

## **Williamsburg Declaration, Article IX (excerpted) General Restrictions and Easements**

**NOTE: No changes were made to these provisions. This is part of the original governing document of Williamsburg and cannot be changed by the Board.**

**It is provided for your reference.**

Each Owner hereby covenants, by acceptance of the Deed for his or her Lot or Unit, to properly and periodically maintain the exterior of his or her dwelling Unit.

**Section 9.4** The following uses and improvements are prohibited or restricted unless hereinafter specifically permitted with the prior approval of the Declarant or the Association.

- a. Signage:** No signs of any nature, except house numbers and nameplates for identification purposes (including by way of illustration and not of limitation any real estate "For Sale" or "For Rent" signs) and no fence, hedge or other continuous obstruction or barrier of like nature nor any storage sheds or other outbuildings shall be erected or maintained unless approved and agreed to by Declarant, or by the Board of Directors of the Association or an Architectural Control Committee appointed by the Board.
- b. Antenna:** No outside or freestanding TV, radio, short wave or similar aerial or antenna shall be erected or maintained, unless approved and agreed to by the Board of Directors of the Association or an Architectural Control Committee appointed by the Board.
- c. Non Home Residence:** No trailer, tent, recreational vehicle, outbuilding or structure of a temporary nature shall be used as a residence.
- d. Commercial Vehicles:** No commercial or business type vehicle or equipment shall be parked on the lot except when performing work or making a delivery.
- e. Parking:** No recreational vehicles, vans (other than non-commercial passenger vans), mobile homes, trailers, boats, boat trailers, campers or trucks (other than pickup trucks or utility vehicles) shall be permitted to be parked on the Property, except that such vehicles may be permitted to be parked entirely within garages.
- f. Driving on Property:** No motor vehicle, including but not limited to mini-bikes, snowmobiles and motorcycles, may be driven upon any portion of the Property; provided, however, that duly licensed motor vehicles (including motorcycles) may be driven on the streets and driveways for the purpose of normal transportation.
- g. Inoperable Vehicles:** No owner or occupant shall leave any non-operating vehicle, a vehicle not currently registered and licensed, or a vehicle having an invalid or expired state motor vehicle inspection sticker on or about the Property, except if entirely enclosed within the garage.
- h. Pet Boarding & Breeding:** No fowl shall be raised or kept and no kennel for the breeding or boarding of dogs shall be erected or maintained on any Lot, nor shall any large animal be housed, raised or otherwise maintained on any parcel under one ownership less than four acres in size.

- i. Residential Use:** Each Lot shall be used for residential purposes only; provided that home occupations may be carried on in the Lot if the use is incidental to the Lot's primary residential use, shall have no employees, customers or clients at the Lot and shall be approved by any municipal authority having jurisdiction over the use.
- j. Nuisance:** No owner or occupant of any Lot shall carry on, or permit to be carried on, any practice on his Lot or on the Property which unreasonably interferes with the quiet enjoyment and proper use of another Lot or the Community Facilities by the Owner or the occupant of any other Lot, or which creates or results in a hazard or nuisance on the Property.
- k. Common Area (Alteration):** Except for work done by the Declarant in connection with the construction and marketing of Lots, nothing shall be built, caused to be built or done in or to any part of the Property which will alter or cause any alteration to the Common Areas without the prior written approval of the Board of Directors.
- l. Common Area (Obstruction):** No Owner or occupant may obstruct the Common Areas in any way including, but not limited to, the interference of any stormwater drainage.
- m. Common Area (Storage):** No Owner or occupant may store anything in or on the Common Areas without the prior written approval of the Board of Directors.
- n. Common Area (Pets):** No pet shall be permitted to run loose or uncontrolled in or on the Common Areas and Owners shall immediately clean up any waste left by their pets anywhere on the Property.
- o. Pools:** No aboveground swimming pools may be erected or installed on any Lot.

### **Period to Cure Violation**

- Each homeowner who is cited for a violation of the architectural rules and regulations and or general restrictions will have thirty (30) days to remedy or cure the violation, which period shall be measured from (1) hand-delivery, email or mailing of notification by the property manager, if no timely written response is delivered by the homeowner; or (2) the date the Committee's written decision is hand-delivered, mailed or emailed for those instances where the homeowner has submitted a timely written response; or (3) the date an appeal is denied by the Executive Board of Directors, whichever is later.
- Prior to the expiration of the cure period, any homeowner may request a reasonable extension of time to cure any violation based upon extenuating circumstances.

### **Penalties, Remedies**

- Failure to remedy, correct or cure the violation within the prescribed timeframes in the first letter shall result in the imposition of a fine of \$25 for the first occurrence, \$50 for a second occurrence, and \$100 each additional occurrence or as determined by the Board.
- In the event fines are not paid, the Executive Board of Directors may cause legal proceedings to be instituted to collect the amount of the accrued fines for that homeowner, together with all costs of collection incurred by the Association, including

attorneys fees and court costs, or take such other steps as it deems appropriate to secure payment of all accrued fines and associated costs.

**WILLIAMSBURG HOMEOWNERS ASSOCIATION**  
**ARCHITECTURAL RULES, REGULATIONS AND GENERAL GUIDELINES**  
**(REVISED 2015)**

**OVERVIEW**

The Williamsburg Executive Board of Directors has created the Architectural Control Committee (“Committee”) pursuant to the Declaration of Covenants, Restrictions, Easements, Charges and Liens for Williamsburg and Article VII of the Bylaws of Williamsburg and has established the following rules and regulations for exterior improvements to the private lots and common areas.

**REGULATED ACTIVITIES**

**General Guidelines**

- All proposed changes to the exterior of a dwelling or lot, that will affect the aesthetic features and characteristics of the community, shall be submitted for approval to the Committee.
- No building, fence, wall or other structure or major alterations, additions or improvements of any kind (hereinafter collectively referred to as “Changes”) shall be erected, installed or altered unless specifically permitted by these rules and regulations, and until the plans and specifications showing the nature, kind, shape, height, materials, finish colors and location of the proposed improvement, addition or alteration have been submitted in writing to and approved by the Committee.
- Generally, any like-for-like exterior improvement (new roof, new front door, new windows) does not require the prior approval of the Committee. However, in order to obtain a construction permit from the township, you may need to provide proof of Committee approval.

**Animal Shelters**

- No kennels or outside shelters for the breeding or boarding of animals are permitted.

**Clotheslines**

- No permanent fixtures such as clothes trees or clothes lines shall be permitted for airing, drying or hanging laundry. Occasional use of deck railing for airing or drying swimwear, beach towels, rugs, quilts or blankets is permitted. Items must be removed from the railing within twenty-four (24) hours.

## **Property Maintenance**

- It is the responsibility of every homeowner to properly seed, care and maintain all lawn and other areas within the boundaries of the property including the exterior of the dwelling unit and driveway.
- Homeowners must also maintain in good repair those portions of the sidewalk and grass areas fronting the property up to the street curbing.
- Consistent with the obligation for all homeowners to keep their lots neat and in proper condition with respect to mowing and other external care, homeowners are required to properly maintain all installed plantings and landscape improvements, which includes treating, or replacing or removing, any plantings which exhibit visible signs of disease or decay, and repairing, replacing or removing any landscaping improvements which fall into disrepair. All remaining stumps must be removed when trees shrubs and bushes are removed. Trees, shrubs and bushes that protrude and/or overhang into sidewalks must be trimmed so as not to block or impede walkers.

## **Sports Equipment**

- With the exception of full size basketball hoops, all sports equipment is to be stored either in the garage or the rear of the home when not in use.

## **ARCHITECTURAL REQUESTS ARE REQUIRED FOR THE FOLLOWING:**

### **Deck and Patio Construction/Expansion**

- All decks and patios must be located in the rear section of the property and shall not extend towards the front of the property beyond the rear wall of the dwelling unit, except that a walkway entrance to the deck shall be permitted alongside the dwelling unit, subject to applicable property setback restrictions.
- Materials and color must complement or match the color of the main dwelling. Privacy railings are permitted up to one-third the length of the deck or patio, but cannot enclose the deck or patio.
- The committee may require the homeowner to install appropriate plantings around the deck or patio for aesthetic purposes.

### **Fencing**

- No fencing shall be permitted to extend towards the front of the property beyond the mid-point of the garage attached to the dwelling unit.
- The height of any fence along any perimeter of the property shall not exceed four (4) feet, measured from the ground to the highest horizontal rail section or vertical picket portion

of the fence, except that support posts and scalloped or similarly styled sections that taper up to a support post shall not exceed five (5) feet.

- The styles of fencing permitted shall include a post and rail style fence, including round or split-rail fencing, and open picket-style fencing.
- The type of fencing material permitted includes wood, vinyl or aluminum.
- The color of any fencing within the lawn section of the property shall be one color. The color can be natural wood, stained wood, white or black.
- Exposed spear points are not permitted on aluminum fencing. Welded wire fencing material shall be permitted to be installed and fastened onto the interior framing of the fence in all lawn sections of the property, and green welded wire fencing affixed to and supported by green metal stakes shall be permitted in any portion of the property behind the dwelling unit which extends into wooded areas.
- It shall be the responsibility of the homeowner to maintain the fence in good repair at all times.
- This section shall not apply to the installation of a wooden staked wire mesh fence around the perimeter of a seasonal garden, which may be constructed within the back yard of the unit and must be taken down by December 1st of the year it is erected. Homeowners shall also be permitted to install green welded wire fencing affixed to and supported by green metal stakes or open picket-style fencing not more than four (4) feet in height around the perimeter of a garden area as permanent fencing, for which no application is required.

### **Landscaping**

- Architectural requests shall be submitted only for plantings or other proposed landscaping improvements that exceed four (4) feet in height along the property line(s) of adjoining lots which would act as a continuous barrier around perimeter portions of the lot.
- It is the responsibility of the homeowner to ensure that all proposed landscaping modifications do not adversely impact any installed drainage facility or create and additional surface water runoff onto adjacent properties.

### **Play-sets**

- All play-sets must be located in the rear section of the property.
- Swing set material is limited to wood, wood like materials, or vinyl wrapped wood. Color must complement the main dwelling and must be consistent with the aesthetic character of other improvements on the lot, such as fencing, decks and patios.
- It shall be the responsibility of the homeowner to maintain the play-set in good repair at all times.

- Freestanding play-sets for toddlers and preschoolers (e.g. Little Tikes) are also allowed as long as they are not permanently installed.

### **Pools and Hot Tubs**

- To the extent permitted by and consistent with applicable local codes and ordinances, the installation of in-ground swimming pools is permitted.
- Seasonal children's inflatable or plastic pools are permitted, and no application is required for their installation.
- All other above ground swimming pools are not permitted, except that homeowners shall be permitted to install a hot tub or Jacuzzi unit in accordance with applicable codes, ordinances and regulations governing the requirements for the installation and enclosure of improvements of this kind.

### **Satellite Dishes**

- Satellite dishes may be installed on the dwelling or property. An architectural request must be submitted for any satellite dish installed in a location other than the roof.

### **Storage Facilities**

- All prefabricated or custom-built storage facilities must be located within the property line in accordance with Township regulations.
- Storage facilities must match the architectural features and color of the main residence as closely as practicable, except that wood storage facilities may be stained consistent with the aesthetic character of other improvements on the lot, such as fencing, decks and patios.
- All proposed locations shall be subject to review and approval of the Committee. It shall be permissible to utilize the area underneath an elevated deck or patio for storage, provided that the storage area underneath the deck or patio is fully enclosed with lattice woodwork or other similar materials, and consistent with the design and construction of the deck or patio, such that the enclosure obscures visibility of the stored objects from the neighboring properties.

## **ARCHITECTURAL SUBMISSION AND REVIEW PROCESS**

### **Committee Composition and Voting**

- The Architectural Committee may be composed of up to six (6) members, with two (2) Board members serving as Chairperson and Vice-Chairperson, respectively, and up to four (4) non-Board committee members. Either the Chairperson or Vice Chairperson will preside over each meeting.

- For every matter on which Committee approval is required, each committee member, including the presiding Chairperson or Vice-Chairperson, shall cast one vote.

### **Scope of Review by the Committee**

- The scope of review by the Committee for any Change is solely to ensure compliance with the published architectural rules and regulations of the Association, and approval of any request does not include a review of, or signify compliance with, any building code requirements, state and local laws, or other rules, regulations or ordinances created and enforced by other agencies and entities which may apply to the proposed Change. Similarly, Committee approval of the proposed Change request is in addition to, and not in lieu of, any required approvals and permits from state or local authorities having jurisdiction over the proposed Change.

### **Why Have Architectural Committee and Rules:**

- The duties and obligations of the Committee are to develop architectural rules and regulations, and review and approve all manner of proposed Changes made to the private residences and common areas to promote and preserve the general character, topography, vegetation and common architectural features which exist within the community.

### **Maintaining/Update of Current Rules**

- The rules and regulations developed by the Committee, and any proposed amendments thereto, shall be published to all members of the community for comment prior to being put to a vote before the Executive Board of Directors.
- Approval of all architectural rules and regulations is to be made by a majority vote of the Executive Board of Directors.

### **Submission/Review of Architectural Change Request**

- All Change requests must be submitted to the property manager in writing on the prescribed Architectural Request Form. The form shall include the following information, at a minimum:
  1. A detailed plan setting forth the proposed changes to be made
  2. The exact location of the Change within the subject property
  3. The size, type and color of the materials to be used. Include pictures if possible.
  4. Name of Contractor performing the work.
- By submitting an Architectural Request Form, the homeowner agrees to maintain, repair and/or replace the Change so as to ensure that the condition of the Change is properly preserved, and the homeowner agrees to restore their property to the original pre-Change



condition in the event that the Change is not properly maintained, repaired and/or replaced as required by these rules and regulations.

- No action may take place to implement a Change without the prior written approval of the Committee.
- The Committee will make every effort to render a decision upon a Change request within THIRTY (30) DAYS from receiving said request.
- In the event a decision is not rendered by the Committee within the prescribed thirty (30) day period, the homeowner may proceed in accordance with the procedures set forth in the APPEALS paragraph below as though the Change request had been denied.

### **Request for Variance**

- Any homeowner may submit a Change request which includes a request for variance from the published rules and regulations.
- Such requests shall contain a detailed description of the variance requested and the reason why the variance should be granted. The burden is upon the homeowner to demonstrate that the proposed Change is consistent with the existing aesthetic features and characteristics of the community and that it will create an undue hardship for the homeowner or unreasonably restrict the homeowner's use of the property if the variance is not granted. Examples of circumstances for which a variance will be considered include, but are not limited to, providing means of ingress and egress for residents with disabilities.

### **Appeals**

- Any homeowner whose Change request has been denied in whole or in part by the Committee may appeal the decision in writing to the Executive Board of Directors within ten (10) business days from the date notification of the denial by the Committee is mailed or emailed to the homeowner.
- Upon receiving the notice of appeal, the Executive Board of Directors may require the homeowner to submit additional information, arrange to meet with the homeowner prior to rendering a decision on the appeal, or issue a decision based upon the materials presented with the notice of appeal.
- The decision of the Executive Board of Directors shall be final and binding upon the homeowner.

### **Complaints**

- Complaints of any alleged violation of the architectural rules and regulations must be submitted in writing to the property manager. The written complaint must provide adequate information as to the date, location and time of the alleged violation to permit

the Association to investigate the complaint. Whenever and to the extent possible, the source(s) of the information contained in the complaint shall be kept confidential.

### **Notice of Violation**

- The property manager shall investigate the complaint, and, where appropriate, shall notify the homeowner in writing, via hand delivery, regular mail, or email of the alleged violation and instruct the homeowner to remedy, correct or abate the condition.
- Homeowners shall be given twenty-one (21) days from the date notification of the alleged violation is hand-delivered, emailed or mailed by the property manager to submit a written response to the property manager, after which the Committee will consider any submissions by the homeowner and render a written decision.

### **Period to Cure Violation**

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**WILLIAMSBURG HOMEOWNERS ASSOCIATION**  
**Rules and Regulations Regarding Commercial Vehicles**

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- 1) Pursuant to Section 9.4(d)(i) of the Declaration, parking of commercial or business type vehicles within the Association is prohibited. These Rules are intended to supplement and provide further guidance as to how this provision shall be enforced.
- 2) For the purposes of Section 9.4 of the Declaration, as well as these Rules and Regulations, "Commercial Vehicles" shall include any vehicle which has one or more of the following characteristics:
  - i) Requires a commercial drivers license to operate or has a commercial license plate;
  - ii) Has commercial lettering and/or graphics (not including bumper stickers or other personal items);
  - iii) Has equipment or supplies used for commercial or business activity attached to or visible from the exterior of the vehicle (such as ladder racks, tool racks and/or tool boxes and cases, etc.);
  - iv) Has a gross vehicle weight rating of 26,001 or more pounds;
  - v) Exceeds nineteen feet (19') in length, has an eleven foot (11') wheelbase, three foot (3') front overhang and/or five foot (5') rear overhang;
  - vi) Is designed to transport sixteen (16) or more passengers; **or**
  - vii) Is used to transport hazardous materials and/or is required to be placarded in accordance with State or Federal regulations.
- 3) There shall be absolutely no commercial or business type vehicles permitted on the Association Property between the hours of 10:00 p.m. and 6:00 a.m., except in the case of an emergency. Commercial and business type vehicles are only permitted on a temporary basis during daytime hours for the delivery of items or the performance of work within the community.
- 4) The parking and storage of any Commercial Vehicles, campers, motor homes, boats, trailers or recreational vehicles or any type upon the Association's Common Elements is prohibited at all times, except as otherwise expressly permitted by the Board of Directors.
- 5) These Rules and Regulations Regarding Commercial Vehicles shall be enforced in accordance with the Association's Fine and Enforcement Policy.