

*Powhatan Secondary
of Williamsburg*
Williamsburg, Virginia

ALPB
HANDBOOK

Revised February 2007

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PREFACE

The purpose of this Handbook, and of many provisions of the documents summarized in it, is to assist you in adhering to the COVENANTS & RESTRICTIONS and in any design and construction activities undertaken in Powhatan Secondary. This Handbook has been incorporated into PCSA's Book of Resolutions and shall serve as the primary guide of the Architectural and Land Preservation Board [ALPB].

The ALPB is created via Section 1, Article XII of the BYLAWS and Article V of the DECLARATION of COVENANTS and RESTRICTIONS. Its stated function is to control the external design appearance, use, location, and maintenance of the properties and of improvements in POWHATAN SECONDARY.

This handbook was revised in July 2004, to include:

- a. new verbiage in para 1d(5) amplifying the acceptability of decorative block retaining walls
- b. note in para 1f that mailbox post light fixture should be black
- c. movement of item on concrete block walls from para 2a(6) to 1c(3) and clarification that the issue involves foundation walls
- d. establishment of requirement that mailboxes be plain black unless prior approval is granted by the ALPB for a design or other color

This handbook was further revised in January 2007 to include:

- a. a requirement that enclosures around swimming pools comply with James City County construction codes;*
 - b. clarification detached attendant outbuildings, site consideration for swimming pools, fencing requirements, dog houses, signs, control of pets;*
 - c. removal of reference to Powhatan Enterprises, Inc., developer of Powhatan Secondary.*
- All additions or changes are printed in bold italics.*

POWHATAN SECONDARY'S ALPB HANDBOOK

1. RESIDENTIAL STRUCTURES.

On lots designated for single family residences, no more than one detached private dwelling unit and attendant outbuilding shall be erected on any one lot. The use of such unit for dwelling purposes shall be limited to a single family. *An attendant outbuilding shall be within county requirements and shall be limited to a maximum of 150 square feet.*

a. Dwelling Size Restrictions

(i) Square Footage: The floor area of the enclosed heated living portion of the main structure on any lot shall not be less than 1300 square feet for a one-story structure, nor less than 1800 square feet for any structure of more than one story [unless prior, written consent has been granted by the Architectural and Land Preservation Board (ALPB)]. Exceptions or variances to these minimum square footages shall be the sole discretion of the ALPB. A dwelling shall be deemed to be a two-story or split-foyer if the upper level has a floor area of not less than eighty percent of the lower level. "Enclosed portion" shall mean the interior living space of the structure and does not include basement, garage, breezeway(s), or extended covered areas, such as porches, patios, and balconies.

(ii) Unit Length: The maximum frontage of the home at the building line is limited by the side yard requirements. A minimum dimension of 30 feet is normally required for the combined side yards at the front building line. Each side yard must have a minimum dimension of 10 feet unless otherwise authorized by the ALPB.

(iii) Unit Height: The maximum height for any home is 35 feet as measured from the average exterior grade elevation along the home.

b. Completion of Structures

All structures must be substantially completed in accordance with the plans and specifications approved by the ALPB within twelve months after construction of same has commenced, except that the ALPB may grant extensions where such completion has been made impossible because of matters beyond the control of the Owner or Builder (e.g., strikes, casualty losses, national emergencies, or natural disaster). Smaller structures (such as storage buildings, decks, fences) shall be completed within 90 days after initiation.

c. Architectural Styles, Exterior Colors, Exterior Materials, Roofing, Windows

(i) Styles: Architectural styles must be as authentic as practical. Mixtures of architectural styles in one building will not normally be approved. For example, a Colonial home of the Georgian period should respect the details and disciplines of that period and not include Colonial designs of other eras. In addition, to maintain diversity of architecture within neighborhood areas, essentially complete duplications of exterior architectural design will not be permitted when both structures are visually within range of each other.

(ii) Exterior Colors: Colors and materials must be in harmony and in earth color tones. Bright colors and colors such as baby blue, pink, and exotic hues are not within the generally acceptable color range. [See Attachment 1]

(iii) Exterior Materials: Materials of shiny metallic surfaces; and simulated wood, brick,

or stone will not normally be approved. Plywood siding is generally not acceptable. Beaded vinyl siding and aluminum siding of selected widths are acceptable. Visible concrete block foundation walls are unacceptable as a design element in this community; in most instances, the visible portion must be brick. The only exception will be in areas where the wall is confined to an area essentially not visible to adjacent homeowners or those passing by and these must be “parged” [stucco’d].

(iv) Roofing:

- (a) All plumbing vents, fan exhausts, and other necessary roof equipment must be on the rear slope of the roof or otherwise screened from the street.
- (b) Flat roofs must be designed in such a manner and at such an elevation that the roof surface will not be visible from the street.
- (c) Exposed aluminum roofing may not be used.
- (d) Standing seam tin or other metal roofs [where allowed] shall be painted and detailed as stipulated by the ALPB.
- (e) Roofing materials exposed to view or on slopes shall be of a permanent quality, such as wood shingles or shakes, slate, cement-asbestos, asphalt shingles of approved color and grade, or other suitable roof material.
- (f) Chimneys must be appropriate in size, scale, material, and design to the style of roof and architecture.

(v) Windows:

- (a) Mill-finished aluminum windows and sliding glass door frame trim will not be approved.
- (b) Architectural style of windows should be limited to one type, when possible. [For example, avoid using contemporary sliding glass doors with Colonial windows].
- (c) All curtains, draperies, window shades, window blinds, and window hangings should present a neutral palette (normally white or off-white) when viewed from the outside of the building.
- (d) Window openings and heights should relate to other design features of the house. Avoid the unplanned look of smaller bathroom or kitchen windows in visual conflict with windows of major scale.

d. Site Work

- (i) Brick or masonry walls at the ends of culvert pipes of driveway entrances are not permitted.
- (ii) Driveway designs must be done with minimal disruption of natural grades.
- (iii) If slopes resulting from site grading are not at such an angle as to permit quality maintenance in grass, they must be stabilized with appropriate ground cover. Site grading must be done so as to avoid drainage of surface water onto an adjoining lot, to the detriment of that lot. Natural drainage patterns must not be interfered with so as to impede the normal flow of surface water.
- (iv) Lawns. In general, it is recommended that lawns be limited to relatively restricted areas around the principal buildings on a home site, and that the balance of the property, insofar as is practicable, remain in forest flora. This has the obvious advantage of minimal disruption of the immediate environment, ensures the prospering of established trees, and offers the additional advantage of minimal maintenance. Landscape plant materials should be of native varieties (they look best and should live). On the other end

of the scale, however, yards that present no green grass at all are generally discouraged. In those instances where the total yard is so-called natural, care must be taken to present a planned, "groomed" appearance; continuing maintenance is required to keep out tall grass and noxious weeds.

[While the ALPB does not wish to be about the business of "policing" grass height, yards need to be maintained well enough to avoid devaluing any adjacent homes. With that in mind, the maximum acceptable height of grass on a lawn (or weeds in a "natural" yard) is six inches.]

(v) Retaining walls are expensive and often difficult to construct; thus, other alternatives are usually preferable. However, retaining walls will be permitted if well-designed and constructed properly of approved materials (such as colored decorative block). All such proposed installations must be approved by the ALPB.

(vi) Swimming pools should be of moderate size and must be sited with minimal disruption of natural grades. ***An opinion by a qualified civil engineer is required to certify that the swimming pool or its related decking, pavement or other site work will not create rainfall runoff issues for neighboring lots.***

(vii) All swimming pools must have appropriate fencing that complies with James City County construction code requirements.

(viii) Erosion control, such as straw bales, straw matting, and seeding or sodding must be used to prevent the washing of earth into drainageways, lakes, and ravines both during and after construction.

(ix) Design and implementation of site work must provide for necessary drainage pipes and drainageways to ensure stabilization and to prevent future erosion. Provisions must be made for existing drainage courses and structures. No existing drainage structures may be tapped or altered without prior ALPB approval.

(x) No septic system for the disposal of sewage shall be constructed on any lot except with the consent of the entities at the time furnishing sewage disposal to the Properties.

e. Garages

(i) Generally, garages should be visually played down in architecture. Where site conditions permit, garages must be entered from the side or back of the house.

(ii) Lites [glass windows] will not be permitted in any [overhead] garage door.

f. Exterior Post Light

For each home having its own mailbox, there is required an automatically operated exterior post light of a design (see Attachment 3) and at a location designated by the ALPB. Such light will be erected and operated at Owner's cost. All post light fixtures will be black unless approved in writing by the ALPB.

2. OTHER RESIDENCE-SPECIFIC REQUIREMENTS/STANDARDS.

a. Fences

While some fences are acceptable, the concept of completely screening one residence from another by use of high "stockade fences" is strongly discouraged. The use of natural fencing materials is recommended. No fencing is authorized without prior written approval of the ALPB. See also Section 1 (d) (vii) concerning compliance with James City County regulations where the fence forms part of a swimming pool enclosure. Some specifics are detailed below:

(i) In considering where to place the fence, it will normally be desirable that it be located essentially on [or just off] the property line, particularly along the side lines. Thus, when viewed from the street, the collective fencing of two abutting neighbors should not have a "dead space" between them. [In the instances where there may be gaps between fences on the rear boundaries, property owners are responsible for maintaining that portion of their yard that remains outside of the fenced area.] It is recommended that fencing not come any further forward than the rear of the house. In certain situations, bringing a fence to the half-way point of the side of the house may be authorized.

(ii) In those special instances where the ALPB does approve a privacy fence, that fence shall be "finished" at least on the side facing the abutting property owner, and on both sides if deemed necessary by the ALPB. A common fence that offers limited privacy is termed a "shadow box" design with boards alternating on either side. Unless different agreement is consummated by all parties involved, the full cost of the fence will be borne by the property owner who initiates action for the fencing.

(iii) In considering a picket fence, note that the pickets will be on the outside and the rails on the inside.

(iv) The maximum height of a fence will normally be five feet [60"].

(v) The minimum thickness of fencing material (e.g., pickets or shadow box boards) will be 3/4" finished.

(vi) Chainlink, wire, or other utility type fences will not be approved

(vii) Plywood fences will not be approved.

(viii) Free-standing brick walls should reflect the detailing, color, and character of the house.

Note: Examples of wood and vinyl fence styles that may be approved for individual sites are depicted in Attachment 2.

Each fence request is evaluated on its own merits. The mere fact that a fence has been allowed previously in any location is no guarantee the same item will be approved for another site.

b. Other Structures/Objects

(i) Storage Buildings.

Separate, small structures for storage of such items as garden tools are discouraged, but will be allowed in selected instances where the ALPB is satisfied that the structure can successfully blend into the environment. ***The basic requirements are that the***

dimensions normally not be greater than 10' x 12'; that the design be colonial and have either an "A" style or "Hip" roof, that the pitch of the roof be at least 5/12; and that the siding, roof shingles, and trim color match that of the house. In any event, all such construction over 36" in height requires prior approval. Manufactured vinyl storage sheds are not approved.

(ii) Sunrooms/Screened Porches.

Often these structures are additions to a house, conceived after the Occupant moves in; they should complement the house rather than appearing to be a separate structure. *The roof should meet the requirements called out in paragraph 1c of this Handbook and have a pitch that matches that of the house (minimum of 8/12) where feasible;* shingles should be the same as the house. Siding and trim color should match that of the house. If there is a foundation, it should be bricked to match the house; if the room or porch is constructed over an existing deck, the base should be concealed with lattice (or equivalent).

(iii) Dog Houses/Pens.

Dog houses are discouraged but will be considered when adequately screened from view of neighbors or those passing by. Small, fenced pens may be allowed if made to appear unobtrusive (chain link fencing will not be authorized). Natural [evergreen] vegetation is most successful for "screening" material.

(iv) Portable Basketball Assemblies.

While we allow them in the Owner's driveway, the Virginia Department of Transportation [VDOT] does not allow them within their right-of-way (which includes not only the paved street but also the grassed area to a point approximately five feet back from the pavement. *Individuals leaving them within the right-of-way (such as on a cul-de-sac) run the distinct risk of having the apparatus confiscated by VDOT.*

(v) Miscellaneous.

Other structures or objects, such as soccer goals, trampolines, etc are allowed so long as [in the opinion of the ALPB, as strengthened by abutting property owner feelings] they do not promote a visual or intrusive nuisance.

c. Mailboxes and Paper Tubes

Mailboxes and post structures shall be any of the three standard designs shown in Attachment 4. For the tubular metal design [see "A"] with integral mailbox, the color should be black; the light itself should be at a height of approximately five feet. For the vinyl post design [see "B"], the color should remain black. For the cedar wooden post design [see "C"], the wood should be stained Olympic Oxford Brown [or equivalent]; for the mailbox itself, a plain black color is preferred. While the builder provides the initial installation, replacement items are the responsibility of the homeowner. When placing street numbers on the box or post, we recommend 4" height and reflective to aid emergency vehicles in locating your residence at night. Papertubes may be of the design provided by the newspaper distributors or a rectangular "box" affixed to the mailbox post. [Any resident desiring a mailbox other than the standard black design must submit a request for variance from the ALPB prior to installation].

d. Window Air Conditioners

Such units will not be allowed.

e. Antennae

Exterior television antennae are prohibited, with the exception of small [18" or less diameter] satellite dishes. We ask that you view the installation of the small satellite dish through the eyes of your neighbor(s) and place the dish in the LEAST VISUALLY OBJECTIONABLE location that will provide the "signal" to which you are legally entitled. Try to have the "dish" blend in with the surroundings. Antennae for other purposes may be installed if deemed visually unobtrusive and approved by the ALPB prior to installation.

f. Exterior Clothes Drying Apparatus

Clothes lines and other clothes drying apparatus will only be allowed when, in the opinion of the ALPB, the item is satisfactorily screened from public view.

g. Trash Receptacles

All trash receptacles shall be stored in a manner making them essentially not visible to those passing by on the street and not objectionable to neighbors. For those who do not wish to store them inside the garage, one recommended solution is a four-foot high picket or lattice [wooden or vinyl] enclosure. Trash containers left at the street for pick up shall be returned to their storage location by the end of trash collection day.

3. MISCELLANEOUS

a. Storage of Boats, Trailers, RVs

Such equipment should be stored in garages or locations other than Powhatan Secondary (e.g. commercial storage sites). ***Visible temporary parking/storage of boats, trailers, recreational vehicles, house trailers, and motor homes shall occur only on the property of the owner and shall not exceed three days in any ninety day period. In no instance may the item be left on the street.***

b. Passenger or Utility Vehicles:

Overnight parking of all vehicles other than licensed, operable private passenger vehicles shall be in garages or screened enclosures approved by the ALPB or in areas designated by the PCSA for such parking or storage. [Operable private passenger vehicles may include standard and mini-vans; vehicles similar to suburbans; 4-wheel drive vehicles; and pick-up trucks used by residents as private vehicles.]

Pick-up trucks and all other vehicles set up for private contracting or commercial activities and displaying visible open storage of construction items, debris, etc. shall be stored in garages.

Except for emergency repairs, no owner shall repair or restore [or permit others to repair or restore] any vehicle upon his or her property unless it is done in garages or screened enclosure specifically approved by the ALPB for that purpose. No stripped down, partially wrecked, inoperable or junk motor vehicle [or sizable part thereof] shall be permitted to be parked, raised on blocks, or otherwise kept on any Lot or street.

c. Signs

No signs of any type shall be displayed to public view on any Lot or Common Area without the prior written consent of the ALPB, except customary name and address signs as well as lawn signs [of not more than four (4) square feet in size] advertising the Lot / Home for sale or rent (which may only be placed on the private property of the Owner).

In accordance with the James City County Sign Ordinance, temporary “open house” signs may be placed at intersections with consent of the property owner at the intersection but “open house” signs may be displayed only when the residential unit is open for public viewing under the direction of an on-site representative of the Owner.

d. Trash Burning

The outdoor burning of leaves, trash, and similar material is not permitted on any developed Lot in Powhatan Secondary. [Burning of leaves is additionally specifically outlawed in this area by a James City County ordinance].

e. Control of Pets

Subject to limitations as may from time to time be set by the ALPB, generally recognized house or yard pets (in reasonable numbers) may be kept and maintained at an occupant's residence, provided such pets are not kept or maintained for commercial purposes. All pets must either be on a leash or under the direct control of their owner when they are outside the occupant's premises and must not become a nuisance to other residents. ***Owners are responsible for clean up of their pet's waste on all public, common or other resident's property.*** If any such pets are declared a nuisance by the ALPB, they shall be removed from the Lot within 15 days after written request from the ALPB.

f. Use of Power Boats on Recreational Lakes

The use of non-powered boats on the three Lakes / Ponds in Powhatan Secondary is allowed. Gasoline-powered motorboats are not authorized except in very special instances necessary for public safety.

g. Model House/Exhibits

No owner except the Developer shall permit any structure on his Lot to be used as a model house or exhibit without the written consent of the ALPB.

ATTACHMENTS:

One: Color Palette: Exterior paint colors per example "WILLIAMSBURG Paint Colors" Chart [Obtain chart from places such as ACE Hardware in Williamsburg]

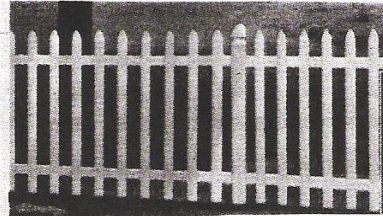
Two: Examples of Acceptable Fences**

*****There must be an application for approval of any fence. The mere fact that a fence has been allowed previously in any location is no guarantee the same item will be approved for another site.***

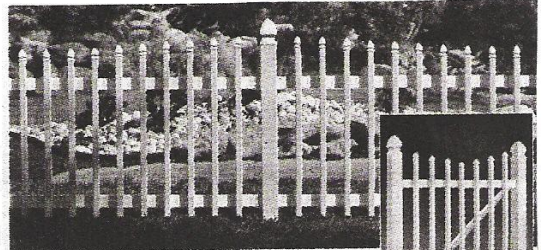
Three: Accepted Mailbox/Post/ Light Assemblies.

Four: Application Form [for use in requesting permission of ALPB to do work regulated by these standards].

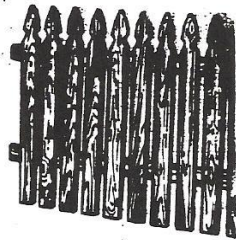
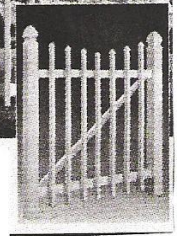
Examples of Acceptable Fences **



**48" x 8' Spaced
Cape Cod Vinyl
Picket Fence Panel**



**42" x 8' Scallop
Picket Fence Panel**



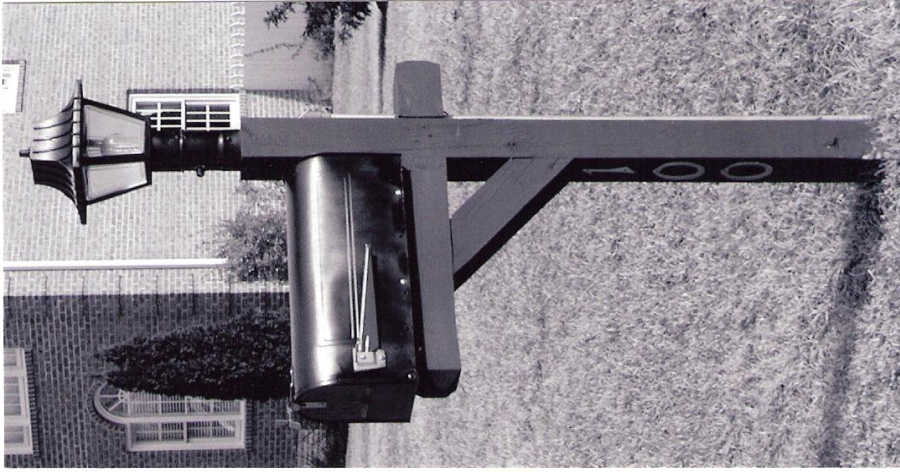
Treated Gothic Picket Fence



Shadowbox Fence.

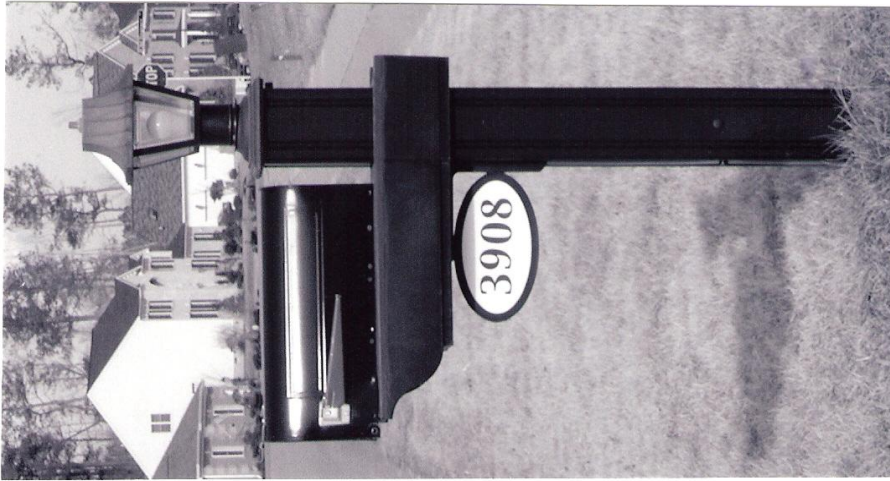
*Alternating boards for air circulation

**** Because of configuration of Lots on *Cluster Way*, the only authorized design is a picket of 42" or less height painted white**



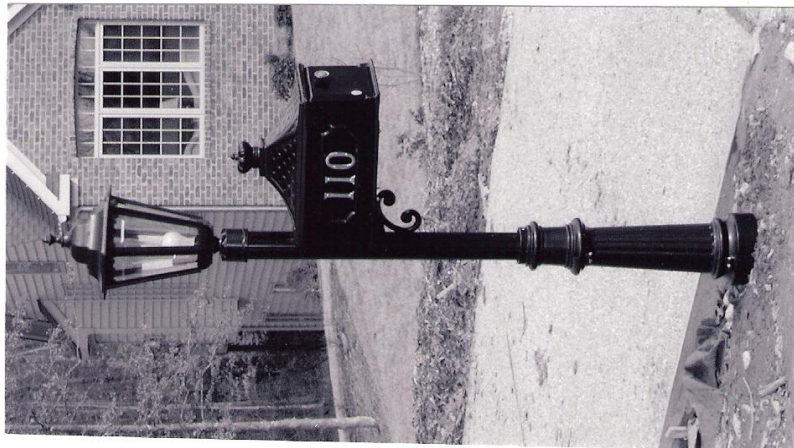
“C”

Mail Box Cedar Post - Lowe's Item # 04482
 Plastic Mounting Board - “ # 03195
 T1 Classic (Black)
 Steel Mail Box - “ # 37715
 Brass 4" Numbers - “ # 63953
 Light - “ # 5414-31
 AA 105 P Photocell



“B”

Arbor Cross Arm with Newspaper Post
 Kit in Black Vinyl, Model #MB 119B-04
 Lowe's Item #155128
 Light # P5414-31
 AA 105 Photocell
 Black Deck Mount # P033WC



“A”

Yorktown Mail Box Assembly
 with Lantern Model #5525B-84
 3" Brass Numbers Installed
 on each side of mailbox

Berkeley Realty Property Management
 Attn: Powhatan Secondary ALPB
 907 Richmond Rd
 Williamsburg, VA 23185-2821
 Tel: (757) 229-6810
 FAX: (757) 229-8208
 Email: jgagliano@berkeley-realty.com

PROJECT APPLICATION FOR ALPB APPROVAL**
 (To be submitted a minimum of 30 days in advance of project "start date")

A. PROPERTY OWNER: Name: _____
 Address: _____
 Section/Lot Number: _____
 Home Telephone: _____

B. PROJECT DETAILS. On a scaled plot plan of your property [*preferably a copy of the survey that you received at closing*], show the location of the proposed action relative to your house and other existing construction. On a separate paper(s), describe in **detail** the proposal for which you are seeking approval [e.g., for a picket or "shadow-box" fencing, show an elevation or a picture of the specific type fence you desire, height, etc. ... and for a deck, sunroom, or similar new/modified construction **ALSO PROVIDE AN ELEVATION VIEW so that ALPB members may better visualize what the proposal will look like**].

C. CONTRACTOR [if any]: Name: _____
 Address: _____
 Tel. No.: _____

ACKNOWLEDGMENT:

I have read this application, and the ALPB Handbook which are incorporated herein by this reference, and I understand and agree to the terms and conditions of the Association's review of my application, plans, and specifications, as stated therein. I further agree that if this application is approved, the improvement shall be completed in compliance with the approved plans and specifications and **all work must be completed within ninety (90) days of the approval date of this application. Please notify the Association Manager upon completion. I also acknowledge that no construction is permitted until written approval is received from the ALPB.**

I submit this Application and attached plans for review by the ALPB. I understand that building permits for these improvements may be required and the cost of any permits and the responsibility for obtaining said permits and subsequent County inspections will be the responsibility of the undersigned. I acknowledge that architectural approval is not intended to be, nor shall it be considered, a substitute for approval by the necessary and appropriate County agencies.

 (signature of applicant)

E. SUBMISSION DATA: Submitted by Owner on _____
 (date)

****PROJECT ... to include such items as a new or modified deck or sun room; any fencing; exterior painting (if it will change any existing color); modification of driveway; erection/placement of dog houses/pens; construction of storage building; major landscaping (especially any action that would modify existing drainage patterns).**

FOR ASSOCIATION USE ONLY (PLEASE LEAVE INFORMATION BLANK)

Date received by *Berkeley Realty Prop Mgmt*: _____

Plans submitted: Yes: ____ No: ____ Plat received: Yes: ____ No: ____

Further plans and / or other materials or information needed to complete this application:

Date further information requested: _____ Date further information received: _____

ARCHITECTURAL AND LAND PRESERVATION BOARD (ALPB):

Approved: ____ Disapproved: ____ Minutes Attached: Yes: ____ No: ____

Reason(s) for disapproval or Condition (s) of Approval:
