

# **LOT AND ARCHITECTURAL RESTRICTIONS**

**Guide for Property Owners  
WINTERS HILL PLACE ASSOCIATION**

***Issued in accordance with the By-Laws of the Winters Hill Place Association, the Declaration of Covenants, Conditions and Restrictions, Winters Hill Place Subdivision, and policies adopted by the Board of Directors, Winters Hill Place Association December 19, 1991, and revised and approved by the Board September 16, 2004.***

Architectural Control Committee  
Winters Hill Place Association

Statement of Purpose

The purpose of the Architectural Control Committee of the Winters Hill Place Association is to:

1. Protect the value and desirability of the real property of the property owners.
2. Prevent any use of the lots in the subdivision that would constitute a nuisance.
3. Establish and implement procedures for the review and approval or disapproval of all plans for the construction and erection of any residence, outbuildings, or additions to any residence.
4. Establish and implement procedures for the review and approval or disapproval of exterior colors for residences, outbuildings, and other improvements in the subdivision.
5. Periodically review the procedures of the Architectural Control Committee at the request of the Board of Directors, or a majority of the property owners upon motion duly passed at the annual meeting of the Winters Hill Place Association.

The Architectural Control Committee is vested with authority to perform the above duties and responsibilities pursuant to Article V, Section 7, Declaration of Covenants, Conditions, and Restrictions, Winters Hill Place Subdivision. The members of the Architectural Control Committee shall be appointed by, and serve at the pleasure of, the Board of Directors of the Winters Hill Place Association.

Architectural Control Committee  
Winters Hill Place Association

A. Lot Restrictions. Please refer to *Article V, Declaration of Covenants, Conditions, and Restrictions*, for specific requirements.

1. Trash, garbage and other waste must be kept in sanitary containers. No trash, garbage or waste may be dumped on any lot. No homeowner shall dump brush, branches, limbs or other waste in the common areas.
2. Fences may not exceed four (4) feet in height unless the Committee has granted a variance. Chain link fences are not permitted. NOTE TO HOMEOWNERS: Chesterfield County zoning ordinances do not allow fences to exceed four (4) feet in height in the front or front side yards of a residence.
3. Outbuildings permitted by the Declaration of Covenants, Conditions, and Restrictions, Article V, Section 3, must be of the same type and quality construction as the dwelling on the lot.
4. Temporary structures, trailers, recreational vehicles, basements, tents, shacks, garages, barns or other outbuildings may not be used on any lot at any time as a residence, either temporarily or permanently.
5. Trailers, motor homes, and recreational vehicles with sleeping accommodations over 5 feet in height garaged in the subdivision must be parked behind the rear line of the house.

B. Architectural Restrictions

1. Exterior Modifications. All plans for the construction and erection of any residence, outbuilding, replacement of original siding with vinyl or other type of siding, or additions to any residence or outbuilding must be submitted to the Architectural Control Committee for its review and approval prior to starting any work. Property owners who proceed without Committee approval assume all risk for the cost of removing disapproved work or bringing work into compliance as well as reimbursement to the Association or any owner for costs of litigation necessary to enforce these covenants, conditions, and restrictions. It is the responsibility of the owner to secure necessary permits and ensure compliance with applicable building, fire, or other codes required by law.
2. Exterior Painting. Owners may repaint their homes without prior approval of the Architectural Control Committee providing the owner complies with the following requirements:

- A. Siding must be painted uniformly with one color matching an approved color from the Approved Color List maintained by the Architectural Control Committee. . This list identifies approved colors by color, paint code, and manufacturer. The list may be viewed by contacting the Chairman of the Architectural Control Commission. Two tone, stripes, multi-color, murals, etc. are not approved. Owners who paint without prior approval assume all risk of the cost of repainting if the color is deemed unacceptable by the Architectural Control Committee as well as reimbursement to the Association or any owner for costs of litigation necessary to enforce these covenants, conditions, and restrictions.
- B. Trim, including windows, corners, fascia, bottom sills, etc. must be painted white. No other color is permitted.
- C. Foundations may be painted beige or the house color.
- D. Front and rear entry doors may be repainted to match the current color. Any other color requires approval of the Architectural Control Committee.
- E. Garage doors may be painted white, the house color, or to match the front door color. Any other color requires approval of the Architectural Control Committee. The garage door must be painted a solid color. Patterns, checkerboards, etc. are not permitted.
- F. Decks, porches, and steps may be left natural or stained a natural wood color. Painting or staining any other color requires prior approval of the Architectural Control Committee.
- G. Fences must be left natural or stained a natural wood color. Painting or staining any other color requires prior approval of the Architectural Control Committee.
- H. Outbuildings are subject to the same exterior paint requirements as the dwelling.
- J. Driveways shall not extend beyond the curb or encroach upon the street, or in any manner interfere with the drainage of water into the storm sewers.

### C. Review and Approval Process

1. The Property owner is responsible for submitting all plans for exterior modifications or painting as required in Section B above to the Architectural Control Committee prior to starting any work. The request should be hand delivered to the President or other officer of the Board of Directors, a member of the Architectural Control Committee, or mailed certified mail, return receipt requested, to:

Architectural Control Committee  
Winters Hill Place Association  
P. O. Box 35461  
Richmond, VA 23236

2. Current Officers and members of the Board of Directors, Winters Hill Place Association and members of the Architectural Control Committee shall be listed in the Winters Hill Place Association Directory, which may be distributed annually to each property owner.
3. The Architectural Control Committee shall approve or reject the plans or color request in writing within 60 days of the postmark or receipt by the Committee unless the property owner agrees in writing to an extension of time. If no response is provided to the owner within 60 days, the request or plans may be considered approved, providing that the property owner has complied with all permit and code requirements as required by law.
4. The Architectural Control Committee shall base its approval or denial on the following criteria:
  - A. Compliance with the Declaration of Covenants, Conditions, and Restrictions;
  - B. Quality of workmanship and materials;
  - C. Harmony of external design with surrounding structures;
  - D. Location of improvements with respect to topography and finished grade elevation;
  - E. The effect of the construction on the outlook from surrounding portions of the property;
  - F. And all other factors which in the sole opinion of the Committee will affect the desirability or suitability of the proposed improvements.
5. Property owners whose plans or requests have been denied by the Architectural Control Committee may appeal to the Board of Directors, Winters Hill Place Association, in writing within 30 days. Delivery of the notice of appeal shall be hand delivered to any current

member of the Board of Directors or mailed, certified mail, return receipt requested, to:

Board of Directors  
Winters Hill Place Association  
PO Box 35462  
Richmond, VA 23236

The Board of Directors shall respond in writing to the appeal within 60 days. If no response to an appeal is provided, the appeal may be considered approved.

- D. Compliance. The Winters Hill Place Association, or any property owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, and covenants. For further information on compliance and rights of the Association and owners, refer to Article VI, Declaration of Covenants, Conditions, and Restrictions.