

**WESTPORT HOMEOWNERS ASSOCIATION, INC.
ACC FENCE REQUEST FORM**

Please fill out this form and attach a drawing of the proposed fence location, **along with** a copy of your current surveyor's plat of the lot. If your fence request meets all required criteria, the ACC will tentatively approve your project based upon the following conditions:

- 1 Prior to any work being started, you must have a **NEW SURVEY** of your property with all survey stakes visible.
- 2 **When your survey is complete**, you must contact the ACC for a site visit. Upon an ACC review of the site, unless there is an issue to be resolved; you will receive written approval to proceed with the project.
- 3 Homeowner is responsible for obtaining required zoning permits from the Town of Leland.
- 4 Any fence built in the easement area will be the responsibility of homeowner if the City/County or authorities have to remove the fence to do any work or repairs.

To: Architectural Control Committee of WestPort Homeowners' Association, Inc.

From: _____ Lot# _____ Section _____

Address: _____ Day Phone: _____ Email: _____

I have marked the proposed location of my fence on the attached drawing of the lot. The fence should tie to the rear corners of your house.

- | | |
|--|---|
| <input type="checkbox"/> Existing fences are shown on the attached drawing. | <input type="checkbox"/> Wooden fence posts must have post caps. |
| <input type="checkbox"/> Fence should be placed on the property line. | <input type="checkbox"/> Finished side of the fence must face out from the lot. |
| <input type="checkbox"/> Circle the name below the design of your fence and post caps below. Include a picture or diagram, if necessary. | |



BOARD-ON-BOARD
(Patio home and Townhome
6 feet tall)



DECORATIVE METAL
Patio home ONLY 4 feet tall



POST CAP 1



POST CAP 2



POST CAP 3



POST CAP 4

- The fence will be made of the following material: _____ End Cap material: _____
- The color or stain of the fence will be: _____
- The fence will be _____ feet tall.
- All fences must be completed to include staining within six (6) months of the approval date.

I understand the Architectural Control Committee will review my request at their monthly meeting, and I will receive a reply in writing from WestPort's management company within 5 workdays after the ACC has reviewed and received all required information. Submitted by: Owner:

_____ Date: _____

ACC Preliminary Review Date Received: _____ By _____ By _____ By _____ By _____ By _____ Decision Date _____ Approved _____ Denied _____ By: _____, ACC Chair	ACC Final Review/Inspection Date: _____ By _____ By _____ By _____ By _____ By _____ Decision Date _____ Approved _____ Denied _____ By: _____, ACC Chair
---	---

APPROVED BY THE WESTPORT HOA BOD ON 5/4/2018,
Updated 6/1/2019

PR #2J
Architectural Control Committee Rules and Regulations
Effective September 2016

Unless otherwise stated, all rules apply to both Townhomes and Patio Homes. For rules specific to Townhomes, please go to the WestPort website and view under Townhome Maintenance or contact your Townhome Director or the Architectural Control Committee (ACC).

Nothing shall be erected, placed, installed, or constructed on any property and no alteration to the exterior of any property, including, but not limited to, painting or repainting, is allowed without the written approval of the ACC, except as specifically stated in these guidelines.

An application for a requested change MUST be submitted and approved prior to beginning any work. Starting a project without ACC approval or failure to notify ACC of completion will result in a fine and/or returning your property to its original configuration.

Home/Lot Owners must submit building plans, specifications, and plat plans to the ACC for approval before beginning any alterations, changes or building. An application request for an alteration to homeowner's property must be submitted to WestPort's management company, whose contact information can be found on the WestPort website.

Any change to an already approved request must be resubmitted to WestPort's management company and approved again by ACC before work is started or continued.

All requested changes must be completed within six (6) months from the approval date. In the event circumstances beyond your control prevent your meeting the established completion date, you must contact WestPort's management company.

You must notify WestPort's management company upon completion of the project so that an ACC final inspection for the project can be completed.

If a requested change requires a variance from the Town of Leland, the owner must submit a letter from the Town stating that the variance has been granted.

BUA CERTIFICATION FOR IMPERVIOUS SURFACES

Before beginning any construction that includes additional impervious surfaces as part of its proposed structure, a Built-Upon-Area (BUA) calculation, certified by the lot owner or builder must be provided for approval. This certification must show that the requested additional BUA is within the amount allocated per the Adjusted Proposed Matrix, dated 11-17-08, WESTPORT PHASE I AND PHASE II, MAXIMUM BUILT UPON AREA, currently filed with the Brunswick County Register of Deeds. A copy of the Matrix is available on the WestPort Website (westporthoa.org).

Additions/repairs to driveways, parking pads or sidewalks must match the original Westport pebble aggregate.

Penalty for starting a project without prior ACC approval:

Violations of ACC guidelines will require the Home/Lot owner to cease all building, installation, alterations or other action immediately.

Any project started or completed without prior ACC approval may result in a fine (see violation procedure and fine schedule). Proper ACC documentation must be submitted and approved before a project is allowed to continue. Any homeowner who has completed an unauthorized project without proper ACC documentation may also be required to return the property to its original configuration.

The homeowner is required to obtain any required building/zoning permits from the Town of Leland or any other applicable government agency. An approval from the ACC does NOT replace the need for acquiring a permit from the Town of Leland or complying with any applicable building codes.

The WestPort Homeowners Association/ACC assumes no responsibility for the safety of construction by virtue of design or workmanship.

Awnings:

- Awnings are to be in the back of the house only.
- Awnings must be retractable.
- Awning enclosure must not extend beyond the edge of the house.

Canopies:

- Canopies cannot be permanent.
- Canopies erected for special functions do not require approval. However, they must be taken down after one 48-hour period.

Common Areas:

- No alterations or new plantings can be made within the common areas unless they are done under the **Common Area Voluntary Planting Guidelines and Procedures**. A form for donating plants to the HOA for use in the common areas is available on the Westport web site. The homeowner is responsible for the lifetime care of donated plants. Maintenance of these items must be disclosed at the time of sale.
 - Seasonal flowers only may be planted in the areas surrounding utility boxes that line the streets. Any other landscaping in this area needs to be approved by the ACC, Grounds Committee, and the Board of Directors.
 - No furniture or yard decorations can be placed in the common areas.
 - **Right of Way:** Pine straw must be used surrounding the tree(s) in the public street Right of Way regardless of the type of mulch approved for any Lot. No alterations can
-

be made to the trees, which line the streets, and are ornamented with pine straw. In the case of the A-1 homes (Merestone Drive and Wakefield Court), the Association will apply pine straw around the street trees with the homeowner being responsible for all other maintenance to these areas.

- **Common Area Voluntary Planting Guidelines and Procedures:** Donating of plants, shrubs and trees to the Common Areas will be done under the guidance of the Grounds Committee with the help of the landscape contractor and must be approved by the Grounds Committee, the ACC and the Board of Directors. The donation form is to be submitted to the Grounds Committee first.

Decks:

Decks are to be stained with the recommended fence stain is **Behr Premium Wood Stain Color - Valise: Solid Color SC 123 (No. 5013 Base)** or **FLOOD SWF-SOLID Color Wood Finish, Cedar color**, or should be painted to match the house trim unless material such as Trex (composite decking) is used.

- Non-wood decking material such as Trex shall be of a color closest in color to **Behr Premium Wood Stain Color - Valise: Solid Color SC 123 (No. 5013 Base)** or **Flood SWF-SOLID Color Wood Finish, Cedar color**. Submit samples of chosen material color to ACC for approval.
- Decks must be enclosed at the bottom with lattice screening and the screening should be stained the recommended fence stain or painted to match the house trim.
- Foundation plantings are required around the bottom of deck.
- Decks constructed of impervious surfaces must meet the requirements of the **BUA Certification for Impervious Services** requirement listed on page 1.

Fences:

GENERAL INFORMATION FOR TOWNHOMES AND PATIO HOMES

- No fence may be erected in WestPort until the homeowner obtains a new survey of their property with visible stakes. This survey must occur no more than 30 days prior to the date of application for the fence. All fences must be constructed on or within a homeowner's property lines. This is a requirement for having a fence request approved by the ACC. This requirement will appear on the ACC fence approval form.
- All fences installed prior to January 2008 and approved by previous ACC Guidelines are "grandfathered". Should a fence need replacement, the new fence must comply with the current fence guidelines in effect.

- A WestPort ACC Neighborhood Awareness Form must be completed and submitted with the Fence Review Request.

Fences - TOWNHOMES AND PATIO HOMES

Example of Board-on-Board



- Privacy fences are to be built at a height of six (6) feet.
- Board-on-board style with square post caps.
- No portion of the erected fence may come forward of the rear outside corner of the screened patio/enclosed season room. The fence should tie to the rear corners of your house.
- All fences must have at least one (1) - five (5) foot wide gate to allow for mowing.
- Both the exterior and interior of the fence is to be stained with **Behr Premium Wood Stain Color - Valise: Solid Color SC 123 (No. 5013 Base)** or **FLOOD SWF-SOLID Color Wood Finish, Cedar color.**
- Fences must be well maintained, including repairs and re-staining. The color of the gate hardware installed should be black.
- Fenced front yards are not allowed.
- Fences must be completed and stained within six (6) months of the approval date.
- Fence post caps, if used, are to be wood, copper or stainless steel.

PICKET FENCES are no longer allowed.

CHAIN LINK FENCES are no longer allowed.

PATIO HOMES ONLY - ORNAMENTAL METAL FENCES - WROUGHT IRON/ALUMINUM/STEEL:

- Ornamental metal fences are to be black only.

- Ornamental metal fences should be placed on the property line.
- Ornamental metal fences should be a simple picket design. Submit manufacturer's literature for approval.

TRASH RECEPTACLE SCREENING FENCES:

- Trash receptacles must be screened from street view with landscaping or fencing.
- If landscaping material is used it must conceal the receptacles from view.
- Board-on-board wood fencing is allowed for concealing a trash receptacle and/or propane tanks, but must not exceed five (5) feet in height and up to ten (10) feet in length and four (4) feet in width. For two Receptacles placed side by side, the screen dimensions must not exceed five (5) feet in height and up to six (6) feet in length and six (6) feet in width.
- Fence for trash receptacle must be set back a minimum of six (6) feet back from the front corner of the house.
- All patio home trash receptacle screening fences must be stained with **Behr Premium Wood Stain Color - Valise: Solid Color SC 123 (No. 5013 Base)** or **FLOOD SWF-SOLID Color Wood Finish, Cedar color**

Flag Pole Brackets/Poles:

- Flag pole brackets installed on houses are allowed.
- Permanent flagpoles installed in yards require ACC approval.
- Temporary flagpole holders must be removed when flag is not displayed.
- An American flag or a State flag must be flown according to prescribed etiquette.
- Flags (other than American and State) must be aesthetically pleasing and in harmony with the community.
- Flags must be no larger than 4 by 6 feet.
- Flag pole height cannot exceed 20 feet.

Gutters:

- Gutters must match the trim of house.

Holiday Decorations:

- Christmas/Hanukah decorations may be put up the week of Thanksgiving and must be removed by the second week in January.

- All colors of decorative lighting are acceptable.
- Lighting must be turned off between the hours of 11:00 pm and 8 am.
- Holiday decorations are not limited to Christmas and Hanukah.

Hot Tubs:

- Hot tubs shall not be installed on the front or side yard of any house.

HVAC Equipment:

- Landscape materials are required to screen HVAC equipment.
- Landscape plantings must be at least 24 inches in height at the time that they are planted.

Landscaping:

Landscaping promotes a high quality community and enhances property values. Seasonal flowers and plantings in existing beds do not require approval.

- Planting beds for vegetables, fruits, and herbs may be no larger than a total of 200 square feet per lot and must be located in the back yard of the lot.
- Planting beds must be mulched with pine straw or brown or red hardwood mulch to control weeds and conserve water. All pine straw and mulch must be refreshed when they become aesthetically unpleasing.
- Alterations to existing landscaping requires approval by the ACC.
- New landscaping beds require approval from ACC.
- It is the sole responsibility of the homeowner to weed, mulch, and maintain any additional landscaping.
- Requests to plant trees to the front or side yards must adhere to a street side set back of 10 feet from the street 'Right of Way' (ROW). The owner is required to maintain/trim the tree(s) and to annually remove dead fronds from palm trees.
- **RIGHT OF WAY:** Pine straw must be used surrounding the tree(s) in the public street Right of Way regardless of the type of mulch approved for any Lot. No alterations can be made to the trees, which line the streets, and are mulched with pine straw. In the case of the A-1 homes (Merestone Drive and Wakefield Court), the Association will apply pine straw around the street trees with the homeowner being responsible for all other maintenance to these areas.

Lighting - Exterior and Landscape:

Well-designed exterior lighting can add a dramatic touch to a home site. The key to a successful lighting system is the proper placement of the right fixtures to produce the desired lighting effects. Landscape lighting includes up lighting, down lighting, back lighting, shadowing, and accent lighting among plants.

- The light source should be hidden so that only the effect of the light on the subject is seen.
- All exterior lighting should be installed so as not to disturb neighbors or impair vision of traffic on adjacent streets.
- Exterior flood lights or similar fixtures should not be pointed at neighboring homes and property.
- Colored lights are prohibited.

Painting and Re-Painting:

- Painting or Re-Painting of any exterior surface such as trim work, doors, windows, shutters, or other ornamental items requires prior approval from the ACC. Only original paint colors can be used when repainting and a sample of the color must be provided to ACC. The paint finish to be used is satin.

SHUTTER AND DOOR PAINT COLORS – PATIO HOMES/SINGLE HOMES

- The following is a list of Sherwin Williams paints that have been approved for the Patio and Single homes. These may be purchased at other vendors by using the manufacture / number / name combinations.

6087- Taupe	6314 Luxury Red
6115 Total Tan	7586 Stolen Kiss
6180 Oak Moss Olive	6454 Shamrock
6244 Navel Blue	6475 Country Squire
6223 Stillwater	6516 Downpour
6235 Foggy Day	6258 Tri-corn Black
6300 Burgundy	7000 Ibis White

SHUTTER* AND DOOR PAINT COLORS – TOWNHOMES

The following is a list of Sherwin Williams-Satin Finish paints that have been approved for the Townhomes. These may be purchased at other vendors by using the manufacture / number / name combinations.

PATIO DOORS AND TRIM

#6119 Antique White

***SHUTTERS AND FRONT ENTRY DOORS**

#6258 Tri-corn Black

#167 Bordeaux

GARAGE DOOR

STORM DOOR

#6230 Blue Rain Storm

#028 Forest Green

#6244 Naval

#7633 Taupe Tone

Taupe Tone (color to match original and garage)

*Shutters are examined by the Townhome Committee and painted by HOA when needed

Patios

- Patios constructed of impervious surfaces must meet the requirements of the BUA Certification for Impervious Services requirement listed on page 1.
- All other surfaces must meet standard ACC Rules and Regulation requirements.

Play sets:

- Play sets are to be in back of home and be within the boundary lines of the home. They should not be visible from the street, if possible. The playset must be anchored to the ground. Playsets must be maintained including repairs and painting/staining.
- No basketball backboards and/or baskets (nets) shall be attached to the dwelling. Portable basketball goals must remain on the driveway near the garage area and away from the street and must be stored in the garage when not in use.
- Above ground swimming pools are prohibited.

Propane Tanks:

- Propane tanks must be screened from street view with landscaping or fencing (see trash receptacle fencing rule).
- If landscaping material is used, it must conceal the propane tanks from view.

Roof shingles:

- No metal roofs are permitted.
- Shingles must be of architectural design and must match the existing shingle color.

Room Additions:

- Room additions constructed on impervious surfaces must meet the requirements of the BUA Certification for Impervious Services requirement listed on page 1.
- Room additions must use the same materials (brick, roof shingles, trim, siding) and match the color of the existing house and house trim.
- Room additions must blend with the style of the house.
- Landscaping is required around the foundation of the room addition.

Satellite Dishes:

Owners do not need approval for installation of a satellite dish, however, any installation is subject to the following restrictions:

- No satellite dish antenna will be installed in a common area or intrude on another person's property.
- Satellite dishes must be no larger than 39 inches in diameter
- No antenna or related structures may be mounted above the highest roof line ridge of the structure.
- No more than one (1) Satellite Dish can be installed on any property at a time.
- As long as adequate signal reception can be received, the following installation criteria apply:
 - Satellite dishes should be installed in the most inconspicuous location possible
 - Satellite dishes should not be installed in the front yard

TOWNHOME OWNERS: A townhome owner may install a satellite dish on the roof of a townhome if adequate signal reception can NOT be received in any other location. HOWEVER, the following disclaimer applies to any satellite dish installed on the roof of a townhome:

“Homeowner must understand that the repairs to any damages which may occur to the roof or interior of his/her or any adjacent townhome will be the sole responsibility of the owner who installs or contracts to install the satellite dish. If the unit is sold, the responsibility of repair transfers along with ownership.”

If you have any questions, please contact the ACC.

Screen Porches:

- No screen porches are allowed on the front of homes.
- Screen porch trim must match the house trim as closely as possible. If in doubt, contact the ACC for review.
- Screen porches on piers must be enclosed with brick or wood lattice.

- If lattice is used, it must be painted to match house trim or the approved stain used for fences.
- Bricks should be the same as the house.

Solar Tubes:

- All requests from townhomes will be approved with the following disclaimer attached to the approval letter.

 “Homeowner must understand that the repairs to any damages which may occur to the roof or interior of his/her or any adjacent townhome will be the sole responsibility of the owner who installs or contracts to install the solar tube. If the unit is sold, the responsibility of repair transfers along with ownership.”
- Townhomes must submit a request to the ACC for approval. The ACC will attach a disclaimer statement to the approval letter to insure the homeowner’s acknowledgment of liability.
- Patio homes are not required to submit a request to install solar tubes. (They have sole responsibility for their roof.)

Statuary/Other Lawn Ornaments:

Neighborhoods cluttered with these objects detract from the natural beauty of our surroundings and homeowners are advised to keep sculptures, statues, fountains, decorative flags, artificial wildlife, and decorative objects to a minimum.

- Yard ornaments in the rear yard that exceed 36 inches in height must be submitted to WestPort’s management company for ACC approval.
- Statuary/lawn ornaments over 24 inches in height in the front and side yard of homes must be submitted to WestPort’s management company for ACC approval.
- Birdbaths, birdhouses, birdfeeders, and decorative planters may be placed around the home without ACC approval.

Storm Doors-Patio Homes:

- Storm doors on the front of the house must be full-view (solid pane) or self-storing with retractable screen.
- A self-storing front door must meet the following criteria:
 The cross member that separates the two (2) panes of glass must not exceed 2-1/4 inch in width.

 The two (2) glass panes must fill the door panel to present the appearance of a full-view door.

- Storm doors installed in any other location may be of various types.
- The color of any storm door must match the color of the house door or trim color.

Doors Windows Lights -Townhomes

Front Entry Doors- Door style must be compatible with the original door (solid six panel). The color of the front entry door must be the color of the original front entry door. The color of the shutters shall be the same color as the front entry door.

Storm Doors

- Storm Doors on the front of the house must be full view (solid pane) or self-storing with retractable screen.
- Storm door must be the same color as the original storm door (Taupe Tone)
- Self-Storing storm door must meet the following criteria:

The cross member that separates the two panes of glass must not exceed 2-1/4 inches in width. The two glass panes must fill the door panel to present the appearance of a full-view door.

Windows-should be compatible with the style and color of the original windows, with grids

Patio Doors- Door style and color must be compatible with the original door, with window grids.

Carriage Lights/Post Lights- Style and color must be compatible with original lights

Garage Doors-Style and color must be compatible with original door. (SW#7633-Taupe Tone)

*Townhome owners who need to replace elements on their home should refer to the list of manufacturers and models that may be obtained from WestPort's management company, or found on the WestPort website.

Sunrooms:

- Sunrooms must match the trim of the house.
- Reflective mirror windows are not allowed.
- Sunrooms constructed on impervious surfaces must meet the requirements of the BUA Certification for Impervious Services requirement listed on page 1.

Trampolines:

- Must be confined to the rear yard and should be disassembled when no longer used.
- Must be placed or positioned within the boundary lines of the house.

Tree removal:

- Tree removal is limited to the boundary of a homeowner's property.
- No tree six inches in diameter or greater may be removed without approval.
- All cuttings must be removed within one (1) day of cutting.
- Any tree over six (6) inches in diameter that is cut without prior approval will result in a fine up to \$100.00 per tree and a requirement for the installation of a replacement tree for each tree removed.
- Any tree approved for removal must be replaced by a tree of the owner's choice and be at least 4' high when planted in the ground.

WOOD STRUCTURES:

All wood structures, including but not limited to Pergolas, Trellises, etc., must either be stained with **Behr Premium Wood Stain Color - Valise: Solid Color SC 123 (No. 5013 Base)** or **FLOOD SWF-SOLID Color Wood Finish, Cedar color** or painted to match the house trim or other approved color. A sketch, diagram, or drawing noting all dimensions and colors must be submitted with the ACC Request Form.