



ARCHITECTURAL GUIDELINES

April 1, 2022

Newgate Homeowners Association Architectural Guidelines

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ROLE OF THE ARCHITECTURAL CONTROL COMMITTEE (ACC)

All homeowners at Newgate are automatically members of the Newgate Homeowners Association, Inc. ("Association"). The Association is a non-stock corporation that owns all common area within the community and is responsible for upkeep and maintenance of the common area.

The Association is also responsible for administration of all covenants that are applicable to homeowners and lots, including design covenants and restrictions.

Ensuring compliance with design standards is the responsibility of the Architectural Control Committee ("ACC"). The ACC shall consist of three or more persons designated by the Board of Directors ("Board") of the Association. Remember, the ACC and the Board are comprised of volunteers from our community and carry out the duties of the ACC in the best interest of the community.

The primary responsibility of the ACC is as defined in Article VII, Section 1 of the Declaration of Covenants, Conditions and Restrictions ("Declaration"). That section states that no exterior change or modification to any dwelling may be made "until the complete plans and specifications showing the location, nature, shape, height, material, color, type of construction and any other proposed form of change (including, without limitation, any other information specified by the Architectural Control Committee) shall have been submitted to and approved in writing as to safety, harmony of external design, color and location in relation to surrounding structures and topography and conformity with the design concept for the community by an Architectural Control Committee designated by the Board of Directors."

GENERAL GUIDELINES

All requests for any exterior changes or additions to lots within Newgate must be submitted in writing to the ACC, in care of the Association Management Agent ("Management Agent"). Homeowners must use the application form provided by the ACC. A copy of the application form is included with the Architectural Guidelines ("Guidelines"), on the community web site, or available from the Management Agent. All correspondence relating to the ACC's review of the request will be directed to the homeowner ONLY. No requests made through contractors will be considered. After receipt of the application and all supporting documents (such as lot or construction drawings) and other required materials (such as roof or siding samples or paint chips), the ACC shall have a maximum of sixty (60) days to review and provide a response to the homeowner; however, the ACC will make every effort to expedite review and action on the application.

Only the ACC or the Board can approve an ACC application. Neither the Management Agent nor any employee of the Management Agent has authority to approve or disapprove architectural requests.

All construction and alterations approved by the ACC shall be commenced within six (6) months following the date of approval and shall be substantially completed within twelve (12) months following the date of commencement of construction, or within such period as the ACC shall specify, which may be shorter than twelve (12) months.

All applications will be reviewed on a case-by-case basis and for a specific lot, and any approval or disapproval is non-transferable. That is, one homeowner cannot use the approval for an architectural change that was granted to another homeowner, even if they are requesting identical changes. Also, an

ACC approval of one homeowner's application for an exterior change does not prohibit the ACC from disapproving a similar or identical exterior change for another homeowner when the totality of the circumstances indicates disapproval is appropriate. Homeowners should not assume that a modification to a neighboring home has obtained ACC approval.

GENERAL MAINTENANCE RESPONSIBILITY

Homeowners and residents alike are responsible for the maintenance of all structures and grounds that are a part of the property lot. This includes, but is not limited to, mowing grass, trimming shrubs and trees, removal of trash, and structural maintenance. Poor or improper maintenance of structures and grounds will not only adversely impact the visual character and economic value of the property but that of the entire neighborhood as well, and in some instances, safety. Failure to comply with maintenance standards is a violation of the Covenants set forth in the Association Founding Documents.

Maintenance violations include conditions enumerated below and which are pervasive and obvious from an adjacent property or when a general state of maintenance neglect is apparent. For example, the existence of peeling paint on small portions of the home or the temporary growth of the lawn more than 5 inches are not violations if the owner or tenant is making obvious attempts to maintain the property and is following a responsible schedule of maintenance. Adjacent neighbors should fully understand the importance and impact of maintenance on immediate neighbors and work together to keep their cluster in a satisfactory condition.

1. Home Maintenance. Homeowners and residents are responsible for maintaining the exterior of their homes and any other structures on their lots. This includes the decks, fences, dog houses, play equipment, sheds, walkways, and patios. The following are examples of common maintenance deficiencies that may be considered violations of the Association Founding Documents:
 - a. Peeling, fading, or cracking paint or exterior trim.
 - b. Mailboxes or posts that are dented or in need of repair or replacement.
 - c. Play equipment that is either broken or in need of repair.
 - d. Fences with broken, rotted, missing parts or in need of repair.
 - e. Missing or damaged windows or shutters.
 - f. Decks with missing or broken railings or parts, or parts in need of staining/painting.
 - g. Walkways or patios in need of repair or replacement.
2. Lot Maintenance. Homeowners and residents are responsible for maintaining lots in a manner that retains the original beauty and landscape while complementing that of the surrounding area.
 - a. Mowing and Landscaped Areas. Lawn areas should be mowed at regular intervals to ensure a neat appearance is maintained. Lawn height should not exceed a maximum height of 5 inches.
 - b. Planted beds should be kept in a neat and orderly manner, with weeds controlled to ensure a visually attractive appearance.
 - c. Trees and shrubs should be routinely trimmed to maintain a well-groomed appearance and encourage new growth.
 - d. Dead plants should be promptly removed and replaced.

- e. Trees with a diameter greater than 4 inches, when measured 12 inches above the ground, should not be removed without approval of the ACC.
 - f. Dead or damaged trees may be removed immediately if they pose an immediate safety hazard to residents or damage to property. Homeowners and residents are reminded to check applicable Fairfax County ordinances to ensure compliance.
 - g. Homeowners and residents are responsible for ensuring the lot is protected from soil erosion, that storm drains are not blocked with garbage or yard debris, and that drainage from their property does not hinder or divert drainage to or from adjacent lots.
3. Common Areas. Common areas are the property of the Association and provide a buffer between home types and neighborhoods. These areas must be left in their natural, undisturbed state.
- a. All existing vegetation is to be preserved and protected.
 - b. No use shall be made of the common areas, nor shall any improvements be permitted.
 - c. Under no circumstances will dumping of any materials including grass clippings, yard debris, mulch, branches, etc., permitted on any common areas.
 - d. The storage or placement of personal items including vehicles, play equipment, flower, or vegetable gardens, is not permitted on any common areas.
 - e. The personal use of any common area is not permitted.
 - f. Any necessary repair or restoration of the common areas will be at the expense of the party in violation.
4. Trash and Garbage. Homeowners and residents are responsible for picking up litter on their property and debris on common area that originated from their lot.
- a. Trash should be placed for pickup in appropriate containers manufactured for trash storage. Using strong plastic trash bags for food and related refuse before placing in trash containers will help prevent rodents and other animals from being attracted to the garbage containers prior to pick up.
 - b. Trash containers should only be in public view the day of trash pickup. They should be placed on the curb or in the area designated for trash pickup no earlier than the night before and should be removed before dark on the day of pickup.
 - c. Trash and recycling containers in single family home and townhomes must be stored in rear yards or garages if applicable.
 - d. Trash and recycling containers in back-to-back homes must be stored on their property.
 - e. If, for reasons beyond the refuse company's control, the trash is not picked up as scheduled, homeowners and residents should consider removing the trash from the pickup location until pickup can be confirmed; under no circumstances should the trash containers be left in public view over the weekend.
 - f. No trash or new or used building materials should be allowed to accumulate on any lot.
 - g. No dumping of debris, lawn, tree or shrubbery clippings, landscaping logs, leaves, or any other materials on common area or open space will be permitted.

MODIFICATION NOT REQUIRING ARCHITECTURAL CONTROL COMMITTEE APPROVAL

The following modifications do not require approval by the Architectural Control Committee (ACC).

1. Any repainting of the exterior of the house, provided the color matches the existing color of the house.

2. Any standard dead bolt, peephole, electric or video doorbell, standard doorknocker, or nameplate on the front door to the house.
3. General repairs provided identical or architecturally conforming replacement parts are used. This includes, but is not limited to, replacement of roofs, siding, shutters, gutters, windows, doors, exterior light fixtures, railing and repair of decks, patios, and fences.
4. Small metal angled flag holders attached to the front of the house.
5. Hose hangers provided they are located inconspicuously if located in the front of the house.
6. Standard metal chimney caps.
7. Exterior roof exhaust fans mounted on the rear side of the house.
8. Firewood stands located in the rear of the owner's property, within the property line.
9. Pruning trees or shrubbery to prevent obstruction of sidewalks on neighbors' property.

If a homeowner is in doubt about any guideline, they should contact the Management Agent for clarification.

MODIFICATION REQUIRING ARCHITECTURAL CONTROL COMMITTEE REVIEW AND APPROVAL

Except for those items referenced in the previous section entitled Modification Not Requiring Architectural Control Committee Approval, all changes, or modifications to the exterior of a home or lot are subject to review and approval by the Architectural Control Committee (ACC). The review process is not limited to major additions or alterations, such as adding a room, patio, or deck. The review process includes such minor items as changes in color and materials and the removal of an exterior fixture.

If there is any doubt as to whether a proposed exterior change is exempt from design review and approval, homeowners should seek clarification from the ACC before proceeding with the improvement.

Architectural Review Definitions

There is an advantage to clear and definitive Guidelines. Specifically, it provides clear guidance to homeowners as to whether contemplated improvements will be permitted.

The definitions listed below provide the basis for both the development of the Guidelines and how the ACC will evaluate the applications the ACC receives.

1. **Design Compatibility.** The proposed change or improvement should be compatible with the current architectural design of the applicant's home, adjoining homes and the neighborhood. Compatibility is defined as similarity in architectural style, quality of workmanship, and similar use of materials, color, and construction details. Ideally, when the work is completed the new and old designs will blend together.
2. **Scale.** The scale of the proposed improvement should relate to the size of the applicant's home, the location and size of the lot, adjoining homes and surroundings. This criterion applies to both structural and landscape modifications.
3. **Impact on Neighbors.** This is one of the key factors the ACC will use in reviewing the application. The focus will be on ensuring the community and your neighbors are not negatively impacted by the change proposed. The visual impact of our neighborhood depends on the positive efforts of all homeowners and not one individual homeowner. Accordingly, the proposed change must not only relate favorably to the applicant's home, but to adjacent homes and the neighborhood. The

ACC will consider the visual and functional impact the change may have on neighbors. Visual impact refers to the aesthetic appearance of the proposed change, which includes the design, type of materials, quality, scale, location, and architectural compatibility. Functional impact refers to such concerns as view, sunlight, ventilation, and drainage. (Examples of adverse functional impacts include structural additions, which would prevent or reduce sunlight or ventilation to a neighbor's house or an alteration in the lot, which would change stormwater run-off and cause it to flow onto or through a neighbor's yard.)

4. **Color and Materials.** As previously documented, maintaining the same color scheme does not require ACC approval; however, there will be some homeowners who desire a new color scheme which will require ACC approval. Continuity or compatibility of color and finishing materials with the original construction and surrounding homes will be a specific consideration in evaluating the appropriateness of proposed improvements. Homeowners should consider the aging of surrounding colors and how the new color scheme will blend. To assist all homeowners, the ACC has prepared a color palette that prescribes recommended colors for each dwelling type and the complimentary trim. The palette is included as an attachment to these Guidelines.
5. **Relationship to Environment.** Proposed improvements should not have a negative impact on the natural environment. The removal of trees or other vegetation, grading and other topographical alterations will be assessed for potential adverse impacts, such as a material change in the rate and direction of stormwater run-off and soil erosion.

NOTE: If the removal of trees or other vegetation is deemed necessary because of safety concerns (such as following a storm), the homeowner should notify the Management Agent immediately and request ACC approval. The Management Agent will contact the ACC chairperson, who will then review the request and make a determination.

APPLICATION AND REVIEW PROCEDURES

Application and review procedures of the ACC are detailed below.

1. All applications for proposed modifications must be submitted in hardcopy or may be faxed or emailed, depending upon the supporting information required. Applications must be complete with all supporting documents, samples, and anything else the homeowner believes will help facilitate the ACC's understanding and review of the request. Incomplete applications will be returned to the homeowner with the missing items identified. Submitting an incomplete application can significantly increase the overall review time, so please review the application for completeness before forwarding it to the Management Agent. Applications must be submitted to the Management Agent and not the ACC, to ensure they are properly recorded.
2. Applicants must use the Application for Exterior Modification form when submitting an application for proposed improvements. Copies of the Application for Exterior Modification form are available from the ACC and the Management Agent.
3. The application must include a complete and accurate description of the proposed improvement(s). To permit evaluation by the ACC, supporting documentation may be required. Examples of supporting documentation include: a legal plat or map of the lot showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material and color samples, etc. The Guidelines and application form

provide guidance with respect to the supporting documentation required for various types of modifications.

4. The ACC is required, pursuant to Article VII, Section 3 of the Declaration, to provide notification to homeowners of the approval or disapproval of any proposed modification within sixty (60) days after the receipt of a properly completed application; however, the ACC will make every effort to review complete applications promptly upon receipt and may contact the homeowner to discuss the proposed change and clarify an item on the application if needed. Homeowners should contact the Management Agent to verify receipt of the application. The sixty-day time period for review will commence only upon receipt of a complete application form and all required supporting documentation. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required documentation prior to submitting a design review application.
5. Notice of Approval/Disapproval. Homeowners who have submitted design review applications will be provided notice of the decision of the ACC by the Management Agent.
6. Emergency Application Procedures. During the sale of a dwelling a homeowner may discover that an improvement to his or her home has not been approved or that no record exists regarding an approval. To meet the requirements of the Virginia Property Owners' Association Act, the ACC will make reasonable efforts to work with the current owner to resolve such a problem. The homeowner should contact the Management Agent, who will then contact the Chairperson of the ACC. If members of the ACC are available, they may, at their option, meet with the homeowner for an on-site inspection.
7. Procedures for Reconsideration and Appeal. Homeowners who have submitted an application may request that the ACC reconsider a decision and may appeal decisions of the ACC to the Association Board of Directors in accordance with Article VII, Section 6 of the Declaration.
8. A homeowner may request reconsideration of an ACC decision by submitting a written request for reconsideration to the ACC within fourteen (14) days after the receipt of notice of approval/disapproval of an action by the ACC. This request should include any new or additional information that might clarify the requested change or demonstrate its acceptability. The ACC shall respond, in writing, to a request for reconsideration within thirty (30) days from the date of receipt of the request.
9. If the ACC denies a request for reconsideration, the homeowner and resident may appeal the decision in writing to the Board of Directors within fourteen (14) days of receipt of the denial and may, if desired, request a hearing before the Board of Directors. The Board of Directors will consider no appeals unless a prior request for reconsideration has been made to the ACC. However, the Board of Directors may permit an appeal to the Board without the reconsideration procedure having been completed if the Board determines, in its sole discretion, that the circumstances warrant an expedited appeal.
10. Limitations. Construction or alterations in accordance with plans and specifications approved by the ACC shall be commenced within six (6) months of approval. If construction is not commenced within six (6) months, then approval of the plans and specifications by the ACC shall be conclusively deemed to have lapsed and a new application must be submitted and approved. Approved work shall be substantially completed within twelve (12) months following the date of commencement of the work, or within such other period, as the ACC shall specify in its approval.

There shall be no deviation from the plans and specifications approved by the ACC without the approval of the ACC.

Until notified otherwise, homeowners should mail, fax, email, or hand-carry their applications to the following address:

Architectural Control Committee
Newgate Homeowners Association, Inc.
C/O Sequoia Management Company, Inc.
13998 Parkeast Circle
Chantilly, Virginia 20151-2283
Fax: (703)968-0936 – Homeowners should confirm receipt by calling (703)803-9641

Failure to obtain proper approval for modifications or changes under ACC guidelines may result in the Board referring the matter to Association legal counsel for further action and/or referring the matter to proper governmental authorities.

Decisions of the Architectural Control Committee shall be final, except that any member may appeal the decision of the Architectural Control Committee to the Board of Directors as provided in Article VII, Section 6 of the Declaration.

COMPLIANCE PROCEDURES

The Declaration authorizes the Architectural Control Committee (“ACC”) and the Board of Directors (“Board”) to take steps to ensure compliance with the Association's Architectural Guidelines (“Guidelines”). Enforcement action shall be taken in accordance with the Association due process procedures policy, Resolution No. 17-01.

1. **Inspection.** The Management Agent shall annually and periodically inspect the community for compliance with the Guidelines and other Association rules and regulations. Violations noted during an inspection will be provided, in writing, to the owner and a specified time allotted for correction. Owners may request additional time for correction.
2. **Reporting Alleged Violations.** An alleged violation may be observed and reported to the ACC, the Board, or the Management Agent. In the case of homeowners wishing to report a potential violation, a written or electronic notification should be transmitted to the Board, the ACC, or the Management Agent.
3. **Site Inspection.** Any alleged violation will be confirmed by visual inspection of the lot by a member of the ACC, the Board, the Management Agent, or other member of the management staff responsible for ensuring covenants compliance.

DEFINITIONS

Cluster – Two or more lots that are visible in the same field of view from the street or sidewalk.

Common Area - All real property and improvement thereon owned or leased by the Association for the use and enjoyment of the members.

Dog Run - A dog run is defined as any fenced or walled structure, other than privacy fencing, constructed to allow dogs or other animals to move about the owner's property without escaping. Dog runs also include other constraining devices such as a post and a leash that allows an animal to roam unattended.

Front Yard – Any portion of a lot that extends from the front corner of the house to the public walk.

In Good Repair – Includes, but is not limited to void of rust, breakage, dents, gouges, or peeling.

Junk Vehicle – Any vehicle with missing parts, dents, gouges, rust or any visible or invisible damage that makes the vehicle inoperable. In addition, junk vehicles shall include those with torn canvas, broken light fixtures, broken or missing windows, and/or missing or flat tires. Junk vehicles may also include vehicles without current inspection stickers.

Lot - Any plot of land shown upon any recorded subdivision map of the property except for the Common Areas as heretofore defined.

Members- Members of the Association consisting of all Owners.

Notice - Shall mean and refer to:

1. Written notice delivered personally or mailed to the last known address of the intended recipient, or
2. Notice published at least once a week for two (2) consecutive weeks in a newspaper having general circulation in Fairfax County.

Owner - Shall mean and refer to: The record holder of the fee simple title to any lot, whether one or more persons or entities.

Public View – Any portion of a lot or dwelling that is observable from a public street or pipe stem driveway or common area while standing at ground level and directly in front of that portion of the property being examined.

Rear Yard – Any portion of a lot that is no further forward than the rear corner of the house.

GUIDELINES FOR HOMES

The specific architectural guidelines detailed below have been adopted by the Board of Directors (Board) by virtue of the approval of these Guidelines, and require submission of application to, and approval by, the Architectural Control Committee (“ACC”) unless indicated otherwise.

ADDITIONS

Additions such as new rooms, screened-in decks, patios, and greenhouses, will be treated as a major alteration to a dwelling unit and must be approved by the ACC after careful review of the design plans, materials, and colors. Additions must meet all State and local ordinances and codes and require applicable construction permits. Additions must meet the following criteria to be approved by the ACC:

1. Location. Additions must be approved by the ACC.
2. Scale and Style. The size and design of the proposed addition must be architecturally compatible with the home and surrounding homes.
3. Materials and Colors. The materials and exterior finishes of the addition must blend with the exterior finish of the home, deck, or patio to which attached or most closely related.
4. Additions that incorporate decks must adhere to the requirements of the Decks section of the guidelines.
5. Additions are not permitted in the back-to-back homes.

ANTENNAS

Satellite dishes that are larger than one meter in diameter are prohibited. Satellite dishes which are one meter in diameter or less, television antennas and MMDS (multichannel, multipoint distribution) antennas are permitted without prior approval. Antennas and satellite dishes are subject to the guidelines below and do not require prior approval from the ACC. The location of exterior antennas and/or satellite dishes must conform to Fairfax County ordinances and Federal Communications Commission regulations in effect at the time of installation. Satellite dishes and antennas are to be located to be as visually unobtrusive as possible, without unreasonably increasing the cost of installation, maintenance and use and without precluding the reception of an acceptable quality signal.

NOTE: Antennas approved by the Yeonas Corporation may remain in place until the home is sold, or the current owner relocates, but this approval will not transfer to a new owner or a renter.

ATTIC VENTILATORS

Roof-mounted attic ventilators and turbines are permitted if painted either black or the same color as the roof. If mounted on a gable end, they must be painted the same color as the house siding or trim. Except for those attic ventilators located in the back-to-back homes, ventilators and turbines should be mounted on the least visible side of the ridgeline to minimize their visibility from the front of the house.

AWNINGS

Awnings may be approved for the rear of the home only and installed to provide coverage for a deck or patio. They must be compatible with the architectural design and qualities of the home, and not deter from the overall aesthetics of the cluster. Awnings are prohibited in back-to-back homes.

Awnings must be:

1. Of a design that limits decorative features, such as scallops and fringes.
2. Solid colors compatible with the ACC color palette and color scheme of the house.
3. Consistent with the visual scale of the house.
4. Pipe frames or other structural supports for canvas (or similar material) awning must be painted to match the trim or dominant color of the house.

BASKETBALL BACKBOARDS

Basketball backboards may be installed on a permanent or portable pole located and used only on the owner's lot. Location and use of basketball backboards must meet applicable Fairfax County ordinances. Safety must be a consideration when installing and using the backboard. Basketball backboards may not be attached to back-to-back homes or other structures on lots containing back-to-back homes. Portable basketball backboards are not permitted in the back-to-back homes.

CHIMNEYS AND METAL FLUES

Chimneys must be enclosed in the same finish material as the exterior of the house. Metal flues and chimney caps can be painted to match the exterior of the house, the color of the roof, or a complimentary color.

CLOTHES LINES

Clotheslines or similar apparatus for the exterior drying of clothes are not permitted on a lot.

DECKS

The ACC must approve all decks. Homeowners must comply with the following requirements:

1. Location. Decks must be in rear yards. No front decks will be permitted. Side decks will be permitted provided that the deck does not extend past the peak of the roofline and is not more than four (4) feet in width. The ACC or Board may review deviations from these specifications on a case-by-case basis. Decks added to town homes must have a setback of eighteen (18) inches from the side of the house.
2. Scale and Style. Decks must be of a scale and style that are compatible with the home to which they are attached, adjacent homes and the environmental surroundings.
3. Materials. All decks, including their rails, landings and supporting posts, must be constructed of cedar, redwood, or pressure treated lumber, or man-made materials that reflect the appearance of the above wood types. Railing spindles made of metal are allowed.
4. Colors. If decks are stained or otherwise treated, homeowners should use a transparent stain or preservative that is either not tinted or tinted to match cedar, redwood, or walnut colors. Stains and preservatives must allow the original wood grain to remain visible. Deck materials may not be stained or covered with a sealant such as DeckOver or Restore. Deck materials made of wood or manmade materials that simulate wood may be painted white or the same as the trim color of the home except for the decking portion. Metal spindles must be black, white or the trim color of the home. Disposal of paints, sealants, stains, or other man-made products must be in accordance with applicable EPA or other governmental guidelines.

5. Under Deck Storage. Elevated decks have an under-deck area that can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. If a homeowner chooses to use the area for storage, the use of decorative screening or landscaping to minimize adverse visual impacts will be used to the maximum extent possible.
6. Decks are not permitted in the back-to-back homes.

DOGHOUSES AND DOG RUNS

Doghouses may be approved if compatible with the applicant's house in terms of color and material. They shall be in the rear yard and appropriate screening may be required. Dog Runs are prohibited.

DRIVEWAY EXTENSIONS

Single-family homeowners may be allowed, following application and approval, to extend one-car driveways, but extended driveways may not be located within three (3) feet of the owner's property line and must meet applicable Fairfax County ordinances. Dual driveways may not be extended.

EXTERIOR AIR CONDITIONERS

Individual air conditioning units extending from windows are prohibited. Exterior air conditioning units or heat pumps may be relocated or added if there is no adverse visual impact to adjoining properties.

EXTERIOR DECORATIVE OBJECTS

All natural or man-made exterior decorative objects must be approved if they were not part of the original construction or design and are to be placed where they are not visible from the front or from adjacent dwellings. Examples include birdhouses, birdbaths, driftwood, weathervanes, sculptures, fountains, house identification numbers, and any items attached to approved structures.

EXTERIOR LIGHTING

Light fixtures that are part of the original structure may not be altered without prior approval. Proposed replacements must be compatible in style and scale with the applicant's house, and application must include their location, number, style, bulb color and wattage. Security lights on the sides and rear of the homes may be approved provided they do not create an unacceptable amount of light entering adjacent homes. Motion-controlled lights on garages are allowed, but the lights must not interfere with the flow of traffic on adjacent streets. Low wattage lighting systems may be installed along entryway sidewalks and on decks.


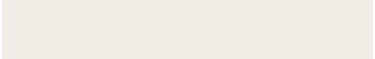
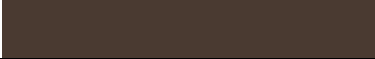
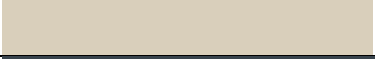



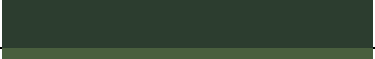




EXTERIOR PAINT

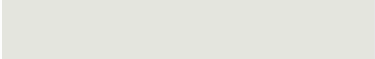
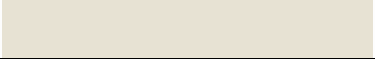


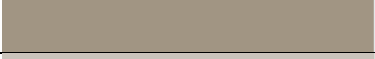

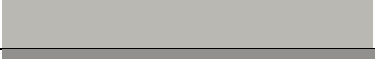

Exterior paint should be maintained and vibrant with the primary goal of enhancing the appearance of the home. An application is not required to repaint an object to match the existing color; however, all exterior color changes must be approved. This requirement applies to siding, doors, shutters, trim, roofing, and other appurtenant structures. Specific limitations and requirements for color changes may be addressed in the design guidelines for specific townhome and back-to-back clusters.

Homeowners and residents are responsible for maintaining the exterior of their homes. Peeling paint on small portions of the home are not violations if the owner or tenant is making obvious attempts to maintain the property and is following a responsible schedule of maintenance. Peeling, fading, or

cracking paint or exterior trim are examples of common maintenance deficiencies that may be considered violations of the Association Founding Documents.

The following tables contain the color palettes used in the Newgate Community. Color names are from Sherwin Williams and CertainTeed and may be color matched using the provided RGB/HEX color values.

ACCENT COLOR PALETTE - DOORS & SHUTTERS			
Sherwin Williams	Color Swatch	HEX	RGB
SW6258 Tricorn Black		#2f2f30	47,47,48
HGSW4004 Iconic White		#EFEDE5	239,237,229
SW6076 Turkish Coffee		#4D3930	77,57,48
SW7569 Stucco		#DCCEBA	220,206,186
SW7605 Gale Force		#35454E	53,69,78
HGSW3312 Restorative		#45626B	69,98,107
HGSW2364 Agave Blue		#6D9DB3	109,157,179
SW7623 Cascades		#273E2E	39,62,62
SW6446 Arugula		#42603C	66,96,60
HGSW2041 Roxbury Red 1		#853842	133,56,66
SW7584 Red Theatre		#6E3637	110,54,55
SW7593 Rustic Red		#703229	112,50,41

SIDING COLOR PALETTE			
CertainTeed Mainstreet Siding	Color Swatch	HEX	RGB
Colonial White		#E4E5DE	228,229,222
Sandstone Beige		#E8E2D2	232,226,210
Light Maple		#DCC8AE	220,200,174
Natural Clay		#998B7B	153,139,123
Weathered Blend		#A49482	164,148,130
Silver Ash		#CCC3BA	204,195,186
Sterling Gray		#BAB8B2	186,184,178
Granite Gray		#93908D	147,144,141

FENCES

General guidelines for the construction of fences are provided below. Requests for approval must include a diagram showing the location of the fence relative to all building and property lines, the material used, the height, the design, how the fence will be constructed (such as “the finished side of the fence will face the exterior of the lot”), and a description or sketch of the fence structure.

1. Chain-Link and Stockade Fences will not be approved under any circumstances nor will the use of chain link fencing material for any purpose on a lot.
2. Lot Line Fences. Lot line fences for single-family detached homes shall be “open” split rail or post-on-board fences, not exceeding four (4) feet in height or other height limitation required by Fairfax County ordinances. Wire mesh may be used in conjunction with such lot line fences to enclose the lot for pets and small children.
3. Privacy Fencing. Privacy fencing may be constructed on the rear yards of single-family detached homes and townhomes. They must be of board-on-board construction and must not exceed six (6) feet in height or other height limitation required by Fairfax County ordinances. Fencing must be constructed of cedar, redwood, or pressure treated lumber. Composite material and other imitation wood products will be approved on an individual basis. Fencing materials may not be painted but may be treated with a transparent stain or sealant that is either not tinted or tinted to match cedar, redwood, or walnut colors. Extensions that would increase the overall height of the fence will not be approved.
4. Rear yard privacy fencing shall extend no closer toward the front of the home than the corners of the rear of the home. No privacy fencing may be constructed on the side yard of any single-family detached home or end unit townhome. The ACC or the Board may grant a variance when the configuration of the home warrants flexibility when applying the guidelines. In no event shall any privacy fence be allowed to extend any closer toward the front of the home than the parallel line consistent with the peak of the roof of the home.
5. Fencing of any type is not permitted in the back-to-back homes; however, screening may be installed following approval in accordance with the screening guidelines.

FIREWOOD

Firewood shall be kept neatly stacked on the rear ground level of the lot and within the property line. To minimize the possibility of termites to adjacent houses the wood must be located as far as possible to the rear of the lot and not against another structure. Firewood stacks must not exceed five (5) feet in height and may be covered by a temporary or semi-permanent structure providing it is architecturally compatible to adjacent homes and approved by the ACC. Only a limited amount of firewood intended for immediate use may be stored on patios or decks.

In back-to-back homes, firewood stacks shall not exceed four (4) feet in height and shall be neatly maintained and covered. Back-to-back houses with only front yards may have stored firewood only if screened with appropriate lattice screens adjacent to the porch.

FLAGPOLES

Temporary flagpole staffs, which do not exceed six (6) feet in length and are attached at an incline to the wall or pillar of the dwelling unit, do not require approval by the ACC.

GRILLS

Grills must be placed in the rear yard in single family homes and townhomes. Grills may not be located within ten (10) feet of the owner's property line in single family homes. Grills should be stored to preclude viewing from the streets or sidewalk. Grills must be operated at least 3 feet from any structure and in such a manner as to not adversely impact neighbors. Grills should be covered with a grill cover after use when they no longer pose a safety hazard due to heat and when not in use. A manufacturer's cover specific to the model of grill being covered shall be considered an appropriate screen if it drapes within eight (8) inches of the ground.

HOT TUBS/SPAS

Exterior hot tubs or spas must be in the rear yard adjacent to the dwelling unit. The incorporation of hot tubs as an architectural feature of decks and patios is encouraged. The exterior finish of an elevated hot tub must blend with the exterior finish of the home, deck, or patio to which it is attached or most closely related.

LANDSCAPING

Newgate encourages residents to improve their lots by maintaining existing landscaping and investing in projects consistent with the Guidelines.

When planning a landscaping project, it is important to choose plants that will be size appropriate for the lot when mature. Overcrowding of plants will create an issue as they grow.

Any branches of a bush or planting located adjacent to a sidewalk, path, or walkway shall be trimmed and pruned. The top of a bush shall be at a uniform level height. Address numbers must be visible from the front sidewalk. Bush height may vary between bushes on a single lot. The side branches of a bush shall not encroach upon a sidewalk, path, or walkway. A branch shall not cross the vertical plane of a sidewalk. The "vertical plane" is an imaginary perpendicular line if drawn from the edge of the sidewalk located next to the bush. This will allow pedestrians to walk on either side of the sidewalk without contacting the hedge.

Any bush, vine, or planting shall not touch or grow on a structure. Branches shall be cut back from the residence.

Tree limbs shall not protrude out to or across sidewalks if they restrict the visibility of pedestrians or motorists or impede the movement of pedestrians or vehicles.

An ACC application is not required for minor landscaping improvements with the following exceptions:

1. Approval is required for plantings intended to form a hedge or natural screen and which will attain more than three (3) feet in height. Hedges located forward of the front plane of the house shall not exceed a height of four (4) feet and shall not restrict sight lines along a street or sidewalk.
2. An application is required for the installation of railroad ties, garden timbers, stones, decorative fencing, or similar structures which will form a wall or fence over two (2) feet high.

3. A proposed improvement or change, which is of such a scale or type as to be inconsistent with the existing design features of the home, adjacent units and the surrounding area will require approval.

Examples requiring approval include the substantial or total removal of turf or existing pavement and replacement with mulch, gravel, concrete, asphalt, pavers or stones, and any change of the grading around a structure.

MAILBOXES

Mailboxes are to be unobtrusive and shall be compatible and blend with all other mailboxes so as not to be distracting. Mailboxes may have the family name and house number painted on the side or attached to the top of the box.

PATIOS

New and remodeled patios must be approved prior to installation. Applications for patios will be reviewed on a case-by-case basis.

Patios shall be installed with the primary goal of enhancing appearance on the Lot, and every effort must be made to limit the visibility from the neighboring properties and the street. The quality, design, color, and configuration of the proposed materials must be compatible with the architecture of the house and neighboring properties. Plans for patios will be reviewed on a case-by-case basis and while exceptions may be considered on a case-by-case basis, following guidelines shall apply to all patio installations:

1. Natural or man-made flagstone or pavers should be used that prevent weeds growing through.
2. Gravel, poured concrete or dirt patios are not allowed
3. Only a limited amount of firewood intended for immediate use may be stored on patios or decks.

PORTABLE STORAGE UNITS (PODs)

Portable Storage Units are designed to assist homeowners in moving and storing household items while remodeling projects are underway or for other similar temporary, personal, non-commercial purposes.

1. Location: Owners of Single-Family homes wishing to use a POD for a limited period of time, not to exceed 14 days, shall place no more than one such unit in the Homeowner's driveway. Owners of Townhomes and Back-to-Back homes may place no more than one storage unit for a limited period of time, not to exceed 14 days, in the Owner's reserved parking space. Under no circumstances shall a POD be placed in a Visitor parking space, curbside, yards, or common areas.
2. Prior to the delivery and use of any POD, an owner must submit a written request to the Board of Directors for review and to receive approval. PODs placed within the community without prior approval will be removed at the Board's discretion.

RADON REDUCTION SYSTEMS.

Exterior mounted systems require approval prior to installation. Radon reduction systems with equipment that is installed on the exterior of the home shall be concealed as much as practical and exhaust piping shall match the style and color of existing downspouts. Mounting exterior equipment on the rear of the home is required when possible.

RECREATION AND PLAY EQUIPMENT

Semi-permanent play equipment, which either constitutes a structure or is appurtenant to an existing structure, requires approval. Examples include sandboxes, playhouses, swing-sets, etc. These items must be in the rear yard and may require screening. Collapsible play equipment does not require approval but must be stored behind a hedge or other appropriate screening when not in use.

SCREENING

Back-to-back homes may install screening in the front of the lot; however:

1. Screening material must be at least twenty-five percent (25%) lattice or other open type screening.
2. Screening can be no higher than four (4) feet in height.
3. Screening must end at least two (2) feet from the front property line.
4. Screening and posts must be white.

SECURITY BARS

Security bars on doors and windows may be approved if they conform to the architecture of the home and surrounding homes.

SECURITY CAMERAS

External security cameras may be approved for surveillance of a home's property provided they conform to local and state laws and do not provide views into the interior of another home.

SIDEWALKS AND PATHWAYS

New and remodeled sidewalks and pathways must be approved prior to installation. Applications for sidewalks and pathways will be reviewed on a case-by-case basis.

Sidewalks and pathways shall be installed with the primary goal of enhancing appearance on the Lot, and every effort must be made to limit the visibility from the neighboring properties and the street. The quality, design, color, and configuration of the proposed materials must be compatible with the architecture of the house and neighboring properties. Plans for sidewalks and pathways will be reviewed on a case-by-case basis and while exceptions may be considered on a case-by-case basis, following guidelines shall apply to all patio installations:

1. Sidewalks and pathways should be an extension of patio and provide a pathway from front/back of the house.
2. Natural or man-made flagstone or pavers should be used that prevent weeds growing through.
3. Gravel or poured concrete or dirt sidewalks and pathways are not allowed.

4. Proper slope and drainage should be considered to not intrude on neighbor's property.

SIGNAGE

5. Real Estate Signs. Only signs advertising a property for sale or rent may be displayed. Signs must not be larger than 10" x 15" and may only be placed in the front yard of available properties. Signs must be removed promptly after sale or rental.
6. Construction Signs. Signs advertising a contractor actively repairing or renovating a home may be displayed for not more than fourteen (14) days or not more than one (1) day after work is completed, whichever is the lesser, if located on the property of the lot being renovated.
7. Political Signs. Signs in support of current elections must not be larger than 10" x 15" and may be displayed no more than 45 days prior to the applicable election and must be removed within five days following the election.
8. Security Medallions. Signs indicating that a residence is protected by a security system or company are allowed but may not be larger than 10" x 15".

SOLAR PANELS

Solar panels must be approved prior to installation. Applications for solar collectors or panels will be reviewed on a case-by-case basis.

Section 67-701.A of the Code of Virginia authorizes community associations to establish reasonable restrictions concerning the size, place, and manner of placement of solar panels.

Solar panels shall be selected, located, and installed with the primary goal of minimizing their appearance on the Lot, and every effort must be made to limit the visibility from the neighboring properties and the street. The quality, design, color, and configuration of the proposed solar collectors must be compatible with the architecture of the house and neighboring properties. Plans for solar panels will be reviewed on a case-by-case basis and while exceptions may be considered on a case-by-case basis, following guidelines shall apply to all solar panel installations:

1. Solar panels may only be mounted on the rear slope of the roof, parallel with the roof ridges and edges.
2. Solar panels must have a low profile and be flush mounted to the roof on which they are installed.
3. The size and manner of collectors should be in proportion to the area on which they are to be installed, however the solar panels should not cover over 50% of the roof area.
4. All framing, piping, control devices and wiring must be painted black or painted to match the color of the roof or the element upon which installed.
5. Ground units are not permitted.
6. Solar shingles are encouraged when considering a roof replacement.

A complete application for solar panels or collectors must include:

1. A site plan showing the house, property lines, significant vegetation, and proposed location of the solar panel(s).
2. Elevations of the house showing the appearance of the solar panel(s), any auxiliary equipment and details showing how the collector will be mounted or installed.

3. A catalog photograph of the solar panel and any visible auxiliary equipment and all components; and,
4. A detailed materials list and specifications including dimensions, materials, colors, and style.

Solar panels must be maintained in accordance with these Guidelines. If changes to previously approved solar panels are desired, a new application is required and must be approved prior to making any changes.

STORAGE SHEDS

Prefabricated wood and man-made material sheds are allowed but must be approved and properly maintained to retain approval. Homeowners may erect sheds, which are integrated with a fence and are compatible with the design qualities of the residence and the landscape.

Freestanding sheds and sheds attached to a home must be constructed of the same material as that of the home. The color of the shed must be comparable to or compatible with that of the owner's home. Storage sheds attached to board-on-board privacy fences may be constructed of the same material as that of the fence. Wooden sheds must have roofing material, which matches the material used on the home.

Single family home sheds may not exceed twelve (12) feet in width by twelve (12) feet in depth and no more than ten (10) feet in height, including the base and roof. Single family detached homes may have sheds attached to the rear of the house or to a board-on-board privacy fence. Single family detached homes which back up to the flood plain, parklands, or tree-lined area may have free standing sheds in the rear yard provided they are not in public view or by neighbors to the immediate rear. Multiple sheds cannot be installed or constructed to form a "warehouse" storage structure.

Townhome sheds may not exceed eight (8) feet by eight (8) feet in size and six (6) feet in height, including the base and roof. Townhomes may have sheds attached to the rear of the house or to a board-on-board privacy fence.

Storage sheds are not permitted in the back-to-back homes, except for those installed by the Builder. Low profile storage boxes may be used but must be installed behind a hedge or appropriate screening.

STORM DOORS

Silver or bare metal doors will not be approved. Storm doors of the same color as the attached door, or of the same color as the trim to which they are attached, may be approved. Full-view storm doors (for the front entrance) are desirable, however, specific guidelines with respect to each cluster may be developed as appropriate. The appropriateness of certain designs will vary with the design features of individual clusters.

SWIMMING POOLS

Inflatable wading pools for small children are approved but must be in the rear of the property. Inflatable wading pools for children are approved in back-to-back houses with front yards only if the pool is stored out of sight.

TRASH CONTAINERS

All trash and recycling containers must be placed in designated containers. Plastic garbage bags (black or white) containing trash or recycling is not permitted to be placed curbside for collection. All trash and recycling containers must be always stored in rear yards or garages except when placed at curbside for pickup. Front yard screening designed as a storage area for trash containers is permitted in back-to-back homes. Front yard screening designed as a storage area for trash containers is permitted in townhomes with ACC approval for homes that have limited accessibility from the rear yards. Containers may be placed at curbside no earlier than sunset before the day of regularly scheduled pickup. Containers must be covered in such a manner as to ensure trash will not spill if blown or pushed over.

WINDOWS

Windows should be in accordance with the approved project standards established by the builder of the Newgate community.

1. All windows in Newgate should contain mullions/grids. Windows that have been installed without mullions can be retrofitted with mullions obtained from home improvement stores, such as Home Depot or Lowes.
2. Windows should be of quality material and workmanship.
3. The type, style, material, color, detailing, proportions, and installation of a new or replacement window should be consistent with that of existing windows and community standards.