

WILLIAMSBURG SETTLEMENT M.A., INC.

ARCHITECTURAL REVIEW COMMITTEE

GUIDELINES

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ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

The Architectural Review Committee ("ARC") was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Covenants, Conditions and Restrictions ("CC&Rs") provide that "no building, fence, wall, structure, improvement, exterior appurtenance, or exterior corporeal hereditament, except landscaping (landscaping defined as "living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth, i.e., bark mulch, etc. Trellises, window boxes, arbors, and permanent brick borders must have ARC approval. Landscape timbers and bricks without mortar do not need ARC approval unless they exceed a height of one (1) foot) shall be commenced, erected, placed, or altered on any Lot, nor shall any exterior addition to or change or alteration, other than landscaping, be made to the Lot, improvements, appurtenances, or corporeal hereditaments until the construction plans and specifications describing the nature, kind, shape, height, materials and a plot plan showing the location of same, have been approved in writing."

It is the general purpose of the ARC to approve or disapprove applications made to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lot itself. Landscaping does not require ARC approval unless the configuration of the ground changes (i.e., berms, fill dirt, etc.).

Procedure

A "Request for Home Improvement Approval Form" must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, locations of the proposed improvements must be indicated on a copy of the survey, etc. and all of these items should be included with the application.

The architectural review forms are available from your management company. A copy of the form is also available on the Association web site and included in every edition of the monthly newsletter. The ARC cannot respond to verbal requests for approval -- all applications must be made in writing.

The ARC has thirty (30) days from the date of receipt of an application in which to respond. If additional information is required by the ARC, the application process will be extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process. No construction should begin prior to the approval. Additionally, should your application be submitted after the fact of construction, the ARC is not required to provide approval and there is no limitation of time for the review. You may be required to remove said improvements.

If an application is not approved, the ARC will state in their letter why such approval was denied and

what type of application changes, if any, would alter that decision. If an applicant wishes to discuss or appeal a decision made by the ARC, the Designated Representative should be contacted in writing.

Guidelines

The following are guidelines adopted by the ARC to specify their standards, requirements and thought processes used in evaluating an application. The guidelines may be amended from time to time as the circumstances, conditions or opinions of the ARC dictate. It should be noted that each application is considered on its own merit and that the ARC may grant a variance from these guidelines and/or from certain provisions of the CC&Rs. The ARC has the right to deviate approval for a similar improvement based on the proximity of a property to a main boulevard on the visual relativity of the site to the overall development. As an example, a home located on the perimeter of the development may be permitted to have a certain styled storage building, whereas on a main entry boulevard and depending on the configuration of the lot, this same item may not be approved, the intent being to maintain overall integrity within areas of higher visual impact.

It should also be noted that ARC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ARC approval, the Board of Directors has the legal right to enforce its removal.

An historical record of revisions to this document shall be maintained indicating the changes and the dates on which they became effective.

1.0 Outbuildings

- 1.1** An "outbuilding" is defined as any structure which is not attached to the main structure. This definition does not include bonafide additions to the main residences or garages wherein an actual opening to the main structure exists, but does include storage sheds, green houses gazebos, and playhouse/forts.
- 1.2** The ARC will consider the following:
 - a. The colors should match/blend with the predominant exterior colors of the main residence.
 - b. Materials should match those of the main residence in both size and color. Metal storage buildings will not be approved.
 - c. It should have a peaked roof, no higher than eight feet (8') from the ground to the highest point, and a maximum of 10' x 12' floor space. Structure must be placed and maintained a minimum of three feet (3') off rear property line and distance from side fence will be determined based on visibility from the street in front of the lot. At no time, however, will that distance from side fence be less than three feet (3'), regardless of visibility. Location must also be far enough away from fence to allow for drainage to

occur entirely on the owner's lot.

- d. Storage building placed on a concrete slab on top of a utility easement will require letters of Consent to Eneeroach, as it will not be considered portable. If a storage building is not on the utility easement, but on a slab, and can be moved, the ARC will consider it as portable.
- e. No storage building can be built up against any side or rear wall of a home unless its maximum height is less than six feet (6') and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size and location.
- f. If under six feet (6'), storage structure may be placed in side yard, provided three-foot (3') minimum setbacks are observed.
- g. Playhouse/fort must be no higher than nine feet (9') maximum. If fort has a platform, then platform can be no higher than 42" above ground and centered in back yard to protect neighbor's privacy. It shall also be placed so as not to be visible from the fronting street.
- h. Gazebo - Freestanding - Must be at least six feet (6') away from house. Must review on a case-by-case basis with a maximum height at peak of eleven feet (11') and must be three feet (3') off side and back fence.

2.0 Basketball Goals

- 2.1 The basketball goal backboard, net and post must be maintained in excellent condition at all times.
- 2.2 If the backboard is mounted onto the roof by use of a small, triangular mounting structure, the mounting structure must be painted to match the shingle color.
- 2.3 Rims must be no more than ten feet (10') in height.
- 2.4 Backboard must be regulation size and color.
- 2.5 Must be mounted on garage or placed on the side of driveway, recognizing a setback of a minimum to correspond with building line.
- 2.6 If any complaints are received within six (6) months after installation, the basketball goal will be subject to immediate removal at the request of the ARC.
- 2.7 Backstop screening devices are not permitted whether free standing or attached to fencing.

3.0 Patio Cover

- 3.1 Should be constructed of materials which complement the main structure.
- 3.2 Prefab covers made of aluminum may be approved providing they are of an earth tone color -- unfinished aluminum will not receive ARC approval. All metal must be painted and certain structures using fiberglass roofing and wood frame may be allowed to go unpainted provided

treated wood is used.

- 3.3 If attached to house, must be integrated into existing roof line (flush with eaves), and if it is to be shingled, shingles must match roof. Entire patio cover and posts should be trimmed out to match house. Supports must be painted wooden, treated wood or metal columns. No pipe is allowed.
- 3.4 At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of house whether treated or untreated wood is used.
- 3.5 Patio construction materials are as follows:
- a. Painted aluminum (to match trim of house)
 - b. Painted wood (to match trim of house)
 - c. Natural pressure treated wood such as cedar, fir, redwood may be used. Treated pine must be painted or stained.
 - d. Fiberglass is acceptable, and earth tone colors such as tan, brown, beige, clear may be used. No green or yellow is allowed. Edges of fiberglass must not be visible from surrounding properties or from any street.
General Note: All patio cover material, i.e., fiberglass, corrugated aluminum, metal, wood, lattice, must be completely framed in so that no raw edges of material are visible.
 - e. If canvas is used as roofing material on a patio cover, it must be an earth tone color and the structure must be located where it is not visible from the street. Also, the canvas must be kept in quality condition or its removal will be requested by the HOA. No greens allowed for residential use. Commercial use allows the use of green.
- 3.6 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 3.7 Patio covers must be situated on the lot to provide drainage solely into the owner's lot. If a proposed patio cover location is less than five feet (5') away from side lot line, the ARC will require that it be guttered with downspouts, if it is to be a solid cover.

4.0 Room Additions

- 4.1 Exterior materials and colors should match the house as much as possible.
- 4.2 Detailed plans must be submitted to the ARC.
- 4.3 Room additions may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

- 4.4 On an individual basis. Size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home. Addition of a storage area will not qualify as a bonafide room addition and will not be permitted. Plans for room addition must show a room of reasonable size to constitute a legitimate request for a room addition. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home. The addition must be opened to the main structure and be serviced by central heat/AC and electrical. All such improvements must be designed to building code standards. Room additions may be denied for other reasons, i.e., structural integrity, architectural suitability, etc.
- 4.5 Building permits as required by the applicable municipality (city, county, etc.) must be submitted with the "Request for Home Improvement Approval" form. In some instances, the ARC will grant approval with the provision that a copy of the permit must be received by the ARC within thirty (30) days of the approval letter.

5.0 Exterior Painting

- 5.1 Exterior paint colors shall be approved by ARC prior to painting
- 5.2 Conforming earth tone blend colors will be considered. The color of neighboring homes will be taken into consideration, along with the applicant's house brick features.

6.0 Storm Windows and Storm/Screen Doors/Solar Screens

- 6.1 Providing the frames of these are of a color compatible with the exterior house colors, storm windows and storm or screen doors should receive ARC approval.

7.0 Decks

- 7.1 Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 7.2 Decks should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot.
- 7.3 Decks cannot be higher than 18" above grade.
- 7.4 Paint or stain should match or compliment the house.

8.0 Swimming Pools and Spas

- 8.1 No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Pool decking which extends into an easement also requires a consent agreement. Consents must be received prior to approval.

- 8.2 No pool and/or deck shall be within five (5) feet of the side property lines and/or greater if otherwise defined by the plat and/or restrictions.
- 8.3 Above ground pools will not be permitted.
- 8.4 All pools must be enclosed within a fenced area and equipped with self-closing gates.
- 8.5 Pool pumps and other equipment must be screened within the fenced perimeter and not visible from the fronting street.
- 8.6 Pool enclosures will be reviewed on an individual basis and height should not exceed six feet six inches (6'6").

9.0 Satellite Dishes/Antenna

- 9.1 If permitted per the restrictions shall have a maximum diameter of eight feet (8'). Must be installed in a manner not to be visible above a six foot six inch (6'6") fence. Perimeter must be completely fenced to approve the installation of a dish.
- 9.2 A wooden or lattice screen with a non-deciduous vine planted at base, on all sides may be used as screening inside of the fenced area. Edges of lattice walls must be framed in so that they are not exposed. Structure must be freestanding and cannot be joined to a side or rear fence.
- 9.3 Standard broadcast/local broadcast reception antenna must be installed on the backside of the house, lower than the center ridge of the roof and must not be visible from the street.

10.0 Fence and Fence Extensions

- 10.1 On an individual basis.
- 10.2 No higher than six feet (6') or six feet, six inches (6'6") including rot board.
- 10.3 No painting, staining, or varnishing of fence.
- 10.4 Cedar or cypress pickets, and/or wrought iron depending on visibility to interior of lot, other materials shall be approved by ARC on a case by case basis.
- 10.5 No split rail fences or decorative fencing permitted to front other than those constructed for use at model homes. This must be removed prior to the sale of a model.
- 10.6 Fence extension requests should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.
- 10.7 No fence may extend so as to encroach in front of a building line.
- 10.8 If both neighbors do not concur as to a proposed fence extension, the ARC will examine the effect the fence extension will have on both properties. If one party will suffer detrimentally from the extension (i.e., will totally enclose a bay window), the ARC has the right to reject the application.
- 10.9 Approved fences will be installed picket side out where visible from any street.
- 10.10 Replacement or repairs of fence must be made with similar materials and construction details as

used in original fence.

- 10.11 Fencing shall be uniform throughout the development. Wrought iron may be used in areas of decorative use in sections across driveways or where used across a building line so long as there are no items, storage or otherwise visible from a fronting street.

11.0 Decorations

- 11.1 On front lawns of lots and on any portion of a lot visible from any street, there shall be no decorative appurtenances placed, such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments, exceptions will be approved on a case by case basis.
- 11.2 Benches, burglar bars and gates will be reviewed on an individual basis.
- 11.3 House numbers may be placed on house, curb or mailbox, but not on any type of freestanding structure in the front yard.
- 11.4 Security company signs must be less than one foot (1') square in surface area.

12.0 Exterior Lighting

- 12.1 Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.
- 12.2 Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.
- 12.3 Low voltage landscape lighting should receive ARC approval.
- 12.4 Security, mercury vapor, or fluorescent lights must be attached to the front of the house, preferably the garage. Mercury vapor, fluorescent, and sodium halite may be permitted in back as long as it in no way shines onto adjacent property.
- 12.5 Yard lights may be gas or electric. Single lamp only and maximum height of six feet (6'). May be in front or back. Gas or electric lights must be black or brown, depending on color of house and determination of suitable color will be the decision of the ARC.

13.0 Mailboxes

- 13.1 Changes or improvements made to the property site mailbox will require ARC approval.
- 13.2 Replacement of the original pole with a wooden post should receive ARC approval. If the post is to be painted or stained, a paint sample must be included with the application. The ARC will consider the effect a painted or stained post will have on the street -- if the proposed color will not readily blend in with the surrounding materials, that portion of the application will be denied.
- 13.3 Bricked mailbox stands should receive approval providing the brick matches the house, the stand is appropriate in size and design, and will meet U.S. Post Office requirements. A specific sketch should be included with the application.

14.0 Wind Turbines

14.1 The wind turbines preferably should either be a color which will blend with the shingle color instead of unfinished aluminum, or be painted to match the shingle color.

14.2 Wind turbines shall not be visible from the fronting street.

15.0 Outdoor Carpeting

15.1 Can only be installed on porch area - no walkways, etc.

15.2 Earth tone colors acceptable.

15.3 Specifically no green or blue carpet.

15.4 Not visible from fronting street.

16.0 Burglar Bars

16.1 Acceptable provided they are in harmony with house.

16.2 Painted to match exterior trim.

17.0 Birdhouse

17.1 Maximum preferred height is twelve feet (12').

17.2 Mounted on 2" post. Metal posts to be painted white, brown, or black.

17.3 Must be placed toward the middle of back yard and not visible from the fronting street.

18.0 Landscaping

18.1 Timbers, bricks, stone (use native Texas stone), flowerbed borders, landscape lights, trellises and sprinklers may be approved subject to ARC review.

18.2 Must compliment style and architecture of home and conform to color scheme of immediate neighborhood.

19.0 Swing Sets/Play Structures

19.1 Structure shall be approved by ARC.

19.2 Location will be considered for neighbors' privacy.

19.3 Metal tubing – type swing sets or play structures may not be visible from the fronting street.

19.4 If any complaints are received within six (6) months after installation, the structure will be subject to immediate removal at the request of the ARC.

19.5 All wood play structures that can be viewed from the fronting street are to be maintained in good condition. All canvas must be cleaned, or replaced if torn or soiled

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19.6 Heights above twelve (12') feet will be reviewed on an individual basis.

20.0 Driveway Extensions/Sidewalks

20.1 Reviewed on an individual basis.

20.2 No closer than three feet (3') to property line and must be parallel to curb. Driveway extensions

can extend no nearer to side property line than three feet (3') and five feet (5') in certain instances.

20.3 All sidewalks in the side yard must be no greater than 48" wide.

20.4 No painted surfaces allowed.

21.0 Garage Conversions, Carports, Detached Garages

21.1 Conversions are not permitted and all garages must be capable of housing a minimum of two (2) cars at all times with an operational garage door.

21.2 Carports are not permitted.

22.0 Window Air Conditioners

22.1 Must not be visible from street and must be below fence line.

23.0 Window Shades/Awnings

23.1 Canvas awnings will not be permitted to be installed on windows to reduce solar exposure unless they are on the back side of house on an interior lot and not visible at all from the street. On a corner lot or lot that backs onto a street, canvas awnings will not be permitted at all. When allowed, they must be earth tone colors, and must be kept in excellent condition at all times or will be subject to immediate removal upon notification by the HOA of their unacceptable condition.

23.2 Awnings will still be allowed for use on playhouses and patio covers, provided they also comply with aforementioned requirements for proper location and color.

23.3 Metal and wooden slat-type shades may be allowed by the ARC if they are deemed necessary in reduction of solar exposure and installation on appropriate windows will be determined by the ARC. At no time, however, will they be allowed on windows on the fronts of the homes.

24.0 Roofs

24.1 The roof of any building or other approved accessory building or structure situated on any lot shall be covered with standard composite shingles.

24.2 Color and style shall be approved by ARC prior to installation.

25.0 Signs and Flags

Recognizing that many homeowners display signs which are in violation of ARTICLE 17 of the Deed Restrictions without applying for Board approval, this section expands on this article to define the type, size and placement of signs as defined below for which the Board is prepared to grant blanket approval.

25.1 All signs shall be professionally made and shall be rectangular in shape and shall not exceed five (5) square feet in surface area. An exception to the rectangular requirement will be made for School Spirit signs which it is recognized are often of irregular shape.

- 25.2 Other than temporary election signs mentioned in Section 25.8 below, no signs other than those advertising the sale or rental of the property will be permitted within 15 feet from the curb
- 25.3 Small signs provided by a security company that advertise that the home is protected by a monitored alarm system are approved.
- 25.4 Contractor signs are NOT permitted, and residents are asked to convey this fact to any contractor that is performing work at that residence.
- 25.5 Garage Sale signs shall be removed on the same day that the sale ends. Posting of these signs is not permitted on street signs, stop signs or streetlamps.
- 25.6 There is a preference that religious and political signs not be displayed. However, as an owner may feel very strongly about these subjects and wish to express their views with a sign or flag, such items will be permitted provided that in the judgment of the Board they are in good taste, respectful and are not likely to be considered offensive to other residents.
- 25.7 Signs which are part of holiday decorations are approved
- 25.8 At election time, signs promoting candidates and propositions are allowed by State law for defined periods of time before and after an election. Note that State Law takes precedence over deed restrictions.
- 25.9 All signs and flags must be maintained in good condition.

In all cases, the Board has final approval of any sign or flag and the interpretation and enforcement of these guidelines and has the authority to remove any such item that in its view is not compliant.

26.0 Rain Barrels

Rain barrels are permitted subject to the following restrictions:

- 26.1 The barrels must be of a color that is consistent with the color scheme of the owner's home.
- 26.2 The barrels or system cannot be located between the front of the owner's home and an adjoining or adjacent street. (the front yard).
- 26.3 The barrels of a system must not display any language or other content that is not typically included on the item when it is manufactured.
- 26.4 The size, type, materials and manner of screening for barrels and systems that are visible from the street, another lot or common area shall be consistent with the décor of surrounding structures and shall be subject to ARC approval.
- 26.5 There must be sufficient area on the owner's property to install the barrels or system.

27.0 Solar Panels

Solar panels are permitted on a roof or in a fenced-in yard or patio area subject to the following restrictions:

- 27.1 The solar panel must be located entirely on the owner's property
- 27.2 The panel must be no higher or wider than the roofline of the structure on which it is mounted.
- 27.3 The top edge of the panel must be parallel with the roofline and conform to the roofline slope.

- 27.4 If located in a fenced in yard or patio, the panels must be lower than the fence line.
- 27.5 The panels' frames, brackets, wires and pipes must be a shade of silver, bronze or black.
- 27.6 To be located in areas not consistent with the above regulations, the owner must provide documentary evidence that in so doing the system will have an output in excess of 10% greater than it would have in a conforming location.

28.0 Roof Shingles

Non- conventional roof shingles will receive ARC approval subject to the following requirements:

- 28.1 The shingles are primarily designed to be wind and hail resistant
OR
- 28.2 They provide heating and cooling efficiencies greater than customary composite shingles OR
- 28.3 They provide solar generation capabilities.
- 28.4 The shingles resemble those used on other properties on the subdivision.
- 28.5 The shingles are more durable and of an equal or greater quality than those used on other properties on the subdivision.
- 28.6 The shingles match the aesthetics of the property surrounding that of the owner.

WILLIAMSBURG SETTLEMENT MAINTENANCE ASSOCIATION
CERTIFICATION

I, the undersigned, being the President of Williamsburg Settlement Maintenance Association (WSMA), hereby certify that the foregoing resolution was adopted by the Association Board of Directors on the 20th day of SEPTEMBER, 2011.

BY: Floyd J. Ball President DATE: 9-26-2011
PRINT NAME: FLOYD J. BALL