

Bradford's Landing Homeowner's Association, Inc.

DESIGN GUIDELINES A HANDBOOK FOR HOMEOWNERS

November 27, 2018
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Brookfield
Residential

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Introduction

As permitted by the *Declaration of Covenants, Conditions and Restrictions and Reservation of Easements of Bradford's Landing Homeowner's Association, Inc.* (hereafter referred to as "Declaration"), the Board of Directors has appointed a Covenant Committee ("Covenants Committee") for the Association. The Covenants Committee shall help to ensure that the Property shall always be maintained in a manner: (i) providing for visual harmony and soundness of repair, (ii) avoiding activities deleterious to the aesthetic or property values of the Property; and (iii) promoting the general welfare and safety of the Owners, such Owners' tenants and such Owners' (or tenants') households or companies, guests, employees, customers, agents and invitees. Article IX, Section 4 of the Declaration provides the authority of the Covenants Committee to propose these Design Guidelines ("Design Guidelines") which have been approved by the Bradford's Landing Homeowner's Association's Board of Directors ("Board of Directors"). Please note that these Design Guidelines are in addition to rules and regulations set forth in the Declaration itself or in the approved By-Laws of the Bradford's Landing Homeowner's Association ("By-Laws"). In the event of any conflict between these Design Guidelines and the rules and regulations set forth in the Declaration or the Bylaws, the rules and regulations set forth in the Declaration and Bylaws shall govern. In the event of any conflict between these Design Guidelines and the rules and regulations set forth by local, state and federal governing agencies, including but not limited to Montgomery County, Maryland, the rules and regulations of said governing agencies shall govern – meaning that the rules and regulations shall not be violated. However, if the Design Guidelines are stricter, than the Design Guidelines may prevail. Examples: If a setback in the Design Guidelines is 8 feet and the County requirement is 5 feet, then the setback shall be 8 feet. If a setback in the Design Guidelines is 5 feet and the County requirement is 8 feet, then the setback shall be 8 feet.

The Design Guidelines cannot envision every type of improvement for which an Application may be submitted and, as such there must be latitude for the Covenants Committee to review Applications based on certain criteria. Judgments of acceptable design (based upon the opinion of the Covenants Committee) are generally based on the criteria listed below, which depending on the particular Application, may not be all inclusive or applicable. The latitude to evaluate Applications based on appropriate design criteria should not result in the imposition of personal taste by the Covenants Committee. However, it does mean that the Covenants Committee can evaluate each Application based on its individual merits and specific circumstances, such as characteristics of the housing style, the individual site and relationship to environmental features. As such, what may constitute an acceptable design and approvable Application in one case, may not in another.

1. Relation to Environmental Conditions and Community Open Space — Harmony of a design with its surrounding natural environment is an important factor. Factors, such as the removal of trees, disruption of the natural topography, vegetation and changes in rate or direction of storm water run-off, also adversely affect the environment in terms of aesthetics or functionality.
2. Validity of Concept — The basic idea must be sound and appropriate to its surroundings.

3. Design Compatibility — The proposed improvements must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting.
4. Location and Impact on Neighbors — The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood.
5. Scale — The size (in three dimensions) of the proposed alteration should relate well to adjacent structures and its surrounds. For example, a large addition to a small house may be inappropriate.
6. Color — Color may be used to soften or intensify visual impact. Parts of an addition that are similar in design to an existing house, such as roofs and trim, should match in color and composition. A sample board of exterior materials, finishes, and colors may be required as the sole discretion of the Covenants Committee.
7. Materials — Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house. For instance, vertical siding on the original house should be retained on an addition. On the other hand, an addition with siding may or may not be compatible with a brick house.

Modifications Requiring Review & Approval by the Covenants Committee

No building, fence, wall, mailbox, swimming pool, or other Structure or improvement of any kind shall be commenced, erected or maintained upon the Property, nor shall any exterior addition to or change or alteration therein be made (including, but not limited to, changes in color, changes or additions to driveways, or walkway surfaces and landscaping modifications), nor shall the natural state of any area of any Lot be disturbed or altered via landscaping or otherwise, by an Owner or at the direction of an Owner, until the complete plans and specifications showing the nature, kind, shape, dimensions, height, materials, floor plans, color scheme, exterior plans and details, and location of the same, together with the Owner's proposed completion schedule, and together with a designation of the party or parties to perform the work, shall have been submitted to and approved in writing, as to harmony of external design and location in relation to surrounding structures and topography, by the Covenants Committee (See Article IX, Section 1 of the Declaration).

Note: The term "Homeowner" shall mean "Owner" / "Member" of the Community as defined by the Declaration.

Note: The term "Applicant" shall mean a "Homeowner" who submits an Application for consideration by the Covenants Committee.

Application and Review Procedures

Application and review procedures that will be used by the Covenants Committee are detailed below:

1. **Application**: All Applications for proposed improvements must be submitted in writing using the Application form authorized by the Covenants Committee (See Appendix One). Until notified to the contrary, homeowners should mail Applications to the following address: Covenants Committee, Bradford's Landing Homeowner's Association c/o The Management Group, Associates, Inc. 20440 Century Boulevard, Suite 100, Germantown, MD 20874.
2. **Review Procedure**: The Covenants Committee follows the procedures of your governing documents which require regularly scheduled meetings that are open to the Homeowners for the primary purpose of reviewing and making decisions on the Applications. While under Declarant Control* (the period before the Developer transitions the Community to the Homeowners), the Covenants Committee shall meet approximately once per month. The schedule for each meeting is determined at the Covenants Committee meeting the prior month. For example, at an August meeting, the Committee determines the September meeting date, at the September meeting the Committee establishes the October date and so on... There may not be a predetermined schedule such as the third Thursday of each month.

**Note: After the transition of the Community to the Homeowners, the Homeowner Covenants Committee may establish its own review procedures.*

There may be four quarterly meetings of the Board of Directors each year and Covenants Committee meetings will usually be scheduled on that same day – either before or immediately after the Board meeting. For the other remaining Covenant's Committee meetings, they are typically held at the Brookfield Residential's office in Fairfax. Keep in mind, that there are typically no Applicant or Homeowner attendees of these meetings and therefore the location is of less importance. However, the Board will accommodate requests from an Applicant when an onsite (at the Community) meeting is necessary.

Once a Community Website or platform such as Town Square is established, meeting dates will be posted (advertised) on the Calendar on the Website or Town Square. If a website or Town Square is not yet established, the dates will be kept by the Community Manager. Keep in mind, new Applications will not be reviewed in between meeting dates, as meetings must be advertised and open to the Homeowners. It is understood that this may be an inconvenience; however, Management Staff and your Board of Directors is following what is mandated by your Community's Governing Documents. It is not negotiable except when there is an emergency or a hardship (such as a medical condition) that requires an immediate exterior modification.

Homeowners should understand that Applications require a certain amount of processing and a period of pre-review prior to the meeting. Therefore, the timeframes referenced below are strict and should be respected.

All new Applications must be received at least eight (8) days prior to a scheduled Covenants Committee meeting and shall be pre-reviewed for completeness twice. The initial pre-review will be by the Management Company and then a second pre-review conducted by a member of the Covenant's Committee will be performed approximately 4 to 7 days before the meeting. The Applicant will be provided an opportunity to correct any pre-review deficiencies and may then submit a complete Application to the Covenants Committee **at least 48 hours before the start of the scheduled Covenants Committee meeting** or it may not be considered until the next meeting. NOTE: If timing permits, the Covenants Committee may, at their discretion, accept new Applications at least 48 hours before the start of the scheduled Covenants Committee meeting, but there will be no time for a pre-review for completeness and therefore a higher chance that the Application will be returned with an official decision of "Requires More Information". **No Applications will be accepted within 48 hours of the scheduled Covenants Committee meeting.**

3. The Covenants Committee has the right to deny any Application from a homeowner in the event the unit has an outstanding violation of the Design Guidelines which is not under appeal or in litigation.
4. Supporting Documentation: The Application must include a complete and accurate description of the proposed improvements, including all plans and drawings. See Appendix Two – APPLICATION SUBMISSION CHECKLIST. Also see REVIEW FEES - Appendix Three.
4. Time Frame for Completion of the Review: The Covenants Committee shall act on all matters properly before it within sixty (60) days after its receipt of a complete Application in the form prescribed by the Covenants Committee; failure to do so within the stipulated time shall constitute a disapproval. The action taken by the Covenants Committee shall be in the form of a "Decision Letter" mailed to the Applicant by the Community Management company. A decision of "Requires More information" is confirmation that more information is required before the Application can be considered complete and is therefore not approved.

Note: The Covenants Committee does not have the right or power, either by action or failure to act, to waive enforcement or grant variances or exceptions from the Design Guidelines without a specific finding that enforcement of such guidelines would impose an unfair burden on such Homeowner and stating the variance or exception and the reasons therefore in a written instrument which shall be part of the records of the Association. Variances or exceptions are typically not granted.

Appeals and Enforcement Procedures

Please contact the Community Manager for more information on Appeals and Enforcement Procedures.

Architectural and Design Guidelines

The specific guidelines detailed below have been adopted by the Board of Directors and shall be used by the Covenants Committee in reviewing proposed modifications and improvements.

GENERAL NOTES:

1) As stated in the Introduction found on Page 1, these guidelines cannot envision every type of improvement for which an Application can be submitted and, as such, there is latitude for the Covenants Committee to review based on the criteria listed in the Introduction. As such, each Application is reviewed on a case by case basis.

2) The approval of one Application does not set precedent such that the approval of another like or similar Application is guaranteed.

3) Approval by the Covenants Committee or by the Board shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the item being reviewed, nor shall such approval be substituted in lieu of applicable governmental approvals and permits or be deemed to constitute a determination as to compliance with local zoning ordinances, governmental requirements.

4) EASEMENTS: While each home may be located on an individual fee simple parcel of land, it is possible that the land may be encumbered by an easement. Typically, easements are for storm drainage, sanitary or water lines, gas mains and / or service utilities such as electric, cable, phone, etc... Please note that it is the Applicant's responsibility to determine what easements are located on the Application Property and to determine if it is permissible to work next to or within an easement. The Bradford's Landing Homeowner's Association assumes no liability for work done in or near an easement located on or off Applicants property. See also "EASEMENTS" on page 23.

The Declaration (Article X, Section 3, Paragraph I) specifically states: *No structure, planting or other material shall be placed or permitted to remain upon any Lot which may damage or interfere with any easement for the installation or maintenance of utilities, or which may unreasonably change, obstruct or retard the direction or flow of any drainage channels.*

5) UNIT TYPES:

- Front Load Garage Townhomes – attached housing with the garage located on and accessed from the front side of the residence.
- Rear Load Garage Townhomes – attached housing with the garage located on and accessed from the rear side of the residence
- Single Family Detached Homes - detached housing with the garage located on and accessed from the front side of the residence.

Note: The term "**Townhomes**" may be used when referring to both Front and Rear Load Garage Townhomes.

ADDITIONS / EXTERIOR ALTERATIONS:

All Additions / Exterior Alterations require approval of the Covenants Committee.

Due to the layout of the Community and associated zoning considerations, additions and exterior alterations are generally discouraged and may not be approved. In the event a minor addition or exterior alteration is plausible, then the guidelines below shall apply:

General: Additions / Exterior Alterations are generally considered to be those that alter the existing structure by either subtraction or addition. Alterations include, but are not limited to, room additions, sunrooms, garages, home extensions, etc. They should be the same or compatible in design with the existing home. Roof pitches must match or be compatible with the roof slope on the existing home. If changes in grade or other conditions, which will affect drainage, are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage. Drainage in swales or sheet flow shall not be restricted and / or blocked.

Location: The improvement must meet applicable governmental setback requirements and may not be constructed across Building Restriction Lines (BRL). Additional setback requirements may be stated for improvements that may be individually or specifically referenced in these guidelines in the following pages.

Size: The improvement must be in scale with the existing home.

Material: Roofing materials must match that of the existing home; siding and trim must match the existing home in material, size and style. Windows and doors must match (or be compatible with) those used in the existing home and should be positioned in a manner which relates well to the location of existing windows and doors on the home.

Color: The colors must match or complement the colors on the existing home. The proposed materials should be the same or compatible in color with the materials on the existing home.

AIR CONDITIONER (HVAC) UNITS:

Air conditioner units do not require approval of the Covenants Committee if they are installed in the same exact location of the existing base pad or mounting bracket. If the type of pad or mounting is revised or changed, then approval of the Covenants Committee shall be required. However, note that the units should remain in their original location.

Window mounted and through the wall units are not permitted.

ANTENNAS AND SATELLITE DISHES:

Antennas and satellite dishes do not require prior approval from the Covenants Committee if they are in compliance with the guidelines below. If they are not in compliance, then approval of the Covenants Committee will be required. This submission shall demonstrate what actions are being taken to best achieve the guidelines and that the antenna or other device complies to the maximum extent feasible with these Design Guidelines within the confines of applicable Federal regulations, i.e., without precluding reception of a quality signal, or unreasonably increasing the cost of the antenna or device. The Applicant should provide reception readings for potential locations which make the antennae least visible.

The following guidelines shall apply:

- General: Units that are no longer in service and / or are not functioning should be removed.
- Location: They shall not be installed in the front of the lot, on the front facade of the home or on a deck so long as another location exists on the lot or residence from which an acceptable quality signal can be received. They are to be positioned to be as visually unobtrusive as possible, without unreasonably increasing the cost of installation, maintenance and use and without precluding the reception of an acceptable quality signal. Whenever possible, they should be located in the rear of the home or the least visible portion of the lot. If they are installed at the roof level, then they should be situated on a rear roof line, to have no, or minimal visibility from the front of the home, if possible.
- Size: Satellite dishes that are larger than one meter in diameter are prohibited. Satellite dishes that are one meter in diameter or less, television antennas and MMDS (multichannel, multipoint distribution) antennas are permitted.
- Color: In order to minimize any adverse visual impact, a device that is affixed to a residence may be painted (at the Homeowner / Applicant's discretion) to match the color of the portion of the house to which it is attached. This painting, however, shall not void the manufacturer's warranty, shall not unreasonably increase the cost of installation, maintenance and use, shall not preclude the reception of an acceptable quality signal and shall not cause an unreasonable delay.
- Screening: To the extent possible, dishes and antennas should be screened (softened), so that they are not visible either from the street or to other lot owners, with evergreen plant material. However, this screening requirement shall not unreasonably increase the cost of installation, maintenance and use, shall not preclude the reception of an acceptable quality signal and shall not cause an unreasonable delay.

ARBOR:

Arbors require approval of the Covenants Committee on lots with Front Load Garage Townhomes and Single Family Detached Homes. Arbors are not permitted on lots with Rear Load Garage Townhomes.

Note: For the purpose of these guidelines, an Arbor is defined as a walk-thru garden structure typically made of wood, metal or PVC which serves as a framework to support climbing shrubs or vines. See example picture below:



The following guidelines shall apply:

Location: The location shall be restricted to rear yards and setback a minimum of three (3) feet from any property line.

Size: The Arbor shall not exceed nine (9) feet in height as measured from its base to the highest part of the structure. The width shall not exceed five (5) feet and the depth shall not exceed three (3) feet. Width and Depth shall be measured from the outermost part of the structure.

Material: Acceptable materials are wood, wood composite, white vinyl, aluminum or wrought iron.

Color: The color should match or be compatible with the color of the home and may include, but shall not be limited to black, white, natural wood tones and colors which match the homes siding and / or trim.

ATTIC VENTILATORS (INCLUDING TURBINES AND METAL FLUES):

Attic ventilators (including turbines and metal flues) require approval of the Covenants Committee.

The following guidelines shall apply:

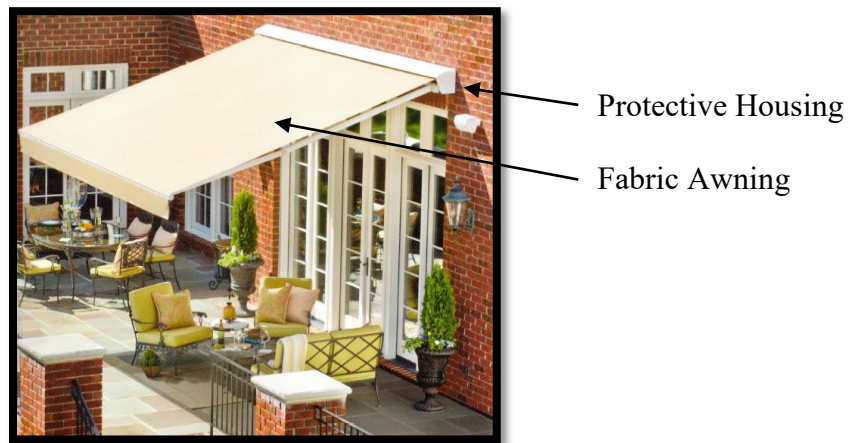
Location: Attic ventilators should be mounted on the least visible side of the roof peak to minimize their visibility from public areas and adjoining lots.

Color: Attic ventilators should be painted to match the color of the roof or the color of the house siding or trim – depending on where it is located.

AWNINGS (RETRACTABLE):

All awnings (retractable only) require approval of the Covenants Committee.

Note: A retractable awning is an awning typically made of a fabric sun shade material which can be rolled up (either manually or electronically) into a protective housing which is attached to the home. All awnings shall be retracted when not in use. See example picture below:



The following guidelines shall apply:

General: Fixed awnings, which remain open and cannot be retracted, are not permitted. Awnings on individual windows are not permitted. If awnings are removed for winter storage, the frames should be secured or removed to the extent possible.

Location: The location shall be restricted to the rear yard and must be incorporated with a deck, balcony or patio. On Townhomes, they must setback a minimum of two (2) feet from the side property line(s).

Size: On Townhomes, they are restricted to a maximum depth of 10 feet and a maximum width of 16 feet. On Single Family Detached Homes, they are restricted to a maximum width of 18 feet and a maximum depth of 12 feet.

Material: Cloth / Fabric only (not including the housing and framework).

Color: Fabrics must be either a solid color or stripes (two total, one of which must be white, off-white, light tan, light grey, or light cream), which are compatible with the color scheme of the house. The color scheme of the home must be provided with the Application, including photographs of the proposed location of the awning. Pipe frames and mechanical devices for awnings should be painted (or pre-colored) to match trim, dominant color of the home or white.

BARBECUE GRILLS (INCLUDING SMOKERS) AND / OR OUTDOOR KITCHENS:

All permanent (fixed in place and non-mobile) barbecue grills (including smokers) and / or outdoor kitchens require approval by the Covenants Committee. They are only permitted on lots with Front Load Garage Townhomes and Single Family Detached Homes. They are not permitted on lots with Rear Load Garage Townhomes.

Note: Any device which provides heat, fire, flames, smoke and / or other potentially dangerous emissions should be operated in accordance with any and all applicable governmental rules, governing regulations and manufacturer instructions. Care should also be taken to make sure smoke or other emissions do not create an annoyance or nuisance to neighbors. The Declaration states "No noxious or offensive trade or activity shall be carried out upon any lot... nor shall anything be done therein or thereon which may be or become an annoyance or nuisance to the neighborhood or other members".

The Applicant assumes all responsibility for the safe operation and maintenance of barbecue grills, smokers and / or outdoor kitchens.

The following guidelines shall apply to all permanent (fixed in place and non-mobile) barbecue grills (including smokers) and / or outdoor kitchens:

General: The design should be compatible and complement the existing features of the home. They will be considered only if they are integrated into an existing or simultaneously planned patio. All equipment (grill, doors, etc.) shall face internally (not externally in the view of adjacent lots and land).

Location: They are restricted to rear yards. They must be setback at least three (3) feet for Townhomes and five (5) feet for Single Family Detached Homes from any property line.

Size: They shall not exceed six (6) feet in peak height, 12 feet in length and four (4) feet in depth.

Materials: Natural Stone and concrete products as well as metal / steel.

Color: The color scheme should be compatible with the home.

Note: Small (less than 66" W x 60" H x 30" D) temporary (mobile, and non-permanent) barbeque grills (including Smokers) are permitted and shall be covered with a black vinyl cover when not in use. Temporary / non-permanent barbeque grills do not require approval of the Covenants Committee. However, they must be used in accordance with any and all applicable governing rules and regulations. They may not be stored on driveways and front yards and shall adhere to the location and setback requirements noted above.

BASKETBALL BACKBOARDS (GOALS) - PERMANENT OR PORTABLE:

All permanent basketball goals / backboards require approval by the Covenants Committee. They are only permitted on lots with Single Family Detached Homes. They are not permitted on Townhome lots.

A portable Basketball goal / backboard does not need an application if it meets the guidelines listed below. They are only permitted on lots with Single Family Detached Homes. They are not permitted on Townhome lots.

All Basketball Goals / Backboards (permanent or portable) shall meet the following guidelines:

- They may be affixed to permanent or semi-permanent, free standing poles or a portable base. They may not be attached to the home or garage.
- Poles shall be painted or pre-colored black, grey or gun metal gray.
- Backboards must be acrylic or clear in color with limited graphics.
- No court markings are painted, drawn or otherwise affixed to the playing surface.
- Poles must be located at least five (5) feet from a side lot line and at least eight (8) feet from the front lot line. Final determination will be made on a case-by-case basis where an Applicant requests a variance to these setbacks based upon lot specific circumstances.
- Basketball Backboards are not to be located in close proximity to an adjacent street or sidewalk such that players will interfere with pedestrian or vehicular traffic or otherwise create an unsafe environment for the players, pedestrians and drivers alike.
- Portable basketball setups should be removed and stored in the garage when not in use or must be approved in a permanent location.
- Basketball Backboards of any type shall not be located on common areas, sidewalks or on streets.

BIRD BATHS / FOUNTAINS

Bird Baths / Fountains do not require approval of the Covenants Committee on lots with Front Load Garage Townhomes and Single Family Detached Homes if the guidelines below are met. They are not permitted on lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

- Location:** One (1) Bird Bath / Fountain may be placed in the front yard or side yard if integrated into a landscape bed. Up to two (2) Bird Baths / Fountains may be placed in the rear yard and may be freestanding in the lawn or integrated with a patio or deck.
- Size:** The peak height may not exceed three (3) feet. The diameter or width / length may not exceed 30 inches.
- Material:** The materials may include, but are not limited to concrete, stone or poly-resin / fiberglass. Other materials will be considered if they are compatible with the design features of the home.
- Color:** The color scheme should be compatible with the home. Colors may include, brown, black, tan, beige, grey or white.

BIRD HOUSES / FEEDERS

Bird Houses / Feeders do not require approval of the Covenants Committee on lots with Front Load Garage Townhomes and Single Family Detached Homes if the guidelines below are met. They are not permitted on lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

- Location:** One (1) Bird House / Feeder may be placed in the front yard or side yard if integrated into a landscape bed. Up to three (3) Bird Houses / Feeders may be placed in the rear yard and may be freestanding in the lawn or integrated with a patio or deck. They may not be located on a fence.
- Size:** Pole mounted Bird House / Feeders may not exceed eight (8) feet in peak height. The peak height of a Bird House may not exceed two (2) feet. The diameter or width / length may not exceed 18 inches.
- Material:** The materials may include, but are not wood, composite or poly-resin / fiberglass. Other materials will be considered if they are compatible with the design features of the home.
- Color:** The color scheme should be compatible with the home. Colors may include wood tones, white or a color which matches the color scheme of the home.

CARPETING:

Indoor / Outdoor carpeting and synthetic grass on any exterior surfaces (for example front stoops, decks, patios, etc... is not permitted.

CHIMNEYS:

Chimneys require approval by the Covenants Committee. They are not permitted on lots with Townhomes.

The following guidelines shall apply:

- General: Chimney additions should be planned and designed with the same care as initial construction and should be visibly integrated with the architecture of the home. The design must be compatible with the home in style and scale. Generally, through-the-wall (direct-vent) metal flues will not be approved on an elevation that is highly visible from the street or is visibly obtrusive.
- Location: They may be considered for the sides or rear of the home. When applicable, metal flues shall be selected, located and installed in a manner to minimize their appearance on the house and visibility from neighboring properties and the street.
- Size: The chimney and / or metal flue shall be no higher than the minimum required by the County building code
- Material: A masonry chimney should be constructed to match stone, brick and/or other masonry materials used elsewhere on the home. Wooden enclosures of flues shall be constructed of the same materials as the home siding and trim.
- Color: The color scheme should be compatible with the home. Siding and trim materials must match the colors on the home.

CLOTHES LINES:

Temporary clothes lines do not require approval by the Covenants Committee. Permanent clothes lines or similar apparatus for the exterior drying of clothes will not be permitted.

The following guidelines shall apply:

- General: Use time is restricted to the reasonable amount of time to dry clothes. Ideally, clothes lines should not be used when the weather is not conducive to drying of clothes.
- Location: Temporary clothes lines that shall be removed after each use may be permitted in the rear yard of a home.

COMPOST BINS:

Compost bins require approval of the Covenants Committee on lots with Front Load Garage Townhomes and Single Family Detached Homes. They are not permitted on lots with Rear Load Garage Townhomes.



The following guidelines shall apply:

General: All active compost must be treated at all times to prevent odors from escaping. Failure to maintain a satisfactory compost bin and/or the point at which the compost becomes a public nuisance shall indicate an abandonment of the compost pile and violation of these standards.

Location: Bins must be located to the rear of the property and must be fully screened (softened) from the street, open space and adjoining and affected neighbors. They must be setback a minimum of eight (8) feet to any lot line.

Size: Small compost bins will be considered on a case-by-case basis and located in a manner which minimizes any impact on adjacent homeowners or property.

Material: Pre-manufactured and closed (see picture above).

Color: Brown or Black.

CUPOLAS:

Cupolas are not permitted.

DECKS – REAR LOAD GARAGE TOWNHOMES:

If a deck requires repair and / or replacement, the repair or replacement must be accomplished using the same or identical materials with the same design, shape and size of the original builder installed or Covenants Committee Approved Deck.

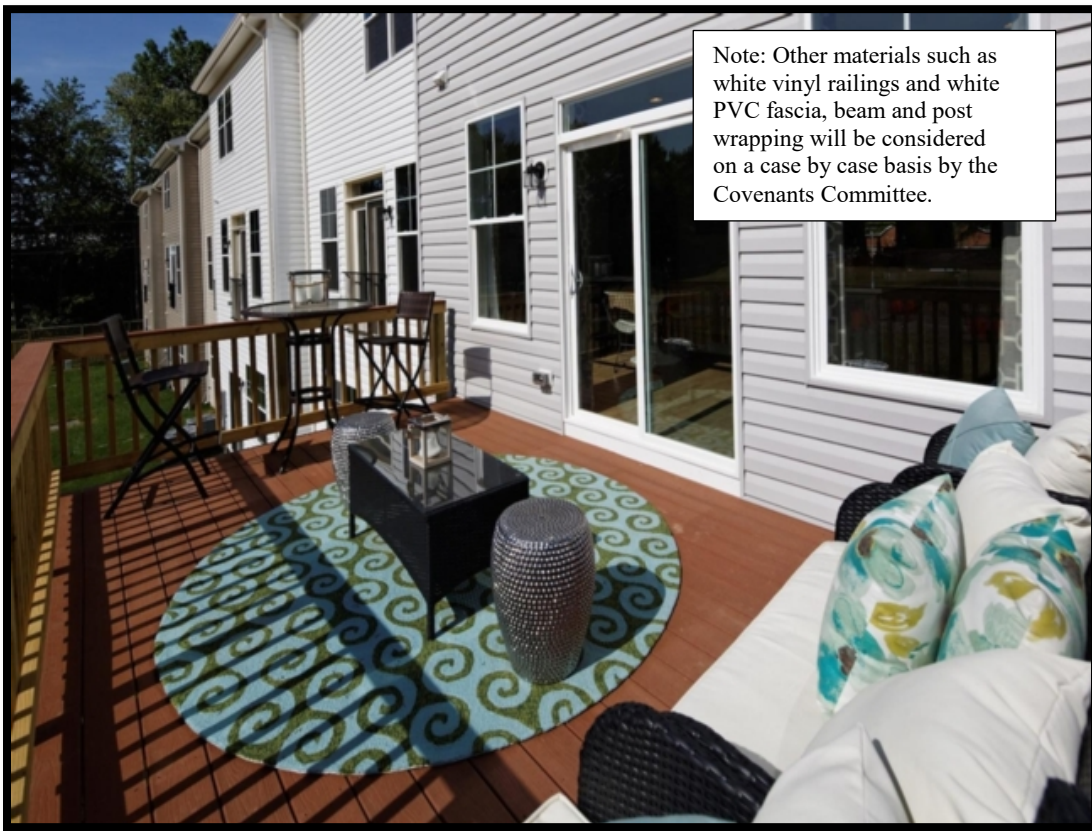
All new decks on a Rear Load Townhome require approval by the Covenants Committee.

The following guidelines shall apply:

Location: The deck shall be located above the driveway (middle level) at the rear of the home. Setbacks shall be in accordance with all Montgomery County regulations. However, no portion of the deck including the rail shall be closer than six (6") inches to the adjacent townhome on either side of the deck. On an end unit, the deck may not break the side plane of the home on the side with no adjacent lot. THE SPECIFIC LOCATION OF THE SUPPORT POSTS IN RELATIONSHIP TO THE EXISTING DRIVEWAY MUST BE IDENTIFIED IN DETAIL.

Size: The size shall be between 18' to 19' wide and six (6) feet deep.

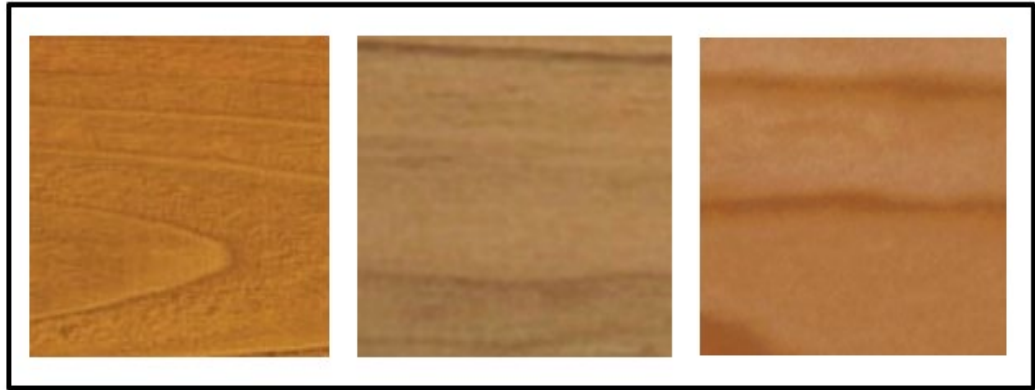
Material: All components of the deck must be pressure treated (PT) pine except the flooring and railing top cap must be composite. The style is represented* below:



Note: The top cap and flooring color is not an exact representation. See specific color on the next page.

Color:

The PT wood color may be clear (stain or preservative) or “Natural” (or a very light brown color transparent or semi-transparent stain). Several Examples are shown below. A color chip or brochure must be submitted with the color name and manufacturer. Note: “Cedar Natural Tone” may have an orange/red tint when used on pine and is not acceptable.



The composite decking and railing color should match “Cedar” - a “Timbertech” a product the Builder uses. However, any manufacturer may be used if the color selected is similar – see example picture below:



DECKS – FOR SINGLE FAMILY DETACHED HOMES AND FRONT LOAD GARAGE TOWNHOMES:

All decks for Single Family Detached Homes and Front Load Garage Townhomes require approval by the Covenants Committee.

The following guidelines shall apply:

Location: All decks shall be in a rear yard and shall not break the side plane of the home. Decks shall not be erected forward of the rear plane of a dwelling unit. The side plane is defined as the side-wall without consideration for protrusions to the side-wall (i.e., bay windows, HVAC units). The rear plane is defined as the rear-wall without consideration for any protrusions to the rear-wall (i.e., room extensions, bay windows, HVAC units) and shall be further defined as the rear-wall closest to the front plane. Setbacks shall be in accordance with all Montgomery County regulations. However, no portion of the deck including the rail shall be closer than six (6") inches to the property line on either side of a Front Load Garage Townhome.

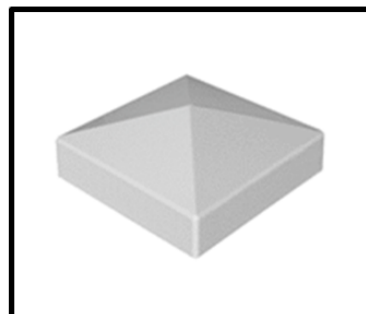
Materials: Pressure treated wood and cedar shall be permitted in most cases. Other materials which may be considered by the Covenants Committee on a case by case basis include Douglas Fir, Vinyl / PVC and composite materials. Round tubular metal balusters / pickets (plain, with no decorative element) and or non-decorative metal railing sections placed in between vinyl or wood posts will be considered on a case by case basis. Glass panel and / or cable railing systems are not permitted.

Railing Detailing:

- All Railing systems should have a minimum of 3" x 3" and a maximum of 8" x 8" size posts. Metal posts are discouraged but may be considered on a case by case basis if they meet the size requirements noted above.
- Posts are permitted to extend above the top rail to accommodate post caps. The posts should have architectural grade caps (a "New England" style cap for example). Plain or basic diamond caps are not permitted. As an alternative, the posts may be positioned below a composite and / or 2" x 6" pressure treated railing cap.



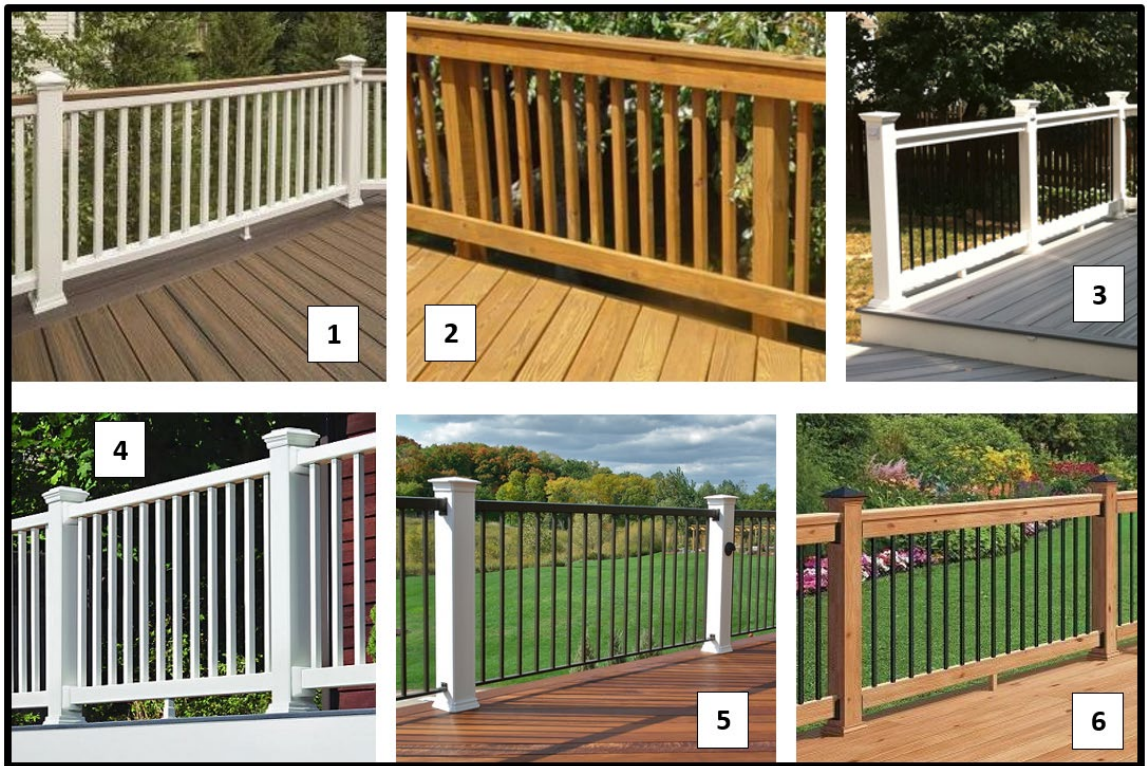
*New England Style Cap
(permitted)*



Plain Cap (not permitted)

- All railings must have vertical balusters / pickets.
- Square balusters / pickets should be a min. of $\frac{3}{4}$ " x $\frac{3}{4}$ " and a max. of 2" x 2" in size.
- Round tubular metal balusters / pickets or metal balusters / pickets as part of a railing section may be provided. They should measure approximately $\frac{3}{4}$ " min. and 1" max.
- Picket railing systems must run in between the posts.
- All railings shall have one horizontal top and one horizontal bottom cross rail to which the balusters / pickets are attached. Balusters / pickets may not be attached directly to the deck fascia.

The following are examples of approved railing styles:



1. White vinyl with a composite railing cap board.
2. PT wood with the posts below the railing cap board.
3. White vinyl with black tubular balusters / pickets.
4. White vinyl.
5. Metal railing system in between white vinyl posts.
6. PT wood with black tubular balusters / pickets.

Note: These are for example only. Additional railing systems which meet the guidelines noted above may be considered for approval.

Color: All exposed and visible deck components including posts, fascia, and beams must be pre-colored, treated with a clear preservative, painted and / or stained. Natural wood products may be stained with a clear preservative, stained or painted white or off-white to match the existing trim of the home or stained with a natural wood color which has been approved by the Covenants Committee. Traditional redwood and bright orange tones are discouraged. Non-natural colored deck components will be considered on a case by case basis. All colors must complement the existing home. Colors samples including the manufacturer and color name must be submitted.

Deck and Stair Detailing:

- All stairs must have closed risers. Riser boards must be provided.
- All unfinished ends of flooring boards and / or stair treads must be covered / enclosed (with decorative trim, a fascia board or a stair "skirt"). The unfinished cut-ends of flooring boards and / or stair must not be exposed.
- All submissions must include labeling of all materials, sizes and colors.
- An elevation drawing showing the height of the deck and detailing (materials, colors and sizes) for the fascia, main beam, supports posts and other features must be submitted.
- The treatment of the ground below the deck must be indicated. Will the grass remain, will the ground be covered with mulch and / or decorative stone and / or will the underside of the deck be enclosed with box-framed (aka picture framed) lattice? The selected material, the method of edging and location must be indicated on the deck application.

Under Deck Screening (Single Family Detached Homes only):

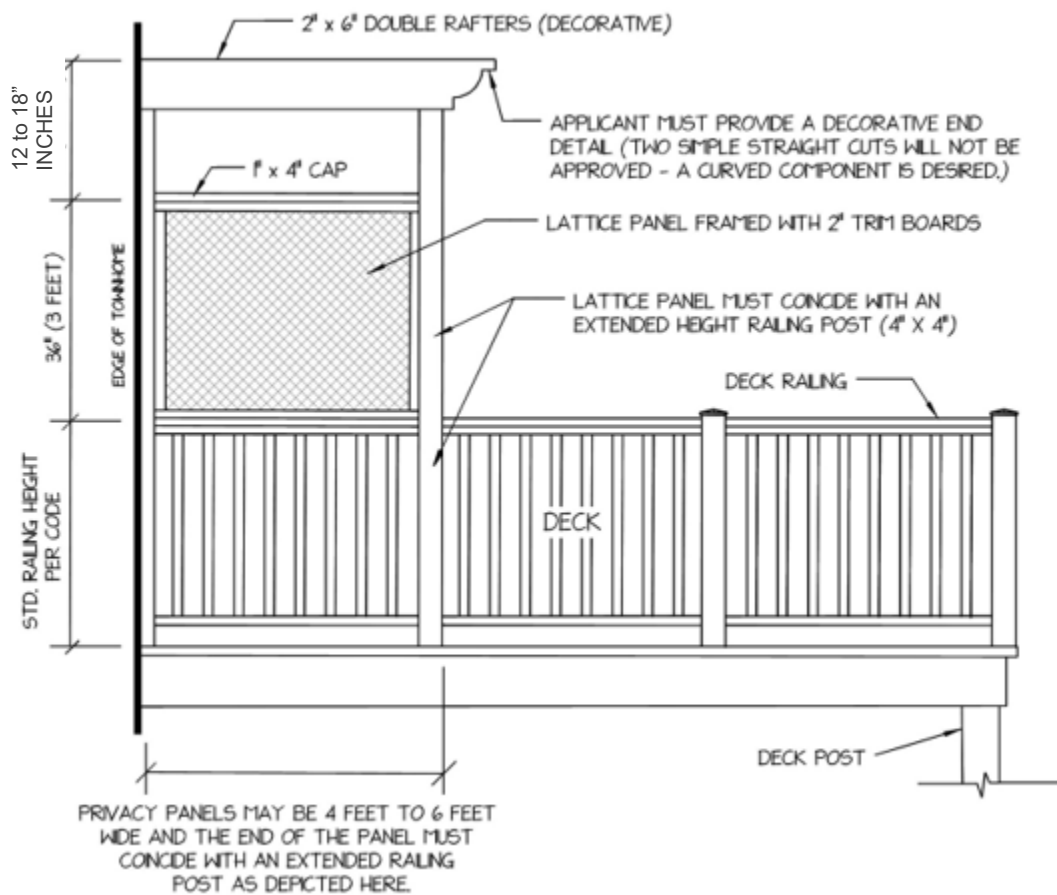
Elevated decks have an under-deck area that can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. The use of decorative screening or landscaping to minimize adverse visual impacts is encouraged. The installation of lattice to screen the deck underside is permitted for elevated decks and shall be reviewed on a case-by-case basis. Lattice should have a minimum opening of one inch wide, have a diagonal or other complementary pattern, and must be box-framed (aka picture framed) with trim boards (1" x 3" or 1" x 4" is typically used). The storage of any items below a deck is prohibited, unless screening guidelines listed above are implemented.

Note: Decorative screening may consist of lattice, bead-board panels or horizontal siding for a height up to four (4) feet. Only lattice is permitted for screening higher than four (4) feet. Plain PVC panels will only be permitted for a height of two feet.

Privacy Screens (lattice only):

Privacy Screens (lattice only) will be permitted on decks located on Single Family Detached Homes if consistent with the size of the deck and home. Privacy screens for Single Family Detached Homes shall not extend more than three (3) feet above the top rail and comprise not more than 40% of the lateral railing length. For example, a 10 feet x 20 feet deck with 40 feet of railing shall not have over 16 feet lateral of lattice screening. All lattice should be a minimum of one inch wide, have a diagonal or other complementary pattern, and must be box framed (aka picture framed) with trim boards (1" x 2" is typically used).

For decks located on lots with a Front Load Garage Townhome, the only lattice permitted shall be installed in accordance with the detail located below:



Enclosures on or under Decks (Single Family Detached Homes only):

Enclosures (for example a Screened Porch or Gazebo) shall be designed to be architecturally compatible with the existing home in style, materials and color. The gutters / downspouts and shingles shall match that of the home. The lower railing shall be same as that for the deck, or it may have a solid 'knee-wall' that is consistent with the enclosure and matches (or has the same appearance) as the home siding in material and color. The color requirements are the same as for decks. Any elevated enclosure on a deck such as a screened in roof or gazebo should be setback at least 10 feet from the nearest property line. Where the deck and structure are highly visible to streets or neighbors, the Covenants Committee may ask for an additional setback beyond 10 feet. All main posts (above and below the decking) shall have a minimum finished dimension of 6"x 6". The posts may be built up and wrapped to achieve the final 6"x 6" dimension or may be covered by a post sleeve to be considered on a case by case basis. Ornamentation and trim work on the posts and structure are required to be consistent with the existing home.

Accessories (Single Family Detached Homes only):

Accessory structures such as corner pergolas, plant hangers or similar are discouraged. They shall not exceed 16 feet in total length or nine (9) feet in peak height. Their length shall be subtracted from the permitted total length of any additional or combined privacy screen (see privacy screen section above). They will be reviewed on a case by case basis.

Lighting: See **LIGHTING (EXTERIOR)**

DOG HOUSES / PET STRUCTURES and DOG RUNS:

Dog houses / pet structures are not permitted.

Dog runs are not permitted. A dog run is defined as an area enclosed on one or more sides by a fence, boards or any other material and intended for holding dogs or other animals for any length of time (unattended) or restricting the area or space within a yard to limit the movement of an unattended dog or any other animal. However, an "invisible fence" is permitted without approval of the Covenants Committee.

Dogs must be on a leash at all times when off the owner's property. Dog owners are responsible for cleaning up after their pet on common area and on their own lot. Dogs must be kept quiet so that they do not create a nuisance for adjoining lot owners. Whenever your pet is on your property and not restrained, it is your responsibility to ensure it is not capable of leaving the property to run after a person or another animal.

DOORS:

Doors require approval by the Covenants Committee except that any replacement and / or repair with the same style, location and color does not require approval.

The following guidelines shall apply for all door modifications:

Front doors:

Replacement front doors shall be the same or substantially similar to the door provided with original construction by the home builder. New hardware should be substantially similar and compatible to that installed by the original builder. Color changes are highly discouraged – especially for Townhomes where the entire block of homes must be considered. It is preferred that the color not be changed and shall remain the same color as originally provided with the construction of the home.

Storm Doors:

As per the Declaration, *Storm doors must be a full-view or three-quarter view clear glass storm door. The color must either match the existing door or the trim around the existing door.* Doors with decorative features such as grills are not permitted.

Garage Doors:

Garage doors must remain substantially similar and consistent with the style and color installed by the builder.

Other doors:

New or Replacement doors shall be the same or substantially similar to the doors provided with original construction by the home builder. New hardware should be substantially similar and compatible to the style installed by the original builder. Color changes are highly discouraged – especially for Townhomes where the entire block of homes must be considered. It is preferred that the color not be changed and shall remain the same color as originally provided with the construction of the home.

Pet access doors are only permitted on a rear elevation of Single Family Detached Homes and Front Load Garage Townhomes if they are 18" H x 15" W or less in size. Their trim must match the color of the door. Approval of the Covenants Committee is not required if these guidelines are met.

DRIVEWAYS/PARKING PADS:

Driveways / Parking Pads must remain as originally designed and constructed. Extensions, modifications, material changes or additions to driveways are not permitted.

ELECTRONIC INSECT TRAPS (NOT PERMANENT):

Permanent Electronic insect traps are not permitted.

Temporary Electronic insect traps do not require approval. However, no device shall be installed or maintained in such a way as to cause discomfort or a nuisance to adjacent owners from noise or light and may only be operated during those times when the immediate area protected by the trap is occupied by the owner or guests.

EASEMENTS:

Applicants should be aware that the presence of easements may limit the ability to implement improvements such as landscaping, fences, patios and decks and / or may require special permissions as part of the permitting process. For additional information on how an easement might impact a proposed improvement, homeowners should contact Montgomery County and / or the appropriate easement holder(s). See also "EASEMENTS" on page 5.

Be advised that approval by the Covenants Committee or by the Board shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the item being reviewed, nor shall such approval be substituted in lieu of applicable governmental approvals and permits or be deemed to constitute a determination as to compliance with local zoning ordinances, governmental guidelines or restrictions.

EXTERIOR DECORATIVE OBJECTS:

Exterior decorative objects require approval of the Covenants Committee as noted below.

Approval will be required for all exterior decorative objects, whether natural or man-made, which were not part of the original construction design, either as a standard or optional feature. Examples include but are not limited to: weather vanes, garden sculptures, fountains, free standing poles of all types and any decorative items attached to approved structures. These will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on neighborhoods and the surrounding area.

The exception to the approval rule is that each home may have up to three exterior decorative objects in the front / side yard and up to five exterior decorative objects in the rear yard (within the boundaries of the lot) and without the requirement of approval of the Covenants Committee subject to the following standards:

- Each object shall be less than 18" high
- Each object shall be generally appropriate for the location.
- Each object shall be compatible with architectural & environmental qualities of the lot.
- Each object shall have no negative visual impact on the surrounding area.

In the event these standards come into question, then the final determination will be made by the Covenants Committee.

Exterior decorative objects above 18" in height or are in excess of the quantities referenced above are generally to be located in rear yards and require approval of the Covenants Committee.

See also "**POTTED PLANTS**"

EXTERIOR PAINTING:

An Application is not required to re-paint or re-stain an object to match the original color.

An exterior color change is discouraged. Exterior colors must remain in accordance with the color palette used by the original home builder. This requirement includes, but is not limited to siding, trim, roofing and other appurtenant structures.

Color changes for doors and shutters are highly discouraged – especially for Townhomes where the entire block of homes must be considered. It is preferred that the color not be changed and shall remain the same color as originally provided with the construction of the home.

If an Application to change a color is submitted, a color rendering / graphic representation of the home or homes (in the case of a block of Townhomes) must be submitted and shall accurately depict the proposed color change. A color sample with the name of the color and manufacturer must also be provided.

EXTERIOR SURFACES:

All exterior surface alterations require approval of the Covenants Committee.

Exterior materials and colors were originally selected by the builder to present a uniform architectural theme for the community. Any partial replacement roofing, siding, trim, etc., must match the existing. In the event a material or color is not available or if there is a problem with any material, the Covenants Committee may approve a substantially similar alternate material.

Generally, painted surfaces may only be painted; stained surfaces may only be stained; and unstained surfaces (brick, siding, etc.) may only be replaced with like material and may only be left unpainted or unstained.

FENCES:

All fences require approval of the Covenants Committee for Front Load Garage Townhomes and Single Family Detached Homes. Fences are not permitted for Rear Load Garage Townhomes.

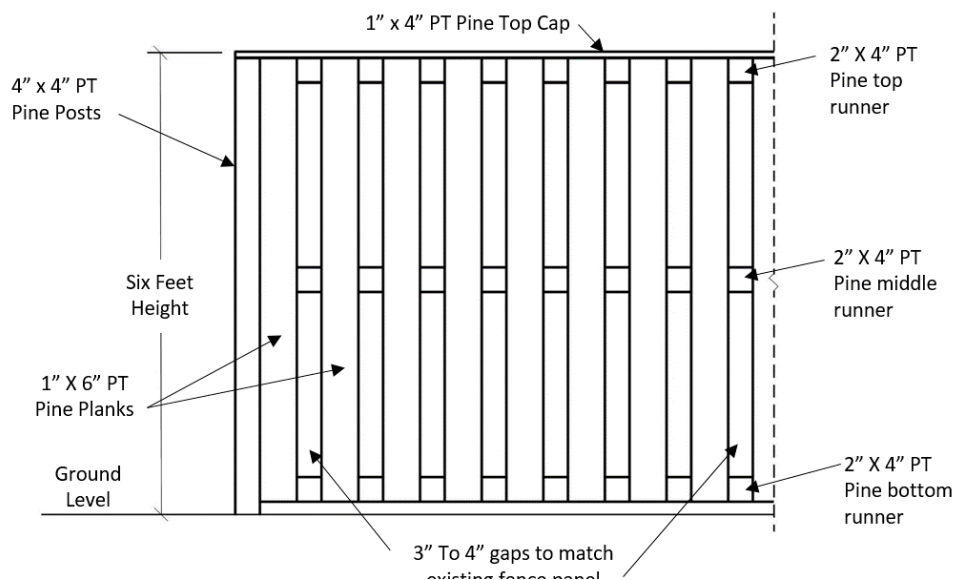
For all fencing – there may be location restrictions based upon the final location of any sound wall, retaining wall and / or community fencing. If a lot has any of these items on or nearby, please contact the Covenants Committee for specific location requirements.

Front Load Garage Townhome – Fencing Details:

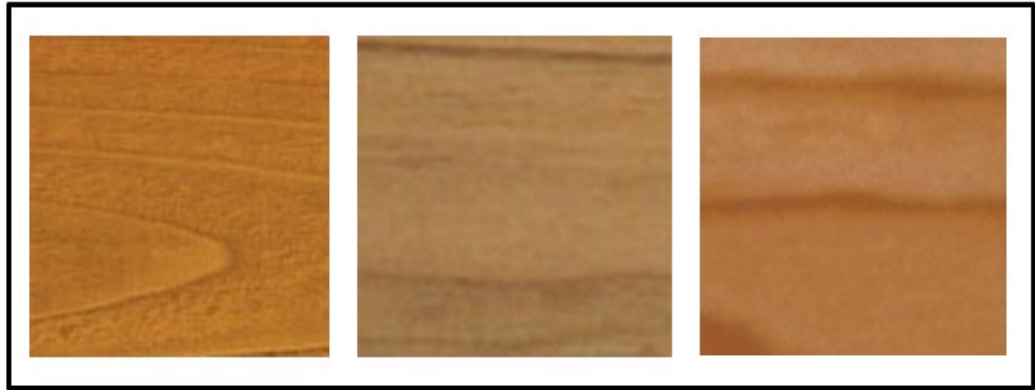
Privacy fences to enclose the rear yards of Front Load Garage Townhomes are permitted with the following guidelines:

- The fences must be located along the property line.
- The Privacy Fencing shall not be erected forward of the rear plane of the townhome.
- The material will be PT pine wood.
- The color must be in accordance with the guidelines referenced below.
- The Applicant shall ensure that the fence does not block or restrict drainage.
- Back to back fencing is not permitted.
- If the proposed location is within or adjacent to any existing easement, then the Applicant shall be responsible to ensure that the fence may in fact be located within or adjacent to the easement. The Applicant shall also ensure that the fence installation meets all County, easement holder and/or utility company requirements. If applicable, any relocation required by the easement owner or beneficiary will be the responsibility of the Applicant.

The style and size must be in accordance with the Privacy Fence Detail shown below:



Fence Color: The PT wood color may be clear (stain or preservative) or "Natural" (or a very light brown color transparent or semi-transparent stain). Several Examples are shown below. A color chip or brochure must be submitted with the color name and manufacturer. Note: "Cedar Natural Tone" may have an orange/red tint when used on pine and is not acceptable.



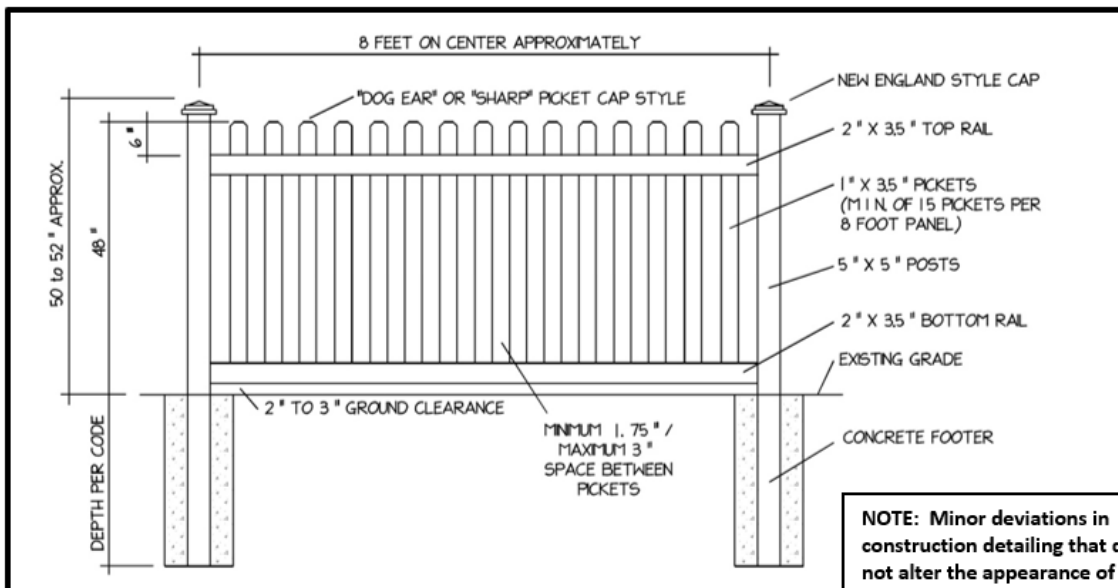
Single Family Detached Homes – Fencing Details:

A four (4) feet tall straight picket white vinyl fence to enclose the rear yards of Single Family Detached Homes is permitted with the following guidelines:

- Fences shall be lot line fences, thereby allowing adjacent homeowners to abut existing fences. The fences must be located along the side and rear property lines **and shall not extend forward of the rear plane of the dwelling**. The rear plane is defined as the rear-wall without consideration for any protrusions to the rear-wall (i.e., room extensions, bay windows, HVAC units) and shall be further defined as the rear-wall closest to the front plane.
- Corner lot fencing, that portion adjacent to the rear yard, may encroach into the adjacent front yard facing the corner street, but must be setback at least five (5) feet from the sidewalk or property line (whichever is closest) and shall not be located such that it will interfere with any utility easement running adjacent to the street.
- Any precise fence placement exceptions due to, for example, easements and / or trees, will be considered on a case-by-case basis.
- If the proposed location is within or adjacent to any existing easement, then the Applicant shall be responsible to ensure that the fence may in fact be located within or adjacent to the easement. The Applicant shall also ensure that the fence installation meets all County, easement holder and/or utility company requirements. If applicable, any relocation required by the easement owner or beneficiary will be the responsibility of the Applicant.
- Back to back fencing is not permitted.

- The Applicant shall ensure that the fence does not block or restrict drainage.
- Fences shall be constructed of white vinyl.
- The finished side of all fencing shall be facing externally to the lot.
- All gates must match the fence style that they accompany or submit an alternative gate detail for consideration for approval.
- Every fence panel must be located between fence posts (not behind), and each post will be located approximately every six (6) to eight (8) feet.

The style and size must be in accordance with the Picket Fence Detail shown below:



NOTE: Minor deviations in construction detailing that do not alter the appearance of the standard fence detail will be considered on a case by case basis.



Photograph Example.

FIRE PITS:

Note: Any device which provides heat, fire, flames, smoke and / or other potentially dangerous emissions should be operated in accordance with any and all applicable governing rules, governing regulations and manufacturer instructions. Care should also be taken to make sure smoke or other emissions do not create an annoyance or nuisance to neighbors. The Declaration states "No noxious or offensive trade or activity shall be carried out upon any lot... nor shall anything be done therein or thereon which may be or become an annoyance or nuisance to the neighborhood or other members".

All Fire Pits require approval of the Covenants Committee for lots with Front Load Garage Townhomes and Single Family Detached Homes. Fire Pits are not permitted in lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

General: Fire pits must be fully contained or enclosed by a non - combustible hardscape element such as metal or stone to prevent accidental spread of fire. All fires must be put out when not in use; fires may not be left unattended. Applicant assumes all responsibility for the proper use, safety and maintenance of the Fire Pit.

Location: Fire pits are permitted in rear yard locations only and shall be part of a patio design. They shall be setback at least ten (10) feet from the nearest property line.

Size: They shall not exceed two (2) feet in height or six (6) feet in diameter.

Materials: Acceptable materials include brick, natural stone and high-quality concrete products specifically made for Fire Pit applications.

Color: Must be compatible with the colors of the home and adjacent features.

FIREPLACES (OUTDOOR):

Note: Any device which provides heat, fire, flames, smoke and / or other potentially dangerous emissions should be operated in accordance with any and all applicable governing rules, governing regulations and manufacturer instructions. Care should also be taken to make sure smoke or other emissions do not create an annoyance or nuisance to neighbors. The Declaration states "No noxious or offensive trade or activity shall be carried out upon any lot... nor shall anything be done therein or thereon which may be or become an annoyance or nuisance to the neighborhood or other members".

All Outdoor Fireplaces (including fire bowls and / or Chimeneas) require approval of the Covenants Committee for lots with Front Load Garage Townhomes and Single Family Detached Homes. They are not permitted in lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

General: Fireplaces must be fully contained by a non-combustible hardscape element such as metal or stone to prevent accidental spread of fire. All fires must be put out when not in use, fires may not be left unattended. Applicant assumes all responsibility for the proper use, safety and maintenance of the Outdoor Fireplace.

Location: Fireplaces are permitted in rear yard locations only. They shall be setback at least ten (10) feet from the nearest property line.

Size: They shall not exceed 12 feet in height or as may be required by building code or other governmental regulation. The maximum width (not including a potential adjacent sitting wall) shall not exceed 11 feet (including wood boxes) and the depth shall not exceed three and one-half (3.5) feet (not including a grade level hearth).

Materials: Acceptable materials include brick, natural stone and high-quality concrete products specifically made for outdoor fireplace applications.

Color: Must be compatible with the colors of the home and adjacent features.

FIREWOOD:

Firewood does not require approval by the Covenants Committee if the following guidelines are met:

- Outdoor firewood storage is not permitted on lots with Rear Load Garage Townhomes.
- Firewood shall be kept neatly stacked and is restricted to rear yards.
- For Front Load Garage Townhomes – the rear yards must be completely fenced.
- Piles must not exceed two (2) feet in height for safety and three (3) feet in length with a width of 24 inches or less.
- It shall be stored in such a manner as to avoid adverse visual impacts for adjoining properties or open space.
- The use of brightly colored covers will not be permitted. Where such a cover is required the color shall be a muted brown color and shall be securely affixed to the woodpile.
- Firewood may not be stored on community open space.
- Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on decks.

FLAGPOLES:

Flagpoles and masts require approval of the Covenants Committee, except as noted below.

Installation of free-standing flagpoles, anchored flagpoles or stationary masts (or similar structures) is discouraged.

Commemorative or decorative banners, or the flag of (i) the United States, (ii) the Commonwealth, (iii) any active branch of the armed forces of the United States, or (iv) any military valor or service award of the United States may be displayed from a flagpole, no longer than six (6) feet, attached to the side of the building at an angle. Note: Up to two (2) such flag holders, installed in the pre-approved locations as shown below, may be installed without approval.



★ = Pre-approved locations.

Note: The pre-approved locations are both sides of the garage door trim, both sides of a front door trim and on porch or stoop support posts / columns.

The picture examples shown here are for illustrative purposes only and may not represent all situations.

Please contact the Community Manager if you

GARAGES:

Due to space limitations, garage additions are not permitted. Carports are also not permitted.

Note: As per the Declaration, no garage shall at any time be used for human habitation, temporarily or permanently, nor shall any structure of a temporary character be used for human habitation. No garage may be altered, modified or changed in any manner which would inhibit or in any way limit its function as a parking area for vehicles without the approval of the Covenants Committee.

Except when being used for entrance or exit, garage doors shall be maintained in a closed position at all times.

GAZEBOS (PRE-FABRICATED), TENTS, CABANAS, PAVILIONS AND OTHER SIMILAR FABRIC STRUCTURES:

Gazebos (Pre-Fabricated), Tents, Cabanas, Pavilions and similar fabric structures may be used in yards on a temporary basis without approval of the Covenants Committee with the condition that any such structure must be removed within calendar 3 days of installation, otherwise it is considered permanent.

Permanently located Gazebos (Pre-Fabricated), Tents, Cabanas, Pavilions and similar fabric structures require approval of the Covenants Committee. They are not permitted on lots with Townhomes.

The following guidelines shall apply:

General: Structural supports for approved permanent structures must be disassembled and stored out of open view once / if the fabric awning has been removed. Once a permanent structure has been approved, the structure may be erected in subsequent years in the same location without needing additional approvals. The initial approval is operative as long as the structure and location remain the same as that which was approved. The structure must be free standing and cannot require anchoring or tethering by the use of any rope, wire, cord, etc. If rope, wire, or cord is used, the structure is considered temporary and must be removed within three calendar days. Fabric privacy panels must be tied in an open position when not in use.

Location: The structure is restricted to the rear yard and shall not break the side plane of the home. They must be setback at least 10 feet from any adjacent lot line.

Size: They shall not exceed a size of 12 feet in length, 12 feet in width and 11 feet in height.

Materials: Materials must be compatible with the design and features of the home.

Color: Fabrics must be either solid colors or stripes (two, one of which must be white, off-white, light tan, light grey, or light cream), which are compatible with the color scheme of the home. The color scheme of the home must be attached to the application. Structural supports must either be black, dark brown, or match the trim or dominant color of the home.

GAZEBOS (PERMANENT / NON-FABRIC):

Permanent Gazebos require approval of the Covenants Committee. Permanent Gazebos are NOT permitted on lots with Townhomes. See also [Enclosures on Decks](#).

The following guidelines shall apply:

Location: They are restricted to the rear yard and shall not break the side plane of the home. They must be setback at least 10 ft from any adjacent lot line.

Size: They shall not exceed a size of 12 feet in length, 12 feet in width and 13 feet in peak height.

Materials: Wood shall be permitted in most cases. Other materials which may be considered by the Covenants Committee on a case by case basis include Vinyl / PVC and composite materials. Round tubular metal balusters / pickets (plain, with no decorative element) and or non-decorative metal railing sections in between vinyl or wood posts will be considered on a case by case basis. Glass panel and / or cable railing systems are not permitted. Roof material shall be the same as that of the existing home. Screen material must be a dark nylon or aluminum.

Color: They must be pre-colored, painted or stained white, off-white or to match the trim of the home. Other colors that complement and are compatible with the colors of the existing home will be considered on a case by case basis.

GENERATORS (OUTDOOR):

All Generators require approval of the Covenants Committee for lots with Front Load Garage Townhomes and Single Family Detached Homes. They are not permitted in lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

Location: They are restricted to the side and rear yards. If located in a side yard, they must be setback five feet from the front corner of the home. They must also be setback a minimum of five (5) feet from any adjacent lot line.

Size: The size must be in scale with the home and adjacent properties.

Materials: A wood or vinyl enclosure must be provided to screen / soften the view of the generator. Alternatively, an evergreen landscaping screen may be provided if the plants are specified to be taller than the equipment (but a minimum of 24 inches tall) and spaced at least three (3) feet on center.

Color: The color of the enclosure must match the color of the siding or trim of the home.

GREENHOUSES:

Greenhouses are not permitted.

GREENHOUSE WINDOWS:

Greenhouse windows are not permitted.

GUTTERS AND DOWNSPOUTS:

No application is required for the replacement of existing approved gutters and downspouts of a similar size and appearance in the currently approved location. No application is required for a green or brown downspout extension, less than six (6) feet long, if the redirected water does not detrimentally impact any adjacent property. Any extension greater than six (6) feet must be buried. Gutter systems which include flush mount caps/hoods/rain guards do not require approval by the Covenants Committee.

The following guidelines shall apply:

- Gutters and downspouts shall be painted to match existing gutters and downspouts, or may be painted the color of the surface to which they are attached, or the existing trim color.
- Downspouts must be brought to grade and splash blocks or ground spreaders must be provided.
- Downspout extensions, including underground drainpipe, must not detrimentally impact any adjacent property.
- Gutter systems which includes caps should have a simple design with a low profile, and be finished in the same colors as the gutters and downspouts

HEATING DEVICES (OUTDOOR):



All permanent outdoor heating devices require approval of the Covenants Committee.

The design, scale and materials should complement the existing house and lot. Approved devices must be kept in a rear yard location as shown on the plat as part of an approved Application, or are otherwise subject to removal.

HOT TUBS AND SPAS (OUTDOOR):

Outdoor hot tubs and spas require approval by the Covenants Committee and are only permitted for Front Load Garage Townhomes and Single Family Detached Homes.

Outdoor hot tubs and spas are not permitted for Rear Load Garage Townhomes.

The following guidelines shall apply:

General: The application must include the manufacturer's specifications including size, dimensions, color, etc. Information provided by the manufacturer's website or brochure is preferred. All hot tubs and spas shall be softened from public view, including adjacent neighbors and street frontage. This can be accomplished via landscape screening and/or construction of privacy screening to match deck or patio. For Townhomes, a privacy fence shall be required. All chemicals and maintenance equipment for spas and hot tubs shall be hidden from view and properly stored in accordance with manufacturer specifications.

Location: They must be located in the rear yard and shall not break the side plane of the home. They should be integrated into a deck or a patio – except that Hot tubs and Spas shall not be permitted on elevated Townhome Decks.

Size: They must be in scale with the home, the lot and adjacent properties, but shall not exceed 12 feet in any one dimension (or 144 square feet).

Materials: They must be compatible with the materials of the home and surrounding features.

Color: They must be compatible with the colors of the home and surrounding features.

HOUSE NUMBERS:

House numbers are part of the design and architectural scheme of the Community. Therefore, no changes shall be made to the location, style, size and color of existing house numbers.

LANDSCAPING (INCLUDING ANY ACTIVITY WHICH AFFECTS DRAINAGE):

GENERAL NOTES:

- As per the Declaration, *no structure, planting or other material shall be placed or permitted to remain upon any Lot which may damage or interfere with any easement for the installation or maintenance of utilities, or which may unreasonably change, obstruct or retard the direction or flow of any drainage channels.*
- There shall be no adverse drainage impact to adjacent neighbors and/or common area.
- Plantings should also not impact ingress and egress to any driveway and/or entrance.

All landscaping requires approval of the Covenants Committee except as noted below.

An Application is not required for the following modifications:

1. Planting of annuals or small perennials in existing beds.
2. Replacement or dead or dying plant material with the same or substantially similar plants. Substantially similar is defined as a plant having the same color, size, shape, texture and growth habit as the plant being replaced.

All other landscaping modifications require approval by the Covenants Committee. The following guidelines shall apply:

1. For Townhomes, landscaping of the front yards shall generally be limited to the same area provided with landscaping installed as part of the original construction.
2. Removal of grass and replacement with mulch or landscape ground cover will be only considered for limited areas in front yards and in low visibility locations such as the rear yards of Front Load Garage Townhomes and Single Family Detached Homes. See also **STONE GROUND COVER.**
3. Low stone or masonry garden walls are restricted to Single Family Detached Homes and the rear yards of Front Load Garage Townhomes. Walls intended as a garden feature should not exceed 18 inches in height. The use of natural stone is preferred. However, brick or cultured stone may be approved if consistent with design characteristics and colors of the home and adjoining properties. All non-natural masonry materials must be decorative and submitted for case-by-case approval. Garden walls shall be setback at least two (2) feet to any lot line. Walls may not be used as boundary walls in lieu of the permitted boundary fencing.

4. The proposed improvement must be found to be of such a scale or type so as to be consistent with the scale and design features of the home, adjacent homes and the surrounding area.
5. Trees for Townhomes: Small trees shall only be permitted in the rear yards of Front Load Garage Townhomes.
6. Installation of edging material around existing or approved beds or driveways, provided that it is installed flush or within three (3) inches of ground level will be considered on a case by case basis. Plastic or any roll type edging is not permitted. Steel edging must be flush with the existing grade.
NOTE: Driveways may not be edged with anything greater than three (3) inches in height.
7. Landscaping shall be setback a sufficient distance from the home, property lines, fences and / or adjacent Townhomes in order to allow adequate room for growth and for maintenance. The setback distance for each plant must be provided for all plants located within 10 feet of a lot line. For all other plants, a note stating that they will be setback greater than 10 feet is required.
8. Hanging / trailing vines and other such plants shall be limited on and over deck railings and maintained in a healthy and attractive manner.
9. Lot line screening may not consist of long "soldier rows" of screening trees. The type and position of landscaping must be varied to provide interest and aesthetics.
10. All proposed landscaping beds must address the proposed flow of drainage.

LANDSCAPE SCREENING / SOFTENING:

The Covenants Committee at their discretion may require landscaping or architectural screening to soften the impact of any proposed use as a condition of approval. Note: For clarification, when landscaping is specified to soften a proposed structure, the landscaping is not specifically required to be a full screen, but rather it is intended to soften visual impacts.

LAWN FURNITURE:

Lawn furniture (permanent) does not require approval if associated with a deck or patio in the rear of the home or is located on a Porch. Furniture left outdoors shall be maintained in a neat and attractive manner and must be of a scale, color and style which does not detract from the appearance of the area. Storage of furniture must be hidden from view.

LIGHTING (EXTERIOR):

Replacement of existing outdoor lighting fixtures with the same lighting fixture, the same intensity and in the same location does not require approval of the Covenants Committee.

Replacement of existing outdoor lighting fixtures with a differently styled fixture, increasing the intensity of existing lighting or revising a fixture location requires approval of the Covenants Committee.

New or additional outdoor lighting fixtures requires approval of the Covenants Committee.

In general, outdoor lighting shall be kept to a minimum. The intent is to produce a low level of light that creates a warm ambiance and provides for safety while maintaining view of the night sky and stars. Lighting which directly illuminates or spills onto common areas or other adjacent property is prohibited.

GENERAL RULES FOR ALL LIGHTING:

- The Kelvin Temperature of all lighting shall not exceed 3200K which is warm white.
- The wattage of all lighting shall not exceed the approximate equivalent of a 60-watt incandescent bulb. The common equivalents are 12 watts maximum for LED and 13 watts maximum for CFL.
- The light source shall be shielded from view to the greatest extent possible.
- Lighting which directly illuminates and spills onto common areas or other adjacent property is prohibited.

SPECIFIC RULES FOR EACH STYLE OF OUTDOOR LIGHTING:

- Deck Railing Post Bullet or Accent lighting - The quantity shall not exceed one per post.
- Solar or Electric Deck Railing Post Cap lighting - The quantity shall be minimized and may be located at deck corners and to accent the top and / or bottom of stairways.
- Solar or Electric Fence Post Cap lighting - The quantity shall be minimized and only may be located on the two posts encompassing a gate.
- Solar powered outdoor lights - may be implemented provided the solar panels are inconspicuously designed as part of the fixture when possible. If the solar panels are separate, they must be inconspicuously mounted and hidden from view or softened with landscaping.

- Bright spotlights, floodlights, cobra-heads and wall-packs are not permitted due to their glare and intensity. A modification to this rule may be considered for the approval of security lights if the Applicant submits a modification request that confirms:
 - the light shall be pointed downward and not directed toward neighboring properties.
 - that all general rules for lighting referenced above are met.
 - that a maximum of two double or three security lights are proposed.
- Walkway / Path lights – shall meet all general rules for lighting and shall be spaced a minimum of 6 feet apart. They shall not be used to illuminate community paths and walkways. Quantity should be limited and shall not be excessive.
- Driveway / Path lights - shall meet all general rules for lighting and shall be spaced a minimum of 12 feet apart. The overall quantity should be limited to avoid an “airport runway” appearance – especially on longer driveways.
- Landscape up-lighting - shall be restricted to a maximum quantity of 12 up-lights. For the purpose of this guideline, this includes tree and shrub lighting, boulder lighting and other such landscape accent up-lighting as determined by the Reviewer.
- House accent up-lighting (outdoor home lighting) – A maximum of 9 up-lights may be positioned along the front façade of the home depending on the size of the home. Side yard and rear yard house up-lighting is highly discouraged.
- Outdoor Recessed fixtures shall be closed with a lens or other appropriate diffuser and shall meet all general rules for lighting.
- Globes shall be uniformly opaque (e.g. frosted, acid etched, etc.) or otherwise treated to sufficiently obscure the lamp and shall meet all general rules for lighting.
- Any fixture with an exposed bulb may use half-mirrored lamps with a blacked-out bottom or other deflecting/ diffusing lamp types and techniques to shield the source of the light and shall meet all general rules for lighting. If the bulb is not shielded, the Applicant must demonstrate that the light will not directly illuminate into adjacent lots.
- Light fixtures on piers shall meet all general rules for lighting. In the side or rear yards, the bulb should be recessed and shielded or proposed landscaping shall be positioned to diffuse / soften light travel to adjacent homes.

PATIOS:

All patios require approval by the Covenants Committee and are only permitted on lots with Front Load Garage Townhomes and Single Family Detached Homes. Patios are not permitted on lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

General: Any adverse drainage impacts, which might result from the construction of a patio should be considered and a proposed remedy indicated on the plans. When a patio is retained or there is a step down to grade, the vertical facing material must complement the overall patio design. The height of the exposed face may not exceed three (3) feet must be noted on the layout plan and / or it should be noted when the patio is flush with the existing or proposed grade. Backfill against a patio should not exceed an 8:1 slope (12%).

Location: Patios must be located within rear yards and shall not extend forward of the rear plane of the home. Patios shall be setback a minimum of five (5) feet from the nearest property line on Single Family Detached Homes. For Townhome lots, the patio or must be setback a minimum of six (6) inches from the adjacent lot to allow for maintenance of the privacy fencing. On a corner lot single family detached home, the patio may not extend more than five (5) feet past the side plane of the home closest to the adjacent roadway.

Size: Must be in scale with the home, the lot and adjacent properties.

Materials: Patios shall be constructed with high quality materials including concrete pavers, brick pavers, stone pavers, stamped or exposed aggregate concrete. Plain (uncolored or colored) concrete is discouraged unless it is integrated as a design component with other materials as listed above. However, plain concrete may ONLY be permitted for townhome lots that are completely fenced. Other materials will be considered on a case by case basis and approved where the Covenants Committee finds that said material is of a high quality and will match the architecture of the home.

Color: Natural Stone and manufactured paver colors are preferred.

Walls: Seating and or Decorative Walls shall maintain same setbacks as patio and be constructed with high quality materials including concrete masonry units, brick or stone. Where applicable, a matching or compatible top cap shall be provided. Other materials will be considered on a case by case basis and approved where the Covenants Committee finds that said materials are of a high quality and will match the architecture of the home. Seating or Decorative walls should generally not exceed two (2) feet in height from the surface of the patio and three (3) feet from the proposed grade on the backside of the wall.

PAVILIONS:

Permanent Pavilions require approval of the Covenants Committee. Permanent Pavilions are NOT permitted on lots with Townhomes.

The following guidelines shall apply:

- Location:** They are restricted to the rear yard and shall not break the side plane of the home. They must be setback at least 10 feet from any adjacent lot line.
- Size:** They shall not exceed a size of 12 feet in length, 12 feet in width and 13 feet in peak height. Roof pitch must be limited in order to meet the height requirement.
- Materials:** Wood shall be permitted in most cases. Other materials which may be considered by the Covenants Committee on a case by case basis include Vinyl / PVC and composite materials. Columns must have trim at the capitol and base. Shingles must match the shingles on the home.
- Color:** They must be pre-colored, painted or stained white, off-white or to match the trim of the home. Other colors that complement and are compatible with the colors of the existing home will be considered on a case by case basis.

PERGOLAS:

Pergolas require approval of the Covenants Committee. Pergolas are NOT permitted on lots with Townhomes. See also Accessories (Single Family Detached Homes only) in the **DECKS** section.

The following guidelines shall apply:

- Location:** They are restricted to the rear yard and shall not break the side plane of the home. They must be setback at least 10 feet from any adjacent lot line from the outermost limits of the Pergola.
- Size:** They shall not exceed a size of 12 feet in length and 12 feet in width from the outermost limits of the Pergola. The peak height may not exceed 11 feet.
- Materials:** Wood shall be permitted in most cases. Other materials which may be considered by the Covenants Committee on a case by case basis include Vinyl / PVC and composite materials. A limited fabric accent or topping will be considered on a case by case basis.

Color: Natural wood products may be stained with a clear preservative, stained or painted white or off-white to match the existing trim of the home or stained with a natural wood color which has been approved by the Covenants Committee. Traditional redwood and bright orange tones are discouraged. Non-natural coloring will be considered on a case by case basis. All colors must complement the existing home. Colors samples must be submitted.

PONDS (SMALL DECORATIVE GARDEN PONDS):

All small decorative garden ponds require approval by the Covenants Committee and are only permitted in the rear yards of Front Load Garage Townhomes which are enclosed with privacy fencing or in the rear yards of Single Family Detached Homes.

Ponds are not permitted for Rear Load Garage Townhomes.

Note: Ponds should not create an adverse noise nuisance to adjacent properties.

The following guidelines shall apply:

General: The water in the pond shall be maintained and kept clean. Failure to keep the water clean shall be considered a violation of the terms of approval and removal of the pond may be requested. Due to the creative nature of pond design, review will be on a case by case basis.

All ponds must meet Montgomery County guidelines for free standing bodies of water, and homeowner assumes all liability of water's potential of becoming an attractive nuisance.

Location: All garden ponds shall be setback a minimum of five (5) feet from adjacent property on Single Family Detached Home applications and three (3) feet for Front Load Garage Townhomes.

Size: The height of any waterfall shall not exceed two (2) feet and the size of the pond shall not exceed six (6) feet long x four (4) feet wide.

Material: Plastic, concrete or rubber for basins and natural stone above ground.

Color: Pond basins must be black or grey and decorated with natural stones.

PORCHES:

Screened Porches are not permitted except those associated with a deck – see “DECKS – FOR ALL SINGLE FAMILY DETACHED HOMES”.

POTTED PLANTS:

Potted plants do not require approval of the Covenants Committee if the following conditions are met:

Rear Load Garage Townhomes:

- Plant pots less than 30" high and 30" in diameter or width with healthy maintained plantings do not require approval of the Covenants Committee provided they are generally located to the left and / or right of a door or on a deck and do not exceed eight (8) pots in total.

Front Load Garage Townhomes and Single Family Detached Homes:

- Plant pots in the front yard less than 30" high and 30" in diameter or width with healthy maintained plantings do not require approval of the Covenants Committee provided they are generally located to the left and / or right of a front door or Garage Door and do not exceed six (6) pots in total.
- If in the rear yard, plant pots less than 42" high and 42" in diameter with healthy maintained plantings do not require approval of the Covenants Committee provided they do not exceed eight (8) pots in total.

All pots are subject to the following guidelines:

- Each pot shall be generally appropriate for the location.
- Each pot shall be compatible with architectural and environmental qualities of the lot.
- Each pot shall have no negative visual impact on the surrounding area.
- Pots shall be stored when not in use and when healthy/growing plants are not maintained.

In the event these guidelines come into question, then the final determination will be made by the Covenants Committee.

RADON REMEDIATION SYSTEMS:

Radon Remediation systems do not require approval by the Covenants Committee if the following guidelines are met:

- Exterior fan assembly and associated hardware should adjoin existing gutters and downspouts when possible.
- To minimize the aesthetic impact of the fan assembly, use available covers or add landscaped plants around fan assembly.

- Color of fan assembly, vertical PVC exhaust piping or substituted aluminum downspout exhaust piping shall match existing home trim color where possible.
- Weatherproof/critter cap screening may be added to all exhaust piping ends.

Any variations require approval by the Covenants Committee.

RAIN BARRELS:

All Rain Barrels require approval by the Covenants Committee and are only permitted on lots with Single Family Detached Homes or Front Load Garage Townhomes. Rain Barrels are not permitted on lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

General: Rain Barrels must be screened from street view with evergreen plant material equal in height or taller than the barrel. If the barrel cannot be seen from the adjacent street then it doesn't need to be screened. Only two (2) barrels are permitted on lots with Single Family Detached Homes and only one (1) barrel is permitted on lots with Front Load Garage Townhomes.

Location: They must be located where downspouts are existing, but only at the rear of the home. The length of the gutter pipe diverter must be minimized to the extent possible.

Size: The capacity may not exceed 55 gallons. The height shall not exceed 40 inches and the width may not exceed 30 inches.

Material: Wood, Plastic, Poly-resin / Fiberglass and Terra Cotta are permitted.

Color: The color of the barrel and diverter should blend in to match the adjacent color of the home or must be complimentary and compatible with the home as determined by the Covenants Committee. Acceptable colors include terra-cotta, brown, beige, grey, black or white depending upon the color scheme of the home. Industrial / bright colors including, but not limited to, blue, red and yellow will not be permitted.

RECREATION AND PLAY EQUIPMENT:

All permanent or semi-permanent play equipment, which constitutes a structure, such as playhouses, sand boxes, etc. require approval by the Covenants Committee and are only permitted in the rear yards of Front Load Garage Townhomes which are enclosed with privacy fencing or in the rear yards of Single Family Detached Homes.

Permanent or semi-permanent Recreation and play equipment are not permitted for Rear Load Garage Townhomes.

The following guidelines shall apply:

General: **Trampolines and Sports Courts are not permitted due to space limitations.**

Swing-Sets are only permitted on lots with Single Family Detached Homes.

Equipment must be kept in operable condition and shall not become visually obtrusive.

Location: All play equipment must be located in the rear yard and the extent of the play area should be set back a minimum safe distance to adjacent property lines. The play area resulting from this equipment should not encroach onto other properties. For Single Family Detached Homes - a minimum setback of five (5) feet adjacent to any neighboring lot must be maintained and a minimum setback of three (3) feet to any common area.

Size: The size of play equipment should be compatible with the size of the lot. Size limitations should be considered so that the safety zones can be accommodated within the lot. Play equipment shall not exceed a width of 15 feet, a depth of 6 feet (not including a slide extension – if applicable) and a height of 12 feet.

Material: Wood is preferred. Other materials must be complimentary and compatible with the home and surroundings.

Color: The use of bright colors on play equipment should be minimized. Applications for such play equipment should include a color photograph or catalogue brochure, the physical dimensions of the equipment and proposed location on the lot. For plastic and vinyl components (such as a slide or canopy), Hunter Green is the preferred color.

RETAINING WALLS:

See landscaping for guidelines regarding low garden walls

All Retaining Walls require approval by the Covenants Committee and are only permitted on lots with Single Family Detached Homes or Front Load Garage Townhomes. They are not permitted on lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

Location: They may be located in any yard within the lot. However, all retaining walls shall be setback a minimum of five (5) feet to any adjacent lot line.

Size: Heights above 2' are not permitted.

Material: They shall be constructed with high quality materials including brick, natural stone or landscaping quality concrete products. Other materials will be considered on a case by case basis and approved where the Covenants Committee finds that said materials is of a high quality and will match the architecture of the home.

Color: Natural Stone and manufactured retaining wall component colors are preferred.

ROOFING:

No Application is required for the replacement of existing roofing.

As per the Declaration, the roof of any dwelling on a lot shall be repaired or replaced with materials, substantially identical in construction, shingle type, texture and color as the material utilized in the original construction of the dwelling.

SEASONAL DECORATIONS:

Seasonal decorations do not require approval. They may be erected up to four (4) weeks before, and must be removed three (3) weeks after the holiday for which they are intended.

SCREENED PORCHES:

Screened Porches are not permitted except those associated with a deck – see “DECKS – FOR ALL SINGLE FAMILY DETACHED HOMES”.

SECURITY DEVICES:

Security Devices require approval of the Covenants Committee.

Any security equipment including cameras, fixtures and conduits shall be designed, located and installed so as to be an integral part of the architecture of the building and not detract from its design and appearance. Barred or ornate metal security doors, windows or grilles are prohibited. Two security signs are permitted, one in the front yard and one in the rear yard. All devices shall be used in accordance with all governing regulations and the view of the camera shall be directed to only view the lot on which the camera is located.

Note: Doorbell Cameras do not require approval of the Covenants Committee if placed at the mid-point of the door frame on the door knob side

SHUTTERS:

A homeowner may replace shutters with a like design and color without approval by the Covenants Committee. New or relocated shutters and shutter color changes require approval by the Covenants Committee.

The addition or relocation of shutters to a home will be considered and will be evaluated in terms of general appropriateness, size, location and compatibility with architectural and aesthetic design qualities. The color of shutters added to the home must match the color of the existing shutters on the home - if applicable.

A color change for shutters is highly discouraged – especially for Townhomes where the entire block of homes must be considered. It is preferred that the color not be changed and shall remain the same color as originally provided with the construction of the home.

SIDEWALKS/WALKWAYS/RAMPS/STEPPING STONES:

New sidewalks / walkways are not permitted. However, sidewalks, walkways and / or ramps will be permitted as required to enable access in accordance with the Americans with Disabilities Act (ADA) and any other governing regulations. To the extent reasonable, said access should be designed to be compatible with the architecture of the homes and shall be submitted to the Covenants Committee for information only.

Approval of the Covenants Committee is required for stepping stones which are only permitted on lots with Single Family Detached Homes and Front Load Garage Townhomes.

The following guidelines shall apply:

General: Each step must be counter-sunk into the grass and installed in a professional manner. The design should be simple, minimal and attractive. The submission must address grading to demonstrate that drainage is not restricted or blocked. The submission must include a picture or brochure of the exact type of step to be provided.

Location: The submission must include the exact number of steps to be provided, the spacing between each step, a plan view drawing showing the location and setback (6" minimum) from the side property line. They may be located in any yard of a Single Family Detached Home and in the side yard (end units only) and the rear yard of a Front Load Garage Townhome.

Size: They should be limited in size any may not exceed 18" in diameter round or 18" x 18" square. (24" x 24" may be consider on Single Family Detached Home lots.)

- Material:** Natural Stone or manufactured concrete stepping stone products.
- Color:** Permitted colors may include the color of natural stones or shall be limited to tones of brown, tan and grey for non-natural stone products.

SIGNS/TEMPORARY SIGNAGE:

As written in the Declaration, Except for entrance signs, directional signs, signs for traffic control or safety, community "theme areas" and such sales and promotional sign or signs as may be maintained by or with the written consent of the Declarant or the Association, or except as may be expressly permitted pursuant to the Act, no signs or advertising devices of any character shall be erected, posted or displayed upon, in or about any Lot or dwelling on a Lot; provided, however, that one temporary real estate sign not exceeding six (6) square feet in area may be erected upon any Lot, or attached to any dwelling placed upon the market for sale or rent, Any such temporary real estate sign shall be removed promptly following the sale or rental of such dwelling. The provisions and limitations of this subsection shall not apply to any institutional first mortgagee of any Lot who comes into possession of the Lot by reason of any remedies provided by law or in a mortgage or as a result of a foreclosure sale or other judicial sale or as a result of any proceeding, arrangement, assignment or deed in lieu of foreclosure. Notwithstanding the foregoing, a candidate or proposition sign shall be permitted on a Lot, subject to strict compliance with Section 11B-111.2, Real Property Article, Annotated Code of Maryland, as amended. All such candidate or proposition signs shall be prohibited in the Common Area or Community Facilities and, subject to applicable law, shall not be displayed more than thirty (30) days prior to or seven (7) days after a primary election, general election or vote on a proposition.

SKYLIGHTS:

All skylights require approval by the Covenants Committee.

The following guidelines shall apply:

- General:** Skylights shall have a low profile and lie flat on the roof. Skylights shall be installed parallel or perpendicular with the roof ridge and edges.
- Location:** Skylights should be located on the rear roofline of the dwelling.
- Size:** Skylights should be visually integrated with the architecture of the home regarding style and size.
- Material:** Glass or Clear acrylic.
- Color:** The frame color shall match or be compatible with the roof color.

SOLAR PANELS:

All Solar Panels require approval by the Covenants Committee.

The following guidelines shall apply:

General: They shall have a low profile and shall be mounted with the same pitch as the roof. The Solar Panels shall extend no more than four (4) inches above the roof.

Location: They should be placed where they have the least visual impact which is generally on the rear roofs of the home. However, this is not always possible due to house orientation vs. necessary sun exposure. If collectors must be on front or high visibility side facing roofs, extra design care must be exercised to make sure that the color and arrangement of the panels is visually compatible with the existing roof design. Special documentation will may be required to substantiate that such installations are essential to providing reasonable efficiency & benefit from the system. No equipment shall be placed within 18 inches of the edge of the roof.

All conduit and control devices on the roof must be concealed directly under and/or within the perimeter of the panel and may not be visible from street angles.

Size: The size should be in scale with the home.

Material: Black (Mono-crystalline) vs. Blue Poly-crystalline) solar panels: In the interest of preserving high aesthetics & curb appeal, owners are urged to consider the color & quality of the panels to be installed. Black Mono-crystalline panels with black frames are widely considered to be aesthetically superior to the Blue Poly- crystalline panels.

Color: The supports or standoffs shall be black, dark grey or dark brown in color so that they shall match as closely as possible with the color of the existing roof shingles.

Any exposed, vertical conduit or other materials installed vertically on the home must be concealed in a conduit cover or wiring organizer that matches (in color) the surfaces such materials will be affixed to and must be neatly run and installed. All conduit & control devices mounted on the sides of the house must be discreetly tucked under roof overhangs and/or run along vertical brick or trim edges, gutter downspouts, and must be camouflaged (same color) as the surface, siding or molding onto which it is mounted.

The following submission requirements apply:

- Photographs of the existing house showing the roofs where the panels are proposed, siding of home where conduit will be located and the location of the control equipment / boxes.
- A roof graphic showing where the solar panels will be located.
- An elevation drawing, picture or graphic showing the area where the conduit will be run from the roof down the side of the home.

- An elevation drawing, picture or graphic showing the area where control equipment / panels / boxes are proposed to be located.
- Special documentation to substantiate that a highly visible, highly visible side facing roof and / or front roof installation(s) are essential to providing reasonable efficiency & benefit from the system.
- A house location plat.
- Information (brochures, pictures, descriptions) regarding the type of solar panels and system to be provided.
- Application form and review fee.

SPRINKLER/IRRIGATION SYSTEMS:

Permanent underground sprinkler / irrigation systems require approval by the Covenants Committee.

The Application must submit a "House Location Survey" (or other survey drawing showing the property boundaries and existing features). The survey must be highlighted (or other similar graphic) to indicate where irrigation is to be provided. The Applicant shall also provide the following statements:

- I shall be responsible to remedy and/or repair any adverse drainage conditions onsite or on offsite properties caused by the Sprinkler / Irrigation System.
- I shall maintain the Sprinkler / Irrigation System so that it shall not spray water on offsite property.
- I shall promptly remove at my own cost any part of the Sprinkler / Irrigation System found to be installed in any easements, offsite property, right-of-way or other encumbrances which have been determined to prohibit said Sprinkler / Irrigation System.

It is preferred that the Applicant follow any guidelines established by the Montgomery County or other applicable authorities regarding the operation of Sprinkler / Irrigation Systems.

STONE GROUND COVER:

Stone groundcover approval of the Covenants Committee.

Removal of grass and replacement with stone ground cover will be only considered for limited areas in front yards and in low visibility locations such as the side and rear yards of Front Load Garage Townhomes and Single Family Detached Homes. See also **STONE GROUND COVER.**

River Jack Stones or other natural appearing stones will be reviewed on a case by case basis and is limited to small accent areas. White Limestone or White Granite Stone is discouraged.

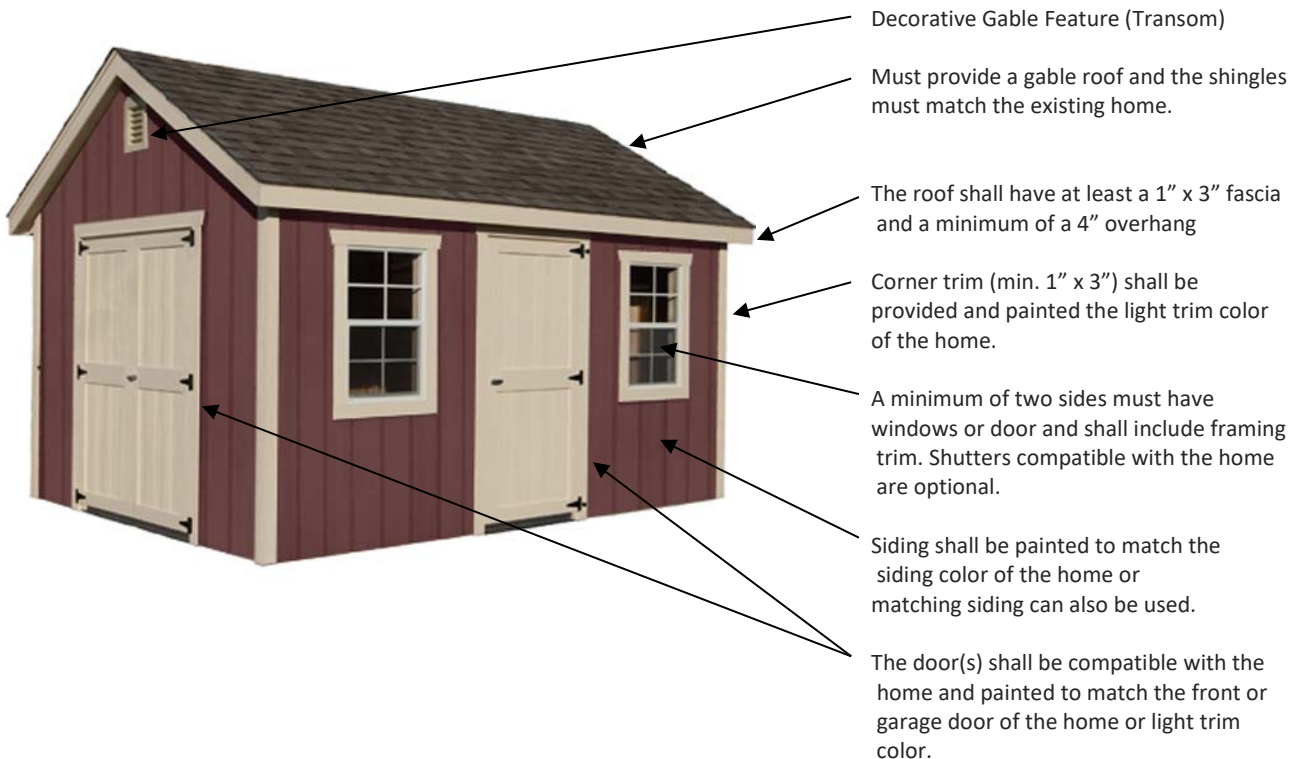
STORAGE SHEDS:

Storage Sheds require approval by the Covenants Committee and are only permitted on lots with Front Load Garage Townhomes and Single Family Detached Homes. Storage Sheds are not permitted on lots with Rear Load Garage Townhomes.

The following standards shall apply to lots with Single Family Detached Homes:

- There shall be no more than one shed per lot and the shed shall be free-standing.
- The shed shall not exceed 80 square feet in size with the longest dimension being 10 feet.
- The Peak height shall not exceed 12 feet.
- The color scheme shall substantially match the existing home (see below).
- The design of the shed shall be compatible with the design of the house.
- No metal, resin/plastic, or barn type sheds will be permitted.
- The location is restricted to the rear yards and may not be erected forward of the rear plane of the home. The shed must meet County setbacks, but in no case shall be located closer than 5 feet to an adjacent lot line which abuts another residential lot or within 15 feet of any street or sidewalk.

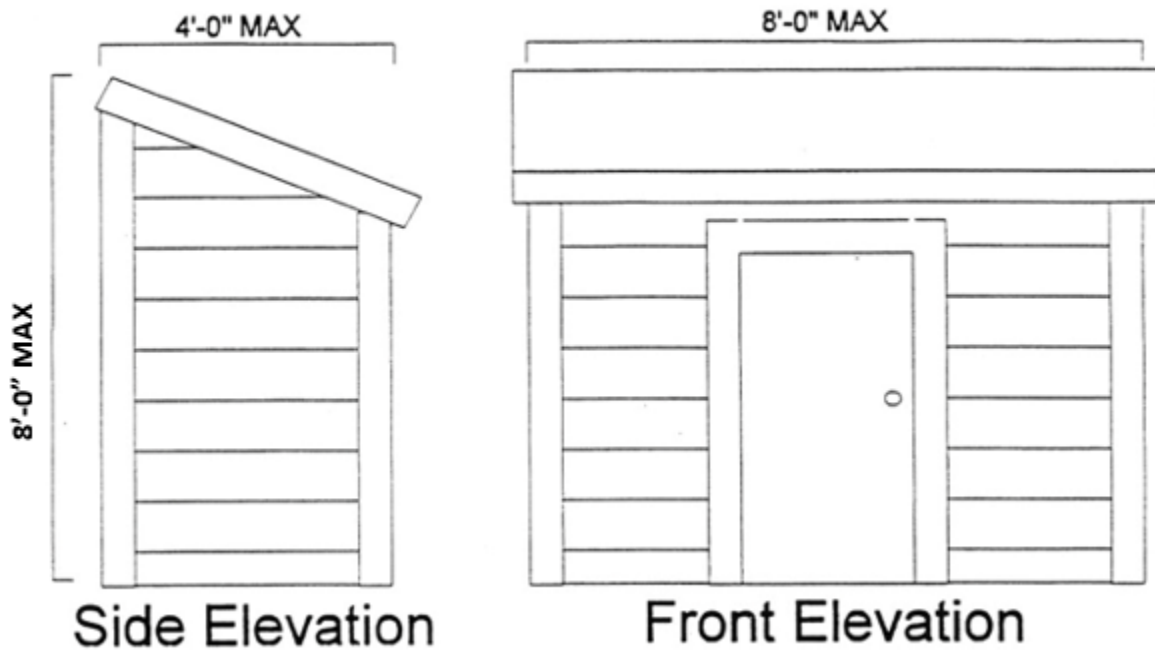
The following is an Illustrative Example. It is not intended to be an exact color or style representation, but rather a helpful detail to demonstrate several of the required features:



The following standards shall apply to lots with Single Family Detached Homes:

- There shall be no more than one shed per lot and the shed shall be free-standing.
- The shed shall not exceed 32 square feet in size with the longest dimension being 8 feet.
- The Peak height shall not exceed 8 feet.
- The color scheme shall substantially match the existing home (see illustrative example for a Single Family Detached Home shed on the prior page).
- No metal, resin/plastic, or barn type sheds will be permitted.
- The location is restricted to the rear yards which are completely fenced and may not be erected forward of the rear plane of the home. The shed must meet County setbacks, but in no case shall be located closer than four (4) inches or further than six (6) inches to an adjacent side lot line.

The following is an Illustrative Example:



SWIMMING POOLS:

Swimming pools are not permitted.

Small wading pools (aka Kiddie Pools) which are used temporarily may do not require approval by the Covenants Committee. They must be removed from view when not in use.

TRASH/RECYCLING CONTAINERS:

As written in the Declaration, *No garbage or trash containers shall be kept on the front or side yard area of any Lot and garbage and trash containers kept or maintained in the rear yard area of any Lot shall be screened from public view at all times.*

TRELLISES:

Trellises require approval by the Covenants Committee and are only permitted on lots with Front Load Garage Townhomes and Single Family Detached Homes. Trellises are not permitted on lots with Rear Load Garage Townhomes - except that a side yard location may be considered on an end unit.

A Trellis should not be confused with a Pergola or Arbor. A Trellis is an architectural structure consisting of an open framework or lattice to support and display climbing plants. See example picture below:



The following guidelines shall apply:

Location: The preferred location is integrated with a patio landscape in the rear yard. They should be located in a rear yard and setback a minimum of five (5) feet to the nearest property line. However, a side yard location may be considered when the side yard is large enough to accommodate the five (5) feet setback.

Size: The Height shall not exceed eight (8) feet and the width shall not exceed five (5) feet.

Material: Acceptable materials are wood, wood composite, white vinyl, aluminum or wrought iron.

Color: The color should match or be compatible with the color of the home and may include, but shall not be limited to black, white, natural wood tones and colors which match the homes siding and / or trim.

VEGETABLE GARDENS:

Vegetable gardens require approval of the Covenants Committee and are only permitted on lots with Front Load Garage Townhomes or lots with Single Family Detached Homes.

Vegetable gardens are not permitted on lots with Rear Load Garage Townhomes.

The following guidelines shall apply:

General: They shall be neatly maintained throughout the growing season - including removal of all unused stakes, trellises, weeds and dead growth. They shall always be maintained in a neat and attractive manner.

Location: They shall be located in a rear yard only. For lots with Front Load Garage Townhomes, the rear yard must be screened with privacy fencing. Gardens may not be installed on Association open space. They shall be setback a minimum of two (2) feet from any property line. They must be screened with evergreen plant material if they are in the view of an adjacent road.

Size: Vegetable gardens should not exceed eight (8) feet in width or length (64 square feet maximum). The height of any raised bed shall not exceed 18 inches.

Material: They shall be constructed with high quality materials including wood, brick, natural stone or landscaping quality concrete products. Other materials will be considered on a case by case basis and approved where the Covenants Committee finds that said materials are of a high quality and will match the architecture of the home.

Color: Natural Stone, natural wood tones and manufactured landscape wall component colors are preferred.

WIND TURBINES, WIND MILLS AND OTHER GREEN TECHNOLOGIES:

Wind Turbines, Wind Mills and Other Green Technologies require approval of the Covenants Committee.

Green Technology Products should be inconspicuous from the street, public areas, neighboring properties and generally located in rear yards or roofs when possible. They should be well integrated into the architecture and landscaping. The scale must be small and residential in nature.

When mounted to a home, they should be compatible in color and located as flush as possible (low profile) on the rear or least visible roofline – hidden from adjacent view to the extent possible. No equipment shall be placed within 18 inches of the edge of a roof.

Any exposed, vertical conduit, wires or other materials installed vertically on the home must be concealed in a conduit cover or wiring organizer that matches (in color) the surfaces such materials will be affixed to and must be neatly run and installed. All conduit & control devices mounted on the sides of the house must be discreetly tucked under roof overhangs and/or run along vertical brick or trim edges, gutter downspouts, and must be camouflaged (same color) as the surface, siding or molding onto which it is mounted.

Control equipment should be mounted in the least visible manner / location.

Applications should include pictures of the home and supporting information to show exactly what is to be installed and where.

WINDOWS:

An application is not required for the replacement of any existing window.

Replacement windows must be the same or substantially similar to the window provided by the builder of the original home. No color changes are permitted.

No new window locations will be permitted.

WIRES AND CABLES (EXPOSED):

Exposed wires and cables shall require approval when the associated item they serve is required to have approval.

Any exposed wiring installed on the home must be concealed in a conduit cover or wiring organizer that matches (in color) the surfaces such materials will be affixed to and must be neatly run and installed. All conduit / wiring mounted on the sides of the house must be discreetly tucked under roof overhangs and/or run along vertical brick or trim edges, gutter downspouts, and must be camouflaged (same color) as the surface, siding or molding onto which it is mounted.

Appendix One
Design Review Application

DESIGN REVIEW APPLICATION
BRADFORD'S LANDING COMMUNITY ASSOCIATION

To: Covenants Committee
Bradford's Landing Community Association
c/o The Management Group Associates, Inc.
20440 Century Boulevard, Suite 100
Germantown, MD 20874

Control # _____
Internal use only

From: _____ Lot: _____ Phase/Sec.: _____

Address: _____ Home phone: _____

Mailing Address: _____ Work phone: _____
(If different)

Directions:

The Declaration requires that you submit to the Covenants Committee for approval all proposed exterior additions, changes or alterations to your home and lot. To be considered by the Covenants Committee your Application must include detailed information describing the proposed change (Please review the Application Submission Checklist). **Make sure your Application is complete.** An Application submitted without all required submissions will be considered incomplete. In such case, the Covenants Committee's review period will not commence until all required submissions have been provided. Other exhibits may be requested to permit adequate evaluation of the proposed change. If you have any questions regarding the required submissions or the Application process, you are advised to seek guidance from CMC prior to submission of an Application.

Fee Schedule: Please refer to the fee schedule and submit the appropriate fee via personal check or money order payable to Bradford's Landing Community Association.

Brief Description of Proposed Change: (Please print or type)

Briefly describe all proposed improvements, alterations, or changes to your lot or home in the space below (For example: "Deck and Patio" or "Privacy Fence". It is expected that a more detailed description with drawings and additional information will be included with your submission package attached.

Purpose of Improvement: _____

ESTIMATED STARTING DATE OF CONSTRUCTION: _____
(Must be after approval by the Covenants Committee)

ESTIMATED COMPLETION DATE: _____

Neighbors' Acknowledgments: You shall obtain the signatures of all lot owners whose lots touch your lot. It is your responsibility to obtain the appropriate neighbor acknowledgments and / or provide proof of attempt.

Note: Signature by your neighbors indicates an awareness of your proposed change and *does not* constitute approval or disapproval on their part. **Your neighbors are encouraged to attend the Covenants Committee to address any questions and / or concerns.**

Name: _____
Address: _____
Lot: _____
Signature: _____

Name: _____
Address: _____
Lot: _____
Signature: _____

(over)

Note: Signature by your neighbors indicates an awareness of your proposed change and *does not* constitute approval or disapproval on their part. **Your neighbors are encouraged to attend the Covenants Committee to address any questions and / or concerns.**

Name: _____
Address: _____
Lot _____
Signature: _____

Name: _____
Address: _____
Lot _____
Signature: _____

Owners' Acknowledgments:

I/we understand and agree: (please initial)

1. _____ that approval by the Committee shall in no way be construed as to pass judgment on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the proposed change being reviewed.
2. _____ that approval by the Committee shall in no way be construed as to pass judgment on whether the proposed change being reviewed complies with the applicable building and zoning codes of the county in which the property is located. I am responsible for obtaining and / or conforming to all applicable requirements, approvals, permits and / or permissions from all regulating authorities.
3. _____ that approval of any particular plans and specifications or design shall not be construed as a waiver of the right of the Committee to disapprove such plans and specifications, or any elements or features thereof, in the event such plans are subsequently submitted for use in any other instance.
4. _____ that no work on the proposed change shall begin until written approval of the Committee has been received by me; that, if work is begun prior to approval, I may be required to return the property to its former condition at my own expense if this Application is disapproved wholly or in part; and I may be required to pay all legal expenses incurred.
5. _____ that there shall be no deviations from the plans, specifications, and location approved by the Committee without prior written consent of the Committee; any variation from the original Application must be resubmitted for approval. Additionally, after the approved work has been completed, I understand that I am solely responsible for correcting any conditions and/or immediately restoring the property to its original condition in the event the as built construction deviates in any way from the original, approved plans. Further, I understand that if I fail to correct the condition after being notified by the Association, the Association may take all necessary enforcement action to correct the condition. Such enforcement shall include, but not be limited to, accessing my property in accordance with the provisions of the Association's governing documents for the purpose of correcting the unapproved condition. In that event, I understand and acknowledge that I will be responsible for all costs associated with any such action.
6. _____ that I authorize members of the Committee or managing agent to enter upon my Property to make one or more routine inspection(s).
7. _____ that construction or alterations in accordance with the approved plans and specifications must commence within 6 months of the approved date of this Application and be completed within 12 months of the approved date, otherwise the approval by the Committee shall be deemed conclusively to have lapsed and to have been withdrawn.
8. _____ that it is my responsibility and obligation to obtain all required building permits, to contact *Miss Utility*, and to construct the improvements in a workmanlike manner in conformance with all applicable building and zoning codes.
9. _____ that I am responsible for any damage and all cost to repair green space or community property that results from the proposed modification.
10. _____ **that I have obtained all appropriate adjacent neighbor acknowledgments or have provided proof of attempt.**
11. _____ that I am the owner of the subject lot and I am responsible for maintaining the proposed improvement in a state of good repair.
12. _____ that it is my responsibility to ensure that the proposed improvement(s) meet all easement holder and / or utility company requirements. If applicable, any relocation required by any easement holder and / or utility company will be my responsibility.

Owner/Applicant Signature _____ Date _____

Co-Owner/Applicant Signature _____ Date _____

Required Attachments: See Application Submission Checklist

Appendix Two

Application Submission Checklist

Application Submission Checklist

It is the Applicants responsibility to provide a detailed Application to avoid a delay in the review process. An Application must include all materials necessary for the Covenants Committee to be able to understand and appropriately review an Application. Typical submission materials include, but are not limited to:

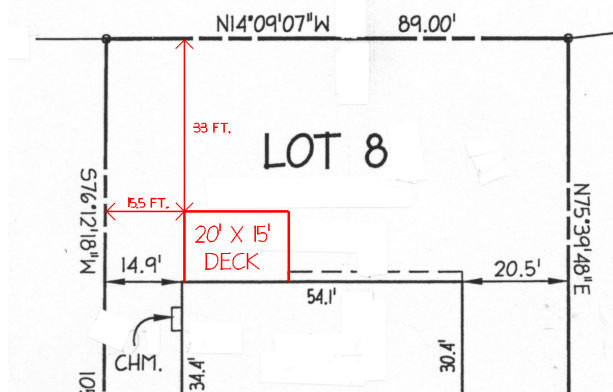
- **House Location Survey (Plat)** – At the time of settlement, all homeowners should have received a House Location Survey (sometimes called a Final Plat or other name) from their settlement agent. This is a simple survey showing the final location (as it was built) of the home, driveway, walkways and other existing features such as a deck or patio. It also shows the size of the lot, setback distances from the home to adjacent property lines and other information. An Applicant must submit a copy of the plat.

Accurately draw / sketch the perimeter outline of the location of the improvement (Deck, Patio, Landscaping, etc...) and all associated features (seating walls, retaining walls, fire pits, etc...) on the survey plat and label each item. Make sure the improvements are located in accordance with the requirements of the Design Guidelines. Note: You may show some or all of the associated features on the same survey plat or a separate survey plat for clarity (For example when a patio is located under a deck, two plats may be needed).

The setback distances (from the closest portion of each feature to the adjacent lot lines) must be drawn on the plat. See the Design Guidelines for the setback requirements for the improvement you are proposing.

Note: For clarity, you may choose to enlarge the area of the plat where the improvement is proposed. If so, please submit a complete copy of the plat separately for additional reference. (IE: Partial / enlarged survey plats are acceptable to benefit clarity, but a complete copy of the survey plat must also be submitted.)

What is a setback? A setback is the distance between an improvement (deck, patio, etc...) and an adjacent lot line. For example, if a Deck requires a "setback" of 10 feet, then the deck must be located (or set back) a minimum of 10 feet to any property line. In the example below, a deck has been sketched in red pen on the House Location Survey and the distances from the deck to the adjacent lot lines have been shown in red. Therefore, in this example, the deck is setback 15.5 feet from the side lot line and 33 feet from the rear property line. It therefore exceeds the 10 feet minimum setback.



Note: A full copy of the plat is required. This example, shows an enlargement of the deck area for demonstration only.

- Site, Layout, Landscape and / or Construction Plan (Site Plan) - A site plan is required as part of most Applications. A site plan is a scaled drawing of your lot, or applicable portion of your lot, which shows exact dimensions of the property, adjacent properties if applicable, and all improvements including those covered by the Application. A Grading Plan with contour lines and/or spot elevations is required where drainage is a consideration and / or where earth elevations are being adjusted by more than 6" inches. Applications that are more complex may also require approval by County or other reviewing authorities (outside agencies). Where submission to the County or other reviewing agencies is required, it is recommended that the Application to the Covenants Committee be filed prior to the outside agency submission. The reason to submit to the Covenants Committee first is so that any comments by the Covenants Committee may be incorporated into any outside agency submission.
- Grading Plan - A grading plan with contour lines and/or spot elevations is required where drainage is a consideration and / or where earth elevations are being adjusted by more than 6" inches. Provide information regarding the proposed earthwork / grading* required to construct an improvement (such as a patio, pool, retaining wall, etc...) and address storm water drainage. This information should include a grading plan**, "spot-shot" elevations, contours, swale direction arrows, etc. as required to demonstrate that the pool is properly graded.

This information should address these conditions at the edges of a patio or pool decking:

- Show where the patio or decking surface is flush / even with the existing grade elevation.
- Show where the patio or decking surface is flush / even with the proposed grade elevation. (Demonstrate that the backfill slope is less than 15%).
- Show where the patio or decking surface is being retained. If retained, please indicate the height of the retained portion and what material is being used for the exposed vertical face.

**Earthwork / Grading: Is the movement of the existing soil to create level areas, slopes, drainage swales or other proposed features of the design.*

***Grading Plan: Is a plan to show the final earthwork elevations, tree saves and location of the proposed improvement to ensure the improvement is properly located and has sufficient drainage.*

- Photographs – In order to assist the Covenants Committee in the review of an Application, color photographs (clear, bright and appropriately sized) of the area where the improvement is proposed are required.
- Construction Documents – As applicable, provide all details, sketches, cross-sections and / or elevations as necessary to depict the improvement. Documents should reference sizes, standards, dimensions, materials and colors. (Examples include, but are not limited to: an elevation drawing for a deck, a cross-section of a retaining wall / seating wall combination, an elevation of a pergola or pavilion, etc...)
- Materials – submit material samples, representational color photographs and / or brochures.
- Colors – submit representational color photographs, color chips and / or brochures.

- Landscape Plan – submit a landscape plan showing the location of any proposed landscaping including a list of the plant types, quantity and sizes (nursery stock size proposed at the time of planting). The minimum setback distance from the trunk to the nearest property line(s) must be shown or noted. The trees must be setback an adequate distance to allow for reasonable amount growth and maintenance on the Applicant’s property.
- Contractor Estimate – where applicable, the applicant may include a copy of the construction estimate showing information and specifications about the improvement. Fees or prices may be deleted, marked out or hidden.
- Lighting – as may be applicable, submit brochures, cut-sheets, pictures, electrical data and locations.
- Labeling - be sure to labeling all drawings and pictures to identify the purpose or intent of the submitted drawing or picture.

TIPS:

Approval by the County does not guarantee approval by the Covenants Committee and vice-versa.)

Photographs of plats, drawings, plans, etc... will typically NOT be accepted. Photographs tend to be distorted and not entirely legible. While a photograph can be an immediate / quick solution for a submission, it typically extends review time and may lead to a delay in the approval process.

A first version copy of plans should be submitted at full scale as well as a reduced copy at 8.5” x 11” via hardcopy or PDF. Copies larger than 8.5” x 11” must be submitted as a hardcopy by the Applicant. If your Contractor has created an electronic drawing, then your Contractor likely has the ability to provide a first version copy of the drawing in PDF. A significant amount of time can be saved if the Committee receives legible drawings with the original submission.

Many copying centers and office supply stores can provide copying services to assist in your preparation of a complete Application.

Appendix Three
Review Fee Schedule

BRADFORD'S LANDING FEE SCHEDULE for ARCHITECTURAL APPLICATIONS

The processing fee must be submitted to the Bradford's Landing HOA before the Application will be processed. The fee is designed to cover individual homeowner Application processing fees to include but not limited to data processing of the Application and any review fees associated with approval of the Application.

The fee schedule may be changed from time to time upon approval of the Bradford's Landing Board of Directors.

The Application fee must accompany the Application, checks made payable to Bradford's Landing Community Association, Inc.

NO FEE REQUIRED:

This category includes simple projects for which special circumstances apply because of equitable concerns or government regulations.

- Satellite Dish
- Vegetable Gardens
- Applications proposing modifications with a value of less than \$200

Category 1 = \$35 FEE REQUIRED:

- Any improvement not listed below within Category 2.

Category 2 = \$75 FEE REQUIRED

- Barbecue Grills and / or Outdoor Kitchens
- Decks and associated structures (aka porches and/or gazebos, etc.)
- Fences
- Gazebos / Pavilions / Cabanas / Porches
- Hot Tubs / Spas
- Large Landscaping Projects (over \$2500) / Retaining Walls
- Exterior Surfaces – Major façade revision or material change
- Patios
- Pergolas
- Garden Ponds
- Solar Panels, Wind Turbines, Wind Mills and other Green Technologies
- Walkways – new locations
- Additions
- Projects with extensive grading and / or with significant drainage issues
- Projects that required a grading plan or site plan
- Projects which propose clearing of wooded areas

Notes:

1) An Applicant may combine several related items together on one Application. In this scenario the fees are not cumulative; however, the highest fee shall apply. Unrelated items should be filed on separate Applications.

For questions regarding your Application, please contact your community property administrator at:

**Bradford's Landing Community Association
c/o The Management Group Associates, Inc.
20440 Century Boulevard, Suite 100
Germantown, MD 20874**