



Design and Development Guidelines
(November 2019)

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I. Introduction

A. Architectural Review Committee

The Design Criteria, Standards and Guidelines Manual will be interpreted and enforced by the Viniterra Architectural Review Committee (ARC). Additional information on the ARC and the development application process and procedure can be found in Section V of this booklet.

B. The Vision of Viniterra

1. The Viniterra vision is that of a community that is harmonious with the natural environment while promoting an estate lifestyle marked with privacy and outstanding leisure facilities. The architectural character of Viniterra's public buildings and homes is intended to evoke a sense of elegance through simplicity of form and richness of detail.
2. The community shall strive to preserve wetlands and significant old growth trees and tree canopies. The community elements are to be interconnected through a system of roads and multi-use trails.

C. Homesite Types

Viniterra offers a mixture of homesites at a minimum of one acre as well as cottages and villas relating to both the golf course and the winery. Homes, outbuildings, and site structures shall be carefully placed in relation to each site's natural topography and wooded areas.

II. Neighborhood Standards

A. Overview

Viniterra's residential neighborhood characteristics include winding roadways guided by the land's natural topography. Through master planning, each is positioned to maximize opportunities for amenity views, including the golf course, lakes, naturally wooded areas, and creeks. The existing tree canopy will be preserved to the largest extent possible with tree removal allowed only for site improvements such as construction of homes or community buildings. All new construction within Viniterra will be required to go through the ARC review process prior to any improvements being undertaken. NOTE: New Kent County will not approve building plans without a stamp of approval from the ARC.

B. Setbacks and Buffers

Due to the uniqueness of each lot, setbacks and buffers are designed on a lot by lot basis within Viniterra. These setbacks and buffers are documented on the individual lot surveys provided by the ARC.

1. Side yard buffers shall be similar in requirement as front yard preservation zones. The goal will be to maintain a buffer between neighboring homes of natural land forms and woods.
2. Setbacks may vary at the discretion of the ARC for each homesite based on existing vegetation, topography, size of the lot and proposed architecture. Greater setbacks may be required by the ARC based on natural conditions. Variance for setbacks less than the minimums listed above may be granted or required by the ARC for preservation of valuable natural resources or in consideration of site aesthetics.

C. Architectural and Site Design Guidelines

The intent of these guidelines is to provide guidance to individual homeowners and residential designers without limiting creativity. The ARC may, from time to time, provide a list of suggested architects and designers, but homeowners are free to choose any architect or designer they so wish. Viniterra recommends the use of a licensed architect and, for unusual homes or challenging sites, the use of a professional structural engineer. The ARC, at its sole discretion, may approve or disapprove any architectural and site design. The ARC will conduct a formal review process that each residential plan must be taken through before final approval is granted, as described in Section V of these guidelines. The ARC reserves the right to re-structure the review process from time to time.

D. Homesite Organization and Access Recommendations

Viniterra has been developed around the existing landscape and natural features. Thus, homesite configurations vary. The following homesite typology descriptions are provided to assist the designer in siting homes on specific lots. (See map of Homesite Types on the following page). The intent is not to limit the designers to only the following examples. Rather it is to provide the designer with some initial guidance and direction.

1. Front Access Homesites

Estate Homes: Homes will have driveways accessing the street in front of the homesite and may have front courts for guest parking. Driveways should be curve-a-linear in layout to minimize site lines from the street to the home. Garages should be accessed from the side or from a courtyard in front of the house. Primary garage doors may not be parallel to the street. A single bay, secondary attached garage may have a garage door parallel to the street if the front plane of the garage is set back at least 24 feet from the front plane of the home.

Villas: Homes will have driveways accessing the street in front of the homesite and may have front courts for guest parking. Garages should be accessed from the side or from a courtyard in front of the house. Primary garage doors may not be parallel to the street.

Cottages: Homes will have driveways accessing the street in front of the homesite and may have front courts for guest parking. Garages may be accessed from the front, side or from a courtyard in front of the house.

2. Corner Homesites

Homes on corner homesites should be designed to face the major street. Access to the garage may be from the front (major street) or from the minor street. Garage doors may face the minor street. Additional outbuildings or more extensive screening may be required for corner lots to maintain adequate privacy.

3. Design-Specific Homesites

Design-specific homesites offer unique configurations and vistas. They range in layout from flag lots with dog-leg entrances, to lots with wide-road frontage, to 180-degree panoramic lots with views of amenities. Home designs for these lots should be approached with a sense of creativity and should take full advantage of the site's potential.

III. Architectural Guidelines

A. Overview

1. The architectural character of Viniterra's public buildings and homes is intended to evoke a sense of elegance through simplicity of form and richness of detail. There will be a strong emphasis on the use of natural materials in traditional roles. Buildings are to create a sense of timelessness and permanence, drawing upon or responding to the vernacular, agricultural and colonial traditions of the area.
2. As well, individuality is encouraged. Thus, repetition of existing home designs with only minor modifications will not be allowed. Since many of the homes are expected to be sizeable, it is strongly encouraged that these buildings be thought of as a massing of smaller elements.
3. Homeowners and builders are encouraged to utilize the services of a licensed architect in the design and construction of the house, although it is not required. For larger projects, the services of a structural engineer is also strongly advised.
4. Homeowners are encouraged to consider “Sustainable” or “Green Building” technologies and to incorporate them in sensitive ways that are compatible with the aesthetic goals of Viniterra. Such technologies may include but are not limited to:
 - a. Rain Barrels or underground Cisterns that are used for irrigation or “grey water” use.
 - b. Solar Panels for use in electrical generation, if located on a non-public facade or if used as roofing material (such as photovoltaic shingles).
 - c. Solar Panels for use in heating water if located on a non-public facade.
 - d. Green Roof or Living Roof system if not used for the main roof element.
 - e. Use of recycled, recycle-able, or rapidly renewable materials (as exhibited in the New Kent Winery: reused lumber, reused brick, copper, lyptus flooring, etc.)

B. Architectural Review Committee

The Viniterra Architectural Review Committee(ARC) shall be charged with reviewing designs for compliance with these guidelines and with generally accepted principles of good design. Homeowners and/or builders must submit designs for the site and house and receive approval prior to commencing construction. The review process is structured so as to promote communication and limit the amount of re-design effort expended by Owners, Builders, and Designers. Please carefully review the submission requirements in Section V prior to beginning your design process.

C. Size Requirements

Minimum finished floor area (heated, cooled, and finished space, excluding garages and porches) shall be 2,500 sq. ft. for a home in the Estates, and 1,500 sq. ft. in the Villas and Cottages. There is no prescribed maximum size; however, homes should be sized in accordance with their neighborhood and idiosyncrasies of their lot so as not to dominate the neighborhood or eclipse primary views for neighboring lots. The ARC is authorized to place limits on size and/or increase setbacks under circumstances where an unusually large home design is submitted.

D. Building Design Concepts and Styles

Stylistically, designers may make allusions to pre-twentieth century vernacular, historical styles either by direct reference as “revival architecture,” or as a contemporary interpretation of an historical movement, i.e. “transitional architecture.” Contemporary designs may be deemed acceptable, but must show a sense for massing and richness of detail present in the existing homes and public structures in the development. In a word, all home designs must project a sense of “authenticity.”

E. Materials, Generally:

1. Homeowners are encouraged to incorporate natural materials in their palette of building materials, such as:
 - a. wood, natural tile, or slate shingles
 - b. standing seam copper roofing
 - c. brick, stone, cast stone, and wood siding veneer
 - d. true-divided-light windows

2. Materials which are also acceptable include but may not be limited to:
 - a. 30-year fiberglass or synthetic-slate shingles
 - b. Aluminum or steel standing seam roofing
 - c. Hardie-board (or similar) cement fiber siding
 - d. Simulated divided-light windows with glued-on mutton bars
 - e. Stucco when used as an accent material or in combination with masonry
 - f. Cellular PVC trim of 3/4" thickness
 - g. Thin Stone Veneer and Cultured Stone: Thin Stone Veneer -- which is either natural stone or synthetic stone, less than 3" in thickness applied directly to the structural wall without an air space nor mechanical fasteners -- is generally discouraged and will only be approved on a case-by-case basis. Those wishing to utilize such products may be required to submit or construct a sample panel of the proposed installation. The installation must include "corner returns" of 4" minimum dimension on the short side of the corner. The bonding pattern must give the appearance of authenticity, such that the units appear to be stacked and support their own weight. (An example of an acceptable product/pattern would be Boral's Kapalua Del Mare LedgeStone. An example of an unacceptable product/pattern would be Boral's Lakeshore Riverrock). While authentic stone is strongly encouraged, cultured Stone (i.e. synthetic stone) is generally discouraged and will only be approved on a case-by-case basis. Those wishing to use cultured stone may be required to submit samples or construct a sample panel of the proposed product. The color and bonding pattern must be selected so as to portray authentic regional stone.
 - h. Cottages Only: Vinyl siding, with a minimum thickness of .042", may be permitted on certain portions of the homes that are not readily visible from the street and golf course.
3. Materials which are unacceptable include:
 - a. Exterior Insulation Finish Systems (EIFS) and Vinyl Siding (except in certain applications in the Cottages as outlined in 2. h.)
 - b. Concrete block
 - c. Thin-brick masonry veneer
 - d. Aluminum storefront-type glazing
 - e. Synthetic hard-board siding (such as Masonite or Abitibi)
 - f. Paneled plywood siding

g. Modular Construction: Pre-fabricated buildings and building elements.

(1) Pre-fabricated, mass produced buildings are generally unacceptable for either the main structure or outbuildings. Pre-fabricated buildings and modular construction may be acceptable, if custom designed to match the main structure in material and architectural character. Any prefabricated structure shall have a site-built foundation constructed in accordance with these guidelines. Pre-fabricated building elements are not discouraged; however they should be utilized in a way that does not compromise the building's sense of authenticity and compliance with these guidelines. Examples of acceptable prefabricated elements include but may not be limited to:

- (a) Structural Insulated Panes (SIPS)
- (b) Precast Concrete Foundation Systems (e.g. Superior Walls)
- (c) Precast Concrete Retaining Wall Systems (e.g. Pisa Stone)
- (d) Wood Framed building elements and subsections

These guidelines neither allow or prohibit the construction of outbuildings that are specifically allowed or prohibited by State laws or local ordinances.

- 4. Synthetic Materials such as aluminum or vinyl are generally discouraged and, when proposed, should be of a quality that makes them indistinguishable from natural materials both to the eye and to the touch (if at ground level). Thus, the use of such materials in locations that are not readily accessible may be found appropriate.
- 5. Where masonry and siding are utilized together, the masonry shall not be terminated at an outside corner or in a manner that makes it appear false or non-structural. Generally speaking, the use of masonry on just one wall will not be approved unless it is specifically appropriate to a style of architecture. For example, in certain historic colonial homes the gable end walls are sometimes masonry (with a masonry chimney) while the front and rear facades are wood sided.

F. Foundations

Foundations should be veneered in brick or stone. Stucco is acceptable under special circumstances, where the area is small and not highly visible. Foundation vents on the main facade should be organized in relation to the fenestration on that facade. Walk-out basements may be veneered with siding, where visually divided from the facade above by a deck or porch at the first floor level. "All-Wood Foundations" shall not be permitted. Conditioned crawl spaces are allowed; in such cases, false louvers may be utilized to articulate the facade at the basement level.

G. Chimneys

Chimneys should be all masonry or, if the fireplace is a prefabricated-type, may be wood framed and veneered with brick or stone. Stucco, thin-brick, or cultured (thin) stone may also be utilized as siding over a frame chimney, only if the chimney is not expressed on an exterior wall, but penetrates through the roof. Prefabricated masonry chimneys (such as Isokern) are permitted.

H. Exterior Trim

Exterior architectural detailing shall be consistent with the style of the house, as proposed by the designer. The ARC reserves the right to require additional detailed drawings be submitted to clarify dimensions and extent of trimwork. Prefabricated elements, such as columns, newels and balustrades, may be of wood, cellular pvc, or vinyl coated foam. Vinyl, fiberglass, and aluminum elements are not generally acceptable unless they are of commercial grade quality and size; these circumstances will be approved on a case-by-case basis. Vinyl shutters are permitted. Vinyl Trim will be permitted when used in conjunction with vinyl siding in the Cottages as outlined in 2. h.

I. Doors and Windows

1. Windows on the front and side facades shall be selected to be in keeping with the theme and style of the overall house design. Individual units should be of size and located such that the facades are well proportioned and ordered. The ARC reserves the right to require alternative sizes of windows as may be deemed appropriate. Windows on the rear facade may deviate from the other facades as required to accommodate view alleys, privacy needs, etc. However, the rear facade shall not make a radical departure from the architectural character established in the other facades.

2. The front door may be wood, aluminum clad or fiberglass (if adequately detailed to give the appearance of wood). Decorative glass panels and sidelights are encouraged. A storm door on the main public entrance is not permitted. Storm doors, where utilized, must be of simple design and of a color to match the house trim.
3. Window air conditioners are not permitted.
4. Shutters should either be operable or appear operable. Their application should be in keeping with the style of the home and be logical in their size and location. For example, shutters adjacent to a bank of multiple windows (which they would not cover, if closed) may be rejected.
5. Sun control devices (awnings, trellises, shutters, and bris-soliel's) are acceptable and encouraged. They should be selected for compatibility with character of the house architecture and not appear an "after-thought."
6. Garage Doors may be wood or insulated metal (if adequately detailed to approximate the appearance of wood).
7. Bay windows shall be prefabricated and details submitted to the ARC or custom-designed by the designer with adequate detailing by the designer. Bay windows should be primarily glass and trim with a minimum of siding or veneer over the remaining surfaces.

J. Roofs

1. Roof slopes, generally shall be 10:12 or steeper for a 1-story or 1-1/2 story house. They shall be 6:12 or steeper for a 2-story house. Shallower pitched roofs are acceptable as "lean-to" or subordinate elements.
2. Roof materials are limited to the materials indicated in E. and shall be selected in colors that are appropriate to the building style. Generally speaking, this limits the color to a darker range. Standing seam metal roofing is encouraged for lower sloped elements. Low slope membrane roofs are acceptable for minor building elements provided they are not visible or are covered by a walking surface.
3. Gutters and downspouts should be copper or pre-finished aluminum or steel. Flashing should match the gutter material in color and metal. Valley flashing should match the roofing color.
4. Roof penetrations should be of as low a profile as possible and shall be painted to match the adjacent roof surface.
5. Nailable ridge vents (which are covered with shingles) are permitted. Metal ridge vents are generally not permitted.
6. Skylights will not be permitted on the front facade of the house, where inconsistent with the character of the architecture, but are permissible on the rear of the house. Skylights on the side facades will be addressed on a case-by-case basis.

K. Porches and Decks

1. Porches, decks, terraces and balconies are encouraged as architectural devices for creating visual interest and keeping the scale of a home humane.
2. Rear decks may be constructed with treated wood decking, wood of a rot-resistant species (such as Ipe), or synthetic decking (such as “Trex”). Supports for rear decks should be masonry piers or, at minimum, 6x6 posts. Depending upon the size and scale of the deck and space below, lattice work or screening between supports may be recommended or required. Be aware that both sides of many homes are viewed by the public either from the street or the golf course. Therefore, extra attention and effort may be needed in the design of a deck or porch, depending on its exposure and orientation.
3. Spa tubs on decks and terraces are permitted but must be fully screened from view.

L. Additions and Outbuildings

1. Generally, the style of an addition or outbuilding should match the style of the existing house. However, rear additions may make some departure from the public facades, as long as the addition complements the original design (and does not dominate the existing architecture) in size, style, material, and detailing.
2. Carports are not prohibited; however, they must be designed as an integral element to the site development and architecture of the main house. Additionally, they shall incorporate a concealed storage area or be designed in such a way that they will not be utilized for storage exposed to public view.
3. The number of outbuildings should not exceed two in the Estates and one in the Villas and Cottages unless otherwise approved by the ARC. Outbuildings include but are not limited to, freestanding garages, sheds, poolhouse, carport.

M. Fencing and Screening

1. Fencing
 - a) For the purposes of these guidelines, fencing is defined as a built structure used to either enclose a portion of a homeowner’s yard, screen an area of the yard, screen trash or mechanical equipment from view, create privacy for the homeowner, discourage access

to a pool or garden, or some combination of those purposes. When a fence is used for the purposes of screening, homeowners must additionally comply with the section, "Screening" below.

Generally, fencing should be limited in extent for its function. The use of fencing is to be limited to enclosure of a courtyard, small garden, or pool. Fencing a substantial portion of the lot perimeter is not allowed, except in the Villas

- b) Fencing should be designed to be compatible with the main house and other screening elements (described above) and detailed to comply with the following:
 - i. Fencing height should be appropriate to its function and requirements for safety. Notwithstanding, fencing should not be so large as to dominate the house or present an austere, unfriendly facade. Where the height of the fencing must exceed 4'-0", material changes or design elements should be incorporated to reduce its sense of scale. Generally, fences may not exceed 4'-0" for the purpose of enclosure, or 6'-0" for the purpose of screening, unless by special exception as approved by the ARC.
- c) Materials and transparency of fencing shall be considered in relation to its purpose, its relationship to the detailing of the main house and the need for screening. Acceptable materials include:
 - i. Courtyard Enclosures
 - 1. Masonry or stone
 - 2. Wrought iron, painted black or color approved by ARC
 - 3. Aluminum metal fencing, factory painted black or as approved by ARC
 - 4. A combination of Masonry and Metal and/or landscaped hedge rows.
 - ii. Yard Enclosures
 - 1. Painted or stained wood picket
 - 2. Painted or stained wood railing fences
 - 3. Heavy duty vinyl fencing that accurately mimics any of the above.

4. Wrought iron, painted black or color approved by ARC
 5. Aluminum metal fencing, factory painted black or as approved by ARC
 - iii. Garden Fencing
 1. Any of the above solutions, for formal gardens with hardscaping and landscaping
 - iv. Specifically not allowed
 1. Chain-link fencing
 2. Barbed wire fencing
 3. Stockade (vertical log) fencing
 4. Fencing for pet enclosure
 5. Metal mesh fencing
 6. Board on board fencing
2. Screening
 - a) Screening is required to shield utilitarian or private elements of the home from neighboring properties, from the street, and from the golf course.
 - b) Screening most often should be in the form of a fence (see above) and should be constructed of materials that complement the architecture of the house. Screens should not dominate the building architecture but should adequately conceal from view the element to be screened. Landscaping alone may be permitted as a screening method in certain circumstances.
 - c) The ARC may require screening for any element they deem appropriate. Generally, items that require screening include but are not limited to:
 - i. Outdoor mechanical units
 - ii. Electrical meters
 - iii. Trash receptacles
 - iv. Recycling receptacles
 - v. Exterior Electrical Generators
 - vi. Outdoor Pools and Hot Tubs
 - vii. Vegetable Gardens on a street-side or golf course side of the lot

IV. Landscape Guidelines

A. General

The beauty of a timeless community is surely in the details. Hardscape, garden structures, lighting, site furniture, and other built elements within a site should work together to form cohesive designs for the homes of Viniterra.

B. Site Planning

1. Each Viniterra homesite has special characteristics which will help determine how the site is planned. Careful attention to the orientation of adjacent homes and natural elements, such as vegetation, grading, and solar orientation, will help determine the best arrangement of the site plan. A careful examination of the site prior to construction is all-important. Obtaining a detailed tree and topographic site survey early in the design process is highly recommended.
2. Views into and away from the homesite are important site-planning elements to consider when configuring the house and supporting structures. The home should not appear obtrusive from the street and should be in harmony with adjacent houses. Most homesites are planned to have some view from the rear, whether it is toward an amenity such as the golf course, a natural ravine, or a constructed element such as a garden and attendant landscaping.
3. Each structure on the homesite should be sited so as to minimize its impact on the natural environment. An affected zone within the homesite shall be maintained with significant landscape and/or hardscape elements.
4. It is both to your advantage as well as your neighbors' to attempt to keep significant trees and vegetation within the site as much as possible. Shading portions of the house through existing tree cover can help to cool the home during warmer months, while placing other elements in a sunny, southern facing orientation can promote solar warming. Also, trees and vegetation within setbacks can create natural buffers to achieve desired privacy for you and your neighbors.

C. Setbacks and buffers

Setbacks and buffers are defined for each specific homesite type. Homes, or any section thereof, as well as other constructed vertical elements, may not be located on or across the setback lines, unless granted a variance by the ARC. Certain site improvements, as listed below, may be located across specified setbacks as a variance when necessary. However, these are subject to the ARC's review and approval.

| SITE ELEMENTS | SETBACK FROM PROPERTY LINES |
|------------------------------------|--|
| Estate Homes Front Exterior | min. 40'-0" from Front Property Line, unless topography prohibits |
| Roof Eaves & Overhangs | may encroach into building setback 3'-0" max |
| Fences and Walls | min. 30'-0" from Front Property Line min. 20'-0" from Rear Property Line (estates) min. 6" from Rear Property Line (villas) min. 6'-0" from Side Property Line (estates) min. 6" from Side Property Line (villas) |
| Driveways | min. 12'-0" from Side Property Line for a depth of 30'-0" from Front Property Line (estates) min. 5'-0" from Side Property Line for a depth of 30'-0" from Front Property Line (villas) Exceptions for the backup pad may be approved by the ARC |
| Pools, Spas and In-Ground Hot Tubs | min. 20'-0" from Side Property Line to edge of water (estates) min. 10'-0" from Side Property Line to edge of water (villas) min. 25'-0" from Rear Property Line to edge of water (estates) min. 10'-0" from Rear Property Line to edge of water (villas) |
| Decks, Patio, Terraces | min. 20'-0" from Rear Property Line (estates) min. 10'-0" from Rear Property Line (villas) min. 6'-0" from Side Property Line (estates) min. 5'-0" from Side Property Line (villas) |

D. Grading

Site grading should be used sparingly and alteration to existing site drainage patterns minimized. Close attention should be paid to the site topography allowing the house and site design to flow with the land rather than force major grade changes. Large earthen berms or lagoons are generally not allowed. However, exceptions may be made in special cases where screening is necessary or the lagoon feature is required for site engineering and surface water management. Retaining walls may be used when it is necessary to preserve vegetation or when it is incorporated into the architecture or landscape architecture of the house or site. Site drainage must be planned in concert with the Viniterra overall drainage master plan. Whenever possible, underground piping should be used to direct storm water away from buildings. The terminus of the pipe should be designed to prevent erosion with some form of energy dissipater (e.g. rock bed). Channeling or ditching should be avoided. In general, runoff should be directed to the existing or to man-made channels or to retention structures designed for the whole community by way of pipes, gentle open swales, or “sheet draining” surface runoff.

E. Site Clearing

It is required that significant vegetation existing on the site be preserved to the greatest extent practical and that the architecture respond as much as possible to existing trees and vegetation. Clear cutting of the lot is not permitted. Prior to site-clearing, the property owner or general contractor must make arrangements for a meeting on site with a member of the ARC to view the proposed limits of clearing, location of erosion fencing, and trees designated to remain. Any significant deviations from the site plan must be highlighted and justified. Approval by the ARC representative on site is required. Immediate appeal of his/her decision can be taken to the full ARC, but must be accompanied with a site plan clarifying the deviation and a written justification.

F. Exterior Features and Details

1. Driveways

Driveways are an extension of the home and therefore should be purposefully designed and constructed with respect to the style and architecture of the home.

2. The only driveway surfaces permitted are (Note: originally constructed driveways on homes built prior to 2017 are grandfathered):
 - a. Exposed aggregate concrete
 - b. Grey concrete with broom finish
 - c. Patterned colored concrete
 - d. Brick or concrete pavers
 - e. Stone pavers
 - f. Granite screenings, pea gravel or crushed stone and washed stone in 3/8", 5/8" or 3/4" size, with brick, stone or steel edging
 - g. Brown pea gravel over tar on asphalt base
 - h. Mixture of the above
3. When using a loose stone or gravel, a permanent hard surface driveway apron shall be extended from the road a minimum of 10'-0" toward the house. The width of the driveway should be a minimum of 12'-0" and the material should match the curb and gutter material at the street.
4. Walkways:

Similar to driveways, walkways too are extensions of the built environment and shall be intentionally detailed using the following materials:

 - a. Exposed aggregate or patterned concrete
 - b. Brick or concrete pavers
 - c. Slate or cut natural stone sections
 - d. Granite screenings or gravel with brick, stone or steel edging
 - e. Grass pavers (grass grown between pavers)
 - f. Mixture of the above

G. Site Walls and Retaining Walls

1. Landscape walls are often used adjacent to the house for structural or aesthetic purposes. Also used as planters, seat walls, and for garden terraces, walls can help organize areas within the lot, when appropriate. Allowable materials include:
 - a. Masonry
 - b. Stone
 - c. Wood used with masonry or stone
 - d. Materials such as landscape timbers, railroad ties, and other wood

products are less satisfactory and should be avoided due to the life-cycle costs and maintenance inherent in an organic building material. Special exceptions will be considered on a case by case basis.

- e. Cast-in-place concrete may be regarded as acceptable depending upon visibility and aesthetic treatment.
- 2. Walls shall not exceed six (6) feet in height for aesthetic features such as garden walls and planters. Walls used for structural purposes related to the house shall comply with the architectural guidelines and are subject to all applicable guidelines inherent in vertical construction as well as the above guidelines.

H. Garden Structures

Trellises, gazebos, arbors, columns, and gateways used within the landscape shall be complementary to the style and architecture of the house. The plans for all garden structures must be reviewed and approved by the Viniterra ARC.

Recommended materials include:

- 1. Masonry
- 2. Wrought iron
- 3. Dry stacked stone
- 4. Wood (painted and treated to match home.)
- 5. Mixture of above

I. Outdoor Lighting

- 1. Area, accent and landscape lighting is subject to review and approval by the ARC. All lighting shall conceal the point source of the light and shall not negatively affect adjacent landowners. Outdoor lighting should only be bright enough to provide adequate downward light for safety of movement through exterior spaces and aesthetic/accent lighting of landscape and landscape elements. Lighting should be between 3,000 and 5,000 on the Kelvin temperature color scale.
- 2. Walkways, stairs, doorways, and recesses should be lit for safety. Integral lighting within elements such as steps, rails, and walls will help to conceal and protect the light source.
- 3. Accent lighting on walls, buildings, landscaping and trees (uplighting/downlighting) shall be used when dramatic illumination effects are desired. However, these lighting effects shall not negatively

impact adjacent homeowners or passers-by. By using shielded fixtures when illuminating vertical elements, the point source of the light shall be concealed. The light source shall be directed no greater than 30 degrees from vertical.

4. Lighting along driveways and walks shall be limited to bollards a maximum of 2 ft. in height and equally spaced throughout. All support elements such as junction boxes shall be underground type or mounted at no greater than 4 inches above ground and painted black.
5. Lighting shall be indicated on the Landscape Plan or a separate Lighting Plan shall be provided. The plan shall indicate the location, type and specifications for all fixtures used. Pictures or product literature shall be included with the plan. In general, the lighting, both fixture types and areas lighted, shall complement the home and architecture. Stylized fixtures in keeping with the community character are encouraged. Gas lighting is permitted and encouraged within Viniterra, using the same fixture types as noted above.

J. Satellite Dishes

Small satellite dishes, not exceeding 18" in diameter are allowed, and will be permanently mounted to the house or other structure, following approval from the Viniterra ARC. However, the dish must be placed in a location as inconspicuous as possible. Satellite dishes should be painted in a fashion that will not interfere with reception so that it blends into the background against which it is mounted. If mounted at ground level, the dish shall be screened with plants to visually block views from the street, adjacent homes, multi-use trails, and the golf course. Large antennas, CB (citizen's band) radio communications equipment and other large exterior mounted communication devices shall not be permitted.

K. Garden Ornamentation

Sculptures, fountains, statues and any other yard ornamentation shall be reviewed by the Viniterra ARC. Their location and appearance is limited and should be submitted on a landscape plan with a sketch or picture for final approval. Garden ornamentation is generally discouraged to preserve as much as possible the natural look of the community.

L. Recreational Areas

The location and appearance of recreational areas such as playgrounds, basketball courts and other permanent structures are subject to review and approval by the Viniterra ARC. All equipment shall blend in with the surrounding natural environment or architecture. Use of bright colors or elaborate designs shall not be permitted.

M. Pet Facilities

Dog runs or pens shall not be permitted. Residents shall comply with all New Kent County regulations concerning pet licenses and ordinances. Dog houses located in a place as inconspicuous as possible may be permissible as approved by the Viniterra ARC. Use of invisible fencing is strongly encouraged as a means to contain pets. Location of this electronic fencing is subject to approval by ARC.

N. Irrigation Systems

As part of an overall commitment to environmental sustainability, this development is dedicated to state-of-the-art “green” water conservation and management policies. Based on this commitment, irrigation systems shall be designed and operated with maximum water conservation features and procedures.

1. If an irrigation system is provided, designers and homeowners should design the irrigation system to meet the standards articulated in the New Kent County Water Conservation and Management Plan (and Farms of New Kent supplement). The following conditions apply:
 - a. After a “basic water consumption level” is achieved, residents will be charged for additional water at a higher rate (as formulated in Appendix B of the New Kent County Water Conservation and Management Plan).
 - b. New Kent County allows an average irrigation withdrawal amount of 150 gallons per day for 120 days of the year. This allotment is in addition to the 200 gallons of estimated household water usage per day that the County allows.
2. It is Viniterra’s desire to encourage sustainable landscape development and the use of water/energy saving measures is strongly encouraged, including:

- a. Use of drought-resistant species
- b. Use of drip-irrigation
- c. Use of rainwater harvesting and cistern storage for use in irrigation

O. The Landscape Plan

The following basic design guidelines should be followed to establish a level of consistency between all homes within Viniterra:

1. Plant sizes shall be specified for immediate effect. Undersized plantings will be discouraged unless used as foreground and ground cover plantings.
2. The planting design shall complement the architecture of the house and all supporting structures. Appropriate plants shall be used along the driveway and entrance to the house to designate and frame the entrance of the house. Unique planting, such as vegetable gardens and garden terraces shall be placed in the rear portion of the lot, behind the “mass” of the house. And shall not be any larger than 10% of the rear cleared area. Screening shall be used to prevent viewing from adjacent lots, multi-use trails, and the golf course. The following lists items that should be avoided in the creation of a planting plan:
 - a. Removal of specimen trees that may be incorporated into the design of the homesite.
 - b. Side property lines articulated by single rows of plants or hedges which are not coordinated and integrated with the neighboring landscape design.
 - c. Monoculture, or over use of a single specimen of plant material.
 - d. Over diversification, or use of too many plant types and species, especially those not indigenous to the region.
 - e. Insufficient screening or planting around undesirable areas such as service yards, large windowless walls, and parking areas.
 - f. Use of a large number of specimens known to be highly attractive to deer.
 - g. Different types of grass may be used in the Estates, however, homes in the Villas and Cottages must use fescue.
Estates: The front yard must be sodded and irrigated. The side yard must be sodded and irrigated to the rear plane of the house. For a corner lot, the street side must also be sodded and irrigated.
Villas: The front, side and rear yards must be sodded and irrigated.
Cottages: The front, side and rear yards must be sodded and irrigated.

P. Signage

1. Signage for Viniterra shall be minimal and understated with a character that is harmonious with the environment. All Signage shall be consistent throughout the community and controlled by ARC.
2. “For Sale” or “For Rent” signs shall not be allowed as per the declaration. No other signs of any kind shall be erected within the Properties, including the Common Areas, except as provided herein, without the written consent of the Declarant during the Declarant Control Period or the Architectural Review Committee after the Declarant Control Period.

Q. Mailboxes

Each Owner shall maintain a mailbox on the homesite in accordance with a standard design approved by the ARC. No other mailboxes will be permitted.

V. **Design Review and Architectural Review Committee**

A. Approval Process:

The Guidelines outlined here are intended to maintain a unique image for Viniterra. The Design and Development Guidelines governs all the property in Viniterra. All plans for site development in the residential areas and all plans for site work and structures in the community areas must be approved by the Architectural Review Committee(ARC) before any construction begins.

B. Reviewer

The site development and architectural review for Viniterra is conducted by the Declarant or its assignee or a Architectural Review Committee(ARC). The term “reviewer”, often used in this document, refers to any of the three entities above.

C. Structure

So long as the Declarant owns any properties within Viniterra, it has exclusive rights for approving all matters relating to architecture, other structures, site work, lighting, signage, and landscaping in the community. The Declarant may at any time assign these rights, via written document executed by the Declarant, to an

assignee, or other entity. The Declarant, in the meantime, shall be the sole interpreter of the Design and Development Standards, shall be the sole monitor of their effectiveness and may add additional guidelines as it deems appropriate.

D. Review Fees

1. A one-time fee of \$250 shall be paid prior to conceptual review for new construction .
2. A one-time fee of \$250 is required when plans are submitted for preliminary review for additions and alterations. There is no fee for conceptual review of proposed additions and alterations.
3. Declarant has the right to waive these fees in their sole discretion.

E. Review Procedures

1. The Design and Development Guidelines only provide a framework; they are not all- inclusive. The reviewer will consider, among other things, design quality, harmony with existing development, relation to other structures, topography/drainage, grade elevations, and customary principles of design aesthetics.
2. Although not required, applicants are encouraged to discuss plans with an assigned representative of the ARC at the conceptual stage to minimize subsequent rework of developed plans.
3. It is the responsibility of the homeowner to obtain and complete an application that includes a checklist of all items required for the design and approval process. This application shall be submitted to the ARC before construction can begin. The following review procedure is to be followed, except as permitted by the ARC as a special exception. The ARC reserves the right, from time-to-time, to revise the procedure.
4. Formal Review Submissions shall be as “hardcopies.” Electronic submissions in the form of “pdf” files are acceptable, provided a hard copy is submitted by the day of the scheduled meeting.

F. Review Procedures, Formal Reviews:

1. Conceptual Review: Applicant should bring to the meeting:
 - a. all preliminary information gathered on the homesite

- b. a conceptual sketch of the site showing house placement
- c. a conceptual sketch of the house and/or other information that conveys the desired architectural character.
- d. Conceptual Design Submission Sheet (see appendix)

This is to be an informal meeting that should be attended by the designer employed to design the house and site.

2. Preliminary Review: Applicant should submit:

- a. Hard-line to-scale drawings, including:
 - (1) Preliminary Site Plan
 - (2) Elevations
 - (3) Floor Plan
 - (4) Rendered Elevations or Perspectives with shadows indicated.
- b. Formal Design Submission Sheet (see appendix). It is expected that some items may be left “to be determined” at this stage.
- c. If desired, samples of any materials the applicant is proposing or considering.

Note: it is not uncommon for more than one preliminary review meeting to be required to achieve approval. Once Preliminary Approval is obtained, the applicant may submit for final approval.

3. Final Review: Following Preliminary Review Approval, the applicant should submit the following (attending a Final Review Meeting may or may not be required).

- a. Completed Working Drawings for the house, including Site and Landscape Plans. Note: Landscape plans may not yet be finalized at this time. Landscape plans must be submitted for approval within 90 days of the lot clearing.
- b. Revised Formal Design Submission Sheet (see appendix)

4. Revision Review: It is not uncommon for changes to the design to be desired or required during construction. In fact, some items (such as landscaping) may be best determined once the house and site is under construction. In such cases the applicant is required to submit a proposed revision or clarification. Revision Approval should be obtained before

executing the work. Examples of items requiring Revision Approval include but are not limited to:

- a. Items which were approved in the Final Review on the condition that they would be submitted at a later date.
- b. Changes in exterior building or site materials.
- c. Changes in dimensions.
- d. Changes in vertical elevation of site and/or building elements.
- e. Changes in exterior trim or screen detailing.
- f. Changes in window specifications.
- g. Changes in clearing and tree removal.

G. Modification Review: Owners are required to obtain approval for any additions, alterations, or modifications to the existing Lot and Structure. Applicant should submit a Modification Request Form (see appendix) and any supporting documentation, plans, and samples. Modification Approval should be obtained before executing the work. Examples of items requiring Modification Approval include but are not limited to changes in exterior colors, landscaping, hardscaping, tree removal, fences, deck, patios, additions and outbuildings, etc.

APPENDIX

Viniterra Conceptual Design Submission Form

Date _____

Note: This information is preliminary only. Please fill in the information that is known at this time. The purpose of this data Sheet is to help the Board advise you on the design of your home.

1. Lot Owner Data: Name _____
 Address _____
 Phone _____ Cell _____
 Fax _____ Email _____

2. Lot Data: Address _____ Lot # _____

3. Home and Lot Development Data (if known):

| Home and Lot Development Data (if known): | | |
|--|--|---------|
| | | Unknown |
| Approx. sq. footage of house: (<i>excl. garage and unfinished spaces</i>) | (1 st floor): (2 nd floor): (total): | |
| Number of stories: | | |
| Exterior wall materials: | | |
| Roof materials: | | |
| Number of cars in garage: | | |

| | Yes | No | Maybe |
|---|-----|----|-------|
| Basement | | | |
| Deck | | | |
| Screened porch | | | |
| Swimming pool | | | |
| Outbuildings (shed, poolhouse, gazebo, trellis) | | | |

| | | | |
|------------------------|--|--|--|
| Fencing, walls | | | |
| Other site development | | | |

4. Other information: Please Attach
5. Please submit schematic site and building drawings as appropriate to communicate design concept.

Viniterra Formal Design Submission Application

Date

General

1. Lot Owner Data: Name _____
 Address _____
 Phone No. _____
 Email _____
2. Lot Data: Address _____ Lot # _____
3. Architect Data: Name _____
 Address _____
 Phone No. _____
 Fax No. _____ Email _____
4. Builder Data: Name _____
 Address _____
 Phone No. _____
 Fax No. _____ Email _____
5. Application Submitted By: _____
 Date: _____
6. Board Receipt By: _____
 Date: _____

Exterior Materials

1. Brick: _____
 Type Style/Color

 Manufacturer Mortar Color

2. Siding: _____
 Material Color (paint, stain, manufacturer & no.)

3. Other Describe: _____

4. Roofing: _____
 Material Color & Manufacturer plus weight

5. Facia & Trim: _____
 Material Color (paint, stain, manufacturer & no.)

6. Shutters: _____
 Material Color (paint, stain, manufacturer & no.)

7. Door: _____
 Material Color (paint, stain, manufacturer & no.)

8. Windows _____
 Material Color (paint, stain, manufacturer & no.)

9. HVAC/Trash _____
Screening Material Color (paint, stain, manufacturer & no.)

10. Driveway _____
 Material Color

Submission Checklist

1. SITE PLAN:

| | | IF INCLUDED PLEASE CHECK |
|----|--|--------------------------|
| a. | Minimum scale: 1"=60.0' | |
| b. | Seal of Virginia Certified Land Surveyor Engineer or Architect | |
| c. | Property lines with all corners found and/or reset | |
| d. | Building envelope, showing all building setback lines | |
| e. | Recorded easements (water, sewer, drainage) | |
| f. | Delineated wetlands and wetland buffers | |
| g. | Existing and proposed topographic contours at not less than two-foot intervals. As an alternative, spot elevations of all structures and representative elevations of the property with lines showing directions of flow for drainage. | |
| h. | Roadway right-of-way, curb and gutter, utilities in right-of-way, and names of roadway(s) on which lot fronts | |
| i. | Lot identification and area of lot | |
| j. | Lot numbers of adjacent lots, and nearest corners of structures on adjacent lots, if applicable | |

| | | |
|----|--|--|
| k. | Existing wooded areas with proposed limits of clearing and grading, and measures to be used to protect areas not cleared | |
| l. | Proposed house and outbuildings with foundation to all property lines | |
| m. | Decks, swimming pools, patios, covered porches, steps, stoops, etc. | |
| n. | Sidewalks, driveways, and parking areas with dimensions and materials noted | |
| o. | Exterior HVAC units, meters, trash areas, recycling provisions and screening | |
| p. | Finished floor elevation of house | |

2. Landscape Drawings*: *(May be combined on Site Plan.)*

| | | |
|----|--|--|
| a. | Landscape plan, showing all proposed planting, limits of sod and seeding, as well as limits for mulch beds | |
| b. | Planting/landscaping legend, including plant materials and sizes | |
| c. | Exterior lighting | |
| d. | Pictures of any yard/landscape lighting or structures | |

3. Architectural Drawings:

| | | |
|----|--|--|
| a. | Floor plans | |
| b. | Exterior elevations, showing all sides of house, with finished grade at perimeter of house shown | |
| c. | All exterior materials noted | |
| d. | Typical wall section(s) showing detail conditions at foundation and eave | |
| e. | Drawings describing outbuildings, if applicable | |
| f. | Fencing and details (including pool fencing, HVAC/trash area screening, pet fencing, etc.) | |

4. Samples And Colors

| | | |
|----|---|--|
| a. | Brick samples | |
| b. | Roofing samples | |
| c. | Exterior paint color chips | |
| d. | Other exterior materials, if applicable | |

*** Landscape drawings can be submitted at a later date, but can be submitted no later than 90 days after clearing has been completed. A separate approval letter will be given.**

Review Fees

- A one time fee of \$500 shall be paid prior to conceptual review for new construction.
(Waived for Signature Builders)
- A one-time fee of \$250 is required when plans are submitted for preliminary review for additions and alterations. There is no fee for conceptual review of proposed additions and alterations. (Waived for Signature Builders)
- All Builders are required to pay a 3% fee (, based on the custom home contract price.
Payment required prior to Certificate of Occupancy
- Declarant has the right to waive these fees at their sole discretion.

Signature: _____

Property Owner/Contractor

ARCHITECTURAL MODIFICATION REQUEST FORM
Viniterra Property Owners' Association

This document will become part of the Homeowners file and must be complied with by any succeeding owners.

I, _____, do hereby request permission to make the following modification
to my home at _____
in Viniterra Property Owners' Association _____
Home Phone _____ Work Phone _____

DESCRIPTION OF REQUEST: _____

Attach the following as applicable:

- Plot Plan with proposed modification(s) to approximate scale with dimensions.
- Complete description (photos/drawings) as to construction design, materials (types & sizes), and color/finish.
- Floor Plan, Elevation, Section Drawing (i.e. footings).
- Copy of County Building Permit (if applicable).

I do, by my signature, understand and agree to the following:

1. That I assume total responsibility for the upkeep and maintenance of all modification(s) made in the area. I also acknowledge that obtaining insurance for the improvement is my responsibility.
2. That the modification(s) will not in any way hinder yard care or any other Association maintenance responsibility. If the modification increases the cost any of the Association maintenance, I may be responsible for the additional costs.
3. That I will accept total responsibility for any damage to person or property that may be caused by this modification(s). I acknowledge that the modification (including, but not limited to, the construction of decks or patios, fence, landscaping or planting beds) must not alter or impede the flow of storm water across my property to the detriment of adjacent properties.
4. An approval by the Association does not alleviate my responsibility to obtain any required governmental permits or approvals.
5. That the Homeowners Association reserves the right to require removal or repair of the modification at my own expense if: 1) the modification is not constructed or installed as per specifications submitted for approval with this form; or 2) the modification is not maintained in a safe condition; or 3) the modification is not maintained in keeping with the surrounding structures and is not satisfactory to the Board of Directors.

Date Homeowner Signature(s)

Date Received by Association Signature

| | |
|---|-------------|
| <input type="checkbox"/> APPROVED by Board of Directors OR | |
| <input type="checkbox"/> APPROVED with Following Contingencies by Architectural Review Board: | |
| _____ _____ | |
| Board Signature | Date Signed |

| | |
|---|-------------|
| <input type="checkbox"/> DISAPPROVED for the following reason(s) by Architectural Review Board: | |
| _____ _____ | |
| Board Signature | Date Signed |