



Architectural Rules and Regulations *(Effective January 1 2017)*

Supersedes all previous Architectural rules, regulations and guidelines

Authority. Article XI, Section 6: The Lake James Homes Association (LJHA) Covenants, Conditions, and Restrictions (CCRs) states that the Architectural Committee (AC) may adopt and promulgate reasonable rules and regulations for the administration, interpretation, and enforcement of the provisions of the CCRs. In adopting and promulgating such rules and regulations, and in making any findings, determinations, ruling or order or in carrying out any directive contained within the CCRs relating to the issuance of permits, authorizations, approvals, rules or regulations, the AC will take into consideration the best interests of the LJHA Owners to the extent that the Property will be preserved and maintained as a high quality community.

Guidance. Articles VII and VIII of the CCRs provide detailed prohibited use restrictions and policies regarding construction and /or alterations of structures. Under the authority cited above, the Board of Directors has adopted additional rules and regulations contained herein to preserve the value and quality of all properties within Lake James. The rules and regulations posted herein incorporate or supersede all those previously published. Acting for the LJHA Board of Directors, the AC will be thoroughly knowledgeable of, and will strictly enforce these restrictions, rules and regulations. The Chairman, AC will ensure that all requests will be responded to within 30 days.

Rules and Regulations.

1. Residential Lot with one detached single-family dwelling. (Article VII, Section 1 of CCRs).

1.A. Rental of Property. Per 2016 Virginia Statutes governing community associations, no association can restrict a homeowner from renting out his lot. However, the LJHA can require a lot owner to provide the association with the names and contact information of the tenants and authorized occupants and any authorized agent of the lot owner. The association may also require the lot owner to provide the association with the tenant's acknowledgement of and consent to all LJHA rules and regulations. Accordingly, the following rules apply to any lot owner wishing to rent out his residence:

- The lot owner will provide the name and contact information (name, telephone number, email address) of each tenant to the AC, and provide updated information whenever there is a change in tenants.
- The lot owner will provide the name and contact information (name, company, address, telephone number and email address) of any authorized agent of the lot owner to the AC, and provide updated information whenever there is a change in tenants.
- The lot owner will provide his name, telephone number, address and email address to the AC.
- The lot owner will submit to the AC a signed letter from each adult renter indicating that they have seen, understand, and will comply with all LJHA rules and regulations.
- Sub-letting of rooms of home by the owner, primary renter, or property agent is not permitted, nor is “limited residential lodging” permitted. Occupancy by a renter must be under contract for a minimum period of 6 months.

2. Business Use of Property. (Article VII, Section 3 of CCRs)

2.A. Home-Based Businesses. Per 2016 Virginia Statutes governing community associations, no association can restrict any lot owner from operating a home-based business within his personal residence. However, the Association may establish reasonable restrictions as to time, place, and manner of the operation of the business and may impose reasonable restrictions as to the size, place, duration, and manner of placement of signs on the owner’s lot related to the business. All home based businesses must submit a request to the LJHA AC addressing and agreeing to the following:

- The business must comply will all applicable local ordinances, including licensing.
- In general, outdoor signage is not approved. Request for exceptions will be submitted to the AC for consideration.
- Business hours of operation will not exceed 0800 to 1700 EST Monday through Friday. No weekends or National holidays.
- No Common Areas will be used for the business, including use of the lake, parking areas, park, boat ramps, and tot lots.

2.B. Commercial Vehicle Parking. No commercial vehicles of any type are permitted to be parked at a residence except when said vehicles are actively engaged in a delivery. Commercial vehicles used in connection with home-based business must be approved by AC.

3. Light poles and Antennas. (Article VII, Section 4 of CCRs)

3.A. Antennas. Satellite TV receiving dishes and over the air TV receiving antennas are permitted under the guidance of Federal legislation (Telecommunications Act of 1996); however certain restrictions apply:

- The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter (39.37") in diameter, TV antennas, and wireless cable antennas and these items do not require AC approval. Dishes larger than one meter require AC approval.
- Antennas must be placed in an as visually unobstructive location as possible, while still allowing reception of signals. All exterior wires for antennas or cable TV service must be kept neatly secured in place and hidden from view as much as possible. Wires must not be laid across roof surfaces.

3.B. Solar Panels. While Virginia law prohibits the Association from prohibiting an owner from installing a solar energy collection device on that owner's property, LJHA can establish reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices. Accordingly, prior to installing any solar system, the LJHA homeowner must submit a request to the AC providing specific details concerning the size, where it is to be located, and the manner of installation, and address each of the following:

- Size: The solar panels must be within the current net metering code limitations.
- Place: Panels must be as close to flat on the roof as possible (parallel to roof surface and flush mounted), preferring installation on the rear of the house if this does not interfere with usefulness of the solar energy collecting device (in terms of orientation), and all wiring and other components be concealed as much as possible. If not possible explain how this placement would interfere with collection of energy. Ground mounted or rack mounted units are not normally approved. Manner of Placement: Design must be in compliance with current building codes.

4. Parking of Boats, Trailers, and similar items. (Article VII, Section 5 of the CCRs)

The prohibitions contained in Article VII, Section 5 of the CCRs are very explicit, and will be strictly enforced by the AC.

- Vehicles which are disabled, not currently licensed or registered, or are otherwise inoperable may not be stored on any property in view or in the street.
- The temporary or permanent storage of boats, boat trailers, utility trailers, or similar items is not permitted unless the item is stored in the garage, at the owner's bulkhead, or behind a solid fence so that it is not visible from the street or by adjoining neighbors.
- Recreational vehicles, house trailers, or similar items are not to be stored on any property or on the street.
- Privately owned passenger vehicle parking is permitted only on finished paved driveways or the street.
- Homeowners may temporarily park prohibited vehicles in driveway for 24 hours to perform cleaning or minor maintenance with prior AC approval.

5. Use of trailer, tent, shack, garage or other out building as residence (Article VII, Section 6 of CCRs)

- No mobile home, camper or RV or similar items may be used as a temporary or permanent residence on any portion of the lot or street.
- Homeowners with visiting guests who have recreational vehicles must contact the AC for prior parking arrangements.

6. Disposal of trash and other debris (Article VII, Section 7 of CCRs)

- Construction debris will not be allowed to accumulate on the driveway, curbside or yard. It will be collected and disposed of in appropriate containers such as construction dumpsters.
- Household and recycle trash will be disposed of using City of Virginia Beach approved containers. Trash and recycle pickup day is Friday. Containers will not be placed curbside until Thursday afternoon and will be removed by noon on Saturday.
- Yard debris including tree limbs and bagged grass will be picked up by the City of Virginia Beach on Friday. This material will not be placed curbside until Thursday afternoon.
- Bulk item disposal must be coordinated with the City of Virginia Beach. These items must be placed curbside on the scheduled day of pickup only.
- Trash and recycle containers must be stored so that they are not visible from the street. If stored outside, they must be hidden from view from the street by mature landscaping or by a lattice, brick or wood structure approved by the AC.

7. Construction and/or Alteration of structures (Article VII, Section 10 and Article VIII, Section 1) Any additions, exterior alterations, modifications, or changes to the external appearance of an existing home or any detached structure must have written approval granted by the AC before any work is undertaken. Examples of such projects include decks, fences, siding replacement, storage sheds, driveways and sidewalks, roof replacements, new windows or doors, docks, bulkheads, gazebos, home additions and exterior painting. Any addition, exterior alteration, modification, or change in external appearance must be compatible with the design character and style of the neighborhood.

- **Fences.** There are three standard fencing designs, but only two, a wood rail and aluminum, are approved for lake front properties. Specifications are contained as an attachment to this document. The City of Virginia Beach limits fencing heights and locations per their Zoning Ordinances. Fencing is, under most circumstances, limited to extend from the rear line of an owner's property to within 10 feet of the front corner of the home. In no case may fencing be constructed on the lakefront and lakeside lots which would impair the view of the lake from the street.
- **Mailboxes.** There are three standard mailbox designs. Two are wooden designs depending upon whether the mailbox supports two residences or one. Specifications are contained as an attachment to this document. The AC is generally approving brick mailboxes provided the brick matches that of the home or is of a neutral color. An

opening for newspapers is required. Height dimensions must comply with the USPS service guidelines.

- **Storage Sheds.** Sheds of any size are not permitted on lakefront or lakeside homes. Sheds for residences off the lake must be approved by the AC. The shed must be located in an area of the property that is unobtrusive as possible, and must be placed so that it is as invisible as possible from the street. The shed must be single wall construction and sided, trimmed, painted and roofed to match the architectural style of the home.
- **Exterior Lighting.** Exterior lighting does not normally require approval. However, no permanent exterior lighting shall be directed so as to create an annoyance to neighbors. Security lighting should be directed or shielded so that it is contained on the homeowner's property.

Construction or alteration of a residence that requires a zoning variance from the City of Virginia Beach will not be approved by the AC, and must go directly to the board for consideration.

Requests for additions to existing structures that obscure the view of the lake and/or common areas will not normally be approved by the AC.

8. Domestic Pets. (Article VII, Section 11 of CCRs)

- The LJHA Board of Directors has stated that the raising of chickens or other fowl on Lake James residential property is not allowed.
- Dogs must be on a leash at all times when in the common areas and when walking through the neighborhood.

9. Signage. (Article VII, Section 12 of the CCRs)

- One (1) temporary sign for the sale or rental of a home may be placed in the front yard of the residence but may not exceed 2 x 3 feet.
- The posting of signs on street poles, light poles and staked in the ground are not approved and will be removed by the AC.
- Signage advertising tradesmen working on property is permitted while work is being performed. Sign cannot exceed 2 x 3 feet and must be removed immediately upon completion of work.
- Signage advertising home-based business is not approved.
- One (1) Small political sign (2 x 3 feet) may be placed in the front yard two months before the election and must be removed within 3 days after the election.
- Sports team flags up to 3 x 5 feet may be flown in the front of the home on game day.
- Small (1 foot square) signs identifying security company may be posted in front yard.

10. Property Landscaping. Homeowners are required to maintain the overall neat and orderly appearance of the property including landscaping.

- Homeowners will maintain the appearance of their yards through regular grass cutting, trimming and edging.
- Shrubs and trees will be kept pruned and not impair their neighbors' view of the lake or other common areas.
- Shrubs and trees may not be allowed to become an obstacle to pedestrians on sidewalks or to create blind spots for vehicles on streets.
- Dead trees and tree stumps are to be removed completely.
- Shrubs along lakeside property lines should be kept at 4 feet or less to avoid blocking adjoining neighbor's view.
- Established growth trees (diameter of 6 inches or greater) should be limbed up to 10 feet for visibility on lakeside properties.
- Landscaping plans that call for the planting of a series of trees or shrubs that form a visual barrier blocking neighboring homeowner's view of the lake and common areas must be submitted to the AC for review and approval prior to planting.

11. Property Maintenance. Homeowners are required to maintain the appearance and structural integrity of their property in order to sustain the quality and value of the community. This includes, but is not limited to:

- Cleaning of mildew from siding and other areas of the home
- Repair/replacement/painting of wooden mailboxes
- Repair/replacement/painting of doors, windows, trim, and other wooden sections of home
- Repair and/or replace damaged or deteriorated siding
- Repair and/or replace driveways that have substantial cracks.
- Repair/replacement of roof shingles
- Replace foggy windows
- Repair/replacement of severely dented or unattached siding, gutters or shutters
- Repair/replacement of garage doors that are broken, rotted or missing parts
- Repair/replacement of docks, decks, bulkheads, and fencing that has deteriorated or become damaged by storms or wave action

12. Miscellaneous.

12A. Exterior Holiday Lighting and Decoration. Approval of seasonal/holiday exterior decorations is not required as long as the decorations are within the homeowner property lines, that they are put up/displayed no earlier than 45 days prior to the holiday and removed completely no later than 30 days after the holiday.

12B. Displaying of the United States Flag. Section 55-513.1 of the Property Owners Association Act allows a resident to display the flag of the United States on the resident's property but allows the Association to establish reasonable restrictions as to the size, place, duration, and manner of placement. Accordingly, the LJHA sets forth the following:

- US Flags may be displayed from a five (5) foot staff that is attached to the house; a free standing flag pole requires AC approval as to height and location.
- No flag should exceed 3 feet by 5 feet.
- Residents desiring to fly the United States Flag should comply with the US Flag Code.

12C. Basketball Poles/Backboards. Backboards must meet commercial standards and appearance. The backboard and its supporting structure must be maintained and painted to give a good appearance. Hoops and nets must be maintained in good condition. No permanent basketball poles are permitted in the front yard of any property or in the street. Portable poles are allowed in driveways.

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