



## **ARCHITECTURE & ENVIRONMENTAL GUIDELINES**

**(Revisions Accepted by HOA Board March 2014)**

*...for changes to the exterior of your home*

*...for changes to your yard, garden or driveway*

*...for maintenance of your residence*

***Approved By The Community, For the Community***

## **AERC Philosophy**

- It is the Committee's job to get your application APPROVED, within the construct of our Guidelines and Covenants.
- We want to talk with you to make sure we understand what you want to do.

## **AERC General Rules**

- Start early. Talk to your builder, contractor or supplier. Get the facts but don't commit. Send in your application. We will turn it around fast.
- An approved application is good for one year. If the requested change has not been completed, another application is required.
- All requests must be on the AERC form and signed by the homeowner.
- The AERC cannot grant verbal approval – only in writing on the homeowner's application form.
- Approval indicates that it meets the requirements of the Homeowner's Association Covenants and Guidelines. It does not mean that the request meets the requirements of the County or that it conforms to easements.
- The AERC reserves the right to forward any application to Montgomery County so they can monitor the Building Permit process and construction.
- The AERC is not responsible for reviewing any request for structural safety, engineering soundness or conformance with building or other codes.

## **Legal Basis for Guidelines**

- Attached to your property deed is a document of Declarations and Covenants that sets up the Homeowner's Association and the legal authority for neighborhood rules.
- The AERC and these Guidelines derive their legal basis from this document.
- In accordance with Article VIII, Section 6, of the Homeowner's Association covenants, guidelines have been developed by the community to provide a framework for making changes to and maintaining the exterior of a homeowner's dwelling and property.
- These guidelines are presented here in 5 sections -

## Section I: Application Not Required

1. Trees, plants, shrubs and flowers that do not disrupt sight lines for vehicular traffic
2. Portable/removable outdoor furniture
3. Portable basketball hoops adjacent to the driveway
4. Birdhouses, bird feeders, and bird baths
5. Decorative edging less than 6 inches in height around flowerbeds, trees and shrubs
6. Small on-house flag holders, deadbolt locks, peepholes, doorknockers, kick plates, and doorknobs
7. Chimney caps less than 12 inches in height and without turbine
8. Exterior painting in the original color
9. Maintenance, repair and/or replacement in kind, style, size or color
10. Attic ventilators or fans on the exterior rear roof that are no greater than 36 inches in diameter
11. Direct Broadcast Antennas: (a) satellite dish antennas less than one meter in diameter; (b) antennas less than one meter designed for fixed wireless signals; (c) commercially available analog and digital television antennas

- Antennas should be installed as inconspicuously as possible yet allow an adequate reception.
- Placing the antenna should follow this sequence until adequate signal reception is received
  1. inside the home
  2. on the rear of the house or in the rear yard
  3. so they cannot be seen from the front of the home
  4. no higher than the top of the roof
- Antennas must be placed on the homeowner's property, not in common areas.
- Installation should be 'professional quality', with no loose or dangling cables.

12. Walkway lights / in-garden lights that are less than 12 inches high
13. Seasonal window boxes and planters
14. Seasonal holiday lighting and decorations
15. Yard decorations that are viewable from the street and less than 2 ft high
16. Mailboxes on wooden 4x4 posts or any of the new plastic liners or products made for mailboxes. Please note postal service requirements state: *Place mailbox near curb, height must be 41 to 45 inches from the bottom of the box to the road surface, 6 to 8 inches from the edge of the road, name or numbers must be 1 inch or higher.*
17. Temporary tents, canopies for one-time events that are removed within 48 hours of event completion
18. Deer netting that protects shrubbery

## Section II: Application Required

Any change not listed in Section I must be approved prior to installation. Following are some examples:

1. Structural additions or alterations to the exterior of the house
2. Construction of or alterations to decks, patios, porches, or sunrooms
3. Additional fireplaces, chimneys, or flues
4. Modifications, additions, or removal of exterior windows, shutters or doors
5. Exterior color change of any kind
6. Security lights, flood lights, pole lights or other exterior lighting
7. Additions to or alterations of driveways, walkways, stoops, or slabs

- Driveway material shall be the same material as originally installed by the builder
- Driveway repairs shall be made with black asphalt or black repair kits.

8. Retaining walls, terracing or in-ground steps

- If adjacent to the residence and greater than 2 feet in height
- If not adjacent to the residence and greater than 1 foot in height

9. Awnings for the sides or rear of the house

10. External components of a security system

11. Wood fencing or maintenance-free material with the general appearance of wood

- If wood, any change to the natural color must be approved.
- The finished side of the fence must face outwards towards your neighbors

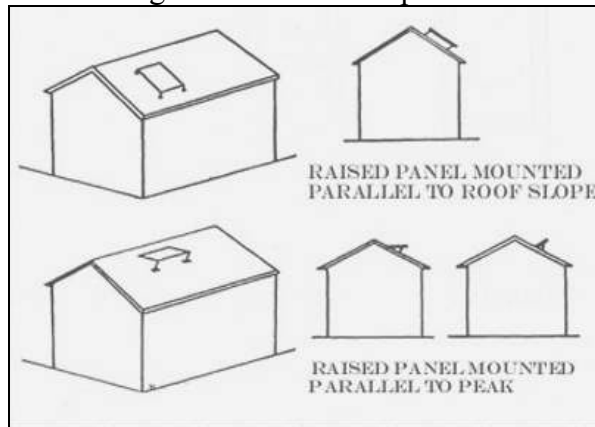
12. Garden planters in non-standard pots

13. Yard decorations that are viewable from the street and greater than 2ft in height

14. Changes to the grading of the lot

15. Solar panels

- Solar panels are allowed only on the roof.
- Solar panels and associated equipment must be color-coordinated with the roof to prevent a conspicuous condition.
- Panels mounted to the front side of roofs must be flush with the roof. Panels mounted to the rear side of roofs may be flush or elevated. If elevated, they will not extend above the roof peak so far that they are visible from the yards of facing houses across the streets. No other mounting locations are acceptable.



16. Basketball hoops that are in-ground or on semi-fixed poles

17. Permanent window boxes

18. Arbors, gazebos, pergolas, or trellises

19. In ground permanent flagpoles

20. Decorative edging around flowerbeds, trees or shrubs that is higher than 6 inches

21. Play equipment (swings, sliders, trampolines) greater than 2 feet in height

- Playsets must be positioned in the rear yard with due consideration of the impact of noise and commotion on your neighbors.
- They shall be no closer than ten feet from a neighbor's property line.
- Reasonable landscaping is needed where frontal view or privacy is a factor.

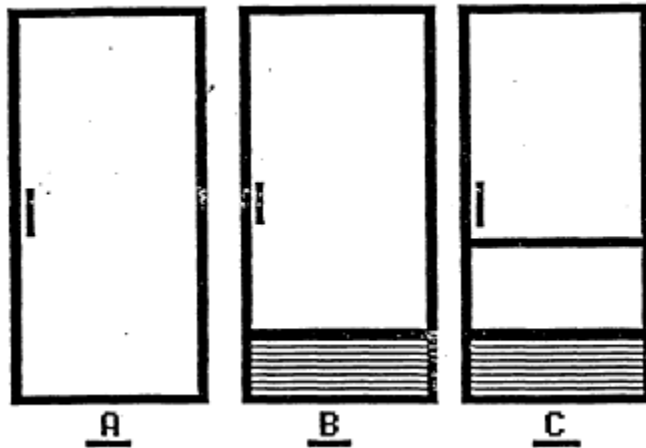
22. Swimming pools, hot tubs, ornamental ponds, or fountains

23. Composting structures greater than 4 feet in height

23. New storm doors

- The following three storm door styles (A, B, and C in the diagram below) will be approved upon application. Other styles will be considered.

- The storm door must be painted to match the color of the door or the trim around the door



24. Ramps for the elderly or disabled

- No step access (County standard) provides an accessible route from a vehicular drop off to the entrance door with a slope no greater than a 1:20 inclination.
- Natural ramps using terrain and landscaping are preferred.

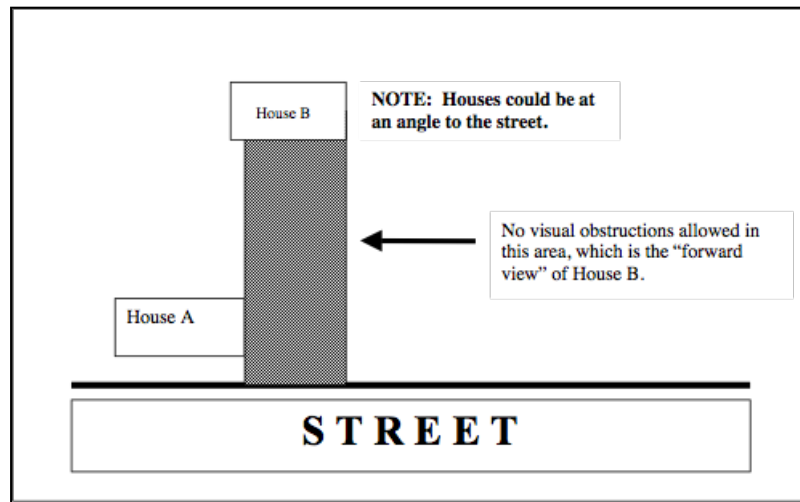
### Section III: Prohibited

The following changes to any lot or dwelling are prohibited:

1. Window or through-the-wall air conditioners
2. Awnings on the front side of the house
3. Front roof attic ventilators or fans
4. Above ground swimming pools
5. Appliqués, permanent decorations, or grills attached to storm doors.
6. Stockade fences (no gap between the boards)
7. Metal post for mail boxes. Such posts will rust quickly resulting in a poor appearance. Please refer to the AERC Guidelines, Section 1, No. 16.
8. Non-standard interior window dressings such as sheets, blankets, towels, boards, newspapers, aluminum foil
9. Parking of vehicles on lawn areas or walkways

10. Fencing that interferes with the forward view of a house behind a home

- Forward view is the area projected forward to the street from the front building line



11. Fencing higher than 4 feet above the ground (except the posts). However, a fence up to 6 feet may be permitted if it surrounds an in-ground swimming pool
12. Signs displayed for more than 30 days, on the lawn or on the house, except for professional or realty signs

***Our Covenants prohibit these items:(taken from Article VIII, Section 7)***

13. Fencing that extends beyond the front of your home or adjacent homes
14. Chain link and other wire fencing
15. Kennels, pigeon/bird coops, pens, dog runs, doghouses, and livestock of any sort
16. Free standing structures such as sheds, huts, shacks or clothes dryers.
17. Exterior antennas used for amateur ("Ham") radio, CB radio, FM or AM radio service, satellite radio or antennas used as part of a hub to relay signals among antennas
18. Repair or extraordinary maintenance of vehicles in the driveway
19. Parking of campers, boats, or trailers, except in the garage with the door closed
20. Parking of inoperable or unlicensed vehicles in the driveway

**Section IV: Maintenance and Repair**

We live in a very nice neighborhood and it is important for each and every homeowner to take care of their home exterior, their lawns and their gardens. The Association has set these minimum standards for homeowners to use in the maintenance and repair of their homes.

When viewed from the street, there shall be:

- No area of peeling paint
- No grass higher than 6"
- No dead bushes or dead trees
- No driveway cracks that have grass growing in them
- No driveways with holes, depressions, or cracks greater than 1/2" width

- No visible rust on basketball hoops, play sets, or swing sets
- No rust on metal mailboxes
- No trash/recycle containers visible from street
- No trash/recycle containers at the curb until the evening before pickup day through nightfall of pickup day.
- No mold areas greater than 10 square feet (~area of one double hung window)
- No missing or broken shutters
- No rotting wood (garage doors/frames, posts, pillars, etc.)
- No bushes or vines adjacent to the house that block windows or reach above roof line
- No visible cracks, gaps, or erosion under the front stoop

### **Section V: Resolution Process**

It is possible that a homeowner will disagree with an action of the AERC concerning Guideline compliance. There is a resolution process, which can be initiated by the homeowner and has 3 escalating steps.

To appeal an AERC Guideline decision, the homeowner must contact the AERC chairman or any member of the Board of Directors, within 30 days of receipt of the letter that notified them of the AERC decision. The homeowner will be invited to the next Board of Directors meeting where both the homeowner and the AERC will present their views. The Board will listen to all views and vote. If the homeowner position prevails, the matter is ended.

If the homeowner position does not prevail, then the 2<sup>nd</sup> step of the resolution process is for the homeowner to petition the County to hear the grievance. This takes place in front of the Commission on Common Ownership Communities. The Commission will listen to all views and vote. If the homeowner prevails, the matter is ended.

If the homeowner position does not prevail, then the 3<sup>rd</sup> step is for the homeowner is to take the matter to Civil Court. With legal representation, the homeowner and the Association present their cases and the judge issues a binding verdict.



# AERC Application

**From:**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Home Phone \_\_\_\_\_  
Work Phone \_\_\_\_\_  
Email \_\_\_\_\_

**To:**

MTM Management Associates  
PO Box 506  
Damascus MD 20872  
301-253-1222 (phone)  
Email documents to:  
mtmaerc@hollybrooke.org

In accordance with the Covenants referred to in my deed, I hereby request written consent from the Derwood Station South Homeowners Association, for the following changes to the exterior of my home.

What will change (check all that apply):

- |                                   |                                       |                                      |                                   |
|-----------------------------------|---------------------------------------|--------------------------------------|-----------------------------------|
| <input type="checkbox"/> Door     | <input type="checkbox"/> Color        | <input type="checkbox"/> Replacement | <input type="checkbox"/> Front    |
| <input type="checkbox"/> Shutters | <input type="checkbox"/> Style        | <input type="checkbox"/> New         | <input type="checkbox"/> Side     |
| <input type="checkbox"/> Windows  | <input type="checkbox"/> Material     |                                      | <input type="checkbox"/> Back     |
| <input type="checkbox"/> Shingles |                                       |                                      | <input type="checkbox"/> Garage   |
| <input type="checkbox"/> Deck     | <input type="checkbox"/> Contractor   | <input type="checkbox"/> Lights      | <input type="checkbox"/> Roof     |
| <input type="checkbox"/> Fence    | <input type="checkbox"/> Do it myself | <input type="checkbox"/> Landscaping | <input type="checkbox"/> Walkway  |
| <input type="checkbox"/> Siding   |                                       |                                      | <input type="checkbox"/> Driveway |

New Storm Door: style A or B or C (circle one)

Description: *(be specific - the more you provide, the better we understand what you want to do)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is attached to this application (check all that apply):

- Plat with a drawing of request – *please show the "footprint" or location of the change*
- Brochures – *pictures help a lot*
- Design drawings – *professional or hand drawn is OK, be complete and give dimensions in feet*
- Color sample – *we would like to see it*

I understand that it is my responsibility (or my contractor's) to obtain a Building Permit if it is required, and to make all changes in accordance with the Montgomery County Building Codes.

Homeowner's Signature \_\_\_\_\_

Date \_\_\_\_\_

**AERC RESPONSE**

APPROVED:  NOT APPROVED:  DATE: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AERC Signature \_\_\_\_\_

Application Expires \_\_\_\_\_