

**AQUIA HARBOUR  
PROPERTY OWNERS ASSOCIATION, INC.**

**CONSTRUCTION  
MAINTENANCE  
PROCEDURES**

**1221 Washington Drive  
Stafford, VA 22554**

**CONSTRUCTION MAINTENANCE PROCEDURES  
AQUIA HARBOUR  
STAFFORD, VIRGINIA**

**PART 1**

Effective Date:	November, 1978
First Revision:	December, 1979
Second Revision:	May, 1982
Third Revision:	November, 1982
Fourth Revision:	September, 1986
Fifth Revision ACC:	November 18, 1987
Fifth Revision BOD:	November 24, 1987
Sixth Revision BOD:	May 23, 1989
Seventh Revision BOD	January 22, 1991
Eighth Revision BOD	October 23, 1991
Ninth Revision ACC	April 17, 1991
Tenth Revision ACC/BOD	May 26, 1992 Pool, Propane
Eleventh Revision ACC/BOD	June 30, 1992 Fee to \$1,000.00
Twelfth Revision ACC	August 12, 1992 Fences, Walls and Hedges (Section 28-12, II-2: 3 ft to 4 ft; 7 ft to 6 ft)
Thirteenth Revision ACC/BOD	October 27, 1992 Rescission of subdivided lots prohibition (Foreword)
Fourteenth Revision ACC/BOD	November 24, 1992 Addition of pipestem prohibition (Foreword) & allowance for metal ornamental fences in front yards (I-6, 4i)
Fifteenth Revision ACC/BOD	September 8, 1993 Change title to Construction Maintenance Procedures and to specify ditch maintenance responsibility
Sixteenth Revision ACC	September 26, 1994 Change requirements to headwalls
Seventeenth Revision ACC/BOD	June 30, 1996-Fee to \$2,000.00

Eighteenth Revision ACC/BOD	December 4, 2001 Building fee (section 3d). Addition of additional reapplication fee requirements until construction is completed. Signs (section 10). Rewritten so that review of applications and approvals for signs handled by AHPOA Business Office. For information on other minor changes, see ACC files.
Nineteenth Revision ACC/BOD	January 22, 2002 Code Violation Officer, or his representative, granted permission to enter properties. Building fee (section 3d), reissued permit after fee of \$1,000 paid made valid for six months only before new request has to be submitted. Retaining walls (section 4i). Addition of Department Environmental Quality.
Twentieth Revision BOD	March 27, 2003 – Building fee increase from \$2,000 to \$3,000, effective April 1, 2003.
Twenty-first Revision ACC	December 16, 2004 – Procedures apply to all property owners, contractors and the AHPOA. Entrance ways/ culvert pipes/ ditches (section 4 g). All culvert pipes will be made of double wall plastic.
Twenty-second Revision ACC	March 31, 2005 – All fences to be constructed face out. Fencing (section 4 h).
Twenty-third Revision BOD	January 26, 2006 – Building fee increase from \$3,000 to \$10,000 effective, April 1, 2006. \$5,000 refundable building bond imposed, effective April 1, 2006.
Twenty-fourth Revision ACC	February 22, 2007 – ACC approval required for temporary storage containers (section 11), effective March 1, 2007.

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## FOREWORD

The Architectural Control Committee (ACC) is appointed pursuant to paragraph 2b of the current Restrictions and Covenants for the Aquia Harbour Subdivision and is specifically charged with the responsibilities of assuring compliance with the provisions of the Restrictions and Covenants as they may apply to all new construction.

The Code Violation Officer (CVO) will monitor new construction, additions, and exterior alterations within the Aquia Harbour Subdivision. In the performance of his or her duties, the CVO is responsible for visiting all sites on which construction is in progress. Violation of the Aquia Harbour Subdivision Restrictive Covenants and/or Aquia Harbour Construction Procedures will be reported, in writing, to the General Manager. In response, the General Manager or Code Violation Officer will initiate the necessary letter apprising the contractor/owner of the Violation. The CVO, or his representative, is permitted to enter properties for purposes above by agreement of owners, contractor or others as part of the AHPOA construction permit issuance.

The ACC is not responsible for any plans or contract agreements between parties building within Aquia Harbour. The CVO in cooperation with the ACC will monitor the construction site during the construction period to ensure that the building or structures being erected meet all requirements as indicated by plans submitted to the Committee for approval.

In addition to routine observation, the CVO shall each month visit each site on which a new house is under construction and record the findings. An individual written report will be prepared for each house. The report will reflect the stage of completion; violations, if any, identified during the visit; violations, if any, pending corrective action or referred to the Legal Compliance Committee and/or BOD; and any additional information that should be brought to the attention of the ACC. The signed and dated report will be forwarded to the ACC via the General Manager. The General Manager will ensure that the report is available for the next ACC meeting.

The ACC will meet each Wednesday afternoon at 4:00 P.M. to review all plans received during the period since the previous meeting. A final decision will be made during this meeting on all plans on hand, unless additional information is required. Interested parties and residents of Aquia Harbour are invited to be present during this meeting. Paragraph 2(d) of the Restrictions Aquia Harbour Subdivision, allows thirty (30) days to act on any submitted plans.

Contractors building houses in Aquia Harbour shall, from the onset, inform prospective buyers that all property owners in Aquia Harbour are subject to all existing Restrictions and Covenants which form a part of all Aquia Harbour deeds, all Stafford County Zoning Ordinances and all of the procedures incorporated in these Construction Procedures as may be related to out-buildings, fences, landscaping, signs, upkeep of property, animal and livestock, utility easements and all the By-Laws, Regulations and resolutions promulgated by the Aquia Harbour Property Owners Association (AHPOA).

These Construction Maintenance Procedures shall apply to all property owners, all contractors working on property within Aquia Harbour and the AHPOA and its maintenance staff working on AHPOA property.

**PART 1**  
**CONSTRUCTION MAINTENANCE PROCEDURES, AQUIA HARBOUR**

**1. Application for Building**

Persons desiring to build any structure or improvement whatsoever to be erected on or moved upon any lot within the Aquia Harbour Subdivision shall:

- a. Submit an "Application for Construction Approval" and two sets of detailed plans with specifications showing the proposed location thereof on any lot or lots, the construction material, the roofs and exterior color schemes. Any later changes or additions thereto on any lot shall be subject to and shall require the approval of the ACC in writing before any such work is commenced.
- b. Certify on the face of both sets of house plans and on the copy of the "Application for Construction Approval", that the house to be erected is not an adjacent look-alike.
  - (1) Groups of homes that are of identical or near-identical physical exterior lack the diversity of individual aesthetic values that are required to meet the harmony of the Aquia Harbour environment.
  - (2) To prevent more than two homes built to the same exact style or plan from being constructed within the same general view.
- c. An Application for Construction Approval will not be considered by the Architectural Control Committee (ACC) unless that portion under "Certificate", which requires signature by the prospective resident, is actually signed by the prospective resident. In the event there is no prospective resident, the certification may be signed by the Builder.
- d. All applications for exterior construction or remodeling that requires County approval must be accompanied by an approved Stafford County Building Permit. All applications impacting on waterways and/or wetlands, will be accompanied by permits from the County Wetlands Board and Army Corps of Engineers. In some cases, those agencies will provide a statement to the effect of "No Permit is Required."
- e. During construction the CVO, or his representative, is granted permission to enter the subject property for purposes related to him/her performing job related activities.

**2. ACC Review - Approval or Denial**

Upon completion of the review, the applicant will be notified of the ACC decision by separate correspondence. If approved, the approval will be signed on both sets of plans; one set of plans will be remitted to the applicant and one set will be retained by the Aquia Harbour Property Owners Association. Should a contractor or property owner commence construction on a new house, addition, or exterior improvement without the prior approval of the ACC this act in itself shall be sufficient grounds for denial of the "Application for Construction Approval". Matters that are relative to the unauthorized commencement of construction within the Aquia Harbour Subdivision will be referred to the Legal Compliance Committee (LCC) for resolution.

### 3. Building Fee and Bond

Each proposed contractor shall be assessed, against each lot in the Aquia Harbour Subdivision on which a single family residence is to be constructed, a one-time building fee of \$3,000, as of April 1, 2003 (\$10,000 effective April 1, 2006) and, effective April 1, 2006, a building bond of \$5,000.

- a. Such building fee and bond shall become due and payable in cash or separate checks at the time the building plans and site plan of the lot on which the residence is to be constructed are submitted to the ACC.
- b. Until such time as the contractor assessments hereby imposed are paid in full, there shall be no construction of the aforesaid single family residence on the lot in question, nor may site work commence.
- c. Site plans submitted to the ACC will not be approved until the building fee and bond are paid in full.
- d. Construction permits are normally granted for a period of six months. Under unusual circumstances, an extension of up to six months may be granted. If construction is not completed by that time, the applicant will be required to submit a new application, with a time duration of six months, with a reissue fee of \$1,000. At the end of this period, if construction is not yet completed, a new request and building fee will be required, with the same time constraints as set forth earlier in this paragraph.
- e. Should a Builder or Owner sell the lot during the period in which the Building Permit is still in effect, the new Owner/Builder may assume the permit providing the original plans are adhered to. Should there be a revision of plans, a new permit will be required. Should the permit have expired at the time of sale, the permit will not be transferable and a new application and a building fee will be required.
- f. When it has been determined that construction has been completed (see 4 (b) below) that portion of the bond money remaining will be refunded to the payee.

### 4. Construction Compliance

All new home construction within Aquia Harbour Subdivision must comply with Stafford County Ordinance now in effect or as amended from time to time, as they pertain to private property development and must meet or exceed all of the following criteria established for Aquia Harbour, which may be more restrictive than Stafford County's requirements:

a. Landscaping Plan

- (1) A landscaping plan in two copies must accompany the Application for Construction Approval.
- (2) The basis for the Landscaping Plan will be the site plan or a reproduction of same and will show:
  - (a) Location of the building.

- (b) Outlined in red ink, those portions of the lot where land disturbing activities will take place. "Land disturbing activities" is defined in paragraph 5, Construction Procedures Aquia Harbour.
  - (c) Outlined in green ink, those areas where land disturbing activities will not take place.
  - (d) With appropriate symbols, the grading plan of the lot to show fill excavation. This may be accomplished by the use of contour lines and a narrative.
  - (e) Details on measures to be taken to control erosion and/or water flow. The statement "Erosion control as necessary" will not be acceptable.
  - (f) Show any other measure to be taken to restore the lot to a status consistent with a community of wooded lots.
- (3) The Landscaping Plan will either be drawn to scale with the scale indicated, or, distances indicated from boundaries. Size of plantings need not be drawn to scale. Distance from buildings to lot boundaries will be shown.

b. Construction Completion

- (1) All building exteriors must be completed within six months from the date the construction commences.
- (2) The building period commences when excavation is begun or when building materials are delivered, whichever occurs first.
- (3) The building is not considered as being completed by the ACC until final grade and headwalls have been installed.
- (4) When a residence constructed on any lot, excluding headwalls, has been substantially completed (90%) and no suit or complaint has been filed with the purpose of enjoining the construction therefore or seeking the enforcement of Restrictions and Covenants, AHPOA, By-Laws, Construction Maintenance Procedures, or any other regulation pertaining to Construction Procedures or changing the appearance of lots within the Aquia Harbour Association, then it shall be conclusively presumed that such residence has been constructed in compliance with all provisions pertaining to construction or lot appearance changes.

c. Where Building is in Progress

- (1) During construction, builder must contain unusable building materials, general trash and debris on each building site, in an orderly manner and under control at all times.
- (2) Under no condition shall trash and debris be moved from one building site to another.

d. Construction Equipment and Vehicles

- (1) Tracked vehicles of any type are prohibited on all paved road surfaces, to include the unloading/loading of such vehicles from/onto flat bed equipment on the paved road surface, at the construction site.
- (2) To help preclude damage to road surfaces, earth which is inadvertently transported from the construction site onto the roadways by the wheels or attachments of construction equipment and vehicles shall be immediately removed.
- (3) Failure to comply with the proper cleaning of roadways will force the AHPOA to have this accomplished and all costs billed to the contractor/owner.

e. Space Devoted to Living Purpose

- (1) Space devoted to living purposes shall be:
  - (a) Measured on the perimeter of the exterior walls;
  - (b) Exclusive of roofed porches, terraces, garages, carports, and other outside buildings and unfinished basements.
- (2) Ranch or One Story House  
A minimum of 1,200 square feet of living space
- (3) Multi-story Houses shall have a minimum of 1,600 square feet of living space distributed among all floors in such a way that the finished structure shall be aesthetically compatible with adjoining homes in the immediate and adjacent area.

f. Roof Pitch

A minimum pitch of 4 inches to the foot is required, and deviations must be approved by the ACC (e.g. roofline for a Spanish decor design).

g. Entrance Ways/Culvert Pipe/Ditches (Illustrations, Page 1-12 & 1-13).

- (1) All entrance ways from the main roadway, as may be required by the ACC, will have culvert pipe with headwalls: headwalls shall consist of approved suitable building materials:
  - (a) Suitable materials: Headwalls will be constructed of either concrete or pressure treated 6 X 6 lumber. All culvert pipes will be made of double wall plastic. If different materials are desired a waiver must be granted by the ACC.
  - (b) Construction: Headwalls will be stabilized with deadmen or braces of the same type of material as above. Headwalls will extend a minimum of 5 1/2 inches below the bottom of the culvert pipe and at least to the top of the ditchline.
  - (c) The "Application for Construction Approval" shall describe the dimensions and building materials to be used in the construction of the headwalls, and the site plan shall show the location of the proposed headwalls, as required by the ACC.

