

WILLIAMSBURG SETTLEMENT M.A., INC.

ARCHITECTURAL REVIEW COMMITTEE

GUIDELINES

JULY 21, 1999

First Revision December 2010
Second Revision September 2011
Third Revision July 2012
Fourth Revision November 2017
Fifth Revision February 2022

REVISION	REVISION DATE	CHANGE	TEXT COLOR
	July 21, 1999	Earliest version on record	
1	December 10, 2010	New Section 25.0 on Signs added	Red
2	September 20, 2011	Change to Guidelines to address revision control of this document Change to Section 9.0 to Satellite Dishes/Antenna regulations Change to 10.4 to allow use of Cypress pickets Section 25.0 expanded to include Flag regulations New Section 26.0 on Rain Barrels added New Section 27.0 on Solar Panels added New Section 28.0 on Roof Shingles added Document approval section added	Magenta
3	July 9, 2012	Change to 10.3 to give ARC committee authority to approve stained fences	Green
4	November 29, 2017	Introduction re-written to improve clarity Procedure changed to reflect use of Crest EMR form and to add time limits for approval validity and implementation Section 10.4 on use of wrought iron fences modified Section 10.9 on fence direction modified New Section 10.12 on Gates added Section 12.0 on exterior lighting updated Sections 1.2g and 19.2 on structure placement modified Section 25.4 on contractor sign rules changed	Blue
5	February 2022	Change to Guidelines to address revision authority of this document Change to 5.3 Exterior Painting to not allow painting of exterior brick Added reference to WSMA policies on 8.6 Swimming Pool Enclosures Added reference to WSMA policies on 25.6 Religious and Political Signs Added reference to WSMA policies on 29.0 Security Measures	Red

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ARCHITECTURAL REVIEW COMMITTEE

GUIDELINES

The Architectural Review Committee (ARC) was created to act on behalf of the Association's Board of Directors in managing the implementation of the Architectural Control requirements of the Declaration of Restrictions (Deed Restrictions) which state that "No building, structure or other improvements of any character shall be erected, placed, added to, or altered on any lot affected hereby until the building plans and specifications for such improvements and a site plan showing the location thereof have been submitted to and approved by the Board of Directors of the hereinafter named Association as being in compliance with these Restrictions as to use, quality of workmanship and materials, harmony of external design and external colors with existing and proposed structures, and location of improvements with respect to topography, finished grade elevation, lot boundary lines and building lines." The purpose of these controls is to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design and it is the role 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, defined as living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth, i.e., bark mulch, etc. does not require ARC approval unless the configuration of the ground changes (i.e., berms, fill dirt, etc.). Landscape timbers and bricks without mortar do not need ARC approval unless they exceed a height of 1' (one foot). Landscape features such as Trellises, window boxes, arbors, and permanent brick borders however must be approved.

Procedure

To make an application for a modification that requires ARC approval an on-line Exterior Modification Request (EMR) form must be completed in its entirety. This on-line form is available on the Crest Management Company (Crest) website www.crest-management.com. A link to the form is also available on the Forms page of the Association website www.wsmaonline.org. The EMR on-line dialog identifies the information and supporting documentation that must be submitted for the type of improvement for which approval is being requested. This will include such items as plans, specifications, building permits, locations of the proposed improvements indicated on a copy of the survey, etc. Files of supporting exhibits should be uploaded as attachments. If not in electronic form they should be mailed to Crest to support the application. The ARC cannot respond to verbal requests for approval - all applications must be made using the on-line EMR form.

The ARC has 30 (thirty) 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 and no construction shall begin prior to the approval. Should the 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. If not approved the ARC may request that the modifications be removed.

When granted, ARC approval for any construction or modification is valid for a maximum of 90 (ninety) days and upon receipt of the approval the project should commence within 30 (thirty) days of the approval date. Completion of the project should be diligently pursued so that it is completed within 60 (sixty) days unless a longer period has been requested and approved by the ARC. With proper notice, a member of the ARC or its representative may inspect the completed project to assure compliance with the approved application and in submitting the request the applicant agrees to provide access for the inspection. In the event of a significant deviation approval may be withdrawn and action taken to enforce the Deed Restrictions.

If an application is not approved, the ARC will state in its 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 **WSMA Board of Directors (the Board)** to specify the standards, requirements and thought processes **that shall be used by the ARC** in evaluating an application. The guidelines may be amended from time to time as the circumstances, conditions, or opinions of the **Board, as advised by 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 **Deed Restrictions**. The ARC has the right to deviate **from approval given to** 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.

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 bona fide 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 the building should have a peaked roof, no higher than 8' (eight feet) from the ground to the highest point, and a maximum of 10' (ten foot) x 12' (twelve foot) floor space. Structure shall be placed and maintained a minimum of 3' (three feet) off the 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 3' (three feet), 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 Encroach, 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 6' (six feet) 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 6' (six feet), a storage structure may be placed in side yard, provided the 3' (three-foot) minimum setbacks are observed.
- g Playhouse/fort must be no higher than nine 9' (nine feet) maximum. If fort has a platform, then platform can be no higher than 42" (forty-two inches) above ground. The structure should be centered in the back yard with **no part of it less than 15' (fifteen feet) from any property line** to protect the neighbor's privacy. It shall also be placed so as not to be visible from any street.
- h Gazebo - Freestanding - Must be at least 6' (six feet) away from the house. Must review on a case-by-case basis with a maximum height at peak of 11' (eleven feet) and must be 3' (three feet) 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 10' (ten feet) 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 6 (six) 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 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.

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 5' (five feet) away from side lot line and is to have a solid cover the ARC will require that it be guttered with downspouts.

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 bona fide 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 electricity. 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 [EMR application](#). In some instances, the ARC will grant approval with the provision that a copy of the permit must be received by the ARC within 30 (thirty) 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 [are preferred](#). The color of neighboring homes will be taken into consideration, along with the applicant's house brick features.
- 5.3 **No paint, stain, lime-wash, or other application that would alter the appearance of the existing or original brickwork anywhere on the property, including any brick mailboxes, shall be allowed. Professionally applied water repelling clear sealer that is vapor permeable for the protection of porous or damaged brick may be approved. Details of the proposed product should be submitted with an EMR.**

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" (eighteen inches) 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 5' (five 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 any street.
- 8.6 **Swimming Pool enclosures shall be evaluated based on conformance to the requirements of the WSMA Swimming Pool Enclosure policy.**

9.0 Satellite Dishes/Antenna

- 9.1 If permitted per the restrictions shall have a maximum diameter of 8' (eight feet). Must be installed in a manner not to be visible above a 6'6" (six foot, six inch) 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 Must be placed in rear/back side of house and not visible from street, and screen should be at least five feet (5') from side and at least eight feet (8') from back fence but not on utility easement without a consent to encroach letter.~~
- ~~9.4 An antenna which is less than one (1) meter in diameter may be located on the rear of the house and installed so as not to be visible from the fronting street. If such installation is prohibited due to reception of the signal every effort will be made to install out of public view from the street.~~
- 9.5 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, Fence Extensions and Gates

- 10.1 Will be considered on an individual basis.
- 10.2 No higher than 6' (six feet) or 6'6" (six feet, six inches) including rot board.
- 10.3 No painting, staining, or varnishing of fence **unless explicitly identified on the EMR application and subsequently approved by the ARC.**
- 10.4 Fences will be of cedar **or cypress pickets.** Wrought iron fencing may be used only across driveways or where used across a building line and will only be approved if there are no items, storage or otherwise visible from a fronting street. Other fence materials may be approved by the ARC on a case by case basis.
- 10.5 No split rail fences or decorative fencing visible from the fronting street are permitted.

- 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 The portion of an approved fence that is parallel to the fronting street will be installed picket side out.
- 10.10 Replacement or repairs of fence must be made with similar materials and construction details as used in original fence.
- 10.11 The goal is to have fencing uniform throughout the development.
- 10.12 All gates must have ARC approval and be entered in the EMR Fence Change application. All applicable information for the design such as size, height, material, motorized or not, must be supplied together with a rendering or brochure for manufactured decorative gates.

11.0 Decorations

- 11.1 Any decorative appurtenances such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments on front lawns of lots and on any portion of a lot visible from any street are discouraged. Such requests will receive special scrutiny and will only be approved in special cases.
- 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 1' (one foot) square in surface area.

12.0 Exterior Lighting

- 12.1 Exterior lighting shall not be of a wattage or lumen output which will detrimentally 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 must receive ARC approval.
- 12.4 Security lights must be attached to the front or side of the house, preferably the garage, and shall be sized and positioned not to cause annoyance to neighbors or shine onto adjacent property.
- 12.5 Yard lights may be gas or electric. Single lamp only and maximum height of 6' (six feet). 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 In subdivisions where communal mailbox are not in use, 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 shall meet U.S. Post Office requirements. A specific sketch should be included with the application.

14.0 Wind Turbines

- 14.1 Wind turbines, instead of being unfinished aluminum, should be of a color that will blend with that of the shingles.
- 14.2 Under no circumstances shall any wind turbine be installed on the front roof line of any home facing a street and to the extent possible should be located to minimize visibility from any 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 12' (twelve feet).
- 17.2 Mounted on 2" (two inch) diameter 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 and items not listed on page 1 as being exempt from approval, 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 must be approved by the ARC.
- 19.2 Swing sets of any material/size shall be located not less than 15' (fifteen feet) from any property line to allow for neighboring privacy.

- 19.3 Metal tubing – type swing sets or play structures may not be visible from any street.
- 19.4 If any complaints are received within 6 (six) 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 any street are to be maintained in good condition. All canvas must be cleaned, or replaced if torn or soiled.
- 19.6 Heights above 12' (twelve 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 3' (three feet) to property line and must be parallel to curb. Driveway extensions can extend no nearer to side property line than 3' (three feet), 5' (five feet) in certain instances.
- 20.3 All sidewalks in the side yard must be no greater than 48" (forty-eight inches) wide.
- 20.4 No painted surfaces allowed.

21.0 Garage Conversions, Carports, Detached Garages

- 21.1 Conversions are not permitted and all garages must have an operational garage door and be capable of housing a minimum of 2 (two) cars.
- 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. Canvas awnings are not be permitted on a corner lot or lot that backs onto a street. When allowed, awnings shall be earth tone colors, and 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 if they are deemed necessary for the reduction of solar exposure and the ARC will review on which windows such installation will be appropriate. 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 5 (five) 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' (fifteen 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 allowed for no more than 30 (thirty) days unless prior approval is granted and must be placed no further than 15' (fifteen feet) from front of home. They must be moved no more than 10 (ten) days after work is completed.
- 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 are not 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. The ARC shall make its evaluation based on conformance to the requirements of the WSMA Religious Displays policy.
- 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.
- 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% (ten percent) 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.

29.0 Security Measures

EMRs requesting the installation of devices and/or infrastructure for the purpose of providing enhanced security shall be evaluated by the ARC based on conformance to the requirements of the WMSA Security Measures policy.

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 _____ day of _____, 2022.

BY: _____, President DATE: _____

PRINT NAME: _____