

**BROOKE MANOR ESTATES
HOMEOWNERS
ASSOCIATION**

DESIGN GUIDELINES

MARCH 1999

A HANDBOOK FOR
BROOKE MANOR ESTATES
HOMEOWNERS ASSOCIATION

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PURPOSE OF THE HANDBOOK

The primary purpose of this handbook is to familiarize homeowners at Brooke Manor Estates with the objectives, scope and application of design standards and guidelines which are intended and will be employed to maintain the aesthetic appearance and environmental quality of the Brooke Manor Estates community.

The handbook enumerates specific design standards and guidelines which have been adopted by the Board of Directors of the BROOKE MANOR ESTATES HOMEOWNERS ASSOCIATION. It also explains the application and review process which must be adhered to by homeowners seeking approval for any exterior modifications or changes to their homes or lots which are subject to approval by the Association.

In general, the design guidelines are applicable to all owners of single-family units at Brooke Manor Estates.

This handbook will serve as a valuable reference source and will assist homeowners in preparing acceptable applications for review by the Association's Architectural Control Committee. All homeowners are encouraged to familiarize themselves with its contents and to retain the handbook for future use.

BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS

The legal documents for the BROOKE MANOR ESTATES HOMEOWNERS ASSOCIATION, (the “Association”) contain covenants, including those pertaining to design standards. Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of whether or not these owners are familiar with such covenants.

The primary purpose of design covenants is to maintain environmental and architectural design standards for the entire community. The promulgation and enforcement of design standards is intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the community;
- Promote harmonious architectural and environmental design qualities and features;
- Promote and enhance the visual and aesthetic appearance of the community.

The enforcement of design standards not only enhances the physical appearance of a community but protects and preserves property values. Homeowners who reside in association communities which enforce design covenants are protected from actions of neighbors which can detract from the physical appearance of the community and, in some cases, diminish property values. In fact, surveys of homeowners living in association communities consistently reveal that this was an important consideration in their decision to purchase a home.

ROLE OF THE ARCHITECTURAL CONTROL COMMITTEE

As set forth in the legal documents of the Association all homeowners at Brooke Manor Estates are automatically members of the BROOKE MANOR ESTATES HOMEOWNERS ASSOCIATION. The Association is a non-stock corporation which owns and is responsible for the upkeep and maintenance of all common properties within the community.

The Association is also responsible for the administration and enforcement of all covenants which are applicable to property owners, including design standards and restrictions. The Declaration of Covenants, Conditions and Restrictions (the “Declarant”) for the BROOKE MANOR ESTATES HOMEOWNERS ASSOCIATION provides that responsibility for the enforcement of design standards shall be exercised through an Architectural Control Committee, the members of which shall be appointed by the Board of Directors of the Association.

The Architectural Control Committee is to consist of three or more persons appointed by the Board of Directors. Since the Association's legal documents provide that the declarant may maintain control of the Board of Directors during most of the development phase of the community, there may initially be overlapping membership for the Board of Directors and the Architectural Control Committee.

The Committee shall be responsible for enforcing relevant portions of the Associations Declaration, By-laws and Design Guidelines (collectively, the “Governing Documents”) with respect to exterior modifications to homes and lots proposed by lot owners, other than the Declarant or a Participating Builder. The Committee shall review and approve (or disapprove) applications submitted by lot owners for visible exterior additions, alterations or modifications to a home or lot. The review process shall be governed by the Design Guidelines promulgated by the Association's Board of Directors.

As part of its responsibilities, the Architectural Control Committee will make recommendations to the Board of Directors with respect to the modification of the Design Guidelines initially approved by the Board. The Committee will also be responsible for reviewing possible violations of the Association's Design Guidelines.

ALTERATIONS REQUIRING REVIEW AND APPROVAL
BY THE ARCHITECTURAL CONTROL COMMITTEE

Any changes, permanent or temporary, to the exterior appearance of a building or lot are presumed to be subject to review and approval by the Architectural Control Committee. The review process is not limited to major additions or alterations, such as adding a room, deck, or patio. It includes such minor items as changes in color and materials. Approval is also required when an existing item is to be removed.

There are certain exceptions to this otherwise inclusive review requirement.

1. Building exteriors may be repainted or restained provided that there is no color change from the original. Similarly, exterior building components may be repaired or replaced so long as there is no change in the type of material and color.

2. Minor landscape improvements will also not require an application. This includes foundation plantings, or single specimen plantings. In general, landscape improvements of a small scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure will be exempt from the design review process.

If there is any doubt as to whether or not a proposed exterior change is exempt from design review, and approval, homeowners must first seek clarification from the Architectural Control Committee before proceeding with the improvement. If a homeowner fails to contact the ACC before proceeding with an architectural change and that change is subject to review by the ACC it shall not be a defense to a subsequent action by the ACC to enforce the Design Guidelines that the homeowner was not aware of or felt the design review process did not apply.

APPLICATION AND REVIEW PROCEDURES

Application and review procedures which will be used by the Architectural Control Committee are detailed below.

1. Applications. All applications for proposed improvements must be submitted in writing using the application form authorized by the Architectural Control Committee. A copy of this form is included as an exhibit to this handbook. Applications must be complete in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies which must be remedied in order to be considered for review.

Unless notified to the contrary, homeowners should mail applications to the following address:

Architectural Control Committee
BROOKE MANOR ESTATES HOMEOWNERS ASSOCIATION
c/o Community Management Corporation
12701 Fair Lakes Circle, Suite 400
P.O. Box 10821
Chantilly, Virginia 20153-0821

2. Supporting Documentation. The application must include a complete and accurate description of the proposed improvement(s). In order to permit evaluation by the Architectural Control Committee, supporting exhibits will frequently be required. Examples include: a site plan showing the location and dimensions of the proposed improvement; architectural drawings or plans, as applicable; landscape plan; material and/or color samples, etc. The design guidelines and application form provide guidance with respect to the supporting documentation required for various types of improvements. Also included is a checklist which, for frequently requested improvements or additions, provides a reference guide for the supporting documentation necessary for submitting a complete application package.
3. Time Frame for Completion of the Review. The Architectural Control Committee is required to approve or disapprove any proposed improvement within sixty (60) days after the receipt of a properly completed application. However, the sixty day review period will only commence upon the receipt of a complete application form, including any required exhibits. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.
4. Notice of Approval/Disapproval. Homeowners who have submitted design review applications will be given written notice of the decision of the Architectural Control Committee.
5. Appeals Procedure. Homeowners who have submitted design review applications may appeal decisions of the Architectural Control Committee to the Board of Directors.

A homeowner may appeal a decision of the Architectural Control Committee by submitting a written request to the Board of Directors within ten (10) days after the date of an action by the Architectural Control Committee. This request should include any new or additional information which might clarify the requested change or demonstrate its acceptability. The Board may, at its discretion, conduct an informal hearing related to the appeal. The Board will respond in writing to an appeal within forty-five (45) days from the date of receipt of an appeal.

ENFORCEMENT PROCEDURES

The Bylaws of the Association empower the Architectural Control Committee and the Board of Directors to enforce compliance with the Association's Design Guidelines. The following enforcement procedures will be used to ensure compliance.

1. A violation may be observed and reported to the Architectural Control Committee by a member of the Committee, the Board of Directors, the managing agent, or a homeowner. In the case of homeowners wishing to report a potential violation, a written notification should be transmitted to the Architectural Control Committee or managing agent.
2. The alleged violation will be confirmed by a site visit by a member of the Architectural Control Committee, or the managing agent.
3. The Architectural Control Committee will contact the resident in violation by letter advising them of the violation and requesting appropriate action to remedy the violation. Notice will be sent by certified mail where the violation is deemed to involve an immediate emergency or where such violation, if not remedied, will increase or enhance with the passage of time.
4. If the violation continues for thirty days after notification to the resident in violation (or if no substantial progress is made in curing the violation, where such remedy would require more than thirty days) a letter will be sent by certified mail to the resident in violation. This letter will provide notice that the violation must be remedied within fifteen days from the date of mailing of the letter (or alternatively, that the resident in violation must submit to the Architectural Control Committee a written plan, including timing, for the abatement of the violation within a reasonable period of time, where such violation cannot be cured within the fifteen day period).
5. If the violation is not abated within fifteen (15) days from the date of mailing of the certified letter (or if progress is not being made to abate such violation in accordance with a plan agreed to by the resident in violation and the Architectural Control Committee) the Committee will send the resident in violation a certified mailing informing the resident of the time and place of a formal hearing by the Architectural Control Committee.
6. As a result of this hearing, the Architectural Control Committee shall refer the violation to the Board of Directors for enforcement of the Association's Design Guidelines in accordance with the provisions of Policy Resolution No. 5 if, as a result of the hearing, the Committee determines that the violation has either not been abated or that the resident is not making a good faith effort to abate the violation in a timely manner.
7. The above procedures do not preclude the Architectural Control Committee or the Board of Directors from taking accelerated measures in the case of a violation which constitutes an emergency situation, provided that the resident in violation has been properly notified by

certified mailing and that the action is consistent with the provisions of the Association's legal documents. Likewise, the Architectural Control Committee or the Board may establish shorter notification periods for the correction of violations of the Design Guidelines where the homeowner shall not be disadvantaged by a shorter notification period for compliance.

8. Work in Progress Violations

If a resident is in the process of building an unapproved structure on his/her property and it is brought to the attention of the Property Manager, the following procedures are to be used:

1. Construction of unapproved modifications or change is reported and observed.
2. An immediate request is made to stop construction, and to send completed application for submittal to the Property Manager for consideration by the Architectural Review Committee.
3. If no response is received from owner in reasonable time, the Brooke Manor Estates HOA Board of Directors may seek an injunction to stop work or pursue other remedies as judged appropriate by the Board.
4. A violation continues in the file until the matter is resolved.

9. The above procedures do not apply to the failure of an owner to maintain a lot in good order and repair and free of debris. All owners must maintain their lots in accordance with the general maintenance standards detailed below. In the event of non-compliance with maintenance standards, the Board of Directors may, after thirty (30) days written notice to the owner (or such shorter notice period as determined by the Board), authorize the Association to enter upon the owner's lot and to perform any required maintenance at the expense of the owner. In the case of persons who fail to mow their lawn or have trash or debris visibly stored on their lot, (other than neatly stored construction materials for an approved improvement of the lot or home) the notice period shall be ten (10) days.

Property Maintenance Standards

- A. General Responsibility - Owning a property in Brooke Manor Estates includes assuming responsibility for maintaining all existent structures as well as natural landscaping, grass, and the appearance of yards.
- B. Maintenance of Houses and Existent Structures - As houses and structures such as sheds or decks age, their exteriors may become deteriorated in appearance. Houses may have trimboards that are chipped, peeling or rotted. House siding may rot or collect mildew on the boards, and siding, trim or a front door may be badly in need of paint. Screens may hang off doors and windows, and storm doors may be broken and

hang from hinges. Decks and sheds may become unsightly and even unsafe as the wood deteriorates and aging and weathering. In all cases, the overall neglected and unkempt appearance of the structures may impact the community as a whole, and could eventually lower property values. Each homeowner must maintain and make necessary repairs to these structures. Driveways, walkways, chimney flues, attic fans, etc. need to be checked regularly. Roofs should be checked on a regular basis, and gutters and downspouts should be cleaned of leaves and debris each year; Aluminum and Vinyl replacements require regular checking to see if the caulking remains watertight.

- C. **Maintenance of Landscaping and Natural Areas** - All portions of a lot which are not improved by an impervious surface or a structure must be maintained with grass (or other vegetation installed by a builder or approved by the Architectural Control Committee). No bare earth may be exposed on a lot (except for flower beds with appropriate approvals, as required).

Any natural or planted areas require regular maintenance also. If grass is not cut, and is 12" or higher, or if planting areas become overrun with weeds, the property will be referred to the Montgomery County Department of Environmental Protection. Homeowners must always take into account erosion, drainage onto neighboring properties, or flooding when they make modifications to their yards. Any dumping of branches, grass clippings, leaves, mulch, or dead plants onto community property is prohibited. All trees and plantings on residential properties must be maintained by the homeowner.

- D. **Maintenance of Yards.** Bags of trash should always be kept in air-tight containers, and should be stored out of sight. Trash can be placed in designated areas to be picked up on pickup days. Yards are not areas for the storage of items, and they should be cleaned of litter, debris and old newspapers on a regular basis.

Construction materials required for the improvement of a home or lot should be neatly stored in as unobtrusive a location on the lot as possible when not in use.

- E. All turf areas on a lot must be kept neatly mowed during the growing season. Grass should not be permitted to exceed six (6) inches in height. Turf areas and other vegetation should be watered during dry periods. Any dead plants, shrubs or trees should be immediately removed. Turf areas should be kept as weed free as possible. At no time should weed cover exceed more than twenty-five percent (25%) of the total turf area.
- F. All hedges, trees and shrubs must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning.

MAINTENANCE STANDARDS GUIDE

The following kinds of maintenance problems may be cited for violation; they are not to be viewed as inclusive.

I. Roof Area:

- shingles missing
- clawing of asphalt shingles and/or extremely bad deterioration
- gutters and downspouts not secured to house - hanging down or missing
- gutters must be maintained and painted
- rusted gutters/downspouts
- Leaves and debris visibly hanging out indicating a blockage
- all downspouts must be maintained and painted
- downspouts removed without ACC approval
- chimney flues rusted and paint chipped and peeling
- skylights rusted, skylights removed and replaced with new material (plywood, plastic, etc.)
- gravel guards
- chipped and peeling paint
- original replaced with unapproved style and material

II. House:

1. House Siding and Trimboards:

- siding/trimboards rotted in areas so a hole is created; siding/trimboards covered with mold or mildew; siding/trimboards with chipped and peeling paint; siding/trimboards wood is exposed due to or because of lack of paint; caulking around windows, doors and baseboards is worn; loose bricks; deteriorating bricks, or missing brick;
- broken or missing panes of glass
- torn screens
- trimboards are rotted, paint is chipped or peeling, trimboards are missing

2. Windows

- broken or missing panes of glass
- torn screens
- deteriorated window frames
- missing mullions

3. Doors

- broken or missing panes of glass
- torn screens
- loose and not firmly attached doors
- hardware: original replaced with non-conforming style
- original replaced with different areas of door left unpainted
- in need of paint

4. Shutters

- broken or missing slats
- hanging or not securely attached
- in need of paint
- original replaced with non-conforming style/size

5. Window Boxes

- Loose and not properly attached
- in need of paint
- rotted wood requiring repair

6. Window Guard Rails (Metal or Wood)

- rotted and deteriorated wood - unsightly and unsafe
- in need of paint
- mold and mildew
- removed without approval
- structural defects visible to eye
- missing sections or insecure fastening

III. Pagoda Lights and Exterior Lighting:

- broken, rusted, dented, bent out of shape
- broken glass
- missing or burned out light bulbs for extended period of time
- fixtures themselves in need of paint

IV. Steps:

- Loose or cracked - unsafe
- gaps between house base and steps at ground level (created as house settles)

V. Walkway:

- loose or cracked stones or cement
- dangerously angled stones due to ground settling
- unapproved, unprofessionally done, or unsafely placed timbers, stones, etc.

VI. Retaining Walls:

- loose or cracked wood or stones
- precariously angled walls
- rotted wood
- unapproved, unsafely, or unprofessionally constructed walls

VII. Sheds:

- rotted structures
- holes in siding
- in need of stain or paint
- covered in mold or mildew
- precariously angled structures

VII. Garages:

- siding/trimboards rotted so holes are created
- siding/trimboards covered in mold or mildew
- siding/trimboards with chipped and peeling paint
- siding/trimboards down to bare or exposed wood
- deterioration of caulking around windows, doors and baseboards
- garage doors in need of paint
- garage doors missing panels
- garage doors dented and bent out of shape

IX. Attic Vents:

- rusted and in need of paint
- removed and area filled in with unapproved material

X. Fences:

- broken and falling down
- missing sections
- replaced but not treated
- posts missing or rotted

PARKING AND GENERAL VEHICULAR RULES AND REGULATIONS

Introduction:

These rules and regulations have been duly adopted by the Board of Directors to regulate parking and other vehicular matters within the community which are subject to the Covenants and By-Laws of the Association. They have been adopted under the authority of the Association's By-Laws which permits the Board of Directors "... to adopt and publish rules and regulations governing the use of the common properties and facilities..." These rules and regulations also implement, clarify and define certain portions of the covenants and other restrictions regarding commercial vehicles, trucks or trailers, boats, etc.

The purpose of these rules is to promote the safety and welfare of safety and welfare residents, while preserving and protecting property values within the communities. Furthermore, these rules and regulations have been adopted with a sensitivity towards maximizing efficient utilization of limited community parking.

The following rules and regulations shall apply to all vehicles meeting the criteria set forth herein without regard to the type or designation of license plates affixed to the vehicle

- A. Private dwelling units: Vehicles may be parked only within a garage or carport or on the paved section of a driveway on the property of a private dwelling unit. **RESIDENTS ARE EXPECTED TO USE GARAGES, CARPORTS AND DRIVEWAYS WHEN PROVIDED.** Garages or carports should not be converted to storage spaces or other uses.
- B. Community-owned property: Vehicles may be parked only on paved sections of community-owned private streets and designated parking areas. All vehicles must be parked within curb markings where markings are provided.
- C. No Campers and Recreational Vehicles will be permitted on Community roads other than to gain access for garaging on the property of a private dwelling unit. No camper or recreational vehicle may be stored on community property. A vehicular portable unit, mounted on wheels for use on highways and streets, propelled or drawn on its own or other motor power; of such a size and weight as not to require special highway movement permits when drawn by a motorized vehicle (or operated on its own power); primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use; and/or generally identifiable by the number of configuration of vents and utility hookups, types of windows, luggage and storage capabilities and general visual appearance not associated with a passenger vehicle normally found in residential communities.

- D. Boats: Any device or structure, of any material, designed primarily for use by one or more persons as a flotation device upon a body of water. No boats will be permitted on the property of a private dwelling unless garaged. No boat will be permitted on community roads other than to gain access for garaging on the property of a private dwelling unit. No boat may be stored on Community property.
- E. Oversized vehicles are not permitted on Community property/roads. (Any vehicle exceeding 240 inches (20') in length, or 80 inches (6'8") in width, or 90 inches (7'6") in height. Any vehicle with more than four wheels on the roadway.)

It is intended hereby to permit only the parking of passenger type motor vehicles within the communities in keeping with the spirit and intent of the Governing Documents of the Association to promote and maintain a residential community. Such vehicles are commonly recognized as sedans, coupes, hardtops, convertibles, station wagons (including heavy duty station wagons such as Broncos and Blazers, equipped with manufacturer's installed roof), trucks and vans designed for personal passenger carrying use, which meet the size limitations herein before set forth, and which do not fall within the prohibitions relative to recreational or camper vehicles, or commercial vehicles.

- F. Prohibited Structures and Vehicles. No vehicles shall be allowed on any Lot or portion of the Common Area unless they display a valid current license or registration. No recreational vehicles, boats, boat trailers displaying commercial signage or trucks over two and one-half (2-1/2) tons shall be allowed on any Lot or portion of the Common Area unless stored in a garage and out of public view. This restriction shall not apply to any vehicles that the builder may require during construction and sales period. Subject to all relevant enforcement procedures required by law and/or the Governing Documents. The Association shall have the right to tow and remove from the Property (at the expense of the Owner of such vehicle) any vehicle in violation of the Declaration, By-laws or any adopted Rules and Regulations.
4. OTHER RESTRICTIONS: In order to avoid unsightliness, the following restrictions are also established:
- a. Extensive repairs: No work or dismantling of vehicles, boats or machinery of any type (other than routine maintenance and cleaning) is permitted on community property, or outdoors on the property of a private dwelling unit.
 - b. Unlicensed, Inoperative or Abandoned vehicles: A vehicle shall be considered inoperative or abandoned if it shall remain upon the community property for a period in excess of seventy-two (72) hours, unless reasonable cause shall be shown, such as vacation or other valid reason, by the owner thereof. In addition, no unlicensed driver is permitted to operate a vehicle on the community-owned property.

DESIGN GUIDELINES

The specific Design Guidelines detailed below have been adopted by the Board of Directors.

AIR CONDITIONING UNITS/HEAT PUMPS. The Committee will not approve applications for installation of window or wall air conditioning units (or fans or any type). Relocating exterior central air conditioning units and heat pumps will be considered. When installing or relocating a heat pump or air conditioning unit, please take into account adjoining properties. Application and approval are not required to replace a heat pump or air conditioning unit in the original location.

ANTENNAS / SATELLITE DISHES / CABLE TV WIRES. Satellite dishes which are larger than one meter in diameter are prohibited. Satellite dishes which are one meter in diameter or less, television antennas and MMDS (multichannel, multipoint distribution) antennas are permitted, and a complete registration for such devices must be filed with the Architectural Control Committee prior to installation. If permits are required by the County or State, for the installation of any of the above devices, a copy of such permit must be provided with the registration, in order for it to be considered complete. Installation of antennas and satellite dishes are subject to the following guidelines.

- ◆ Location & Installation. Devices are not to be installed in the front of the lot or on the front facade of a residence so long as another location exists on the lot or residence from which an acceptable quality signal can be received. They are to be located so as 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, the devices should be located in the rear yard, below the height of privacy fencing. If they must be installed at roof level, then they should be situated on the rear side of the roof ridge line, so as to have no, or minimal, visibility from the front of the home.

Any such installation must be done in a professional manner and all cables must be concealed. The installation must conform to the manufacturer's guidelines and any Montgomery County safety, zoning and other applicable requirements.

Please submit the following information for antenna installations:

- a) Specific mounting location and details including height above grade.
- b) Cut sheet, manufacturer's brochure, or picture of antenna, along with a description of the type of antenna.
- c) Location shown on house survey plat.

Antenna, cable TV, or other types of wires should be concealed next to downspouts, house trim boards, or in the recessed areas of the house to the extent possible.

- ◆ Screening. To the extent possible, dishes and antennas should be screened so that they are not visible either from the street or to other lot owners.
- ◆ Color. In order to minimize any adverse visual impact, a device which is affixed to a residence should be painted to match the color of the portion of the house to which it is attached, so long as painting the device will not void the manufacturer's warranty.

ATTIC VENTILATORS. Attic ventilators and turbines should be mounted on the least visible side of the ridge line so as to minimize their visibility.

CARPETING. Indoor/outdoor carpeting and synthetic grass on any exterior surfaces (for example, front stoops, decks, patios, etc.) are prohibited and will not be approved.

CHIMNEYS / METAL FLUES. Chimneys for fireplaces installed on the exterior of homes must match both the design and materials of original chimneys on similar houses in the community. With the exception of the short side-exiting exhaust flues used for gas fireplaces (which do not extend past the roofline), all chimneys must be brick, and the brick must match the house brick (if any). No exposed metal flues (chimney stacks) will be allowed on the exterior walls of any homes. Flues will be considered on the upper 2/3 of rear roofs.

CLOTHES LINES. Clothes lines or similar apparatus for the exterior drying of clothes are prohibited.

DECKS. ALL decks must be approved by the Architectural Control Committee. Homeowners are advised to consider the following:

Elevated and ground level decks are an extension of the house which can impact its exterior appearance and may affect the privacy of adjoining homes. Drawings submitted with the application do not need to be professionally done, but they must be to scale and show dimensions. Refer to the checklist for other information to be submitted with an application for a deck.

Any adverse drainage requirements which might result from the construction of a deck, patio, or screened porch should be considered and remedied. Approval will be denied if the Board of Directors or the Architectural Control Committee believes that adjoining properties are adversely affected by changes in drainage. The use of a partially porous surface or the installation of mulch beds adjacent to a deck, patio, or porch are ways to offset drainage concerns. The following factors will be considered in the review of applications:

1. Location: Decks, patios, and screened porches should generally be located in rear yards. Side yard locations will generally not be approved, but may be evaluated on their individual merit. The privacy of adjacent homes aesthetics, visibility and other positive/negative features will be considerations in evaluating the location.

2. Scale and Style: Decks, patios, and screened porches, particularly elevated decks, should be of a scale which is compatible with the home to which attached, adjacent homes and the environmental surroundings.
3. Materials: Wood decks, stairs, rails, deck foundations, framing joists, beams, posts and screened porches should be constructed of high quality pressure-treated wood, or cedar which remains stable in exterior applications.
4. Color: Natural.
5. Decks must be located within lot lines. No deck may intrude in any manner into HOA space. Decks cannot be build in non-construction easements.
6. Stairs should not be placed so they provide direct access to the deck for the from the front of the home.
7. Underdeck Screening and Ground Covering: Elevated decks have an underdeck area which can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space for items such as lawn equipment, firewood, children's toys and similar items. The use of lattice screening or landscaping the perimeter of this area is required if the underdeck area is to be used for such storage. Lattice or vertical screening to be installed under an elevated deck will be reviewed on an individual basis. It is suggested that the area under an elevated deck where ground cover cannot be maintained should be covered with pea gravel or similar landscaping material (describe in application), or a patio should be installed
8. Landscaping: Landscaping around decks, patios, and screened porches is strongly encouraged to soften corners and views from adjacent lots.
9. Privacy Screens/Walls. Privacy screens or walls appended to decks are not permitted in the case of elevated decks. They will be considered on an individual basis in the case of ground level decks.

DOG HOUSES AND DOG RUNS. Dog houses, kennels and dog runs are prohibited. Non-visible electric fences or invisible buried fencing is allowed.

EXTERIOR DECORATIVE OBJECTS. 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: bird houses, bird baths, driftwood, weather vanes, sculptures, fountains, free standing poles of all types, house address numerals, and any items attached/unattached 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 the neighborhood and the surrounding area. Sculpture, garden statues, bird baths, bird houses and similar items are restricted to rear yard locations and should not be visible from the front yard or a street.

EXTERIOR LIGHTING. Lighting which is part of the original structure may not be altered without prior approval of the Architectural Control Committee. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house.

No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage or other features.

EXTERIOR PAINTING. An application is not required in order to repaint or restain an object to match the original color. However, all exterior color changes must be approved. This requirement applies to siding, doors, shutters, trim, roofing and other appurtenant structures.

FENCES. General guidelines for the construction and approval of fences are provided below.

1. Chain-Link and Barbed Wire Fences. Chain link and barbed wire fences will not be approved under any circumstances. Chain link or barbed wire fencing material will not be permitted for any use.
2. Single-Family Rear Lot-Line Fences. It is preferred that fences for single-family detached units be split-rail. Lot line fences shall not extend forward of the rear plane of the home, unless special exception is granted. The fence posts must be pressure treated wood and the vertical boards must be cedar. Fences shall be left to age naturally or may be treated with a clear preservative stain. Alternative fence styles may be considered on a case-by-case basis.

FIREWOOD. Firewood stored on a lot shall be kept neatly stacked and shall be located to the rear of the residence and in such a manner as to avoid adverse visual impacts for adjoining properties. Screening may be required in certain cases.

Firewood should be stacked in piles which do not exceed eight feet in length and four feet in height for both aesthetic and safety considerations.

Other than a limited quantity of firewood intended for immediate use, firewood shall not be stacked on patios or decks.

FLAGPOLES. Permanent, free standing flagpoles are prohibited.

Temporary flagpole staffs which do not exceed six feet in length and are attached at an incline to the wall or pillar of the dwelling unit do not require approval by the Architectural Control Committee.

GREENHOUSES. A greenhouse will be treated as a major alteration to a dwelling unit and subject to the same level of review. Only greenhouses which are attached to the dwelling unit are permitted. Greenhouses must meet the following additional criteria to be approved.

1. The scale and design must be architecturally compatible with the home and surrounding homes.
2. There shall be no adverse visual impacts for adjoining properties. The installation of landscape materials to provide a visual screen is encouraged and may be required as a condition of approval.

GUTTERS AND DOWNSPOUTS. All gutters and downspouts including replacements must conform in color and design to those installed originally. Any addition of new gutters or downspouts, or a change in location of an original gutter or downspout, requires approval. Gutters and downspouts must not be located in such a manner as to adversely affect drainage onto neighboring properties. Black tubing used for additional drainage purposes must be buried underground and directed away from adjacent properties. Splash blocks must be black or green plastic, or unpainted concrete.

HOT TUBS / SPAS. Exterior hot tubs or spas must be located on the ground level of the rear yard or on rear decks adjacent to the dwelling unit and must receive committee approval. The incorporation of hot tubs as a design feature of a deck or patio is encouraged. The exterior finish of an elevated hot tub or spa should blend with the exterior finish of the home, deck or patio to which attached or most closely related.

The tub or spa must be screened appropriately with either evergreens or privacy fencing or both depending on location. Soft muted colors that blend with the natural surrounds are suggested. Tubs or spas recessed into decks are preferred over free-standing hot tubs. If free-standing, the tub/spa must be enclosed on all sides with natural wood. Visibility and location will be considered along with the impact on adjacent properties for all approvals.

LANDSCAPING.

Application and review is *not* required for the following modifications:

1. Planting of annuals or perennials in existing beds.
2. Installation of new beds less than 4 ft. wide around the perimeter of the house foundation (and deck, patio, or fence if present) and perimeter of the rear of the lot, provided that plants installed have a mature height of less than 8 ft.
3. Installation of new beds less than 3 ft. wide adjacent to walks from the driveway to the front stoop provided that plants have a mature height of less than 3 ft.
4. Installation of black plastic edging or green metal edging around existing or approved beds, provided that it is installed to be below the height of the top of the grass.
5. Installation of vegetable and flower gardens, provided that they are located in the rear yard, are not more than one-sixth of the rear yard in size, and do not create an annoyance to neighboring properties in terms of adverse drainage conditions, overgrowth of plantings or unsightliness. No offending odors should be created as a result of any garden. Fruit and vegetables should not be left to decay upon the ground. During winter, soil should be turned over.

Any other landscaping modifications, including but not limited to the following, require application and review by the ACC.

1. Removal of original grass and replacement with some other type of ground cover (this will be considered for limited areas; on steep slopes, for example).
2. Planting of trees and shrubs in the yard. Plants should be selected carefully so that when fully grown they will be appropriate in height and breadth for their location in the yard.
3. Use of landscape timbers. Timbers should not define the individual front yards or walkways, and cannot be used on property lines. Timbers may be used in rear yards to line flower beds, or to aid in preventing soil erosion. Any use of landscape timbers above one timber in height must receive prior approval by the ACC. These timbers must be natural in color, not stained.
4. Retaining walls - see section on RETAINING WALLS.
5. Any modification that requires construction (including garden structures such as trellises, gazebos, etc.) or results in a grade change.

The planting of bamboo stalks or kudzu will not be approved—these particular plants have fast-growing roots which can spread onto adjoining properties, and are very difficult to remove once the roots are established.

PATIOS. All patios require approval. Patios must be located in rear yards. Any adverse drainage requirements which might result from the construction of a patio should be considered and remedied. The use of a partially porous patio surface or the installation of mulch beds adjacent to the patio are ways to eliminate drainage concerns.

RECREATION AND PLAY EQUIPMENT. Semi-permanent play equipment which either constitutes a structure or is appurtenant to an existing structure requires approval. Examples include sandboxes, play-houses, swing-sets, etc. The following factors will govern approval of such equipment.

1. Location. All such equipment must be placed in rear yards with the exception of basketball apparatus which may be placed on driveways of lots.
2. Scale and Design. The equipment should be generally compatible with the lot size. The design and any visual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.
3. Color and Materials. Equipment constructed of wood and left in a natural condition to weather is encouraged. Metal play equipment should be painted solid earth tones (i.e., brown, tan, dark green) to blend with the natural environment.
4. Basketball Apparatus. The installation of basketball backboards or free-standing basketball poles with backboards and portable basketball setups are permitted.

SECURITY BARS. In general, the use of security bars or grates on windows and doors will be prohibited. Exceptions may be made where the security apparatus will not be visible from the street and from adjoining properties. Homeowners concerned about the security of their residence are advised to consider alternatives, including alarms and sophisticated lock systems.

SIGNS. Subject to the applicable provisions of the Maryland HOA Act the following sign restrictions apply:

1. Real Estate Signs. Only one real estate sign, not to exceed four (4) square feet in area, advertising a property for sale or rent may be displayed on a lot. Signs may only be placed in the front yard of available properties. Such signs must be removed within one week following the sale or rental of a home.
2. Security Signs. Two security signs, each not exceeding a total of sixty-four (64) square inches may be posted on the property. Only one such sign may be posted forward of the front plane of

the home. The approved location shall be at the front door. A second sign may be posted in the rear yard.

SKYLIGHTS. Skylights should be located such that they are not visible from the front of the dwelling unit or a street. Consideration will be given to skylights on the front side of the roof ridge line only if constructed flush with the roof.

SOLAR PANELS. Solar panels and solar collectors are prohibited.

STORAGE SHEDS.

1. Single-Family Homes. Storage sheds for single-family detached units must be attached to the rear of the dwelling unit and must adhere to the guidelines below.
 - a. Design. The architectural design of the shed should be compatible with the design of the home.
 - b. Size. Sheds should not exceed 48 square feet of floor space and six feet in height at the highest point.
 - c. Materials. The finish materials must be identical to those for the home.
 - d. Colors. The color scheme must be the same as for the home.
 - e. Roof. The roof slope and the type and color of roofing material should match the house.

STORM / SCREEN DOORS. Only full view storm doors, defined as doors where the glass covers at least 80 percent of the door surface, are permitted. Provided that this criterion is met, there is latitude for a number of door styles. Approved door styles are illustrated in Appendix V. Doors with other decorative treatment, such as grills, are not permitted. Doors must be painted the same color as the unit entry door or the adjacent trim.

TREE REMOVAL. No live trees with a diameter in excess of 4 inches, measured 12 inches above ground, nor flowering trees in excess of 2 inches similarly measured, no live vegetation on slopes of more than 20 percent gradient or marked “no cut” areas on approved plans, may be cut without the prior approval of the Architectural Control Committee.

WALKWAYS. Approval is required for a change in an existing walkway or the construction of a new walkway. Materials to be used should be compatible with existing materials in the community (e.g., flagstone, brick, or poured concrete). Long stretches of poured concrete should be avoided, and walkways of wood decking will generally not be approved.

WINDOWS. ACC approval is required to add new windows in walls. Windows must match the existing house windows. The size of the window trim and frame must match that of the other windows as closely as possible. All trim details must be duplicated. The color of the window frame and trim must also match the existing windows. See also REPLACEMENT WINDOWS and WINDOW DIVIDERS.

WINDOW DIVIDERS. Window dividers (mullions) installed in original windows must be retained. The Property Manager can assist with information on where to obtain replacements for broken or lost dividers.

MISCELLANEOUS

No Waiver by Failure to Enforce. No restriction, condition, obligation or provision contained in the Design Guidelines shall be deemed to have been abrogated or waived by reason of any failure of the Association to enforce the same, irrespective of the number of violations or breaches thereof which may occur.

Modification of Guidelines. The Design Guidelines may be modified from time to time by the Board as it deems necessary to promote the health, safety and welfare of the owners and residents of the Association. The Board will notify Owners in writing, prior to proposing changes to the Guidelines. A hearing, open to all Owners of the Units, will be held before changes are adopted.

Severability of Rules and Regulations. Invalidation of any one (or part of one) of the Guidelines by judgment, court decree or order, a determination by any public agency or otherwise shall in no way affect any other provisions, which shall remain in full force and effect.

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APPENDIX I
DESIGN REVIEW APPLICATION

APPENDIX II

APPROVED STORM DOOR STYLES