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WILLIAMSBURG SQUARE  
COMMUNITY COUNCIL CORPORATION  
ARCHITECTURAL GUIDELINES AND REVIEW PROCEDURES

(Revised September 2015)

**I. Authority to Perform**

As provided for in Article IV, Section 3.(a) of the Declaration of Covenants and Article V, Section 3(d) of the Bylaws, the Board of Directors has established an Architectural Review Committee (ARC) to administer the provisions of Article VII, Section 1 and Article VIII, Section 3 of the Declaration of Covenants, as well as the provisions of this Document.

The Williamsburg Square Board of Directors reserves the right to nullify any ARC approvals that are not made in accordance with the established guidelines and/or harmony and topography of the community.

- A. Copies of all approvals and denial actions will be supplied to the Board of Directors prior to homeowner notification.
- B. Upon receipt of their copy of ARC actions, the Board of Directors has 14 days in which to notify the ARC of any potential approval nullification. If the ARC does not hear from the Board of Directors within the allotted 14 days, the ARC will notify the property management company of approval. The property management company will then notify the homeowner of such approval or disapproval.

**II. Scope of the ARC and Application Procedures**

- A. The ARC shall be comprised of an uneven number of not more than seven (7) or less than three (3) members, to be appointed by the Board of Directors annually. Members may be removed by majority vote, with the Board of Directors approval.
- B. The ARC shall meet as required to administer the provisions of this Document.
  - 1. Between the months of April and July, the ARC will attempt to meet every Monday.
  - 2. Between the months of August and March, the ARC will attempt to meet on the fourth Monday of the month. More meetings will be held if needed.

C. In accordance with Article VII, Section 1 of the Declaration for Williamsburg Square Community Council (WMBGSQ), no building, fence, wall or other improvements, structure or alteration to the exterior of any home or lot shall be commenced, erected, placed, moved or maintained in the Community (including change in color) or alteration thereon be made until the complete plans and specifications showing the precise and exact nature, kind, shape, height, set-back, materials, color and location of the same (including, without limitation, any other information reasonably specified by the ARC) has been submitted to, and approved in writing as to the harmony of external design, color and location in relation to surrounding structures and topography by the ARC.

If changes or modifications are made to property before written permission is obtained from the ARC, and the changes are not approved, the altered property not in compliance with the current guidelines must be returned to its original condition or to ARC approved condition at the homeowner's expense. If the homeowner fails to comply, the Board of Directors will be notified and all appropriate legal actions applicable will be taken by the Board of Directors at that time.

D. Each application shall include the following:

1. Complete plans and specifications of the project, including the height, width, length, size, shape, color (sample required), materials, and location of the proposed improvement. An elevation view of the proposed change should also be included. Photographs of similar completed projects for comparative purposes would be beneficial.
2. A Site Plan Map or Flat Map or scale drawing of the property is also required when requesting approval for a deck, fence, landscaping, etc. This map should show the exact dimensions of the property and all improvements including those covered by the application.

E. Applications can be obtained from the ARC, Board of Directors, the property management company, or the Community web site.

1. The blank application will be photocopied without alteration to its contents.
2. Instructions for completion are on the application.

F. A majority of appointed ARC members must vote on any given application before an approval or denial can be affected.

G. The homeowner will receive written notification of approval/denial within sixty (60) days following the receipt by the Committee of their application.

1. If approved, all work must be started and completed within six months from the date of approval or a new application should be submitted to the ARC.

During construction, the work site must be maintained in a neat and professional manner.

2. If denied, the reason(s) for the denial shall be stated as part of the written response.

a. The applicant may request reconsideration if new or additional information which might clarify the request or demonstrate its acceptability can be provided.

b. The Applicant may pursue an appeal to the Board of Directors in accordance with Section VII of the Declaration of Covenants.

H. Minor changes to a proposal deemed necessary by the ARC at the time of approval, to bring the proposal into technical compliance with these rules, will be specified by the ARC at the time of approval and considered part of the approved plan. If the applicant disagrees with any change in the application specified by the ARC, the application shall be considered disapproved and will have to be resubmitted for reconsideration at a subsequent meeting of the ARC or appealed to the Board of Directors.

### **III. Architectural Guidelines & Regulations**

#### **A. Building Alterations and Additions:**

1. Any alteration that affects the exterior structure or property must be approved by the ARC before work is begun, unless exempted in this document.

#### **2. Painting**

a. Any change in color or tint must be approved by the ARC.

b. Repainting a structure the existing color does not require approval by the ARC.

c. Each home shall have a three (3) color paint scheme. The house, trim, and shutters shall be of different coordinated colors to the house body.

3. Room additions, either 1 story or 2 story, of any type, including sunrooms, Florida rooms, screened rooms (even under decks) or bump-outs, are not allowed.

#### **B. Fences**

1. Allowable wood fences within the community must be alternating board-on-board or stockade style fencing and must be approved by the ARC.
2. White composite and/or vinyl fences will be allowed within the community and may be stockade, panel, or picket style fencing. Approval must be obtained from the ARC.
3. Fences cannot be higher than 6 feet in height. Wood fences must be constructed of #2 grade western cedar (not red cedar) or pressure treated pine or fir. Decorative cuts in the gate are an option of the homeowner.
4. Fences may not be painted but may be stained. Acceptable colors of stain or seal coat are clear, natural wood tones (brown, oak, cedar). Unacceptable colors of stain/seal coat include redwood (red), driftwood (bleached), and paint of any type or color.
5. Fencing can be placed on shared property lines, with neighbor's consent, and requires a joint application with the signatures of both parties. Maintenance of the fence is the joint responsibility of both homeowners. Finished sides of fences must be on neighbors' sides of fence.
6. End units may be permitted to extend fences forward of the rear wall of the house no further than six (6) feet past the rear of the house upon written approval by the ARC.
7. No fencing will be constructed by homeowners on common area property.

#### C. Second Story Decks

1. New and Replacement decks must be approved by the ARC.
2. Decks must be constructed of #2 grade western cedar (not red cedar), pressure treated pine or firm or solid composite decking..
3. Deck shall not extend more than 12' from rear of home, with a maximum width of 16'. An additional 3" for a landing and staircase is allowed.
4. Decks may not be painted but may be stained. Acceptable colors of stain or seal coat are clear, natural wood tones (brown, oak, cedar). Unacceptable colors of stain/seal coat include redwood (red), driftwood (bleached), and paint of any type or color.

#### D. Ground Level Decks and Patios

1. Ground Level Decks

- a. New and replacement decks must be approved by the ARC.
- b. Decks must be constructed of #2 grade western cedar (not red cedar), pressure treated pine or fir, or composite decking.
- c. Deck shall not extend more than 16' from rear of home with a maximum width equal to the width of the home.
- d. Decks may not be painted but may be stained. Acceptable colors of stain or seal coat are clear, natural wood tones (brown, oak, cedar). Unacceptable colors of stain/seal coat include redwood (red), driftwood (bleached), and paint of any type or color. Acceptable composite decking colors include gray, chocolate, and natural wood tones, as long as the seal coating is clear in color.

2. Patios

- a. New and replacement patios must be approved by the ARC.
- b. Patio shall not extend more than 16' from rear of home with a maximum width equal to the width of the home.

E. Landscaping and Planting

1. Planting of flowers, plants, and shrubbery within 5 feet of your foundation wall or anywhere in the rear yard, if completely fenced does not require approval by the ARC.
2. Plants, trees, bushes, and/or hedges planted for the express purpose of creating a privacy barrier along the homeowner's property line must be approved by the ARC.
3. Landscaping projects that alter the lot topography and drainage patterns must be approved by the ARC.
4. New and replacement retaining walls must be made of pressure treated wood, stone, masonry of solid concrete block, or brick – and must be inspected and approved by the ARC.
5. Vegetable gardens must be located in the rear yard. In unfenced yards, the vegetable garden may not exceed 50 square feet in size (5 x 10).
6. Silver Maple, Tulip Poplar, American Beech, White Pine, Weeping Willow, or female Ginkgo Biloba are not permitted within the community.

7. Zoysia Grass is not permitted within the community.

F. Exterior Antennas

1. No free standing radio or television receiving or transmitting antenna or external apparatus shall be permitted on any lot. Radio and television installation must be entirely within the building, with the exception of satellite dish type installations (see No. 4 below).
2. Antenna wire, from attic or satellite antenna, running down the back or side of the house is allowed, if concealed, and does not require approval by the ARC.
3. Cable TV wire, from underground cables, run up or across the back or side of the house is allowed if concealed and does not require approval by the ARC.
4. Satellite dishes and antenna installations are allowed in accordance with the FCC rules as given on the FCC website. Dish size should be no larger than 36 inches.

G. Swimming Pools

1. Temporary children's wading pools, not exceeding 12 inches in depth, are permitted in the rear yard and do not require approval by the ARC.
2. These pools must be stored out of sight when not in use.
3. No other types of pools are allowed.

H. Storm Doors

1. Undecorated full view and crossbuck storm doors do not require approval by the ARC if the color is white or matches that of either the front door or the shutters of the home. Steel security bar type storm doors are not permitted.
2. Other styles and colors must be approved by the ARC.

I. Siding, Windows and Doors

1. Repaired or replaced siding pieces must match the style and color of the existing siding and does not require approval by the ARC.
2. Any change to the style or color of the siding must be approved by the ARC.

3. Patio doors may be of the sliding glass door style or French door style. French doors must have muntins/divided lights.
4. Any change to the style or color of a door must be approved by the ARC.
5. All replacement windows must be approved by the ARC.
6. Replacement windows must be double-hung style, with divided lights (6 or 9) required in each sash.
7. Bay/bow windows, not to exceed 12 inches external projection, are allowed in the first floor front window only. Bay/Bow window must be double-hung style, with divided lights (6 or 9) required in each sash. The roof of the bay/bow window may be shingled or have a copper top. The copper top must not have a protective coating on it. It must be allowed to weather and develop a patina. If the bay window's roof is not copper, the roof must be painted flat black.

#### J. Sheds

1. New and Replacement sheds must be approved by the ARC.
2. All sheds must have solid closable doors and comply with all county guidelines.
3. Sheds cannot exceed the dimensions of 10' x 10' with a maximum height of 9 feet at peak from ground level.
4. Shed must match the home's existing color scheme. Any exceptions to this color scheme must be approved by the ARC.
5. Shingles must match home's existing shingles in color.
6. Metal sheds are only allowed within completely fenced, rear yards.
7. There will be a maximum of two sheds per rear yards.

#### K. Chimneys and Metal Flues

1. Metal Flues for stoves or fireplaces must be approved by the ARC.
2. Chimney stacks must be approved by the ARC. They should be constructed of brick or covered in siding (color must match the existing siding of the home).



#### L. Playground Equipment

1. Playground equipment, which includes but is not limited to, swing sets and jungle gyms, must be approved by the ARC.
2. Equipment must be placed in rear yard.
3. Permanently attached or portable regulation sized basketball hoops are prohibited. Toy hoops must be kept in rear yards.

#### M. Hot Tubs and Spas

External hot tubs and spas are only allowed within a completely enclosed back yard and must be approved by the ARC.

#### N. Firewood

Firewood must be stored within fenced rear yard in accordance with County guidelines and may not be stored in the front or on the side of the home.

#### O. Awnings

1. Awnings are not permitted within the community.
2. Rear sliding glass door/French overhangs (not to exceed 6 inches external projection) require approval by the ARC.

#### P. Exterior Decorative Objects

1. Exterior decorative objects that are allowed in front or side yards include such items as bird baths, small wagon wheels, small sculptures, small windmills, flower boxes, small water features, and benches. No more than six (6) such items will be allowed and must be approved by the ARC.
2. Specific exterior decorative objects that are not allowed in the front or side yard include, but are not limited to, items such as fountains, pools, ponds (including fish ponds of any size), stumps, driftwood piles, half fences, freestanding poles of all types, and jockeys. Wagon wheels, sculptures, or windmills can be no more than three (3) feet tall and must be approved by the ARC.
3. Holiday decorations may be displayed on one's property 30 days before the holiday and must be removed within 15 days after the holiday is over.

4. Dead bolt locks, peepholes, door knobs that are either black or brass do not require approval by the ARC. Any other color must be approved by the ARC.
5. Green hose caddies or ones that compliment the existing color of the home and are affixed to the front of the house, extending no higher than 36 inches from ground level, do not require approval by the ARC. Any other color must be approved by the ARC.
6. Any color hose caddy is permitted in rear yard and does not require approval by the ARC.
7. Decorative fencing or landscaping around flower beds does not require approval by the ARC, as long as it meets the following height and style requirements:
  - d. No higher than 12 inches
  - e. White picket
  - f. Brick: Natural, white, green, or red
  - g. Landscaping timbers
  - h. Natural Rock or manufactured masonry
8. Other decorative objects attached to the exterior of the home must be approved by the ARC.

#### Q. Exterior Lighting

1. New and replacement exterior lighting must be approved by the ARC.
2. Applications of exterior lighting should include wattage and a complete description, including material and location of the fixture on the property.
3. Fixture colors allowable are black, brass, platinum, copper, pewter, or white – and must illuminate the house numbers.
4. No exterior lighting shall be directed outside the applicant's property.
5. Free standing light poles in front yards require approval by the ARC.
6. Holiday decorations may be displayed on one's property 30 days before the holiday and must be removed within 15 days after the holiday is over.

#### R. Flagpoles

1. Free standing flagpoles are not permitted on private property within the community.

2. Temporary flag staffs that do not exceed six feet in length and that are attached to the home or interior of fence do not require approval by the ARC.

#### S. Sidewalks and Pathways

The replacement of sidewalks, or any portions thereof, must be approved by the ARC. Routine maintenance of cracked or twisted sidewalks to return the sidewalk to the pre-existing condition is allowed without prior approval.

#### T. Gutters and Downspouts

1. Gutters and downspouts must be consistent with the overall color scheme of the home.
2. Repair or replacement of gutters and downspouts does not require approval by the ARC.
3. Additional installations or relocations of gutters or downspouts must be approved by the ARC.

#### U. Mailboxes

1. Replacement mailboxes do not require approval by the ARC.
2. Replacement mailboxes must be either black or brass in color.
3. Free standing mailboxes, other than those erected by the U.S. Postal Service, are not permitted in the community.

#### V. Real Estate Sales/Rental Signs

Real estate signs must meet county regulations with respect to size, content, and removal.

#### W. Attic Ventilators and Wind Turbines

Attic ventilators must match the siding or trim of the house if mounted on a gable end. Ventilators, ridgeline vents, and wind turbines mounted on the roof should be in harmony with the existing units in the community. ARC approval is required.

#### X. Clothes Drying Equipment

1. Non-permanent (preferably retractable) clotheslines in completely fenced rear yards that do not exceed height of fence do not require approval by the ARC. Clothes may not be hung over the railings of decks, fences, or other structures not intended for that purpose.
2. Clotheslines are prohibited in unfenced yards.

#### Y. Window Air Conditioners and Fans

1. Window air conditioners are not permitted within the community.
2. Temporary window fans do not require approval by the ARC.

#### Z. Replacement House Numbers

1. A Montgomery County Law, effective April 1988, requires replacement house numbers to be 5” in height.
2. Numbers larger than 5” in height must be approved by the ARC.
3. Numbers are to be block in design.
4. Numbers should be placed in the same location as the existing house numbers.
5. Numbers must be black or brass in color – and must contrast with background.

### **IV. Local Building, Work Permits and Architectural Soundness**

- A. In any situation that requires both ARC approval and State or County permit(s), the ARC approval must be obtained first.
- B. Approval of any project by the ARC does not waive the necessity of obtaining the required local permits.
- C. Obtaining County or State permit(s) does not waive the need for ARC approval.
- D. The ARC will not knowingly approve a project that is in violation of the local building or zoning codes.
- E. The purpose of the ARC is to regulate the external design, appearance, use, location, and maintenance of WSAP and improvements thereon in such a manner as to preserve and enhance values and to maintain an harmonious relationship among structures and the natural vegetation and topography. The ARC relies on

the appropriate County authorities to regulate the architectural soundness of construction and takes no responsibility in this regard.

- F. If a homeowner fails to obtain required County or State permit(s) for an ARC approved project, the ARC will consider the approval null and void.

## **V. Inspection**

- A. The ARC members will conduct a walking survey of the community at least once a month for compliance with architectural standards as stated in the WSAP Covenants, Conditions and Restrictions and these Rules. When feasible, a Board member or other Board-designated member of WSAP will accompany the ARC members on their inspections.
- B. The ARC Chairperson will make a motorized survey of the community once a month for compliance.
- C. Upon completion of an approved architectural change, the ARC shall inspect the property that has undergone improvements and shall notify the owner in writing of any inconsistency with the plan approved by the ARC.

## **VI. Violations and Enforcement**

- A. All reports of alleged violations must be submitted in writing to the ARC.
- B. Upon receipt of the written complaint, the ARC members shall execute the following procedures:
  - 1. The Chairperson will appoint one member to investigate the allegation. If no violation is discovered, the complainant will be informed in writing by the ARC. If there is a violation, the ARC will take the necessary action.
  - 2. Upon confirmation of the violation, the ARC shall notify the violator in writing that the violation must be corrected within thirty (30) days. If not corrected, a second notice shall be sent giving the violator fifteen (15) additional days to correct the problem(s). The homeowner in violation may request a time extension for extenuating circumstances upon receipt of the first notice. If the violator does not correct the violation within the time allowed and does not submit just cause for non-compliance, the problem will be referred to the Board of Directors for appropriate action as provided for in the Declaration of Covenants, Conditions and Restrictions for WSAP.

## **VII. Appeals to the WSAP Board of Directors**

- A. Any homeowner aggrieved by a decision of the ARC shall have the right to appeal that decision to the Board of Directors. The Board of Directors may uphold, reverse or modify the decision of the ARC by a majority vote.
- B. No work covered by an application under appeal shall be performed until any and all appeals have been heard by the Board of Directors and a decision rendered.
- C. In case of an appeal to the Board of Directors, all persons with an objection to the original application will be notified to appear before the Board in writing at least ten (10) days prior to the Board hearing the appeal.

**VIII. Existing Alterations That Do Not Conform To These Rules**

Existing alterations, structures, objects, etc., that do not conform to these rules, but there previously approved by the ARC under previous architectural rules, do not have to be removed or altered and are not considered to be in violation of current rules.

**IX. Liability and Indemnification**

All duly appointed officers and members of the Architectural Review Committee are protected from legal action, as accorded Board of Directors and Officers, as set forth in the Bylaws, Article V, Section 15, of the Covenants.

Proposed by the Architectural Review Committee (ARC) on August 25, 2015.

Adopted by the Williamsburg Square Community Council Corporation Board of Directors on \_\_\_\_\_

\_\_\_\_\_  
President, Williamsburg Square Community  
Council Corporation