

Silver Cup Estates  
Homeowners' Association  
Architectural Design Guidelines

# SILVER CUP ESTATES HOMEOWNERS' ASSOCIATION ARCHITECTURAL DESIGN GUIDELINES

Living in a planned community such as Silver Cup Estates offers many privileges, but also requires certain restrictions in order to preserve the value, desirability, and architectural integrity of our Community. The Silver Cup Homeowners' Association Architectural Guidelines, as authorized by the governing documents, have been established to provide guidance to reach this goal.

The Architectural Control Committee ("ACC") is charged with the responsibility of reviewing and approving all proposed exterior improvements to residential dwellings and/or lots in this community prior to any construction. The purpose of the ACC is not to restrict individual creativity or personal preferences, but rather to assure the overall continuity and harmony of design and building materials of the community. This ensures the preservation and value enhancement of your neighborhood. The Board has established these design guidelines to provide a reference for new ACC members, and to help ensure that decisions are applied fairly and consistently. ACC members have the authority to approve or disapprove homeowner requests that deviate from these guidelines, as long as there is no conflict with the Covenants and any other governing documents of the Association. However, the ACC must thoroughly document the reason for any such variance and review with the Board of Director's prior to their decision. These guidelines will help assist property owners in planning their home improvement projects. Before beginning any addition, alteration or improvement to your individual lot, other than normal upkeep, must have prior written consent from the ACC. If an identical improvement that may have been previously approved for a neighboring property owner, your individual application must be submitted for approval.

During the evaluation of an application, the ACC will consider the characteristics of the residence and the individual lot site, because what may be an acceptable design for one particular residence/lot may not be acceptable for another. All possible architectural characteristics have not been covered in these design guidelines.

Once an application has been approved by the ACC, the plans must be followed as approved. Any subsequent modification to the existing approved plans must receive written ACC approval prior to construction.

The ACC does not assume any responsibility for any homeowners' improvements, the means, quality or method of construction, and/or an owner's failure to obtain necessary permits. You must first file an application with the ACC prior to submitting the Fauquier County building permit application.

Failure to obtain written approval of the ACC when required will constitute a violation of the design guidelines and may require modification or removal of unauthorized work or improvements at the homeowner's expense.

The ACC makes no warranty or representation that any "view" will be completely preserved or protected.

## SUMITTAL AND REVIEW PROCEDURES

Submittal requires drawings of the improvement or addition that include the following:

- Plan (top view), drawn to an appropriate scale, of all proposed improvements and showing overall dimensions.
- Location of improvement as it relates to the residence and all adjacent property lines including setback dimensions, if any.
- Descriptions of plant materials (species and/or common name, and size and height at maturity), building materials and colors including brand name and specification name and number, if any. Show this information on plans. Include colors and finishes of all items.
- Any appropriate construction details.
- Drainage and grading must be clearly indicated if the change or improvement concerns the property. Indicate all proposed and existing drain inlets. The landscape plan must indicate direction of water flow and how surface water is to be collected. The existing drainage pattern at the time when the builder completed overall grading is designed without consideration of proposed landscape improvements. The Association is not responsible for installation of proper drainage. This is the sole responsibility of the owner and/or his/her landscape contractor. No owner may alter, modify, remove or replace any drainage improvements located within such owner's lot without receiving prior written approval from the ACC. No owner may alter any existing drainage patterns to neighboring lots.
- Complete the Architectural Approval Form and submit it with any necessary drawings and samples of materials or colors, if those proposed deviate from the original, or are new.
- Keep a copy of the completed application package for your future reference.
- The ACC will evaluate all completed applications within 30 days of the receipt of all required materials. The ACC will indicate its approval, approval with conditions, or denial. The paperwork will be sent to the management company.
- The management company will record the ACC's decision and notify the applicant, in writing, of the decision within seven (7) days.
- All approved changes or additions must be completed within 12 months of the approval of the installation of the item. Extensions of this time period may be granted on a case-by-case basis for extenuating circumstances.

## THE FOLLOWING GUIDELINES REQUIRE AN APPLICATION TO THE ACC UNLESS OTHERWISE NOTED:

**AWNINGS, RETRACTABLE** - Retractable awnings over decks and patios must be approved. The color scheme of the awning should complement that of the house. The awning must be maintained in good working condition.

**BASKETBALL BACKBOARDS** - An application must be submitted to the ACC prior to the installation of a permanent basketball backboard. Permanent basketball backboards affixed to permanent or semi-permanent freestanding poles are permitted with the stipulations listed below. The backboards may be left white or painted to match the trim color of the structure to which secured. At all times, hoop and net must be maintained appropriately.

Backboards may be affixed to permanent or semi-permanent, free-standing poles with the following stipulations:

- Poles are painted a neutral color.
- No court markings are painted, drawn or otherwise affixed to the playing surface.
- Poles must be located at least twelve (12) feet from a side lot line and fifteen (15) feet from the front line.
- Portable Basketball Set-ups - Portable basketball set-ups are restricted to personal property. Portable basketball backboards should not be set up on the street.

**DECKS** - All decks must be approved by the ACC prior to installation.

1. Location - Decks (and stairs) must be located in rear yards and should not break the side plane of the house. Decks shall not be erected forward of the rear plane of a dwelling unit.
2. Scale & Style - Decks, particularly elevated decks, should be of a scale and style which are compatible with the home to which attached. Specific dimensions shall be considered on a case-by-case basis.
3. Color - The deck boards, picket rails, posts and top rail may be clear coated or stained with a natural wood color approved by the ACC. They may also be synthetic materials in earth tones, white, or gray. All other wood components must be sealed.
4. Under-deck Storage - Elevated decks have an under-deck area, which can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. The use of decorative screening or landscaping to minimize adverse visual impacts is encouraged and may be required by the ACC, particularly in the case of high decks. The installation of lattice to screen the undercroft is permitted for elevated decks. Lattice should be a minimum of one inch wide and have a diagonal pattern.
5. Privacy Trellises & Screens - The attachment of privacy screens and trellises for elevated decks will be permitted if consistent with the size of the deck and home.

**EXTERIOR DECORATIVE OBJECTS** - ACC approval is required for all exterior decorative objects that are of significant size. Examples of objects include large stones, sculptures, bird baths, weather vanes, free standing poles of all types, fountains and any item attached to approved structures (i.e., house numerals). These will be evaluated in terms of their size, location, compatibility with architectural and environmental design qualities and visual impact on the neighborhood and the surrounding area.

However - flowerpots, small rocks used in rock gardens, and *small* decorative garden accents do not need approval.

EXTERIOR PAINTING - painting and exterior color changes must be approved. This requirement applies to portions of structures including, but not limited to, siding, trim, roofing, and to entire structures.

However - an application is not required in order to repaint or re-stain a small area on the home to match the original color during repairs.

FENCES - An application must be made to the ACC prior to the installation of any fence in the community. Guidelines for the construction and approval of fences are provided below.

1. Chain-Link Fences - Chain link fences are prohibited.
2. Lot-Line Fences
  - a. Materials - It is preferred that fences be constructed of pressure treated southern yellow pine #2 grade or better. Other material may be approved by the ACC, such as synthetic materials in earth tones or painted white.
  - b. Fence Placement - In general, fences may be located on the rear yard lot line. Fences may not be placed forward of the mid-point of any house. Precise fence placement will be considered on a case-by-case basis and in compliance with any Fauquier County ordinances.
  - c. Color - All fences, if treated, should be painted white, clear sealed, or stained in earth tones, which have been approved by the ACC prior to application.
  - d. Maintenance – Fences must be maintained in good condition.

LANDSCAPING - Landscapes materials may not be installed on ingress/egress easements shown on a site plan or plat map. There shall be no adverse impact, including problems with drainage, to adjacent neighbors and/or common area. Any other landscaping modifications, including, but not limited to, the following, require application and review by the ACC:

- Stone, masonry or keystone landscape walls. Walls intended, as a landscape feature should not exceed two feet in height. The use of natural stone is preferred. However, brick or cultured stone may be approved if consistent with the design characteristics of the home and adjoining properties.
- Any modifications that require construction (including retaining walls or garden structures, such as trellises, gazebos, etc.) or result in a grade change.
- Any landscaping other than the surrounding perimeter of the home, trees, and ground cover other than mulch.
- Any proposed improvement, which is of such, scale or type as to be potentially inconsistent with the scale and design features of the home, adjacent homes and the surrounding area.

However, an application is not required for the following:

- Planting of annuals, perennials, shrubs, flowers and replacing mulch in existing beds.
- Removal of grass and replacement with mulch in a 5-foot perimeter surrounding your home and in front of walkways if applicable.

**PATIOS** - All patios require approval. Patios must be located in rear yards. Any adverse drainage impacts, which might result from the construction of a patio, should be considered and remedied. The use of a partially porous patio surface or the installations of mulch beds adjacent to the patio are ways to eliminate drainage concerns. Materials shall be compatible with the overall color scheme of the house.

**RECREATION AND PLAY EQUIPMENT** - Permanent or semi-permanent play equipment, which constitutes a structure, such as swings sets, playhouses, sand boxes, etc., requires an application and are subject to the guidelines below.

Location - All play equipment must be located in the rear yard and should be set back a minimum of six feet from the rear and side property lines, or in compliance with Fauquier County codes, whichever is more restrictive. The play area resulting from this equipment should not encroach onto other properties.

Size & Scale - The size of any play equipment should be compatible with the size of the lot.

Screening - Play equipment should be sited so as to have the minimum visual and noise impacts on adjoining lots. The ACC may require landscape screening to minimize any adverse impacts.

Materials & Colors - The use of wooden play equipment is encouraged. Applications for such play equipment should include a color photograph or catalogue cut sheet, the physical dimensions of the equipment, and proposed location on the lot. Equipment shall be kept in operable condition.

**STORAGE SHEDS** - All storage sheds must be approved by the ACC. Storage sheds can aesthetically affect both individual property and the neighborhood. As a result, all storage sheds should be compatible with the architecture of, and landscaping surrounding, the house. Storage sheds must be located within the homeowner's property boundary in the rear yard only and be consistent with all Fauquier County ordinances. Sheds should be constructed of wood with wood or vinyl siding, or similar materials and be white, a natural wood color, or the color of the house. The shed should be no larger than ten (10) feet by sixteen (16) feet in depth and width, and no taller than ten (10) feet at the peak of the roof. Only one shed will be permitted on each lot.

**SWIMMING POOLS** - In-ground pools are permitted, with ACC approval. The ACC may require appropriate screening of mechanical equipment to minimize any negative visual impact.

However, children's wading pools are permitted and do not require ACC approval. They should be removed when not in use. Seasonal above ground pools with a maximum diameter of 16 feet and a not to exceed height of 4 feet are permitted to be placed on your back patio, and do not require ACC approval. Seasonal above ground pools are only permitted between Memorial Day and Labor Day, and must be stored out of sight the rest of the time.

## THE FOLLOWING GUIDELINES DO NOT REQUIRE AN APPLICATION TO THE ACC UNLESS OTHERWISE NOTED:

**EXTERIOR LIGHTING** - Lampposts must not exceed eight (8) feet, including fixture. Any floodlights shall be installed so as not to shine into neighbors' windows and minimize illuminating neighbors' yards.

**EXTERIOR GROUND AIR CONDITIONING UNITS** - May be added to or relocated only when they do not interfere visually with neighboring property. Exterior ground units shall be oriented so as not to discharge hot air onto neighbors' properties.

**CLOTHESLINES** - Clotheslines or similar apparatus for the exterior drying of clothes will not be permitted.

**ATTIC FANS** - Attic fans are permitted. They must be installed on the rear side of the roof ridge line, so as to have no visibility from the front of the home.

**TRASH CONTAINERS** - All trash containers must be stored out of view at all times. Appropriate exterior screening, fencing, or landscaping may be used where alternative storage is not available. Trash and garbage containers shall not be permitted to remain in public view except on days of trash collection.

**WINDOW TREATMENTS** - Window treatments hung on the inside of the home that can be seen from the outside shall be of the usual types that are seen in single family home communities, such as draperies, curtains, roller or Roman shades, accordion shades, etc. Blankets and sheets should not be tacked up to cover windows. Windows may be tinted provided that no reflective materials are used to create a mirror effect from the outside. Items such as banners, signs, paint, or paper shall not be permanently displayed or affixed in, or to, any windows. Exterior wrought iron or metal bars are prohibited.

**EXTERIOR MAINTENANCE** - Property ownership includes the responsibility for maintenance of all structures and grounds that are a part of the property. This includes, but is not limited to, items such as mowing grass, removal of trash, and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood, and in some cases, safety.

**EXTERIOR AIR CONDITIONERS** - Air conditioning units extending from the house walls or windows are not permitted.

**STORM/SCREEN DOORS** - Full-view storm doors, defined as doors where the glass/screen comprises at least 80 percent of the door surface, are permitted and there is latitude for a number of styles. Doors shall be white or match the color of the home entrance door behind the storm door. Doors with lead inlays, etched, or beveled edge glass are permitted. However, doors with decorative treatment, such as grills, are not permitted.

MAILBOXES - Mailboxes and the poles to which they are attached should be similar in color, shape and size to others in the community. They may be white, black, or natural wood shades and may have small decorative printing on them, such as the name of the homeowner, or small pictures of animals or flowers. Posts may be made of synthetic material, but the design must resemble the original design provided by the builder.

## THE FOLLOWING ARE RESTATED IN THE COVENANTS:

### PARKING AND STORAGE OF VEHICLES

The types of vehicles listed in subsections (a) through (j) below may not be parked or stored in open view on residential lots. Any such vehicle may be stored in a garage, out of open view.

- a. Any boat or trailer;
- b. Any motor home or self-contained camper;
- c. Any camper slip-on where the back of the camper is higher than the roof line of the cab of the truck; except that if a truck-mounted camper is to be an owner's primary means of transportation, it shall not be considered a recreational vehicle, providing it meets the following conditions: (1) the vehicle is moved on a daily basis and (2) it is parked within a garage or driveway;
- d. Any mobile home, trailer or fifth-wheel vehicle;
- e. Any pop-up camp/tent trailer or similar recreation oriented portable vehicle or transportable facility or conveyance;
- f. Any other vehicle not defined above which is not normally or regularly used for daily transportation, including dune buggies, non-operational automobile collections, or other automotive equipment not licensed for use on the highways of Virginia;
- g. Any vehicle defined that requires a commercial license plate and/or a commercial driver's license to operate;
- h. Any vehicle with commercial signs, advertising, logos, business names, or visible commercial equipment including cars, standard size vans, and pickup trucks normally used for private purposes;
- i. Private or public school, or church, buses;
- j. Any vehicle that is longer than the actual parking space in the drive of the home or exceeds eighteen (18) feet in length and/or eight (8) feet in width, or is more than three (3) tons gross weight, irrespective of whether such vehicle would otherwise be permitted in accordance with other terms within the ACC.

Junk or derelict vehicles may not be parked or stored in open view on residential lots. A vehicle shall be deemed to be a derelict vehicle if it is inoperable, missing any necessary parts, such as, but not limited to, tires, wheels, engine, etc., that are necessary for operation of the vehicle on public streets. A vehicle shall also be classified as a derelict vehicle if it does not have a current license tag



Parking of approved vehicles shall only be on surfaces designated for such activity, such as driveways and garages. However, any addition to, or extension of, driveways must be approved by the ACC.

Residents have the ability to park four (4) vehicles (two in the garage and two in their driveway); therefore residents are encouraged not to park on the streets on a regular basis.

**ANTENNAS AND SATELLITE DISHES** - Satellite dishes that are one meter in diameter or less, television antennas and MMD (multichannel, multipoint distribution) antennas are permitted with approval of location.

1. Location - Devices are NOT to be installed in front of the lot or on the front façade of a residence so long as another location exists on the lot or residence from which an acceptable quality signal can be received. They are to be located so as 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. Whenever possible, the devices should be located in the rear yard, below the height of privacy fencing. If they must be installed at roof level, then they should be situated on the rear side of the roof ridgeline, so as to have no, or minimal, visibility from the front of the home.

Screening - To the extent possible, dishes and antennas should be screened so that they are not visible from the street or to other lot owners.

**ANIMALS** - Dogs must be under the personal control of someone capable of controlling the dog on a leash outside any required enclosure. Any litter deposited by pets on lawns, sidewalks, paths or other Association common areas must be removed immediately by the owner of the littering pet. If not, the lot owner attributable to the littering pet can be fined. Do not allow animals to urinate on plants and shrubs or to urinate in areas where the smell would be offensive to residents. Residents shall be responsible and liable for any personal injury or property damage caused by their pets. If the pet owner is a tenant, the owner of the lot attributable to the tenant with the pet is liable. Dog runs are not permitted. However - Doghouses and any other outdoor shelter built for animals may be permitted, subject to approval by the ACC.

**SIGNS** - No signs may be placed on any lot without Board of Director's approval.