



Quick Reference – ARCHITECTURAL GUIDELINES

The requirements and guidelines for THHA Architectural items are scattered through our Documents. The following is a quick reference on where these requirements are listed, and contain only the pertinent content (these are not always complete Sections). In addition to our Architectural Control Covenants, please remember you must also meet Federal requirements for the Chesapeake Bay Act, Northumberland County site plan approval, building codes and ordinances, and VDOT driveway culvert requirements that are not listed here.

DECLARATION OF PROTECTIVE COVENANTS OF TWIN HARBORS

Article II

Section 1 – Residential Use Only

The lots shall be used for residential purposes only, and no commercial use shall be permitted. This restriction shall not be construed to prevent rental of any dwelling for private residential purposes....

Section 2 – Size Requirements

No structure, except as defined below, shall be erected, placed, altered, or permitted to remain on any lot other than one detached single-family dwelling, not to exceed two and one-half stories in height, and one one-story accessory building not to exceed two hundred (200) square feet. Additional accessory building(s) of 200 feet or more, may be approved on a lot-by-lot basis by the Architectural Control Committee (see Article III).

The Architectural Control Committee may also permit, on a lot-by-lot basis, the construction of one attached or detached guest quarters, not to exceed 1,000 square feet of heated area, excluding decks and/or porches, subsequent to the construction of the primary dwelling.

Any dwellings located on lots 11 – 43 and 58 – 81 shall have a minimum enclosed living area of no less than 1500 square feet exclusive of open porches, basements, decks, garages, carports, and other appurtenances and improvements hereto.

Any dwellings located on lots 1 – 10, 44 - 57 and 82 – 86 shall have a minimum enclosed living area of no less than 1250 square feet exclusive of open porches, basements, decks, garages, carports, and other appurtenances and improvements hereto.

Section 3 - Garage

All dwellings may have an attached or detached garage or an attached carport, which shall be of the same style and exterior finish as the Dwelling. The garage may be built twelve (12) months prior to construction of dwelling for the purpose of storing building materials and tools.

Section 4 – Building Setbacks

All structures shall be fifty (50) feet or more from the street right of way line. The minimum side yard for structures shall be fifteen (15) feet. The structure shall be set back twenty-five feet from the back line, except for waterfront lots which must observe the requirements of the Chesapeake Bay Act. The Architectural Control Committee may, at its discretion, issue variances for these setbacks on a lot-by-lot basis, but in no case shall they permit a variance which does not comply with Northumberland County or any other applicable standard or requirement. Lots 4, 5, 6, and 7 shall not build within the wetlands as shown on the Twin Harbors subdivision plan.

Section 5 – No Temporary Structures

No structure of a temporary character shall be placed upon any lot at any time, provided however, that this prohibition shall not apply to shelters used by the contractor during the construction of the main dwelling house, if permissible under local zoning and land use regulations.

Section 8 - Animals

...All outdoor pets shall be kept ...in an approved kennel. All outdoor pet enclosures shall be erected on the back of the lot out of view of the street....

Section 11 – Satellite Dishes

No satellite dishes or communicators shall be permitted unless concealed from view of all Lots, roads, and open spaces. The design of such enclosures must be approved by the Architectural Control Committee prior to erection. A satellite dish which is less than 2 feet in diameter may be installed without being enclosed, so long as it does not detract from the appearance of the lot.

Section 12 – Prohibited Structures

No mobile home, trailer, bus, all metal home, or any derivative of the foregoing shall be kept, maintained, or located on any Lot. Structures built entirely or substantially of exposed concrete block are prohibited. Because of lot configuration or shallow water, Lots 11, 12, 68, 69, 70, 71 and 81, will not be allowed private dock permits. However, applications may be considered for docks serving two or more lots.

Section 13 – Signs

No signs of any description shall be displayed upon any Lot, except by Declarant, and further, except for a single sign per Lot, showing Lot number and Lot Owner. Lot signs identifying Owner and Lot number shall not to exceed 400 square inches.

Section 19 – Fences

Except for enclosing the perimeters of swimming pools, tennis courts and/or pet enclosures, no chain link fences will be permitted for use on any Lot. All perimeter fencing shall be wood pickets, split rail, stone, brick, or wrought iron or other similar approved materials. Perimeter fences shall not exceed 5 (5) feet in height. All buildings, additions, fences, and other structures must be approved, in writing, by the Architectural Control Committee prior to the start of construction.

Section 21 – Lot Clearing

...the Declarant, its heirs and assigns preserves the sole right to restrict the clearing, grading, tree removal, or construction activity which may take place on any Lot. Before beginning any activity as mentioned in this Section, the Lot Owner shall acquire written consent from the Architectural Control Committee.

Article III

Section 2 (a) -

No building, fence, wall, outbuilding, driveway or any other structure may be commenced, erected, placed, maintained or altered on any Lot or combination of contiguous Lots, until; (1) the Complete Construction Plans (the "Plans") are approved, in writing, by the [Architectural Control] Committee or its designated agents; (2) County and/or state permits are issued to prove compliance with all state and local building codes, zoning requirements, health department requirements and all other applicable law and ordinances; (3) [compliance with the minimum standards set out in the attached Twin Harbors Architectural Guidelines, which are by reference made a part of these Protective Covenants.\(???\)](#)

2(b) –

The Plans shall include the name of the building, complete construction plans, the plot plan, building-area calculations and material specifications, to indicate exterior color and finish.

Section 3 -

The Committee or its designated agents shall have thirty (30) days after physical receipt of the Plans to accept or reject the same in whole or in part. If no response by the Committee has been made in writing within said 30 days, the Plans shall be deemed approved as submitted. After the Plans are approved

and after the Committee gives written permission for construction to begin, the actual construction shall be commenced and completed in accordance with approved Plans, together with the requirements of the Declaration.

Section 4 -

The actual construction shall be the responsibility of the Owner of the Lot and his builder. Any permission granted for construction under this covenant shall not constitute or be construed as an approval, warranty, or guaranty, express or implied, by the Declarant or the Committee or its designated agent of the structural stability, compliance with any applicable law, ordinance or regulation related to design and/or construction; or quality of any building or other improvement or of the contractor who constructs such buildings or improvements.

Section 5 –

All exterior construction of Dwellings must be completed within six months after beginning initial construction.

Section 6 –

The Committee shall have the right to charge a reasonable fee for receiving and reviewing each application. The Committee reserves the right to establish such fees as may be needed to cover its actual costs of review and administration.

Article IV

Section 5 –

...Any structures and/or improvements located upon any Lot and pre-existing the recordation of this instrument are exempt from any restrictions in this instrument which would otherwise result in a violation hereof. However, alteration or replacement of any part of said structures and/or the addition of improvements, aside from routine maintenance, requires compliance with these provisions in their entirety.

RESOLUTIONS – These resolutions were withdrawn by the Board on July 15 – need to be re-instated.

1) Declaration of Protective Covenants, Article III, Section 2 (a) states “No building, fence, wall, outbuilding, driveway or any other structure may be commenced...”

The Board has adopted a Resolution that Flagpoles are a structure that must be applied for and approved by the Architectural Control Committee prior to placement on any Lot. January 21, 2005.

2) Declaration of Protective Covenants, Article III, Section 2 (a) states “No building, fence, wall, outbuilding, driveway or any other structure may be commenced, erected,

placed, maintained, or altered on any Lot or combination of contiguous Lots, until (1) the Complete Construction Plans (the "Plans") are approved..."

The Board has adopted a Resolution that any application submitted to the Architectural Control Committee must contain three (3) sets of the Site Plan and Complete Construction Plans for dissemination to the three (3) Committee Members for review. The Committee may reject as incomplete any submission that does not contain this information, and the thirty (30) day review period will not commence until all three (3) sets have been submitted.

January 21, 2005.

3) Declaration of Protective Covenants, Article III, Section 2 (b) states "The Plans shall include the name of the building, complete construction plans..."

The Board has adopted a Resolution requiring the use and submission of the revised ACC application forms, and all requested information on those forms (contained in the Forms Section of the Neighborhood Guide Book), to the ACC or the application will not be considered complete. In addition, for any approved project that has not been started within 90 days of the start date stated in the approved application, a letter of renewal request containing the new anticipated start date must be submitted to the ACC prior to the start of the project. This will ensure that any changes that may have been made to the THHA documents, rules or policies can be applied.

January 21, 2005.

4) Declaration of Protective Covenants, Article III, Section 3 states "The Committee or its designated agents shall have thirty (30) days after physical receipt of the Plans to accept or reject the same in whole or in part...."

The Board has adopted a Resolution that any Lot Owner may appeal the rejection of their Plan to the Board, if the rejection is due to content of the actual Plan or Site Plan, and NOT due to an incomplete or otherwise unacceptable application package.

January 21, 2005.