

**PORT ANNE
ARCHITECTURAL, CONSTRUCTION
AND RENOVATION
GUIDELINES**

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INTRODUCTION

The purpose of this guide, and the provision of the documents summarized in it, is to assist you in the design, construction, maintenance or modification of a home in Port Anne. Continued compatibility between architecture, landscaping and planning can only be achieved through careful control measures. Fair, consistent and reasonable control measures are appropriate, necessary and valuable to maintain a quality community. Systematic and uniform review procedures will protect quality, encourage design excellence, preserve and enhance property values, and, more importantly, foster property owner and community pride and satisfaction.

These Architectural, Construction and Modification Guidelines should be considered with the Declaration, including but not limited to, Article VII of the Declaration, the Bylaws, Articles of Incorporation, and Rules of the Association (collectively, referred to herein as the Governing Documents). In addition, the City of Williamsburg has adopted certain ordinances governing the development of Port Anne (Planned Unit Development- PUD), which ordinances include, but are not limited to certain Architectural Guidelines applicable to all property within the planned unit development of Port Anne. These ordinances, as amended, are herein referred to as the Zoning Ordinance. If any provision of these Guidelines conflicts with the terms or provisions of any of the other Government Documents or the Zoning Ordinance, the strictest requirement shall control; provided, however, in the event of a conflict between the provisions of the Guidelines and the Declaration, the provisions of the Declaration shall control. As new or improved building materials and techniques are developed, the Board of Directors may approve the highest quality materials for use in Port Anne.

Owners are cautioned that the Guidelines are guidelines only, and may not cover all contingencies. Subject to the terms and provisions of the Declaration, the Architectural Review Committee (ARC) may refuse to approve an application for any reason, including, but not limited to, purely aesthetic grounds, and may exercise its sole discretion in determining whether to approve or disapprove any plans and specifications and any site plans.

This information is provided to the Port Anne Lot Owner as a guide in the process of obtaining approvals for the construction and modification of homes at Port Anne. Port Anne Owners' Association assumes no liability, or responsibility by presenting this review. The buyer is urged to seek legal advice and to consult the City of Williamsburg and the relevant ordinances to determine the specific regulations applying to a particular lot and to obtain all the necessary approvals.

NOTE: There is no time period in which lot owner(s) must begin building a house on his/her lot. When the decision is made to build, however, and the construction and landscaping process is completed, the owner(s) assume responsibility for meeting Port Anne standards in maintaining the house and property. These include, but are not limited to: painting, roofing, mowing, trimming (trees, shrubbery edging), clearing debris (including leaves) from lawn, curbs, gutters, roofline, etc. The Board reserves the right to take appropriate action pertaining to circumstances, which may or may not be listed here, deemed an affront to the overall beauty and harmony of Port Anne or in opposition to the rules of the Guideline. The homeowner shall be notified of long-standing shortcomings by first class mail by the Board or the Property Manager. Failure to comply with the requirement(s) may result in actions by Port Anne's Board of Directors to correct the deficiencies.

ARCHITECTURAL REVIEW COMMITTEE PORT ANNE OWNERS' ASSOCIATION

COMMITTEE CHARTER:

Article VII, Section 1 of the Declaration of Covenants, Conditions and Restrictions for Port Anne (Declaration), as amended provides in part that “no building, wall, swimming pool, aerial, antenna, dog house, tool shed or any other structure of any description whatsoever shall be placed upon any lot unless and until the plans and specifications therefore, and a site plan locating said structure on the lot have been approved in writing by the Declarant, its successors and assigns.” The Port Anne Owners Association, Inc. (Association”) is the successor in interest to the Declarant’s rights under the Declaration. Article IX of the Bylaws of the Association requires the Association to appoint an Architectural Review Committee (ARC) for the purpose of exercising the Association’s rights with respect to the review, and, as appropriate, approval or disapproval of plans and specifications and site plans submitted by Owners in accordance with Article III, Section 1 of the Declaration.

The ARC is charged with the responsibility of reviewing proposals and subsequent changes submitted by property owners/builders for approval. These plans are evaluated as to their compliance with the Port Anne Architectural, Construction, Renovation and Modification Guidelines. The Committee is authorized to approve or reject proposals and to offer recommendations. The Committee is authorized to communicate its decisions and recommendations to the property owner(s)/builder and to the City of Williamsburg.

MEMBERSHIP:

The Committee shall consist of at least three voting resident owners. One member will be designated by the President of the Board to be Chairperson of the Committee. The Committee will retain, when necessary, the services of a consulting architect to review construction proposals and make recommendations in writing to the Committee.

TERMS OF SERVICE:

The appointment of members of the Committee will be made at the first meeting following the reorganization of the Board of Directors with the term commencing on January 1 and ending on December 31. The Board of Directors will confirm the appointment of a consulting architect each year.

PRE APPROVAL Submittal Requirements, Review Process, and Homeowners' Review

SUBMITTAL REQUIREMENTS

The following items are to be submitted to the Port Anne Architectural Review Committee when applying for building approval. The review process will not begin until all required items have been provided and all required actions have been accomplished.

1. A completed Application for New Construction, Exterior Alterations, or Changed to Existing Landscaping (Exhibits D,E,F, pages 27-31) and for new construction, a check payable to Port Anne Owners' Association in the amount of \$450 to cover the cost of the review, this includes the consulting architect's fee. For modifications of existing houses, the amount is \$100; plus the cost of any additional charges the review might incur. The \$100 fee will be waived if the exterior changes do not require a professional review (i.e. changing exterior paint colors).
2. House plans (2 copies) drawn to ¼ scale) to include floor plans, all elevations in detail, roof slopes, decks, patios/courtyards, etc. Include placement of gutters and/or ground gutters. (See Exhibit A, pages 22-24, for renditions of acceptable house styles.)
3. A written synopsis of the proposed building, calculation of lot coverage including deck and/or patio/courtyard area, height of roof lines from finished floor and elevation of roofline.
4. Site plan at a scale of 1-inch equals 20 feet, which includes the following:
 - Proposed location of building including any porches, decks, and patio/courtyards, driveways, walkways and construction entrance if different than proposed driveway.
 - Property lines, easements and setbacks.
 - Dimensions and distances to lot lines.
 - Topography at 1-foot contours and approved by a registered Land Surveyor or Registered Engineer.
 - All trees over 5-inches in diameter that lie beyond ten feet of the proposed building line.
 - Location of mechanicals and required screening.
 - Location of temporary electrical service meter.
 - Lot area in square feet.
 - Location of silt fence and orange safety/debris fencing.

- Indicate type, size and material for any retaining walls.
 - Field survey of topography and all trees over 5' diameter.
 - Indicate proposed grading changes and drainage flow.
 - (Exhibits B and C, pages 25-26).
5. A completed Material Specifications and Exterior Colors form. (Exhibit E-2, page 30). Also, include samples of siding, brick, mortar, roof shingles and color samples for all exterior paints.
 6. A separate site plan, showing a general landscaping plan including approximate areas of plantings, existing and proposed trees, proposed grassed area and drainage features. Any retaining walls will require drawings, which include specific elevation and all dimensions.
 7. If within the Historic Protection Corridor, a completed application to the City of Williamsburg's Architectural Review Board. (Exhibit G, pages 32-33).

The owner/builder, by submitting plans to the ARC, grants permission to ARC members to go upon the lot before and during the construction process to determine or address pre-construction issues and to ensure compliance with the plan approved by the ARC and with Port Anne construction requirements.

Approval of new construction or exterior alterations by the Port Anne Architectural Review Committee does not exclude compliance with any other regulatory agencies including, but not limited to the City of Williamsburg.

REVIEW PROCESS

1. Port Anne's office receives proposal as described in the "Submittal Requirements" two weeks prior to the monthly meeting of the Port Anne ARC. The proposal is reviewed for completeness. The Port Anne Office is in the Clubhouse at 211 William Way, Williamsburg, VA 23185, and is open from 9:00 a.m. to 3:00 p.m. on weekdays.
2. The office distributes a copy of a complete proposal to the consulting architect and to the Chairperson of the ARC.
3. The consulting architect reviews the proposal and sends his/her comments to the ARC Chairperson, who shares them with the Committee and the property owner.
4. The standing monthly meeting of the committee is convened unless canceled by the Chairperson.

5. The consulting architect attends the ARC Meeting, if necessary, and presents his/her technical and professional comments and recommendations. Committee discussion precedes voting (minus non-voting architect) on the proposal.
6. The consulting architect drafts correspondence conveying ARC decisions to the owner/builder and, if required, to the appropriate City of Williamsburg. This draft correspondence is sent to the Port Anne office and is prepared for the Chairpersons signature (normal review time is two weeks).
7. The reply letter will conclude one of the following conclusions:
 - The proposal has been approved as submitted, and when required, the Architectural Review Board for the City of Williamsburg has been notified of the approval; or
 - The proposal has been approved with specified changes that must be accepted by the owner/builder in writing before the City of Williamsburg will be notified of approval; or
 - The proposal is disapproved and must be revised in accordance with the comments provided and resubmitted for another review.

If the owner(s) proposal is disapproved, subsequent submittals will be reviewed in accordance with the above procedures.

To avoid the time and expense of multiple reviews, the ARC will postpone the review, if it is known or suspected that a building lot presents a special construction situation requiring City of Williamsburg approval (e.g. wetlands, extreme slope, etc.). Since such conditions may necessitate a redesign, the ARC won't conduct its review until the relevant issues have been resolved with the City.

HOMEOWNERS' REVIEW OF PROPOSED CONSTRUCTION, RENOVATION AND MODIFICATION IN PORT ANNE

The ARC will notify homeowners on all sides of a lot on which modification and/or construction are proposed so that they may review the exterior drawings included in the proposal. Also, the lot owner(s) located behind the proposed construction will be notified at the discretion of the ARC.

Upon request, any homeowner in Port Anne may review the exterior drawings of proposed construction until the construction is completed. Such requests should be made at the Port Anne office in the Clubhouse.

Owner Requirements and Builder Requirements

CONSTRUCTION or MODIFICATION REQUIREMENTS - OWNER

General: The following Port Anne rules will be enforced to minimize the impact of construction operations on current residents. The property owners and their builder are required to abide by the following requirements, which are a part of any approvals given to a property owner wanting to build or modify a house at Port Anne.

Approvals: Any or all improvements on the lot must meet the requirements of the Port Anne Architectural Guidelines described on pages 16-21 of this document. All structures shall be placed on the lot only in accordance with the plans, specifications and site plans so approved.

Additionally, specific attention is drawn to the Chesapeake Bay Preservation Act. Its impact on any plans as they relate to individual lots must be checked with the City of Williamsburg Planning Department in advance. Certain additional steps might be necessary in obtaining approval for construction on and landscaping these lots. In addition, construction on slopes of 30% or greater will require City of Williamsburg approval.

NOTE:

- Nothing herein shall be construed to relieve any property owner from obtaining all the necessary approvals from the City of Williamsburg for the plans and specifications, in conformance with City Ordinances and the Port Anne PUD development plan.
- When construction starts, the house and landscaping must be finished within 12 months once the lot clearing commences. Construction of foundations must be completed within 60 days from the commencement of lot clearing. Framing of the house must begin within four weeks from completion of the foundations. If these time restrictions cannot be met because of unusual weather conditions (hurricanes, tornadoes, and continuous periods of heavy rain) or other contingencies, (builder declares bankruptcy, etc.) a letter requesting an extension must be sent to the ARC.

Pre-Construction Meeting: Prior to the commencement of any construction, including preparation of the lot for construction, the owner/builder will schedule and attend a pre-construction meeting with a representative(s) of the Port Anne ARC. The meeting will include a visit to the construction site to validate tree removal and other items as may be appropriate. Port Anne rules and the builder's responsibilities during construction will be included in the discussion.

The builder must be present at this meeting. The owner may designate the builder as his or her representative at the meeting.

Changes to Approved Plans or Colors: The lot owner(s) (this responsibility can be transferred by the owner(s) to the builder) must submit any proposed changes (during construction or modification in writing to the Port Anne ARC for approval prior to implementation. Subsequent repainting in the same colors requires only that owner(s) notify the Association of such repainting.

Changes that alter the surface contours or drainage patterns of the property or that include the installation of landscape-type structures such as retaining walls, walkways, ponds, etc. are considered substantial. The addition of plants, shrubs, and ornamental trees that do not alter the existing landscaping plan significantly are not considered substantial.

Additions, major alterations and substantial changes to landscaping may require additional information and may require review by the Port Anne consulting architect. Applicant will be notified of any additional information or other requirements. If review by the consulting architect is required, a review fee in the amount of \$100 will be charged and must accompany the submittal of required additional information.

Security Deposit: A check from the owner in the amount of \$1,000, payable to the Port Anne Owners' Association, must be delivered at the pre-construction meeting for a new home. Also, prior to any modifications requiring a foundation or change to existing foundation, a security deposit of \$1,000 must be delivered to the Port Anne Owners' Association. These deposits shall be held by Port Anne throughout the construction period and shall serve as security for prompt, full and faithful compliance with Port Anne rules.

Property Damages: Damages to streets, sidewalks, curbs, or gutters must be reported to the Williamsburg Public Works Department by the owner(s)/builder within five days of the damages, to arrange for repairs and payment, if any, by the owner(s)/builder.

The lot owner(s) is responsible for any damages that may be caused to roads, shoulders, curbs, gutters, neighboring lots, trees, drainage areas and structures, sidewalks, common areas, parking areas, etc. by his/her builder, employees, or agents. In the event the damage exceeds the funds remaining in the deposit, the lot owner will be required to pay the remaining balance of the cost of repairs. If the lot owner is also the builder, the responsibilities of the lot owner(s) apply equally to the builder. In the event the deposit is reduced to less than five hundred dollars (\$500) by such expenditure, the owner(s) shall, within seven days after written notice is sent, deposit with Port Anne sufficient funds to restore the deposit to an amount of one thousand dollars (\$1,000).

Damages to neighboring lots or Association common areas must be reported to the relevant lot owner(s) or, in the case of common area damages, to the Port

Anne Owners' Association within five working days of the damages to arrange for repairs and payment, if any, by owner(s)/builder.

Failure to resolve and arrange payment for damages to a common area within 30 days of the damage will result in a charge against the owners' security deposit for the cost of necessary repairs.

Return of Deposit: Upon completion of the building project to the full satisfaction of the ARC, the Chairman of the ARC will sign a record of compliance and return deposit within 30 days.

CONSTRUCTION or MODIFICATION REQUIREMENTS - BUILDER

WARNING: No work on site, with the exception of the initial survey to determine clearing limits, may commence until all builder requirements are completed and written approval is given by the ARC representative.

Pre-construction Meeting: The lot owner and/or builder must attend a pre-construction meeting with the ARC to review the construction rules and schedule.

Permits: Permits must be placed on the builder's sign only and not on trees or other vegetation. This sign must be approved by the Port Anne Owners' Association in advance of posting.

NOTE: No other signs will be permitted except for the hose bib instruction and the real estate broker's signs.

Portable Toilet: A portable toilet must be available on the lot for use by the builder, subcontractors and supplier employees. It must be serviced regularly and is not to give off noxious or offensive odors discernable off site. It must not be located closer than 10 feet to a street or a lot property line (with an occupied house), or in the gravel driveway.

Trash Container: A small (55 gallon) trash container must be available on site for collection of non-construction debris such as food wrappers, drink cups, cans and other small trash items. This container is to be emptied no less than once per week and more often if the quantity of trash dictates. The builder must see to it that personnel on the site use this container rather than discarding their trash on the ground.

Hose Bib and Hose Rack: A hose bib and hose rack with hose connected to an active water supply must be available on site for use by truck and equipment operators to wash the mud and debris from the wheels of their vehicles to avoid tracking mud and debris onto the Port Anne streets.

Clearing: Clearing must be in accordance with the approved site plans, to include the following restrictions:

- No trees may be cleared outside 5 feet from the building lot line, shown on the site plan, that are over 5 inches in diameter (unless approved by the Port Anne Architectural Review Committee); and
- All trees may be cleared that are within 10 feet of the building footprint (owner discretion). See Submittal Requirements (pg. 6), regarding landscape plan, for disposition of remaining existing trees.
- If log piles are to be left on the lot, the logs must be sawed and neatly stacked behind the building line and away from public view.
- The builder/owner is responsible for providing restitution, to the affected parties, in the event of unauthorized clearing, grading or inadvertent damage/cutting of trees on lots contiguous to the owner(s)' property.
- No clearing or grading of natural vegetation (except the removal of **dead or** diseased vegetation and the enhancement of screen planting) will be permitted in any common area except that which complies with the then current zoning requirements of the City and which has been approved by Port Anne Owners' Association.

Gravel Driveway: Details of the construction entrance are available from Williamsburg's zoning office, which will inspect the entrance periodically.

The gravel drive must be maintained throughout the period of construction until permanent concrete driveway is installed. Fresh gravel may be required from time to time during construction. The builder will, on a daily basis, keep the gravel out of the curb and gutter and street to permit efficient runoff of rainwater.

The gravel drive is to be kept clear for use of delivery vehicles so they will not track mud onto the streets. The drive will not be used for large trash containers, the portable toilet, or for any other long-term storage.

Orange Safety/Debris Fencing: Immediately after clearing of the lot is completed, orange safety/debris fencing is to be placed around the perimeter of the lot and maintained in place through construction. The fencing may be removed only when construction work is completed and final grading and landscaping has commenced.

Silt Fence: During construction, the builder must install and maintain in place through construction a silt fence for erosion and sediment control. All silt fences and maintenance thereof (prompt repair or replacement of decomposed /damaged fabric) shall conform to the State of Virginia building specification STD & SPEC 3.05. Proper control of the silt fence requires that the builder remove

sediment deposits after each storm event or when deposits reach approximately one-half the height of the barrier. The silt fencing may be permanently removed only when construction work is completed and the yard has been stabilized. Any sediment deposits remaining in place after the silt fence is no longer required shall be dressed to conform to the existing grade, prepared and seeded.

Vehicles: Builder, subcontractor, supplier and worker vehicles will be parked on the lot of the house under construction, along the streets in an orderly manner, or in other designated parking areas. Vehicles are not to block or impede access to or from driveways or mailboxes in any way and should not be parked in front of or beside occupied dwellings.

- Vehicles shall be operated in such a way as not to cause damage to adjoining lots or community property, including streets.
- Vehicle speed while on Port Anne streets shall be 25 miles per hour or less.
- Vehicles leaking oil that stain the streets must be removed from Port Anne and the stain removed.

Temporary Electric Service: The builder will contact Virginia Power in a timely manner to assure that temporary electric service will be available when needed. The builder will ascertain which pad-mounted transformer will serve this temporary service pole and determine if crossing of adjacent lots with aboveground power cords will be required. It will be the builder's responsibility to notify any affected property owner(s) and work out the details. Unresolved issues will be referred to the Property Manager.

The temporary service pole must be removed immediately when permanent power is available to the house. In any event, the builder must make the necessary arrangements with Virginia Power so that the temporary service pole is removed before the builder completes his work and moves out. Please note also that information on temporary electric service must be submitted with the drawings for approval. **NOTE: The use of portable generators is not permitted. There is no exception to this rule.**

Utility Lines: For the most part, utility lines in Port Anne are shallow buried. The builder must discuss the locations of utility lines with utility companies prior to construction to avoid damage. Buried lines include electric power, natural gas, telephone, cable television and street lighting. According to the latest information available, Miss Utility will locate all but cable TV and street lighting. The builder will verify and call the cable company in addition to Miss Utility. Also the property Manager must be notified so that the community-owned street light cable can be identified.

In the event that builder construction work causes the interruption of any utility line, the builder must immediately notify the affected utility of the interruption and will be expected to coordinate timely repair work with the affected utility within 24

hours and will authorize and, if necessary, pay for utility crew overtime work to restore the utility line to service.

Water/Sewer Lines: When designing foundations, the builder will verify the sewer inverts serving the lot to correctly set the finished floor elevations. Additional design considerations may be required if the sewer line is at a greater than normal depth to preclude subsidence. When basements are being constructed, or the desired house elevation is below the sewer line, a grinder pump will be required for proper utility service.

Construction Materials: All construction materials must be stored neatly on the lot and not on the street, curb and gutter, sidewalks, shoulders, common areas, or adjoining lots.

Construction material delivery vehicles are to be operated in a safe manner without damage to the streets (including mud on tires), common areas or adjacent lots. The owner will be held responsible for damage from the operation of delivery vehicles.

Builder Propriety - Working Hours/Noise/Cleanliness/Miscellaneous: Builders must keep in mind that people are living in this community and conduct their operations accordingly. In consideration of community residents, builders will conform to the following Rules of Propriety, which are in order during construction:

Working Hours:

- Normal working hours are from 7:00 a.m. to 5:00 p.m. Monday through Friday and 7:00 am to 12:00 on Saturday. No work of a noise-producing nature may be conducted on Sundays, or recognized holidays when most people are off from work, including Memorial Day, July 4, Labor Day, Thanksgiving, Christmas and New Year's Day. This means that activities such as clearing and grubbing, operation of mortar mixers, compressors, placing concrete, framing, roofing and sawing operations not inside a closed house are permitted only during the normal working hours weekdays (and Saturday a.m.). Any complaints that are not corrected immediately will entitle the ARC representative to refuse permission for the builder to work outside of normal working hours.

Noise (Normal Working Hours):

- **Electric Generators** – No electric generators of any kind are permitted. Virginia Power has temporary electric service available. If the builder, subcontractors or suppliers wish to use electric tools, they must use service provided from a temporary Virginia Power meter, arranged and paid for by the builder. There are no exceptions to this rule. (See Temporary Electric Service, page 12.)

- **Internal Combustion Engines** – No device requiring long-term use of an internal combustion engine (ICE) is to be used on site. The following uses of ICEs are permitted: power equipment used for clearing and grading, chain saws used during operations, periodic use of mixers for block and brick laying, transit concrete mixers while placing concrete, back hoe/front end loaders when used for digging and grading. Long-term, daily use of ICEs is not permitted.
- **Radios** – No radios will be heard beyond the property line. Two-way truck radios may be used if they can be heard only from the truck cab.

Site Cleanliness:

- **Trash Container** –Debris, lunch wrappings, drink cups, etc. tossed around the site is not permitted. The site must be kept reasonably clean at all times during construction and the 55-gallon trash container for collection of non-construction debris is to be emptied at least once per week.
- **Large Construction Debris Container** – If the builder elects to use a large container for collection of debris, it will not be placed on the street, in the gravel driveway, or immediately adjacent to a neighboring property line. The container will not be allowed to overflow and will be emptied on a periodic basis. The preferred method for construction debris removal is a weekly site cleanup with smaller containers for trash that could be windblown.
- **Blowing Debris** – Paper roofing wrappings cardboard boxes, other lightweight containers, and other construction debris that can be windblown should be removed from the site on a daily basis unless contained in a receptacle that will preclude wind removal from the site. Care should be taken on windy days to assure that blowing debris does not contaminate neighboring yards or common areas.
- **Weekly Cleanup** – As the last item of work on the last day of the workweek, the builder should perform a site cleanup and leave the site as neat and free of debris as practical.
- **Nails** – The builders, subcontractors, and suppliers will make a special effort to keep nails, screws, and other objects that can damage vehicle tires out of the street and driveways..
- **Mud** – The purpose of the site hose is to wash mud from vehicle tires before it can be tracked onto Port Anne streets. The hose bib shall be used as required. If mud is tracked, the builder will be expected to remove it from the streets before the end of the working day.
- **Mortar/Paint/Concrete Damage** – Mortar and paint shall not be mixed in the street. Concrete transit trucks will not clean their chutes and other equipment in the streets. Excess concrete may be deposited on the lot but must be removed when set up. Concrete and mortar slurry will not be washed down the gutter into the storm drain. Any such accidental deposit will be removed immediately. If left to set and stain the gutter or street, the builder will be required to affect necessary repairs/replacement.

Pests:

- **Pets** – No pets are to be brought on site by builder, subcontractor, or supplier employees.
- **Language** – Offensive language will not be tolerated.
- **Insects/Vermin** - Appropriate, timely and effective measures shall be taken by the builder to control insects and vermin. Garbage buildup on site is not permitted (see **Trash Container** page 14).

Landscaping/Drainage: Landscaping is to be performed in accordance with the ARP approved landscaping plan. Landscaping operations are to be conducted with care so as not to disturb the landscaping or drainage of adjoining lots or common areas.

Lots shall be graded to direct ground water and rainwater from gutters to the street or to the common areas behind the lot. In no case is drainage to be directed toward adjoining lots.

Necessary measures must be taken by the builder to avoid soil erosion. Installation of catch basins, underground piping, and sump pumps may be required.

Changes to Approved Plans/Colors: See pg. 9, Construction/Modification Requirements – Owner.

PORT ANNE ARCHITECTURAL GUIDELINES

The architectural design of all homes in Port Anne shall meet the guidelines established in the design restrictions and as established by the Port Anne Board and City of Williamsburg. Designs that approximate adjacent or adjoining existing houses, in style or material, will not be approved. Detached auxiliary buildings will be denied.

Plans and materials should comply with the following standards:

- **Residence Massing and Scale** – The massing and scale of the residence must comply with the traditional one and one-half story type structure existing in the Williamsburg area. The requirement shall apply to all sides of a structure directly seen from any of the streets. Typical graphically illustrated examples of acceptable type of roof massing and scale are included with these guidelines to exhibit the relationship of the scale and mass of the roof system as it relates to the one story street-exposed walls. In general, the one-story-street-exposed walls should constitute 30-50% of the entire front width of the house.
- **Limitations on Height of Building and Minimum Square Feet of Building** – No building shall be erected or allowed to remain on any lot except one single-family dwelling house, for the use and occupancy of one family and attendant domestic servants (as described in the Williamsburg ordinances). No building shall exceed three stories in height, in addition to any basement. All garages, porte-cocheres, storage areas, tool cabins, garden houses or similar structures, must be attached to the dwelling house and be constructed so as to constitute one building only. The house shall occupy a fully enclosed floor area, including attached garage, deck, balcony, porch or porte-cochere, of not less than one thousand eight hundred (1,800) square feet. In computing such minimum areas, the areas of decks, balconies, porches and garages shall not be given credit, under any circumstances, in excess of two hundred (200) square feet. No lot shall be re-subdivided without the approval of 2/3 of the members of the Port Anne Owners' Association and the City of Williamsburg.
- **Maximum Lot Coverage** – Maximum lot coverage shall not exceed the following:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
○ Less than 9,000 square feet	– 2,400 square feet
○ 9,000 to 11,000 square feet	- 2,500 square feet
○ 11,000 to 20,000 square feet	– 2,600 square feet
○ More than 20,000 square feet	- no limit.

Note: See Exhibit C for lot footprint area example
- **Open Decks, Balconies, Porches, and Patios/Terrace** – Any extension of the house or open deck(s) beyond the setback lines requires a variance by the City of Williamsburg Board of Zoning Appeals.

Definitions: **Open deck or balcony** -a deck with no roof and no side enclosure other than railings; **porch** - an enclosed or unenclosed roofed structure; **patio/terrace** – a ground level paved area (with or without a wall) adjoining the house; **patio (courtyard)** - a paved area (with or without a wall) that adjoins the dwelling treated as a deck (will fall within the permitted deck area for the lot in question).

- **Basements** – Basements are permitted in Port Anne floor plans provided a lot owner adheres to the following Zoning Ordinance defining basement. A basement is not counted toward the approved floor area. Therefore, a basement could be in addition to the permitted total floor area specified on the the site plan. The Zoning Ordinance defines basement as “That portion of a building between the floor and ceiling which has at least two feet (2’) of its height below grade, and the ceiling of which is not more than four feet, six inches (4’6”) above grade.”
- **Siding** – The siding material shall be brick or colonial lapped beaded wood, #1 grade (no “finger jointed” wood siding is allowed) or premium cement board, e.g. Hardi-Board or its equivalent. A sample of the product to be used must be submitted to the Port Anne Architectural Review Board before any approval will be granted.
- **Trim** – Exterior trim boards shall be #1 grade wood, premium cement board, or solid PVC in flat or molded shapes used in single or multiple applications. No “finger joint” trim is allowed.
- **Roofing** – The roofing materials shall be minimum 300 lb. Heavy texture fiberglass asphalt shingles, smooth cedar shingles, or actual or simulated slate shingles. A sample of the product to be used must be submitted to the Port Anne ARC before any approval will be granted.
- **Brickwork** – The exterior brick shall be either square-edged or hand-molded, pre-approved color range, clay masonry units of standard or oversized types. A sample of the product to be used must be submitted to the Port Anne Architectural Review Committee before any approval will be granted.
- **Windows** – All windows shall be either double hung, casement, or stationary sash types with actual mullions or simulated divided lights. Windows are to be constructed of wood, vinyl-clad or aluminum-clad wood.
- **Exterior Doors** – All exterior doors shall be six or eight panel type. Transoms and/or sidelights adjacent to the entrance shall be acceptable.
- **Foundation Wall** - All exposed exterior foundation walls shall be faced with brick veneer.
- **Driveway** – The driveway will be exposed aggregate consistent with the valley gutter and sidewalk. The driveway shall not occupy more than thirty percent (30%) of a front or rear yard area, and shall not occupy more than fifteen percent (15%) of the total lot area for lots having a lot area of twenty thousand (20,000) square feet or less and no more than ten percent (10%) of the total lot area for lots having a lot area of more than twenty thousand (20,000) square ft.

- **Garages** - Each house must include a garage with a minimum capacity of two cars with either a double door or two single doors.
- **Deck and Porch Railings** – All railings shall have traditional style newel posts and balusters, with patterns such as “Chippendale.” Foundation wall areas under all decks and porches shall be enclosed with lattice or brick skirt walls. This does not apply when basement windows/doors open out to a lower level. Deck railings or lattice shall be of solid material, e.g. wood or PVC. Railings (deck or porch) and lattice shall be stained or painted. Deck planks should be #1 grade wood or composite materials (e.g. Trex) designed for that purpose.
- **Chimneys** – All exterior chimneys shall be of brick construction.
- **Accent Windows** – round and elliptical head accent windows located typically over doors and other window assemblies shall be encouraged. This is in character with the architectural style of the homes in Port Anne.
- **Foundation Vents** – Vents may be wood or PVC material. No metal vents permitted. Vents are to be painted.
- **Plumbing and Roof Stacks** – All plumbing and roof stacks will be located in the rear of the house (except as approved by Port Anne) and will be painted black or will conform to the color of the roofing material.
- **Flashing** – All flashing (unless copper), around roof stacks, etc., will be painted a color similar to the roofing material.
- **Electric Power and Telephone Boxes or Lead Wire** – Electric power and telephone boxes or lead wire should be painted the same color as that portion of the house to which they are attached. All meters should be placed in the rear of houses unless otherwise approved by Port Anne.
- **Post Lighting** – Lighting shall be of colonial design with lantern type fixture (appearance should be compatible with front door side lights). Pole may be of metal finished in black or verdigris. Wood pole is acceptable, painted or stained.
- **Spotlights** - Spotlights shall not be placed on the front or front corners of the house. Only subdued exterior lighting -sidelights, hanging or recessed overhead porch lights, pole lights, landscape lighting, etc. – is allowed in front of the house.
- **Antenna** - No antenna (television or communication) or satellite dishes shall be constructed or installed on the exterior surface or roof of a house, on the ground or other structure unless specifically approved by Port Anne. Miniature satellite dishes, requiring external attachment, will be considered on a case-by-case basis. Such dishes will not be allowed to deface the community or adjoining neighbors. No large dishes are allowed. No transmitting equipment shall be operated from the lot that will, in any manner, interfere with standard electronic equipment, radio or television reception in adjoining residences within Port Anne.
- **Awnings** - Awnings will be approved on a case-by-case basis for use in back of the house. No vinyl or plastic awnings will be approved. Colors shall be limited to two, which are muted and compatible with the house. All awnings will be retractable.

- **Color Schemes** - The colors of finish materials and stained or painted surfaces shall be one of the standardized color schemes established for this development. The approved color chart of the City's Architectural Review Board or its successors shall be used to select colors for the exterior of the house. Note: if a lot owner makes any subsequent changes to previously approved plans or color or scheme, they must be submitted to the ARC, and if required, to the City of Williamsburg. (Currently, the Martin Senour Williamsburg Color Collection and most of the Sherwin Williams Exterior Color Preservation Palette are approved colors. These color charts are available at the Clubhouse.)
- **Statues** - No statues, monuments, symbols, or extraneous ornamentation other than the house number and name of the resident, may be displayed from that portion of the lot or home visible from the adjoining street. Holiday decorations are allowed on a temporary basis. Flag masts attached to the below-roof portion of the house are also allowed. However, flags and other similar decorative or extraneous items must not be displayed from trees, shrubs, mailboxes, or utility fences unless approved, in advance, by the Port Anne Board of Directors.
- **Dock** - No docks, bulkheads, or boathouses are permitted on any lot.
- **Fencing** – Fencing, other than that used for screening of mechanical equipment, is not allowed in Port Anne.
- **Gutters** - Gutters must be of colonial ogee style (an S-shaped curve or line). Downspouts must flow into underground pipes or on ground gutters. Water should be discharged to the street or rear of the lot.
- **Shutters** – Shutters are not required, however, if used, all shutters shall be louvered or raised panel design, wood or PVC.
- **Air Conditioning** – Window units mounted in windows or through a wall are not permitted.
- **Dog Houses and Animal Runs** – No dog houses or animal runs are allowed.
- **Mailboxes** – Recommended is a standard treated lumber (4"x4") posts with metal box painted black or trim color of house.
- **Play equipment** – Swing sets, jungle gyms, portable basketball hoops, and other play equipment are permitted under the following guidelines. Swing sets and jungle gyms must be used only on private driveways as close to the house/garage as practicable. All equipment must be properly maintained and located in such a manner as to minimize the impact to adjacent neighbors. Application for play equipment should include a plot drawing showing the relation of the proposed play equipment to adjacent property lines, applicant's house, and adjacent houses including open space. A photograph, picture, or sketch of proposed play equipment must be included. Guidelines for swing sets: Should be made mostly from wood, except slide, chain, canopy, seats, etc. Leave natural (sealed but not painted). Guidelines for basketball hoops: Clear backboard. If mobile type, the unit's ballast tank must be used (no sandbags, bricks, or other objects piled on top). Subdued colors (black pole preferred). If the

hoop is to be permanently installed (pole in concrete), ARC approval is required.

- **Screened Porches/Sunrooms** – Application must be made to the City of Williamsburg for approval of proposed enclosed or screened porches and sunrooms.
- **Storm and Screen Doors** – Storm and screen doors should be without ornamentation such as scallops, scrolls, imitation gate hinges, etc., and should be painted the same color as the entry door behind or the trim around the entry door. ARC approval will depend upon the design of the door and its compatibility with the design of the house.
- **Property Maintenance** – Property ownership includes responsibility for the maintenance of all structures and grounds, which are part of the property. This includes, but is not limited to mowing grass, removal of trash, and maintaining the appearance of the residence. Any of the following conditions will be considered a violation of ARC standards.
 - 1) Lawns with grass in excess of six inches in height.
 - 2) Planted areas containing excessive weeds or dead plants during the growing season.
 - 3) Indiscriminate use of pesticides, fertilizers or herbicides that harm plants and animal life.
 - 4) Accumulated trash or debris.
 - 5) Conditions that cause erosion or flooding unless such conditions are caused by public utilities and/or street drainage facilities located on the homeowner(s) property.
 - 6) Dumping of organic debris from private lots (leaves, grass clippings/cuttings, branches) in sewer drains, on other lots, and on any common area. Bikes, toys, grills, lawn and garden equipment, etc., should not be left overnight in driveways or in the front or sides of homes. Whenever possible and practical, they should be stored out of sight when not in use. (For any equipment/toy that needs to be secured in the ground, ARC approval is required.)
- **Portable On Demand Storage (PODS)** – No PODS are permitted on the owner(s)' property or city street for longer than 72 hours. In circumstances, such as a house fire or house damage from a hurricane/tornado, approval for a longer period of time from the ARC is required.
- **Parking Restrictions** – All vehicles belonging to the household should be garaged or, as a minimum, parked in the driveway to allow free access of emergency equipment on our narrow streets and cul-de-sacs. In addition, overnight parking of boats, boat trailers, truck campers, commercial and inoperable vehicles, etc. is prohibited on the homeowner(s) property or streets of Port Anne. Recreational vehicles may be parked on the homeowner(s) property for temporary periods not to exceed 48 hours.
- **Rental Restrictions** – In addition to occupancy restrictions contained in the Declaration of Covenants, Conditions and Restrictions for Port Anne and applicable City of Williamsburg Ordinances and Code Restrictions, no

dwelling shall be rented for longer than five (5) years during any ten (10) year period of time.

- **Signs** – (See Declaration of Covenants, Conditions and Restrictions for Port Anne, Article VII, Section 3).