatible materials used in the original structure. For instance, horizontal aluminum siding on the original house should be continued in an addition, whereas an addition with aluminum siding may be compatible with a brick house.
- (j) Workmanship. The quality of workmanship of the alteration should be at least equal to that of the surrounding area. Poor practices, besides causing problems or safety hazards, can be visually objectionable to others. The NRA and ACC assume no responsibility for the design, workmanship or safety of new construction by virtue of their approval of a proposal.
- (k) Timing. Many alterations will be wholly or partially built or installed by residents themselves rather than contractors. However, projects which remain substantially uncompleted for long periods of time are visually objectionable and can be both a nuisance and a safety hazard for neighbors. All applications *required* by these *guidelines* for exterior alterations will include realistic completion times. If these times are exceeded, the ACC may withdraw approval of the application or, in the case of construction in progress, take appropriate enforcement action as set forth in the Covenants.

## **G. Special Note on County Approvals**

Many items require County review and permits. It is the homeowner's responsibility to obtain all required County approvals including zoning and building permits. Prince William County authorities should be contacted before beginning any work in order to verify what procedures must be followed in order to comply with County regulations.

## **H. How to Make An Application For An Exterior Alteration**

Applications for any and all exterior changes must be filed on the accompanying application form or a facsimile containing the identical information. Un-related projects should be submitted on separate application forms. (See Appendix.)

The following are suggested steps to assist the homeowner in planning and making an application for an exterior alteration approval.

- Read the Covenants and these guidelines thoroughly.
- Consult County authorities for pertinent regulations or permits required.

- Discuss plans early with neighbors (joint applications may occasionally be required).
- Carefully plan in accordance with the Covenants, these guidelines, County regulations, and, insofar as possible, neighbor opinions.
- Prepare the application including the enclosures described above.
- Send the completed forms to the ACC by certified mail, return receipt requested.

Completed applications must be sent by certified mail, return receipt requested, to:

Newport Homes Association  
 Architectural Control Committee  
 P.O. Box 153  
 Woodbridge, VA 22194.

Forwarding by certified mail establishes a date from which action must be taken and avoids confusion or misunderstandings arising from possible failure of an application to arrive by regular mail.

The ACC will review an application at its next regularly scheduled meeting. The ACC shall approve or disapprove an application in writing within thirty (30) days of receipt. Article VI, Section 13 of the Covenants states that, *“failure of the committee to approve or disapprove a request within 30 days shall be construed as committee approval of the request”*. Approvals remain valid for six (6) months. All projects are to be completed within six (6) months of approval. One six-month extension may be requested. The Board has the authority to stop any project not conforming to the approved application.

In the event an application is not approved by the ACC, or the approval is conditional and the homeowner does not concur with the condition, the homeowner may take the following steps in order:

- (a) Request (by certified mail) reconsideration by the ACC. The request should include additional information to substantiate the homeowner’s position. A reconsideration hearing must be held by the ACC within thirty (30) days of receipt of the request.
- (b) If the ACC reconsideration hearing does not resolve the matter to the satisfaction of the homeowner, the homeowner may then request (by certified mail) a hearing by the NHA Board of Directors, who have the authority to override the ACC. A hearing before the NHA Board of Directors must be granted within thirty (30) days of receipt of the request.

*NOTE: The homeowner has the right to be present at the reconsideration hearing when the homeowner’s application is discussed.*

For some homeowners, the most difficult part of the application is adequately describing their request. If the request is not clear or does not contain sufficient accurate information, the ACC may disapprove the application or defer its decision pending resubmission of a clarified application. There are four chief components of the application:

1. A sketch plan showing the proposal,
2. A written description of the proposal including construction specifications,
3. A site plan indicating where on the property the alteration is to be located, and
4. A companion form by which neighbors acknowledge the prior review of the proposal and are informed of your intentions.

Each of these components are further explained below. The amount of detail required should generally be consistent with the complexity of the proposal. Additional information may be submitted to amplify the details of your application. In the event of difficulty in preparing an application, contact the ACC for their assistance. (Via NHA answering machine: 680-2780.)

1. Sketch Plan - Prepare a sketch plan showing the proposed alteration presented separately from the front and one side (two sides, if different). Include the natural (present) exterior elevation, and then the design, dimensions, and materials of the project (at the minimum). Alteration of, or addition to, an original house which either modifies or adds to the enclosed living area must be accurately drafted to a scale of 1/4" to 1'. Homeowners should not be intimidated by any shortcomings as draftsmen since a drawing may be supplemented by use of manufacturer's literature or photographs in addition to freehand or mechanical drawings. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes. etc. should be shown as they affect the applicant's house.
2. Written Description of Specifications - Prepare a written description of the proposed alteration briefly summarizing the design, dimensions, materials, colors, textures, and any other information including photographs of existing conditions or substantially similar improvements necessary to clarify the application or sketch or site plan. In those cases where the proposed alteration is to be painted to match existing house trim or major house color (including texture, flat, semi-gloss, gloss) a statement to that effect is sufficient. In all other cases, samples or color chips should be submitted for the sake of clarity.
3. Site Plan - Provide a Site plan (including existing house location and other alterations) indicating, with dimensions, where on the property the proposed project is to be located in relation to existing alterations as well as dimensions and distances from adjacent property and houses. The site plan is most easily prepared by submitting a copy of the property (survey) plat received by each homeowner at settlement. (Please do not submit the original as it cannot be returned.) If changes in grade or other conditions which will affect drainage or cause more than incidental small tree removal are anticipated, the site plan must show natural and finish grades by contour lines (and where applicable, spot elevations) plus trees and tree lines. It is recommended in such instances that a professional architect or engineer be engaged to competently prepare submission of a before- and-after grading plan.
4. Neighbor Acknowledgement and Review - Prior to submission of the finalized sketches and description, the applicant is required to show the complete proposal for exterior change to all visually impacted property owners (of record) and have each one sign an acknowledgement of their review. Such formal and mandatory review by neighbors should not be confused with any early discretionary consultation. This mechanism insures that all neighbors directly or potentially affected by the proposal are properly informed of an applicant's final intentions in a timely way. [Neighbors are also thereby notified of their right to make any pertinent comments regarding the proposal by separate letter addressed to the ACC within ten (10) calendar days of their signed acknowledgment.] Any independent written comments by neighbors are primarily for the information of the ACC, but will be considered during all phases of the review process. The ACC will, nonetheless, make its decisions based on the standards set forth in the Covenants and these guidelines.

## **A. Major Exterior Alterations**

## 1. General Discussion

Major exterior alterations are generally considered to be those which substantially modify the existing house or its setting by either subtraction or addition. Thus, site changes such as driveway modifications are also included. All of the ACC Review Criteria as described previously are brought into the evaluation of a major alteration due to the significant impact of such changes on the community. The following general guidelines highlight and supplement these overall criteria:

- (a) The design of major alterations should be compatible in architectural character, construction, detailing, scale, materials, color, and other related items with the applicant's house and the community at large.
- (b) The location of major alterations should relate to the existing structure and landscape. Care must be taken to preserve and protect views, sunlight, natural ventilation, privacy, and natural drainage on adjacent properties. Facades of additions projecting beyond the front-most facade of the major structural element of the applicant's house will not be approved. Important and distinct features of the parent house must be continued and matched in any major structural addition. Such items include, but are not limited to:
  - 1) The pitched roof on an addition should be similar to the slope of the existing roof.
  - 2) New windows and doors should be compatible with the existing structure and should be located in a way that relates well with the exterior window and door openings in the existing house.
  - 3) Exterior materials used on an addition should be the same as, or closely compatible to, those existing on the applicant's house.
  - 4) A major exterior alteration should repeat the same predominant exterior, trim, and roof colors.
  - 5) Generally, painted areas may only be repainted the same color, or duplicated in an addition; stained areas may be restained the same tone or duplicated in an addition; and, originally unpainted/unstained surfaces such as brick or aluminum siding shall remain unpainted/unstained in all cases.
- (c) Exterior color (including texture) changes from the original (builder's) color of applicant's house will be approved only if the proposed color (including texture) is in harmony with other existing houses and similar to those originally employed in the community.
- (d) If changes in grade or other conditions affecting the natural drainage are anticipated, refer to the drainage Section. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

The guidelines that follow address a broad range of exterior alterations for which homeowners are anticipated to make frequent application to the ACC. Since it is impossible to address each and every specific design condition, these guidelines are presented as "performance criteria" which define the principal design factors to be considered by the homeowner when developing a solution. For example, the guidelines may define the limits of type, size, location, materials, etc. based on intended use and relationships, rather than particular Construction details or specific alternatives.

## 2. Fences

### General Discussion

Since colonial times fencing has been used to physically separate property; to provide security, safety and containment; to confer visual privacy; to architecturally define space; and to enhance the esthetics of an area. In achieving any one of these goals, a barrier is created which has both visual and physical impact on the property of adjacent homeowners, the boundaries of common areas, and the community at large.

Since fencing is as much a part of the public as the private environment, a complex set of factors must be considered in any fencing scheme. These include impact on neighbors and adjacent property, relationship to open space and visual design of the community, implications of lot size to architecture and topography, and landscaping or alternate plant screening.

Proper fencing can have a unifying effect upon a neighborhood by extending the visual dimensions of a lot beyond the property, while at the same time fulfilling various individual fencing needs.

The design of a fence is directly related to its function. The two basic elements of a fence which change are its height and its degree of transparency or visual "openness". While "open" fences are appropriate and often most desirable from a community standpoint, it is the philosophy and policy of the NHA to recognize the right of the individual property owner to utilize a fence style related to the primary fencing need. Landscaping is also encouraged to compliment, soften, and better integrate fencing into the landscape.

### Fence Types

Fencing should be compatible with the applicant's house and lot, but it should also be appropriate for its intended purpose. For example, a "privacy fence" has different design considerations than a fence used to define property lines. Listed below are suggestions which may be helpful in selection of a fence style related to primary fencing needs.

- Property Separation - Where the homeowner's goal is property separation, but not privacy, a low fully transparent or "open" fence is most appropriate. Open fences, such as a split rail, provide visual definition of lot boundaries without obstructing views.
- Protection - Many homeowners wish to restrict young children or pets to their property. Where security is desired for safety reasons, vertical fencing of sufficient height would be more appropriate.
- Privacy - While fencing can be used to create private outdoor spaces, homeowners should also consider their potential impact on natural breezes and ventilation. To avoid an overheated or stifling private space in summer, the homeowner might choose from several fencing designs depending on the amount of privacy required. Closely spaced vertical members of open fences and some solid fences allow natural ventilation, while affording varying degrees of privacy depending on the width and spacing of members. Complete visual screening requires use of a solid fence.
- Architectural Definition of Space - The definition of outdoor space for strictly architectural purposes encompasses the same suggestions made for privacy fences, but with visual rather than functional reasons. More solid fencing will provide a strong visual barrier. However, the same effect may be achieved by an open fence in conjunction with plantings trained to grow over the fence.

Identical and uniform treatment of fences will be required where lots are located in major public view, such as along U. S. Route 1.

While many type of fences will be considered on their individual merits, the fence types illustrated are particularly encouraged as appropriate.

The variations within these fence types are enormous due to alternate widths of materials, spacing between materials, and specific design modifications.

### Size

In general, fences shall not exceed a height of 7', if of a "solid" type, or 5', if of an "open" type, above finished or natural grade. Higher solid fences, up to the maximum height, will only be considered under severe or very unusual topographical conditions.

FENCE TYPE	RECOMMENDED HEIGHT	MAXIMUM HEIGHT
Solid	6' 0"	7' 0"
Open	3' 6"	5' 0"

### Location

Fencing is generally restricted to rear yards. Applications for fencing in side yards will be considered on their individual merits providing the proposed fencing does not project from the face of the house into the front yard. See page 25 for information on the use of split rail fencing as part of landscaping.

It is recognized that the fencing of corner lots presents unique problems since both front and side yards obtain street frontage. Accordingly, applications for fencing of corner lots will be evaluated on their individual merits. Solid fencing of rear yards, however, will only be considered within the lines of projection of the existing house for corner lots. (See diagram.)

It is also recommended that the homeowner utilize a recent or reliably staked survey of the property lines. This is particularly important on a cul de sac.

### Materials, Colors and Construction

All fencing shall be wood and shall be left to weather naturally or shall be stained (as opposed to painted) in natural (transparent) wood tones compatible with the existing house. No application will be approved for chain-link, wire, barbed-wire, mesh, poultry, other steel, wrought-iron, or plastic type fencing.

Wood used in fencing should be pressure treated or chemically preserved to resist decay and extend fence life. Where wood is stained, all exposed surfaces must be stained. Metal or plastic caps need not be painted.

### Wire Security Liners with Split Rail Fencing

Only three rail, split-rail fencing will be considered. The wire must be plastic coated and green in color, attached to the back (inside) of the fence and any gates, pulled tight along the split-rail fence, and attached frequently and securely to the split rails and posts. The top of the wire liner must terminate and be firmly attached along the back side of one of the horizontal rails. The bottom of the wire liner must extend to the ground. The wire liners will not be permitted to extend higher than the uppermost rail. Vertical seams between different pieces of the wire liner will be hidden behind one of the split-rail posts. The softening of this type of installation with bushes and other plantings along the fence will be required.

### Specific Guidelines

- Plantings often may be integrated with fencing schemes in order to soften visual impact.
- The tops of all fences may either follow the contours of the ground or be stepped. Vertical members should be plumb.

- Gates should match fencing in design, material, height, and color. To the extent possible, gate hardware should be located on the inside.
- Fencing should preferably have finished materials on both sides. If only one side has finished materials, the fence must be constructed with the finished side facing out to the public side of the lot.

### **Temporary Fencing**

Applications for the use of temporary fencing of an inexpensive type may be approved by the ACC for a three month period exclusively for the purpose of the immediate restriction and protection of young children and/or domestic pets pending application to the ACC by the homeowner for a permanent fence in accord with these guidelines.

Such temporary fencing shall be limited to the rear yard area extending ten feet back from the projections of the existing house corners.

### **3. Above-Ground Decks General Discussion**

Above-ground decks are an extension of the house and thus have significant impact on its appearance. They may also adversely affect the privacy of adjacent properties. Areas underneath decks may pose maintenance and appearance problems due to the difficulty of growing grass or other plants. These three factors are weighted heavily in the review of applications. In addition, the following criteria will also be applied:

- Modifications to existing decks must provide continuity in detailing such as material, color and design of the railings, posts, stairs, steps, benches, and other trim details, or the entire deck must reflect a new design.
- Scale of the proposed deck should relate in a general manner to the scale of the existing house together with any and all other improvements proposed in a unified application.
- Approval of other exterior modifications such as new or modified exterior door locations which are part of the deck application will be contingent upon completion of the deck.
- Privacy of adjacent homes should be considered when planning decks.
- Plantings are strongly encouraged at post foundations and on low decks to screen other structural elements and soften the visual impact.
- The incorporation of an open wood frame trellis or overhead wood lattice-work is permitted. No permanent metal, plastic, wood framed, or fabric awnings will be permitted. (Consult the guidelines on porches.)

### **Location**

Above-ground decks are primarily to be located in the rear yard. No above-ground decks will be considered in front yards due to basic architectural/design incompatibility. Applications for side yard above-ground decks will be considered on their respective merits, particularly for houses on corner lots where rear yard areas are limited or unduly exposed.

### **Materials and Colors**

Decks should be compatible in material and, if painted, in color with the applicant's house. Natural wood left to weather or stained transparent wood tones are preferable to painting. Prefabricated metal decks are prohibited. Special note should be made of the need for pressure-treated and chemically preserved lumber.

### **4. Patios and Ground-Level Decks General Discussion**

Patios and ground-level decks provide a means for ground-level extension of indoor space with less visual impact than above-ground decks. When patio and ground-level deck schemes include other exterior changes such as fencing, above ground decks, lights, plantings, border walls, etc., other appropriate guidelines should be consulted in order to prepare a better integrated design and application.

### **Location**

Patios and ground-level decks should generally be located in rear yards. However, applications for side or front yard locations will be considered on their individual merits, particularly for houses on corner lots.

### **Materials and Colors**

Patio materials should have natural weathering qualities such as brick, concrete, wood, or stone. Wood utilized in patios or ground-level decks, if stained, should generally be compatible with the dominant color of applicant's house, including any associated fencing, sheds, and the like. Natural woods left to weather or stained transparent wood tones are preferable to painting. Wood close to or in contact with the ground shall be pressure treated and chemically preserved. Simulated grass covering shall not be in public view.

### **Size**

The size and configuration of proposed patios and ground-level decks should relate in a general manner to the scale of the existing house (with existing or proposed additions) and to the size and configuration of the applicant's lot.

## **5. Storage Sheds or Outbuildings**

### **General Discussion**

A well-designed and sited storage shed or outbuilding can materially enhance individual property and the neighborhood by concealing many everyday objects such as gardening tools, trash cans, bicycles, recreational equipment, toys, etc. Left unstored or carried to excess, these objects may present a cluttered and unsightly appearance. However, to achieve this neat appearance, storage sheds must be compatible with the architecture of the house and the landscape. Location and screening from public view are the chief factors in the approval of such structures. Only one major outbuilding of any description will be approved for any lot by the ACC. All outbuildings must be properly anchored and maintained.

### **Location**

Free-standing outbuildings should be located in rear yards. However, in certain cases, side yard locations will be considered. Outbuildings on wooded lots should be located so that they are screened from view by existing trees. When outbuildings are constructed within a fenced area they should be placed in an inconspicuous location. Outbuildings not screened from view by the house or mature trees require much greater attention to compatibility in general, and architectural detail, in particular. Views from other properties and public visibility should be closely considered. Additional privacy fencing and/or landscaping may be required to lessen the visual impact of outbuildings located in an exposed area.

### **Materials and Color**

Materials and color should match or generally be compatible with the house or fence to which the outbuilding is most visually related or physically attached. In most instances, this includes matching major materials such as siding and roofing, dominant colors, and construction details such as trim and pitch of roof. Outbuilding which are located remote

from the primary structure should be stained or painted in natural colors to blend with the background. Applications for commercially available metal storage sheds of straight-forward and unornamented design will be considered on their individual merits.

### **Size**

While outbuildings must provide sufficient volume for their intended uses, they must also be appropriately sized and be architecturally compatible with the applicant's and adjacent houses in both bulk and proportion, and to the size and configuration of the applicant's lot. Outbuildings should be limited to a maximum eight (8) feet in height. However, variances may be considered for unusual topographic or other conditions.

### **6. Recreational Vehicle and Boat Storage General Discussion**

The growth in popularity of boat and recreational vehicle ownership has created the problem of their storage on lots.

Article VI, Section 10 of the Covenants states: *No storage of boats, boating equipment, travel trailers, camping equipment, or recreational vehicle shall be visible from the street. The location and design of enclosures for boating, camping, traveling (other than automobiles) and related equipment shall be approved by the Architectural Control Committee....*

The ACC will work with residents to achieve a satisfactory solution where possible. It is suggested that a homeowner considering storage of such equipment consult with adjacent property owners, since exterior storage can have considerable impact on adjacent properties.

### **Location and Size**

Whenever possible, boating and recreational equipment should be stored completely enclosed in existing garages. Applicants should consider reasonable modifications to or construction of garages to store the smaller sized boats, boating equipment, camping, and recreational vehicles.

When garage storage of larger travel trailers, recreational vehicles, or boats is not practicable, storage pads shall be located exclusively in rear yards. Location within the rear yard will vary but must offer the minimum exposure to direct public view from adjacent properties and public streets, as well as the maximum potential for substantial screening by existing structures, plantings, trees, and topography together with proposed additional screening, fencing, landscaping, or alterations to the existing house. No applications for an outdoor recreational storage pad will be considered unless these two criteria are sufficiently substantiated to indicate the possibility of both an optimum and workable location. Pads should also be kept an adequate distance away from adjacent property.

Pad areas should be absolutely limited to the minimum dimensions necessary to provide a floor for the wheels of a specified vehicle or trailer. Excessive scale will be determined on the individual merits. Additionally, pad areas should compliment house, garage, lot size and configuration, as well as the natural topography. Extensions of driveway access to storage pad location will not be approved and must remain as lawn. Sidewalks will be considered.

### **Materials**

Choice of surface materials should be based on what is most compatible with house and landscape.

### **Screening and Fencing**

The boat or recreational vehicle and equipment shall be substantially screened and/or fenced from all public view in a manner that conforms to both storage and fencing guidelines discussed previously. Plans for fencing and screening pads from sight will be

considered part of the storage pad application and approval of the pad shall be contingent upon completion of acceptable screening. Applicants should consider in this regard that fencing is absolutely limited to seven (7) feet in height above grade. Natural screening with mature plants, fast growing trees, or shrubs is encouraged.

## **7. Commercial Vehicles**

Article VI, Section 10, of the Covenants states *No junk vehicle, house trailer, or commercial vehicles, such as, but not limited to, moving vans, truck, tractors, trailers, wreckers, hearses, compressors, concrete mixers or buses, shall be kept on any lot.* However, such commercial vehicles may be kept out of sight in garages if sufficient height and width clearance exists. Commercial vehicles which cannot be kept completely enclosed in garages may not be parked or stored in driveways.

## **8. Garages**

Please consult the general guidelines at the beginning of this Part and Section for comments pertinent to garages.

Garages must be attached to the house. Detached garages and covered carports are riot permitted. However, applications which provide for the use of a breezeway or sun room to connect a new garage to the primary structure may be considered.

Attached garages should conform to the house and its environs. The ACC will not knowingly permit any infringement of the County's minimum side requirements nor support any applicant's request to the County for variance of same for the purpose of garage additions.

Garage doors should be straight-forward and without ornamentation.

## **9. Driveways and/or Parking Pads**

Paving for driveways or passenger vehicle parking pads has major visual and environmental impacts. Driveways and/or parking pad areas should thus be restrained in scale and compliment house, garage, lot size, and configuration, as well as the natural topography.

Driveway additions should generally be located in front yards adjacent to and as an extension of existing driveway paving.

Double-wide driveway entrance aprons (i.e., curb cuts) create a diminished impression of lot frontage and are discouraged. Where possible, access to corner lots shall be from the secondary or least-traveled street. Access to one lot via entirely separate driveways will not be approved by the ACC.

Only hard stabilized surfaces such as asphalt or concrete will be approved for driveways. The pavement material must match the surface material of any existing driveway.

## **10. Additional Rooms/Sunrooms**

Please consult the general guidelines at the beginning of this Part and Section for comments pertinent to additional rooms.

Important and distinct features of the existing house should be reflected in the design of the addition. These items include, but are in no means limited to: vertical and horizontal lines, roof pitch and ridge lines, window and door openings, trim and other architectural or construction details, identical or closely compatible treatment of exterior materials and color.

Whenever the construction of any room addition is in whole or part of concrete, concrete block, or any other fabricated masonry block units, the entire surface of such blocks exposed above finish grade should be veneered in brick, if compatible with parent structure, or surfaced in parget material and painted the same color as the major exterior

surface of the existing house. Elevated room additions must rest upon an enclosed base finished in identical or similar material and color to the existing house such that the addition appears to be a permanent extension of the house. Room additions resting in whole or part upon above-ground or ground-level decks are not permitted.

Applications for commercial sunrooms or solariums will be considered on a case-by-case basis.

### **11. Porches**

A porch is a covered area projecting from the house that is either open or screened. It is distinguished from an additional room in that it has no walls.

Important and distinct features of the existing house should be reflected in the design of the porch. These items include, but are not limited to: vertical and horizontal lines, roof pitch and ridge lines, trim and other architectural or construction details. The roof enclosure of a porch should be solid and permanent.

A porch may have a wood or wrought iron railing not to exceed 3 1/2' in height. A wood railing must match the trim. A wrought iron railing must be painted black, white or the color of the trim and be without ornamentation.

Commercial sunrooms or solariums are covered under the Additional Rooms/Sunrooms section.

### **12. Swimming Pools**

This guideline is directed exclusively to in-ground swimming pools. Above-ground pools will not be approved because they are inharmonious with the external design of existing structures and incompatible with the character of the community.

The Homeowner should carefully consider functional siting problems and the impact of such a sizable alteration. The size of even small pools and the impact of required fencing on yard space are significant and must be carefully correlated to adjacent property. Since pools have major impact on the privacy and increased noise levels of adjacent property, it is suggested that proposed swimming pools be discussed in advance with adjacent property owners.

Pools should be located in central portions of rear yards, although consideration will be given to lot configuration and topographic features. Removal or disturbance of existing trees should be avoided or minimized.

The pool and any mechanical equipment shall be enclosed by a fence that conforms to both County requirements and fencing guidelines discussed previously. Mechanical installations (i.e., filters) may require additional screening. Equipment screening will be considered a part of the swimming pool application and approval of the pool shall be contingent upon completion of such screening.

### **13. Hot Tubs and Spas**

Only electrically heated and powered types will be considered. Equipment screening will be considered a part of the application, and approval will be contingent upon completion of such screening. If fencing is required by County code, it must meet the requirement of the design guidelines which covers fences. Provision for the drainage of chemically treated water must be made so as to prevent its flow onto adjacent properties. A hard locking cover is required for securing the hot tub/spa when not in use.

## **B. Miscellaneous Exterior Alterations**

There are numerous exterior modifications which are of smaller scale than the items previously noted, but still require ACC approval. The same basic principles of compatibility, scale, materials and colors apply.

## **1. Air Conditioners**

Air conditioning units extending from windows will not be approved. Exterior compressors for central air conditioning units should be painted a somber natural tone and functionally screened. Exterior units may be added or relocated only when they do not interfere visually and acoustically with neighbors.

## **2. Antennas (TV and Radio)**

- (a) Design consideration of exterior antennas will be based on the availability of trees to visibly screen or blend with the antenna's visibility from the street and neighboring homes; complexity, volume and mass of the antenna; and, size, color, and height above roof line. Use of alternatives to the traditional exterior TV antennas are encouraged. Radio transmission or receiving aerials or antennas (CR, etc.) must meet the criteria above. FCC approved TV and CR antennas are permitted provided they are roof or chimney mounted and meet the above criteria. Antennas requiring guide wires are not allowed.
- (b) Satellite dishes are not allowed.

## **3. Awnings**

As a general rule, metal, plastic, or fabric awnings will not be approved.

## **4. Barbecues**

Permanent barbecues should be located in rear yards. Supplemental planting will be required to soften the visual impact when little or no natural background is available. Permanent barbecues shall not exceed seven (7) feet in height.

## **5. Border Walls/Ground Planters**

Due to variations in the topography of individual lots, house siting, and landscaping needs, there is no specific height recommendation for garden border walls or ground planters except for the basic rules of compatibility and scale. Natural materials are preferred over more formally definitive borders utilizing fabricated materials. Where fabricated materials are proposed for borders, such as concrete block, they must be veneered in brick, stone, or related natural materials compatible with existing improvements. Intricate or very extensive use of border walls for planting in front yards is discouraged.

## **6. Chimneys and Metal Flues**

Attached brick chimneys for fireplace additions may be used when compatible in design, location, and color with the existing house. Wood flue enclosures and/or free-standing or partially attached chimneys of any description will not be approved. The homeowner should consider chimney height and the need to maintain minimum required safety clearances above the roof. Metal flues which penetrate the roof will be painted black. Unpainted bare metal flues will not be approved.

## **7. Dog Runs**

Dog runs will be considered if absolutely necessary, but are strongly discouraged due to potential requirements for inconsistent fencing and propensity to create a nuisance to the neighborhood.

Property owners are reminded that the Covenants only allow common household pets (provided they are not kept, bred, or maintained for commercial purposes or create a nuisance or annoyance to the neighborhood). County leash requirements should be observed.

## **8. Lawn Furniture/Lawn Decorations**

No plastic furniture or decoration will be permitted in front yards. Decorative or functional lawn furniture or lawn display ornaments may be permanently affixed in front yards only with ACC approval. Such lawn furniture should be compatible with applicant's house, adjacent houses, and landscaping scheme. Restraint in scale, color, and symbolic meaning should be exercised, particularly for decorative or display ornaments. Homeowners should also consider the color, materials, and amount of lawn furniture, wherever located.

## **9. Playhouse/Treehouse**

Playhouses/treehouses, like other outbuildings, should match or generally be compatible with the house, fence or wooded area in color and material and should be located where they will be visually unobtrusive such as in rear yards or wooded areas. Treehouses are strictly forbidden upon any of the common areas.

## **10. Retaining Walls**

Retaining walls may be used to preserve trees, improve drainage patterns, and define areas but not as, or in place of, wood fencing requested for privacy and other purposes. Retaining walls should be kept as low as possible.

Use of indigenous rock or wood in combination with appropriate landscaping is encouraged. Retaining walls of concrete block or similar materials shall be veneered in brick, Stone or related materials.

## **11. Signs**

No sign of any kind shall be erected on any lot with the exception of temporary signs advertising the sale or rental of property or yard sales. Temporary signs shall be limited to a maximum of two (2) square feet in area (except for temporary real estate signs, which may not exceed four (4) square feet in area), one per lot, and may not be illuminated.

## **12. Skylites**

Skylites may only be located on the least visible side of the roof, unless they are flush mounted and have a non-glare finish consistent with the color of the roof.

## **13. Solar Panels**

Solar panels or other such apparatus may only be located on the least visible side of the roof, may not be mounted in such a fashion so as to incorporate an open/skeletal support, and may not extend above the ridge line.

## **14. Tree Removal**

No live tree 19" or more in circumference (as measured two (2) feet above ground level) shall be removed without the approval of the ACC. No approval shall be required if a severely weather-damaged, dead, or dying tree is in imminent peril of falling. Otherwise, every effort must be made to preserve the wooded character of the lots and *community*. Siting of alterations, especially major exterior additions, should seek to minimize *tree* removal and integrate standing trees into a more beneficial design. Severely damaged or dead trees on common property should be brought to the attention of the NHA.

## **C. Items Not Requiring Prior Approval** (If completed as described below)

### **1. Attic Ventilators**

Attic ventilators or other mechanical apparatus requiring penetration of gables or roof should be as small in size as functionally possible, located on the least visible side of the roof, and not extend above the ridge line.

### **2. Clotheslines**

The installation of clotheslines is only permitted in rear yards. Retractable and umbrella types are preferred.

### **3. Dog Houses**

Dog houses, like other outbuildings, should match, or generally be compatible with the house, fence, or wooded area in color and material and should be located where they will be visually unobtrusive such as in rear yards or wooded areas.

### **4. Exterior Lighting**

Exterior light fixtures for addition to or replacement of original fixtures should be compatible in style and scale with the applicant's house. No exterior lighting shall be directed outside the applicant's property and in no event shall the extent or level of illumination be permitted to interfere visually in any way with use of neighboring properties. Special care should be taken to avoid the directing of light onto public streets.

### **5. Firewood Storage**

Firewood stacks shall be obscured as much as possible. This can be accomplished by storing the wood behind and within the side projections of the house or, if the lot is heavily wooded, storage within such wooded areas. Unacceptable storage areas include the sides of the garage or home. Also, storage in the rear yards along the side lot line is not permitted. Stack wood as compactly as possible. Make every effort to avoid spreading the wood over the entire expanse of the lot. And finally, restrict your use of plastics to cover the wood. This is probably the biggest problem contributing to unsightly wood storage.

### **6. Gutters and Downspouts**

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

### **7. Landscaping**

#### **General Discussion**

This section is included as an aid to homeowners in the preparation of landscape plans or in providing supplemental planting for screening. Landscaping can be effectively used to define space, accent entryways and other design elements, create "soft" privacy screens, etc.

Since landscaping is a design element, the same consideration should be given to the relationships to the applicant's house and to adjacent houses as applies to other design elements. However, landscaping work and planting in general do not require the approval of the ACC. Landscaping does require ACC approval when undertaken (or required) in conjunction with other alterations, such as patios, additions, etc. (landscaping plans should be included in the plans for such applications).

### **Location**

Care should be exercised in the planting and maintenance of trees and shrubs so as not to restrict sight lines (particularly at corners) required for vehicular traffic in accordance with Article VI, Section 4 of the Protective Covenants.

While the environmental considerations of landscaping are vast, views from neighboring houses shade patterns of larger trees, and possible physical damage by encroaching plantings should be considered. If plantings are found to be detrimental or ill maintained, homeowners may be required to abate the problem. Detriment by planting (any vegetation) is interpreted to mean: impeding a view to or from a contiguous property; encroachment upon sidewalks or easements; impeding access to common areas; or other factors determined by individual circumstances, such as cutting off light and air, physical intrusion, offending odors, over-maturity, ill-maintenance, overplanting, or falling tree limbs.

### **Scale**

Care should be exercised in selecting plant materials which, upon maturity, will be of appropriate size for the intended use and location. Full grown size in height, diameter, and density should always be considered when planting close to houses and driveways.

### **Plant Types and Colors**

The type of plants which might be used are in part a function of the desired effect and exposure. Basically, however, native plant materials are recommended because of increased chances for health, growth, and compatibility with the area. Open lot areas shall be maintained in lawns and kept properly mowed in accordance with the Protective Covenants.

### **Split Rail Fencing as Part of Landscaping**

The use of split-rail fencing as part of a landscaping design is permitted without application if constructed within the following guidelines:

- (a) Only split-rail fencing will be considered for use in landscaping (not smooth-rail type fencing).
- (b) A single-corner post with rails sloping to the ground is preferred.
- (c) A limit of up to one complete section of level fencing, each set at 90 degrees to one another, located at a homeowner's property corner can be constructed. The ends of these sections may be terminated with a post or with rails which slope to the ground.
- (d) While the locating of split-rail fencing forward of the front face of the house will be permitted for the purposes of landscaping, at no time will it be permitted that these sections be incorporated into a complete fence. It would then no longer be considered landscaping and as such must meet the existing guidelines for fences.

### **8. Mail Boxes**

Prior approval of mail boxes is not required. Mail boxes shall conform to U.S. Postal Service standards and the requirements of the state highway department obtainable at the local post office. Current requirements call for the location of the mail box between the sidewalk and Street curb, with the face of the mail box even with the inside edge of the curb. The underside of the mail box should rest 36 inches from the ground. Special newspaper receptacles will not be permitted.

### **9. Recreation and Play Equipment General Discussion**

The desire to install swings, jungle gyms, sand boxes, etc., is common. "Creatively designed" play equipment of natural materials and smaller scale is distinctly encouraged;

however, standard commercially available swing sets, slides, jungle gyms, sand boxes, etc., are permitted. Prior approval of such equipment is not normally required. However, prior approval is required for tree houses of any description and for recreation and play equipment if the equipment is proposed for attachment to a structure. Tree houses are strictly forbidden upon any common areas due to the potential insurance liability to the NHA and safety hazard generally. These general guidelines are provided in an effort to reconcile the pervasive desire for play equipment with the goal of minimizing its visual impact. Careful thought should be given to the location, kinds of equipment to be installed, and their visibility.

### **Location and Size**

Recreation and play equipment should be placed in rear yard areas extending back from the projections of existing house corners. Such equipment may not be placed at lot lines and must be an adequate distance from adjacent property. Consideration should be given to lot size, equipment size and design, amount of available visual screening, etc..

### **Materials and Color**

Equipment utilizing natural materials and stained or painted natural colors is encouraged. All play equipment must be maintained in a safe and attractive manner.

### **10. Shutters**

All shutters on a house must be the same color. Shutters which are added to the house must be compatible with the style of the house. Proportions should relate to both existing and modified window or door openings.

### **11. Storm and Screen Windows and Doors**

If storm doors are proposed for front entrance doors, or other added doors, they must be a single color the same as the adjacent trim, entry door, or existing windows. Unpainted aluminum will not be permitted.

Storm windows should match existing windows in proportion and be closely compatible to any Storm windows already existing on applicant's house. Storm windows and screen window frames should be compatible with the color of existing window frames.

### **12. Street Address Numbers**

House numbers should be legible and compatible in architectural character and color of the house.

### **13. Vegetable Gardens General Discussion**

Vegetable gardens should not be located in front or side yards. The size must be reasonable and located on land which will not cause soil erosion from water run off due to rain or supplemental watering. Vegetable gardens should be properly maintained year-round in a neat appearance. After the growing season, dead plants, stakes, etc., shall be removed.

While still requiring the submission of a complete application, none of the provisions of these Guidelines shall preclude the installation of facilities for the handicapped, such as ramps, lifts, and other special alterations. The ACC will assist in reconciling the needs of the handicapped with these guidelines.

It should be remembered that these guidelines are not intended to be all inclusive or all encompassing. Nor are they intended to stifle creativity. Requests for special exceptions or recommendations for changes, additions, or deletions will be given thorough consideration.

