

Newington Community Association
Architectural Standards
August 1, 2007

ARTICLE 1- EFFECTIVE DATE, AUTHORITY, AND REVISIONS

Section 1. Effective Date: (11/93, 4/96, 1/99, 8/07) These Standards take effect on August 1, 2007, and supersede all other Architectural Standards. Projects that were approved prior to this date, or items that were in compliance under the previous Standards, may remain until the item needs repair or replacement. At that time, items must be brought into compliance with these Standards.

Section 2. Authority: (9/74) The Declaration of Covenants, Conditions and Restrictions Article VIII provides the basis for the Newington Community Association (NCA) Board of Directors' authority to establish and enforce Architectural Standards. The Covenants also permit latitude and discretion in dealing with specific situations and requests.

Section 3. Advisory Committee: (9/74) An Architectural Advisory Committee, composed of residents from throughout the community, assists the residents, homeowners, the Architectural Control Committee, and the Board of Directors in their tasks, and provides a broad spectrum of community opinions on the need for additional and/or revisions to current Standards.

Section 4. Control Committee: (9/74, 11/93) An Architectural Control Committee, composed of the President, Vice President, and the Secretary, is responsible for the approval/disapproval of architectural requests. The Control Committee is charged with the duty of preventing the erection of poorly designed or constructed improvements, as well as preserving the natural beauty of the community. The Control Committee may delegate its authority to a representative.

Section 5. Revisions: (11/93, 4/96) These Architectural Standards have been prepared by the Architectural Advisory Committee and approved by the Board of Directors to preserve the aesthetic qualities of the community and to keep the community in good repair and well maintained. These Standards will also assist homeowners in submitting requests for architectural changes to their homes and property. These Standards may be modified or changed from time to time whenever sufficient evidence is presented to the Board of Directors that warrants a re-evaluation of the Standards, or when experience gained demonstrates the necessity to reconsider a previously established Standard. Proposed revisions will be printed in the newsletter at least 30 days prior to being presented at a Board meeting and voted on. Homeowners will be notified of any changes to these Standards. Revisions will be included as Addenda to the current Architectural Standards until significant changes warrant a complete reprinting. The complete Standards will only be reprinted after the printing and costs of distribution to all homeowners and residents have been included in the Association budget.

ARTICLE II - GENERAL REQUIREMENTS

Section 1. Types of houses: (11/93) There are four distinct types of houses in the Newington Community Association, known as Newington Station:

Newington Woods: Colonial-style townhouses with aluminum or vinyl siding and shutters.

Newington Place: Four units in each cluster of townhouses.

Newington Glen: Contemporary townhouses.

Woodmere: Colonial-style detached houses with aluminum or vinyl siding and shutters.

Section 2. Maintenance: (11/93) Houses and detached structures must be maintained in good repair. Any areas with bare wood or chipped and peeling paint must be painted or stained. Any other worn out or damaged areas must be repaired or replaced.

[\(Click here for 7/23/08 addendum to Article VI - Section 2.\)](#)

Section 3. Project requirements: (9/74, 4/89, 11/93, 4/96) Any exterior addition, alteration, modification, or change to any existing building or detached structure **MUST HAVE APPROVAL BEFORE ANY WORK IS UNDERTAKEN** or materials purchased. In these standards, the word change is defined "to make different in some particular way: modify: alter: and/or to accept something different." Repair is "to restore by replacing a part or putting together what is torn or broken: fix: mend." If in doubt, a written request should be submitted. In an emergency, when changes need to be made immediately, please refer to Article VII, Section 1. Application procedures, to obtain a preliminary telephone approval. All projects that are not repairs require prior approval.

Any exterior addition, alteration, modification or change to an existing building shall be compatible with the design character of the original building. Any new detached structure shall be compatible with the parent structure.

Section 4. Material and style: (9/74, 8/07) Only the use of exterior materials existing on the parent structure or compatible with the architectural design character of the community will be approved. All building materials must be in accordance with Fairfax County Code.

Only those areas that are painted should be repainted; those areas that are stained should be re-stained; unpainted surfaces and unstained areas, such as brick and metal flashing, shall remain unpainted and unstained.

Section 5. Fairfax County building permits and Miss Utility: (9/74, 11/93) Approval of any project by the Architectural Control Committee does not waive the requirement to obtain County permits. All additions, modifications, and/or changes are subject to all regulations as established by the Virginia Uniform Statewide Building Code and Fairfax County Ordinances. It is the responsibility of the homeowner to obtain the necessary permits.

Obtaining a County permit does not waive the need for approval by the Architectural Control Committee.

The building permit number must be reported to the Community Manager before construction begins and the permit must be displayed during construction.

The permit holder (homeowner or builder) is responsible for arranging County inspections.

It is State Law that Miss Utility must be called 2 business days before ANY digging is performed. Call 1-800-257-7777; this is a free service.

Section 6. Damage to common ground: (11/93) If the common ground is damaged as a result of any construction, it must be restored to its original state at the expense of the resident who had the construction done.

Section 7. Owner responsible for removal: (4/89) Ignorance of the provisions of these Standards is no excuse for non-compliance. If any project is in progress or has been completed without the approval of the Architectural Control Committee, and subsequent approval is not granted, the owner/resident is responsible for removing the project and for any monetary loss incurred as a result of removing such a project.

ARTICLE III – ADDITIONS/EXTENSIONS (11/93, 8/07)

Section 1. Definition: (8/07) An addition/extension is a ground level add-on structure permanently attached to the house. Unlike a patio enclosure, an addition/extension is intended for year-round use. For a definition of Patio Enclosure, refer to Article V, Section 1.

Section 2. Notification of neighbors: (8/07) Applicants in the townhouses must notify the neighbors and request written acknowledgement and comments about the pending addition/extension from the two adjacent neighbors/homeowners. These comments must be submitted to the Community Manager along with the Architectural Request Form.

Section 3. Request for approval: (8/07) Tentative Architectural Control Committee and Board approval for the proposed architectural plans must be obtained before applying for the Fairfax County building permit. When the NCA Architectural Request Form is submitted, the plans and plat must be identical to those which will be submitted to the County. Because Newington Station has different house styles and the topography for each home varies, each request will be assessed individually considering the house style and the surrounding environment.

Final NCA approval is contingent on Fairfax County approval of the plans and on the building permit being issued. Any exterior design change must be resubmitted to NCA for final approval.

Section 4. Overall requirements: (8/07) All additions/extensions will be constructed entirely to the rear of the house. In Woodmere, additions may also be constructed vertically. All additions/extensions must remain 20 feet from the rear lot line unless approval for a variance is obtained from Fairfax County.

All additions/extensions for end unit townhouses must remain 10 feet in from the side lot line and/or may not extend past current side wall of existing structure, both applying to the side not adjacent to a house.

All additions/extensions must be rectangular or square. The foundation must be constructed to match that of the primary structure. The overall height of addition/extensions in the townhouses may not exceed one story. The combination of a shed, elevated deck (greater than 18 inches above ground), patio enclosure, or addition/extension must not encompass more than 50 percent of the established rear yard.

The addition/extension must have central air conditioning and heating.

Section 5. Roof and gutters: The roof must be identical in appearance, color, and material as the roof on the primary structure. No part of the roof may block or cover existing windows on other levels of the townhouse. Gutters and down spouts will be of the same appearance and color as those on the primary structure. Drainage will be appropriate for the addition/extension and will not adversely affect neighbors. If subsequent to the construction, a drainage problem occurs, it shall be the responsibility of the homeowner who has built the addition to correct it.

Section 6. Walls: The room addition/extension must have three exterior walls. The exterior wall adjacent to another townhouse must be a 1-hour rated party wall. (The 1-hour rating refers to the time fire is contained before possibly spreading through the wall.) Material, color, and appearance of the exterior portions of the addition/extension must match the exterior of the primary structure.

Section 7. Windows and doors: Party line wall extensions may not have windows or doors on the wall facing the adjacent resident. Doors must match style and color of that on the primary structure. The addition/extension must have permanent windows which match the windows on the primary structure both in material and size. The type of trim and the paint color must match that on the primary structure. (See Article VI Section 23 on Windows.)

Shutters, awnings, canopies, or jalousie-style windows are not allowed. Having only screens with no windows is not allowed.

ARTICLE IV – DECKS FOR HOUSES (7/90, 8/07)

Section 1. Notification of neighbors in the townhouses: (8/07) Applicant must notify the neighbors and request written acknowledgement and comments about the pending construction of decks above ground level from the two adjacent neighbors/homeowners. These comments must be submitted to the Community Manager along with the Architectural Request Form.

Section 2. Request for approval: (8/07) Tentative Architectural Control Committee and Board approval of the proposed architectural plans must be obtained before applying for the Fairfax County building permit. When the NCA Architectural Request Form is submitted, the plans and plat must be identical to those which will be submitted to the County. Because Newington Station has different house styles and the topography for each home varies, each request will be assessed individually considering the housing style and the surrounding environment.

Final NCA approval is contingent on Fairfax County approval of the plans and on the building permit being issued. Any exterior design change must be resubmitted to NCA for final approval.

Section 3. Material: (8/07) Decks must be constructed of pressure treated wood or composite lumber. In Newington Woods and Newington Place, the wood must be left to age naturally, except that a clear preservative may be used. In Newington Glen, the wood may be left to age naturally, but, if stained, must be the same color as the trim on the townhouse. Composite wood must be a wood tone.

Section 4. Overall requirements: (8/07) Decks are to remain entirely behind the house. Decks must be set back a minimum of 1 foot from each side lot line for all townhouses in the inside of a row. In the case of an end unit, the deck or stairs may come to the side lot line on the side of the townhouse that has no adjacent house, but the deck or stairs may not wrap around the side. The set back on the common-wall side must be a minimum of 1 foot.

Townhouses may have a deck or a patio enclosure, but may not have both structures. The deck may be rectangular or square, with a minimum of 8 feet and a maximum of 14 feet in depth, including any stairs. Corners may be squared or angled. If angled, the corners may be cut off a maximum of 2 feet on each side.

The deck must have upright guardrails (not slanted at an angle), with a minimum height of 36 inches. There is a minimum of one 2 inch by 6 inch guardrail cap, and a maximum of two such caps. Vertical pickets may be a maximum of 2 inches by 4 inches.

Stairs are optional.

Privacy partitions are optional, but may not exceed 6 feet in height. Partitions may only be constructed on the sides of the deck, but not on the rear of deck. Any partitions must conform to the deck structure and style.

Decks shall not be enclosed below the deck.

When the kitchen or dining room window is replaced with a door, if the door is wood, it must be painted to match the house trim color. If the door is vinyl, vinyl-clad or metal-clad, see section on windows.

ARTICLE V – PATIO ENCLOSURES FOR HOUSES (11/93, 8/07)

Section 1. Definition: (8/07) A patio enclosure is an add-on structure permanently attached to the house. A patio enclosure is not intended for year-round use.

Section 2. Notification of neighbors in the townhouses: (8/07) Applicant must notify the two adjacent neighbors and request written acknowledgement and comments about the pending construction from them. These comments must be submitted to the Community Manager along with the Architectural Request Form.

Section 3. Request for approval: Tentative Architectural Control Committee and Board approval for the proposed architectural plans must be obtained before applying for the Fairfax County building permit. When the NCA Architectural Request form is submitted, the plans and plat must be identical to those which will be submitted to the County. Because Newington Station has different distinct house styles and the topography for each home varies, each request will be assessed individually considering the house style and the surrounding environment.

Final NCA approval is contingent on Fairfax County approval of the plans and on the building permit being issued. Any exterior design change must be resubmitted to NCA for final approval.

Section 4. Overall requirements: (8/07) The enclosure must be constructed to the rear of the house and must be rectangular or square and not less than 8 feet nor larger than 14 feet in depth. The enclosure must not wrap around the house. The enclosure must cover the existing sliding glass door in the townhouses, be built on a concrete slab, and its overall height may not exceed one story.

Townhouses may have a deck or a patio enclosure, but may not have both structures. The total area of all structures (patio enclosure, or deck, and shed) must not encompass more than 50 percent of the established yard.

The enclosure must not be connected to the central air conditioning or heating system of the primary structure.

Section 5. Roof and gutters: The roof must be identical in appearance, color, and material as the roof on the primary structure. No part of the roof may block or cover existing windows on other levels of the townhouse. Gutters and down spouts will be of the same appearance and color as those on the primary structure. Drainage will be appropriate for the enclosure and will not adversely affect neighbors. If subsequent to the construction, a drainage problem occurs, it shall be the responsibility of the homeowner who has built the enclosure to correct it.

Section 6. Walls: The enclosure must have three walls. Party line walls must not have full-length windows or doors on the wall facing the adjacent resident. A solid wall with a 6-inch transom at the top of the wall is allowable. Only one wall may be glass from the eaves to the foundation. The materials and color of the walls must match the exterior of the primary structure. However, if the enclosure has kneewalls, they may be constructed of brick.

Section 7. Windows: The enclosure must have permanent windows. See window replacement section. Shutters, awnings, canopies, jalousie-style windows, or screens only are not allowed.

ARTICLE VI - OTHER PROJECTS

Section 1. Antennas and satellite dishes: (9/74, 4/89, 6/95, 7/01, 8/07) For both townhomes and detached homes, one digital satellite dish system, no larger than one meter in diameter, is permitted. In addition to a dish, detached homes may have one exterior metal wire-type antenna. Installation of either a dish or antenna should be at the rear of the home and located as inconspicuously as possible. No exterior antennas shall be erected on any building or lot in the townhouse areas.

Section 2. Attic fans and ridge vents: (11/93) Any exterior portion of the fan or ventilation unit must be installed only on the rear portion of the roof. Ridge vents are allowed.

Section 3. Awnings/patio covers/patio umbrellas: (9/74, 4/89, 8/07) The installation of awnings over windows and doors is prohibited within the Association. Retractable awnings over decks and patios within in the Association will be considered on an individual basis.

Patio umbrellas up to 8 feet in diameter are permitted.

Section 4. Doors and storm/screen door combinations: (9/74, 4/89, 11/93, 8/07) All replacement doors must be consistent with the style of the house.

In Newington Glen, all storm doors must be full view. In Newington Place, all storm doors must be white and full view or colonial style. In all other sections, storm/screen doors must be colonial style or full view, and the color of the storm/screen door must be white or the same color as the existing door, shutters, or trim. Any chipping or fading to the paint requires repainting and dented or damaged doors must be repaired or replaced.

Section 5. Fences: (9/74, 11/93, 8/07) Fences may be constructed only in side or rear yards and shall not extend into the area between the street and the front building restriction line. Fences for Newington Woods end units, where entrances are not into a brick front, must not extend past the rear building restriction line.

Fences may not obstruct sight lines for vehicular traffic.

All fences must be constructed of oak, cedar, composite lumber or pressure treated wood and left unstained to weather naturally, except fences in Newington Glen which, if stained, must match the color of the exterior trim on the townhouse. Composite wood must be a wood tone. A clear preservative may be used on all fences. Chain link, window screen material, lattice, or galvanized metal fencing is not allowed. The following conditions require fence repair, replacement, or removal: section leaning/falling over; section loose from post; rotted boards; missing boards; significantly warped boards; missing gate; boards rotted, missing or warped in gate; gate hanging loose from post; boards stained or painted color other than natural wood (except Newington Glen stain as cited above).

Height Restrictions for Fences:

Fencing that divides/borders property lines between townhouses must be 6 feet in height. The rear fence may be either 4 or 6 feet in height, and end unit townhouses may use 4 or 6 foot fencing in the rear and on the side not adjoining their neighbors.

Due to topography, heights other than 4 or 6 feet for both townhouses and detached houses will be considered on an individual basis.

Style:

In Newington Glen, the style may be either board-on-board or alternate board. In Newington Woods and Newington Place, the style is board on board. For detached houses only, all other styles of wood fences will be considered on an individual basis.

Diagrams are not to scale



BOARD-ON-BOARD
Boards are staggered on
opposite sides of the stringer



ALTERNATE BOARD
Boards are in the same position
on opposite sides of the stringer

Section 6. Gutters and down spouts: (11/93, 8/07) Missing, damaged, or clogged rain gutters and down spouts must be repaired or replaced. Chipped or peeling paint on rain gutters and down spouts requires painting.

In Newington Woods, Newington Place, or Woodmere, the color of gutters and down spouts must be white, off-white or match the trim or siding color on the house. Newington Glen must have brown gutters and down spouts.

Section 7. House numbers: (11/93) Missing house numbers must be replaced. House numbers must be in clear view and easily readable in case of emergency. They may not be the same color as the material on which they are mounted. Foliage obscuring the house number must be trimmed.

The house number board must be properly maintained.

Section 8. Light Fixtures: (1/90, 11/93, 6/95, 8/07) All lamp posts must be black or white. The lamp itself may be black, white or brass.

(NEED APPROVAL) Lamp posts will be approved for townhouses needing additional lighting. These electrical lights must be installed on the owner's property and must be colonial (or contemporary in Newington Glen) in design.

Light fixtures attached to the house must be maintained in good repair and bulbs must be covered (i.e. no bare bulbs).

Section 9. Landscaping, ground cover, and yards: (9/74, 4/89, 4/96, 8/07) The front yards of all townhouses and detached houses must have some type of ground cover, i.e., no bare ground, and be well maintained. Grass height must not exceed 6 inches. This does not pertain to ornamental grasses used in landscaped gardens. Additional landscaping is acceptable provided that vehicular sight lines are not obstructed.

All trees and shrubs must be kept neatly trimmed and they must not obstruct sidewalks and walkways, encroach on a neighbor's lot, or obstruct vehicular sight lines. Dead trees and shrubs must be removed.

An ornamental hedge may be grown along the perimeter of the front yard of any lot, provided that the hedge is kept neatly trimmed to a height of not more than 3 feet.

Loose trash (such as newspaper, food wrappers, etc.) in yards and under foliage must be picked up and not allowed to accumulate.

[\(Click here for addendum to Article VI - Section 9.\)](#)

Section 10. Mailboxes: (11/93) All mailboxes in Woodmere must conform to the United States Postal Service requirements. Damaged or rusty mailboxes must be repaired or replaced.

Section 11. Painting/staining: (9/74, 4/89, 11/93, 6/95, 8/07) In Newington Glen, each cluster must remain stained the same color hue. All stains must be solid, not transparent.

In Newington Place, the two outside/end units must look alike. The two adjoining/center units must look alike.

Paint and stain colors must be consistent with the aesthetics of the community. Chipped or peeling paint must be repaired.

[\(Click here for addendum to Article VI - Section 11.\)](#)

Section 12. Parged (pargeted) foundation walls: (9/74) Parged foundation walls and parged retaining walls may be painted white or the same color as the existing siding.

Section 13. Play equipment: (9/74, 4/89) Play equipment such as swings, slides, and playhouses are acceptable, provided that such equipment is located directly behind the house. Play equipment must be maintained in good condition and in such a manner so as not to create a safety hazard or unsightly appearance, and may not exceed 10 feet in total height. Private play equipment shall not be installed on common grounds.

Section 14. Raised flower beds and container gardens: (11/9, 8/07) In Newington Glen, unless landscaping timbers are used, all wood is to be stained to match the fence and trim. In all other areas, landscaping timbers or pressure treated wood is to be used and left unpainted or unstained to weather naturally. A clear preservative may be used. Natural brick, stone, or slate may also be used. Container gardens are allowed but must be well maintained and should not encompass more than 20% of the yard.

Section 15. Roof and shingle replacement: (11/93) Asphalt roofs show their age when the mineral granules wear off and black asphalt shows through. If the corners and

edges of the shingles begin to crack, curl, and/or "bubble up," this indicates the roof is deteriorating. The asphalt composition has begun to dry out and lose the elasticity that helps provide a weatherproof seal. Any roof with the above characteristics must be repaired or replaced. Loose or missing shingles must be repaired or replaced.

In Newington Glen, the roof color must remain similar to the color of the adjoining units. In Newington Place, the roof colors of the two outside/end units must look alike. The two adjoining/center units roof colors must look alike.

Section 16. Sheds: (9/74, 11/93, 8/07) Sheds must not exceed 8 feet in height from ground level and only one is allowed per lot. Sheds may be erected only in the rear yard. Sheds must be placed next to a minimum 6-foot fence in the townhouse areas, and the side wall of the shed adjoining the fence should be completely screened by the fence.

A foundation of concrete or weather-resistant wood is required.

The rain runoff must be directed away from the house and not into the neighbor's yard.

All sheds must be of a color so as not to attract undue attention. Dimensions and color are subject to approval.

Sheds in disrepair must be removed, replaced, or repaired.

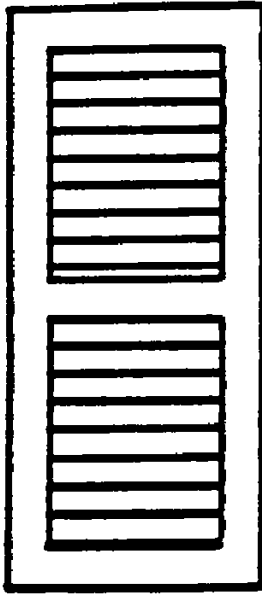
Section 17. Shutters: (9/74, 11/93, 8/07) Missing or cracked shutters must be replaced.

ALL WINDOW SHUTTERS ON THE INDIVIDUAL HOME MUST MATCH IN SIZE (WIDTH AND HEIGHT), COLOR, AND STYLE. If replacing all the shutters, use 14 to 16 inch widths. You must cover the original installation holes.

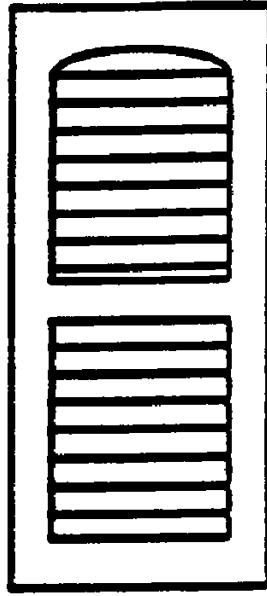
All door shutters are optional, but must match window shutters in style and color. Door shutters must match size of doorframe.

Only louver or raised (solid panel) shutters are allowed. Louver shutters may be straight-top or arch-top.

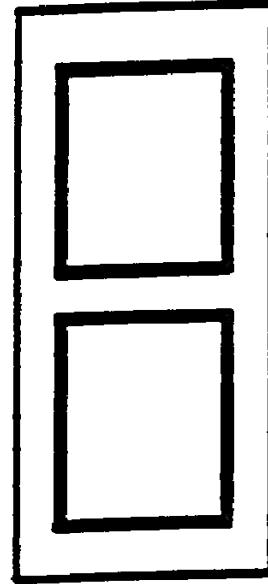
3 STYLES OF SHUTTERS FOR NCA:



Straight-Top Louver



Arch-Top Louver



Panel Raised

Section 18. Skylights and Solar Panels: (11/93, 8/98) Skylights may be placed either on the front or rear of the house. The style (flat, flat with opening capability, or bubble) is subject to approval based upon the visual appearance from sidewalk/street. Solar panels may be placed only on the rear of the house.

Section 19. Stoops and lead-in sidewalks: (11/93, 4/96, 8/07) Front stoops and lead-in sidewalks may be constructed of concrete, slate, paving stones, or brick and may not be painted. They must be maintained in good condition and void of cracks or crumbling. The surface must be on the same plane; sections that have dropped or raised must be repaired or replaced. No outdoor carpeting or painting of stoops and sidewalks is allowed. Other materials will be considered on an individual basis.

Section 20. Walls: (9/74, 4/89) Walls (except retaining walls) are only permitted on detached homes.

Walls may be constructed only in side or rear yards and shall not extend into the area between the street and front building restriction line. Walls may not obstruct sight lines for vehicular traffic.

Retaining walls may be constructed of pressure treated wood. All other walls must be constructed of natural stone or brick.

Walls which divert groundwater onto adjoining properties, or which otherwise substantially change the existing drainage patterns will not be approved.

Section 21. Window air conditioning units: (11/93) Window air conditioning units are permitted only in the rear of the house.

Section 22. Windows: In Newington Place, Newington Woods and Woodmere, the replacement windows shall be vinyl, vinyl-clad, or metal-clad and shall be white or blend with the existing siding color with the exception of Newington Glen where the replacement windows shall be brown.

All windows must be the same style. Mullions (or muntins or grids) will be optional. Owners are encouraged to consider them. Newington Glen does not have mullions.

If a window is being replaced by a door, the window replacement color scheme applies.

Section 23. Handrails: (8/05, 8/07) Handrails must be approved. See Article II, Section 3.

Section 24. Holiday decorations: (8/07) Holiday decorations are permitted on the exterior of a home thirty (30) days prior and thirty (30) days after a major holiday.

ARTICLE VII - APPLICATION PROCEDURES

Section 1. Application procedures: (8/07)

1. Requests for Exterior Project Forms (Architectural Request Forms) are available from the Architectural Advisory Committee, the Community Manager, or in the monthly newsletter. Forms must be submitted for any exterior addition, alteration, modification, or change. See Article II, Section 5, regarding county approvals.
2. In an emergency, when repairs must be made immediately, phone the Architectural Advisory Committee Chairperson or any member of the Architectural Control Committee to obtain a phone approval. A Request for Exterior Project form must still be submitted for the project.
3. A Request for Exterior Project (Architectural Request) form describing a project must be submitted to the NCA community office. It must be accompanied by a legal size, stamped, self-addressed envelope.
4. The description of the project shall include: what is to be done, height, width, length, shape, color, type materials, and/or location of the proposed project. Photographs or sketches of similar completed projects would aid the review process.
5. Depending on the type of project being proposed, also include paint samples, comments from neighbors on the proposed construction, and a plat showing the location of the project, as necessary.
6. The Architectural Control Committee will approve or disapprove the request within 30 days after the request is received, unless extenuating circumstances arise.
7. Approval is valid for 1 year from the date of approval. After this date, the request must be resubmitted.

Section 2. Architectural Advisory Committee action:

Applications will be processed as soon as practicable after receipt by the Architectural Advisory Committee. The Committee will review and forward the request to the Architectural Control Committee with a written recommendation for approval or disapproval.

If the recommendation is for disapproval, the reasons for disapproval will be specifically set forth. Any dissenting member of the Architectural Advisory Committee shall be given the opportunity by the Chairperson to have his/her views submitted in writing along with the majority's recommendation of the Architectural Advisory Committee when the recommendation is forwarded to the Architectural Control Committee.

Section 3. Architectural Control Committee action:

The Architectural Control Committee shall approve or disapprove the requests. All matters within the jurisdiction of the Architectural Control Committee, including but not limited to decisions on architectural proposals, shall be acted upon by the majority agreement of the President, Vice-President, and the Secretary.

In the event that they are unable to agree on any particular matter, such matter shall be referred to the full Board of Directors for decision.

Section 4. Board of Directors' Action: (8/07)

The NCA Architectural Control Committee shall approve or disapprove the architectural request.

If a request is disapproved, either by the Architectural Control Committee or the full Board, the President or Board Liaison shall send a letter to the member specifically stating the reasons for such disapproval, and advising the member of the right to appeal.

ARTICLE VIII - APPEAL PROCEDURES

Section 1. How to appeal: To appeal, the member of the Association must send a written notice to the President of the Association within 30 days of receipt of the letter of disapproval. The appeal shall reference the decision on the architectural request and shall state:

- the basis of the appeal as specifically as possible;
- whether he/she desires an oral hearing or whether the appeal will be submitted in Writing; and
- if an oral hearing is requested, the names, addresses, and phone numbers of any person(s) he/she wishes to attend such a hearing.

Section 2. Oral hearing: Any member of the Association who has requested an oral hearing shall be entitled to bring to that hearing any person(s) to serve in whatever capacity and for whatever purpose desired. Such member of the Association may, if so desired, appear in person but reserve the right to be represented by any designated person.

Within 15 days of receipt of notice of an appeal which requests an oral hearing, the President of the Association shall, in writing, notify the member of the time and place of the hearing. The oral hearing must be held within 30 days of receipt of the notice of appeal.

Section 3. Decision on the appeal: Within 15 days from the close of the oral hearing or within 30 days of receipt of the notice of appeal, in the event such notice does not request a hearing, the President shall, in writing, notify the member of the Association of the decision on the appeal.

Section 4. Appeal to the full Board of Directors: In the event that a member of the

Association desires to appeal the decision of the Architectural Control Committee to the full Board of Directors, the procedures set forth in paragraphs 1 through 4 in this section shall apply, except that:

- the decision of the Board of Directors shall be rendered not later than the next regularly scheduled meeting of the Board of Directors; and
- the decision of the Board of Directors is final and further appeal may not be made.

ARTICLE IX - ASSESSMENT OF CHARGES FOR ARCHITECTURAL STANDARDS VIOLATIONS (8/07)

The assessment of charges for Architectural Standards violations will be controlled by the Violations Procedures Policy in effect at the time of the violation.

For procedures and assessments in the event of rule violations, [click here.](#)

[CLICK HERE FOR 7/23/08 ADDENDUM.](#)

Approved 8/2007