

ARCHITECTURAL GUIDELINES

A Guide for Waters Landing Residents on the
Planning and Design of Exterior
Additions and Alterations
March 1987 Edition
(With Amendments Through 01/95)

Waters Landing Association, Inc.
Architectural and Environmental Review Committee
20000 Father Hurley Boulevard
Germantown, MD 20874
301-972-3681 (Phone)
301-540-5417 (Fax)
WLA20874@aol.com (E-mail Address)

TABLE OF CONTENTS

General Information

- AERC Review Criteria
- AERC Review Procedures
- Enforcement Procedures

Alterations

- Property Line Fences
- Enclosed Storage Areas
- Patios and Decks
- Sun Control Devices
- Storm and Screen Doors
- Recreation and Play Equipment
- Swimming Pools
- Major Alterations
- Chimney and Metal Flues
- Exterior Decorative Objects
- Exterior Lighting
- Exterior Insect Traps
- Exterior Painting
- Flagpoles
- Permanent Grills
- Storage of Boats, Trailers, Campers, Mobile Homes, or
Recreational Vehicles
- Sidewalks and Pathways
- Attic Ventilators
- Gutters and Downspouts
- Mailboxes
- Trash Cans
- Firewood
- Signs
- Landscaping and Vegetable Gardens

Maintenance Guidelines

- Exterior Appearance
- Mowing
- Fertilization
- Erosion Control
- Pesticides & Herbicides

Amendments

- Lawn Care (11/88)
- Firewood (11/88)
- Deck (8/89)
- House Numbers--Curb (8/89)
- Fence Setbacks (11/88)
- Basketball Equipment (11/88)
- Air Conditioning Units (10/91)

OBJECTIVES OF THE WATERS LANDING ARCHITECTURAL GUIDELINES

This document's overall objective is to serve as a guide to aid members of the Architectural and Environmental Review Committee (AERC), staff and homeowners in maintaining and enhancing Waters Landing's carefully designed environment. The guidelines described in this booklet address improvements for which homeowners commonly submit applications to the Architectural and Environmental Review Committee. They are not intended to be all-inclusive or exclusive, but rather serve as a guide to what may be done. The specific objectives of this booklet are:

1. To increase homeowners awareness and understanding of the Covenants (Declaration & By-Laws).
2. To describe the organizations and procedures involved with the architectural standard established by the Covenants.
3. To illustrate design standards which will aid homeowners developing exterior improvements that are in harmony with the immediate neighborhood and community as a whole.
4. To assist homeowners in preparing an acceptable application to the AERC.
5. To relate exterior improvements to the plans for Waters Landing open space.
6. To provide uniform guidelines to be used by the AERC in reviewing applications in light of the goals set forth in the Founding Documents of the Waters Landing Association and actions of the Waters Landing Board of Directors.

PROTECTIVE COVENANTS

The basic authority for maintaining the quality and design in Waters Landing is founded in the Covenants which are a part of the deed to every property in Waters Landing. The intent of Covenant enforcement is to assure homeowners that the standards of design quality will be maintained. This, in turn, protects property values and enhances the community's overall environment. Every Waters Landing property owner received a copy of the Covenants prior to settlement. All too frequently, this information is not read by the owner. Since these Covenants "run with the land," they are binding on all owners whether or not they have been read. They should be periodically reviewed and fully understood. The Covenants established the Waters Landing Association and the Architectural and Environmental Review Committee (AERC).

ROLE OF THE WATERS LANDING ASSOCIATION

The role of the Waters Landing Association, of which every homeowner is a member, is not only to own and operate open space, but to conserve and enhance the resources of the total community.

The Association accomplishes these functions in a variety of ways, one of which is by insuring, through the Architectural and Environmental Review Committee, the retention of harmonious, design qualities of the community. Surveys of planned communities show that providing this insurance is reflected in the preservation and enhancement of real estate values and is of prime importance to residents.

The AERC performs its task of insuring aesthetic quality of the homes and their environs by establishing and monitoring the architectural review process.

The AERC insures that proposed exterior alterations comply with the objectives set forth in the Covenants. This involves regular and systematic review of all applications for exterior alterations submitted by homeowners.

WHAT CHANGES MUST HAVE AERC APPROVAL?

Article VII, Section 1 of the Covenants explicitly states that **all** exterior alterations require the approval of the AERC.

Section 1. Architectural and Environmental Review Committee. "... No building, fence, wall or other improvements or structures shall be commenced, directed, placed, moved, altered or maintained upon The Property, nor shall any exterior addition to or change (including any change of color) or other alterations thereupon be made until the complete plans and specifications showing the location, nature, shape, height, material color, type of construction and any other proposed form of change (including without limitation any other information specified by the AERC) shall have been submitted to and approved in writing as to safety, harmony of external design, color and location in relation to surrounding structures and

topography by the Architectural and Environmental Review Committee designated by the Board of Directors."

This paragraph explicitly states that any change, permanent or temporary, to the exterior appearance of one's property must be approved by the AERC. Further, once a plan is approved it must be followed or a modification must be approved in accordance with Article VII, Section 5. Limitations.

It is important to understand that AERC approval is not limited to major alterations such as adding a room or deck to a house, but includes such items as changes in color and materials, etc. Approval is also required when an existing item is removed.

Each application is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these Guidelines. For example, a homeowner who wishes to construct a deck identical to one already approved by the AERC is still required to submit an application.

NEIGHBORHOOD GUIDELINES

Neighborhoods may develop their own "guidelines" for exterior alterations within their Neighborhood. They also may submit a suggested revision or additional restrictive standards for this document.

NEIGHBORHOOD GUIDELINES ARE MORE SPECIFIC THAN, BUT MUST NOT CONFLICT WITH, THOSE DESCRIBED IN THIS BOOKLET.

Neighborhood guidelines can be useful, particularly in establishing small scale design continuity. Neighborhood guidelines must be approved by an active Neighborhood Council as defined by Article VII of the By-Laws and shall be submitted to, approved by and on file with the AERC in order to be considered part of the Waters Landing Review process. The amount of information required on individual applications may be reduced by incorporation of reference to approved Neighborhood guidelines. Compliance to these guidelines assures the homeowners of consideration equal to those adhering to the guidelines contained in this document.

AERC REVIEW CRITERIA

The AERC evaluates all submissions on the individual merits of the application. Besides evaluation of particular design proposal, this includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be for another.

Design decisions made by the AERC in reviewing applications are not based on any individual's personal opinion or taste. Judgements represent in more specific terms the general standards of the protective Covenants.

1. **Relation to the Waters Landing Open Space Concept.** Fencing, in particular, can have damaging effect on open space. Other factors such as removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off also adversely affect Waters Landing's open space.
2. **Validity of Concept.** The basic idea must be sound and appropriate to its surroundings.
3. **Design Compatibility.** The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
4. **Location and Impact on Neighbors.** The proposed alteration should relate favorably to the landscape, the existing structure and the neighborhood.

The primary concerns are access, view, sunlight, ventilation, and drainage. For example, fences may obstruct views, breezes or access to neighboring property; decks or larger additions may cause unwanted shadows on adjacent patios or infringe on a neighbors privacy and view.

5. **Scale.** The size (in three dimensions) of the proposed alteration should relate well to the adjacent structures and its surroundings. 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 the addition that are similar to the existing house such as roofs and trim should be matching in color.
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 wood siding on the original house should be reflected in an addition. On the other hand, an addition with wood siding may be compatible with a brick house.
8. **Workmanship.** Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable to others. The Waters Landing Association assumes no responsibility for the safety of new construction by virtue of an approved design.
9. **Timing.** The many alterations may be built or installed by the homeowner themselves rather than a contractor. However, projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include estimated completion dates. If such time period is considered unreasonable, the AERC may disapprove the application.

AMENDMENTS TO THE ARCHITECTURAL GUIDELINES

These Guidelines may be amended. It is anticipated that the changes will involve clarification rather than substantive modification of the existing Guidelines. They may also be amended to reflect changes in conditions or technology.

The AERC will conduct an ongoing evaluation of the Guidelines to determine if amendments are required. Owners should also submit to the Waters Landing Association requests for additions or changes to the Guidelines. The actual amendment proceedings may involve public discussions and review by the Neighborhood Councils and shall be adopted as were the original Guidelines by the Board of Directors.

APPLICATIONS

Under each of the following sections in the booklet, application content requirements are spelled out. The application forms call for the information helpful to the AERC including any additional information which may be useful in determining the scope and detail for the proposal. Under all circumstances, the signatures indicating awareness of four homeowners must be supplied and the form signed. The four signatures shall include those who are most affected because they are adjacent and/or have a view of the change (see Figure A).

SITE PLAN

A site plan is required as part of many applications. A site plan is a scaled drawing of your lot (site) which shows exact dimensions of the property, adjacent properties if applicable and all improvements including those covered by the application. Contour lines may be required where drainage is a consideration. A base for a site plan for single applications can be the plat plan provided to you when you purchase your home. More complex applications require larger scale (20 or 10 scale) blowups of the plat plan of the county approved development or site plans.

REVIEW PROCEDURES

All applications shall be filed at the Waters Landing Community Center during normal working hours or mailed to 20000 Father Hurley Boulevard, Germantown, Maryland 20874.

Each application will be checked for complete information by the Waters Landing staff before the following process occurs. All applications must be received at the Community Center no later than 4:00 p.m. on the 20th of the month, or the Friday before the 20th if the 20th falls on a weekend. The meeting will be held on the first Wednesday of the following month. These deadlines and meetings are announced in the monthly newsletter.

Each application received at the Community Center will entered into a monthly log in order of receipt.

The Waters Landing Administrative Assistant reviews all applications to determine if they are "conforming" or special".

CONFORMING applications are those which have the necessary and applicable signatures (four); conform to the Guidelines and include all the information required by the Guidelines (clear and concise drawings, explanations of style, color and about which there are not indications of conflicting opinion).

SPECIAL applications are all those which do not meet the "conforming" requirements. These applications may require extra processing time.

ALL applications ("conforming" and "special") will be copied and sent to all AERC members for their review.

Copies of the applications and the decision of the AERC will be sent by letter to the address on the application whether or not the applicant attends the meeting. Those applications disapproved by the Committee will be sent by Certified Mail.

The monthly log is completed and submitted to the Board of Directors for their review.

An appeal procedure exists for those affected by an AERC decision who feel that any of the following criteria were not met by the Committee when reviewing their application:

- a. Proper procedures were followed during the administration and review process.
- b. The application and any other affected homeowner attending the meeting were given a fair hearing.
- c. The AERC decision was not arbitrary, but had a rational basis.

To initiate the appeal procedure, applicants must submit a written request for an appeal within 15 days of receiving the AERC decision. Other affected homeowners or Neighborhoods must submit written notice within 15 days after the AERC has rendered its decision. The Board of Directors will review those cases and shall conduct a hearing.

ENFORCEMENT PROCEDURES

The Covenants (Article VII, Section 8.) require the AERC to insure compliance of all lots with the Associations architectural standards. The following enforcement procedures have been adopted by the Board of Directors.

- 1. Violations will be confirmed by a site visit by the Waters Landing Architectural Assistant and/or AERC Member.
- 2. Notice will be sent to homeowners in violation of the Covenants, citing the violation and the appropriate resolution to the violation (Figures B & C). Remedial action to correct the violation must occur within 30 days of the receipt of the letter. Homeowners have the right to appeal the citation. Such an appeal must be made in writing within 15 days of the receipt of the notice.

The source for reporting of violations will be as follows:

- a. Concerned homeowners
 - b. Members of the AERC
 - c. Members of the Board of Directors
 - d. Staff observations during the normal course of Association business
 - e. Walk throughs of Waters Landing Neighborhoods by designated person(s)
- 3. If there is no response after 30 days, a second notice will be sent by certified mail.
 - 4. After another 30 day period with no contact, a notice will be sent (again by certified mail) informing the homeowner of the time and place of a hearing by the Board of Directors on the case.
 - 5. If the case is not resolved during the hearing, or 60 days thereafter, it will be turned over to Counsel by the Board of Directors with a recommendation for legal action. The homeowner will be advised of his rights as they pertain to Article 24B of the Montgomery County Dispute Resolution Act.

CERTIFICATE OF COMPLIANCE

In accordance with Article VII, Section 6., a certificate of compliance will be provided to the homeowner if so requested by the homeowner and the completed alteration is in accordance with the plans and specifications of the application approved by the AERC.

Dear _____ :

(Figure"B")

The basic authority for maintaining the quality and design in the Waters Landing community is founded in the Declaration and By-Laws which are a part of the deed to every property in Waters Landing. The intent of the covenants is to assure homeowners that the standards of design quality will be maintained. This, in turn, protects property values and enhances the community's overall environment.

Every Waters Landing property owner should have received a copy of the Declaration and By-Laws at settlement. If you did not receive this document, copies are available at the Waters Landing Community Center, 20000 Father Hurley Boulevard. Since the covenants "run with the land", they are binding on all owners. The documents should be periodically read and understood. The Declaration and By-Laws established the Waters Landing Architectural and Environmental Review Committee (AERC).

The Declaration and By-Laws for the Waters Landing Association specifically prohibit and change or alteration to the exterior of any improvements (i.e. buildings) or upon any lot until the complete plans and specifications regarding such change shall have been submitted to and approved in writing by the AERC. A copy of Article VII, Section 1 is included for your review.

- 1.The change/alteration(s) listed below is in violation of the Declaration, By-laws and/or Architectural Guidelines and it is requested that you take immediate remedial action to correct this condition within thirty (30) days of the date of this letter.
- 2.The request for change/alteration to your property listed below was not approved by the AERC and is thereby in violation of the Declaration, By-Laws and/or Architectural Guidelines. It is requested that you take immediate remedial action to correct this condition within thirty (30) days of the date of this letter.

Alteration(s): _____

You have the right to appeal the AERC decision to the Board of Directors of the Waters Landing Association, Inc. in accordance with Article VII, Section 4 of the Declaration. Such an appeal must be made in writing within 15 days of the date of this letter. Please contact the Waters Landing Community Center at 972-3681 concerning appeal procedures should you have any questions.

Sincerely,

The Architectural and Environmental
Review Committee

Dear _____ :

(Figure"C")

The basic authority for maintaining the quality and design in the Waters Landing community is founded in the Declaration and By-Laws which are a part of the deed to every property in Waters Landing. The intent of the covenants is to assure homeowners that the standards of design quality will be maintained. This, in turn, protects property values and enhances the community's overall environment.

Every Waters Landing property owner should have received a copy of the Declaration and By-Laws at settlement. If you did not receive this document, copies are available at the Waters Landing Community Center, 20000 Father Hurley Boulevard. Since the covenants "run with the land", they are binding on all owners. The documents should be periodically read and understood. The Declaration and By-Laws established the Waters Landing Architectural and Environmental Review Committee (AERC).

The Declaration and By-Laws for the Waters Landing Association specifically prohibit any change or alteration to the exterior of any improvements (i.e. buildings) or upon any lot until the complete plans and specifications regarding such change shall have been submitted to and approved in writing by the AERC. A copy of Article VII, Section 1 is included for your review.

The change/alteration(s) listed below was not made in compliance with the declaration as described above. It is requested that you promptly submit the required application to the AERC for processing. Please complete and return the enclosed application to the Waters Landing Community Center, 20000 Father Hurley Boulevard, as soon as possible.

If the below listed alteration to your property involves an amenity which was part of the original construction of your home, no application is required. However, you are requested to inform the AERC if the alteration falls into this exclusionary category.

Alteration(s) _____ :

You have the right to appeal the AERC decision to the Board of Directors of the Waters Landing Association, Inc. in accordance with Article VII, Section 4 of the Declaration. Such an appeal must be made in writing within 15 days of the date of this letter. Please contact the Waters Landing Community Center at 972-3681 concerning appeal procedures should you have any questions.

Sincerely,

The Architectural and Environmental
Review Committee

Article VII

Section I. Architectural and Environmental Review Committee.

Except for construction or development by, for or under contract with the Declarant or Builder, as approved by the Declarant Common Areas accomplished by the Declarant concurrently with said construction and development, and except for purposes of proper maintenance and repair, no building, fence, wall or other improvements or structures shall be commenced, directed, placed, moved, altered or maintained upon The Property, nor shall any exterior addition to or change (including any change of color) or other alteration thereupon be made until the complete plans and specifications showing the location, nature, shape, height material, color type of construction and any other proposed form of change (including, without limitation, any other information specified by the Architectural and Environmental Review Committee) shall have been submitted to and approved in writing as to safety, harmony of external design, color and location in relation to surrounding structures and topography by an Architectural and Environmental Review Committee designed by the Board of Directors.

Subject to the same limitations as hereinabove provided for, it shall be prohibited to install, erect, attach, apply, paste, screw, nail, build, alter, remove or construct any lighting, shades, screens, awnings, patio covers, decorations, fences, wall, aerials, antennas, radio or television broadcasting or receiving devices, slabs sidewalks, curbs, gutters, patios, balconies, porches, driveways, walls or to make any changes or otherwise alter (including any alteration in color) in any manner whatsoever the exterior of any improvements constructed upon sand Lot or upon any of the Common Areas, or to combine or otherwise join two or more dwellings, or to partition the same after combination, or to remove or alter any windows or exterior doors of any dwelling, or to make any change or alteration within any dwelling which will alter the structural integrity of the building or otherwise affect the property, interest or welfare of any other lot owner, materially increase the cost of operating or insuring any of the common areas or impair any easement, until the complete plans and specification, showing the location, nature, shape, height, material color type of construction and any other proposed form of change (including, without limitation, any other information specified by the Architectural and Environmental Review Committee) shall have been submitted to and approved in writing as to safety, harmony of external design, color and location in relation to surrounding structures and topography and conformity with the design concept for the community by the Architectural and Environmental Review Committee designed by the Board of Directors.

PROPERTY LINE FENCES

Property line fences are defined as those fences which are constructed on the actual property line of a lot.

Fence height must not be greater than is necessary for its intended use since fencing can have a significant impact on adjoining properties and community open space.

The height and design of fences should conform to other approved fencing in the Neighborhood.

Fencing should relate to the principle architectural features of the house in design, location and the way in which it connects to the existing house.

Planting schemes can be integrated with all fencing to soften the visual impact. Fences exceeding the rear foundation line of a house (or fences which appear to be in a neighbor's front yard due to lot configuration) must be landscaped.

The tops of all fences should be maintained horizontal if practicable. In cases of sloped in excess of 10%, the top of the fence may be inclined at the same angle as the house roof. The top of the fence should be aligned to maintain the constant angle of incline over the slope, presenting a straight line. The constant angle of incline should be maintained for as great a length as feasible.

The bottom of the fence should be no more than 6" to 12" above grade at any point depending on the fence type. The bottom of vertical fence members may conform to ground contours to eliminate gaps. Vertical members must be plumb and not extended beyond the uppermost horizontal portion of the fence except in "picket fences".

Gates must be compatible to fencing in design, materials, height and color.

Chain link fencing is not acceptable.

Fencing which is finished on one side only must be constructed with the finished side facing out.

Long lengths of continuous solid fencing will not be approved.

Six (6) foot high property-line fences will be disapproved except for townhomes.

Fundamental to Waters Landing is plan is the concept of common open space. The preservation of green space and natural features, as well as a feeling of openness, contributes significantly to Waters Landing's difference from typical subdivisions. The purpose of this community open space is to provide each residential lot with the atmosphere of a larger open area. Fencing, if it is carelessly used or placed, encroaches upon open space and can even destroy it.

FENCE TYPES

Proper fencing can have a unifying effect upon a neighborhood. Improper fencing can detract from the appearance of a neighborhood. Cluttering a neighborhood with uncoordinated selection and placement of fences should be avoided. Fencing should be compatible with the applicant's house, but it must also be appropriate for its intended purpose. For example, a "privacy fence" has different design considerations than a fence which is used to define property boundaries. Listed below are suggestions which may be helpful in selecting a fence style related to the primary fencing needs.

PROPERTY SEPARATION- Where the homeowner's goal is property separation but not privacy, an "open" fence is appropriate. Open fences provide visual definition of property boundaries without obstructing views but should only be used when necessary light of the open space concept of Waters Landing described above.

SECURITY - Many homeowners wish to restrict children or pets to or from their property. Security fences in detached homes must be of the "open" type. Property line fences should not be counted on to provide security for children and pets.

PRIVACY - IN NO CASE SHOULD PRIVACY FENCING AND PROPERTY LINE FENCING BE COMBINED EXCEPT IN TOWNHOMES. While fencing can be used to create private outdoor spaces, homeowners should also consider ventilation. A private space with no cooling breezes in the summer can be unpleasant. To avoid this, the homeowner might choose from several fencing designs depending on the amount of privacy desired. A spaced board fence is "semi-open" and allows natural ventilation while affording varying degrees of privacy dependent on the size of boards and spaces between them.

The height of a fence, the topography of the land and the relative distance of an observer affect both the amount of privacy afforded by a fence and its degree of visual impact.

Extending a privacy fence farther from the patio does not necessarily increase privacy but can adversely increase the impact on common open space. Therefore, the extension of privacy fencing from the face of the house and patio areas to be protected should be minimized.

DETACHED HOMES

Fences should be restricted to rear and side yards. Solid fencing used for privacy screens in short segments immediately adjacent to the house or patio must not exceed 61 in height.

Property line fencing must be an "open" type (either split rail or open space picket) and may not exceed 4' in height.

ATTACHED HOMES

Fencing shall be restricted to rear yard locations, with the exception of Waterbury Downs North and I. Particular attention should be given to the amount of adjacent open space and the height and compatibility of materials and color with the existing house and other houses in the immediate vicinity.

The height limit of the fence must be compatible with the house; the accepted limits are between 3' and 6'.

FENCE SETBACKS (11/88)

To minimize the visual impact of fencing from the street view, the Committee may require a setback of the fence from the front edge of the house. Additionally, the Committee may require a setback for breaking the visual impact of fences backing to streets. Additionally, a setback may be required to be planted with evergreen plants or shrubs to soften the fence line along the street.

MATERIALS AND COLORS

Fencing must be compatible with the materials and colors in the applicant's house and the prevailing materials in adjacent houses. Continuity of texture and the scale of materials should be considered. In many cases, fencing may be left to weather naturally.

In houses with wood siding and strong expressed wood trim, the greatest continuity is often achieved through relating a wood fence to the trim. With other fencing materials such as wrought iron, the fence should relate more to the overall design of the applicant's house and adjacent houses. Property line fences should be of an earthtone or left to weather naturally.

Masonry may be an integral part of a fencing scheme. Masonry should match the masonry used in the applicant's house. If masonry walls are covered with stucco, the texture and final color should match the applicant's house.

Wire mesh screening used to increase security as part of a split rail fence will be considered. The wire mesh will be attached on the inside of the fence and will not extend above the top rail.

The applicant is referred to the Architectural Guideline's Design for dimensions, definitions and suggestions on fence style. Chain link and stockade fenced will not be approved by the AERC.

An application is required for all fences.

SCREENING LOTS ON MAJOR ROADWAYS

Since lots with reverse frontage on major roadways in Waters Landing are highly visible, certain criteria should be followed to retain the aesthetic qualities of the community.

The following guidelines should be used for reviewing all architectural requests for screening lots along the major roadways. Applicants must retain the natural wooded grassy cover or supplement or reestablish the natural woodland cover with native plant material.

Special privacy needs of the individual homeowner due to the topography or orientation or family situation may be met by one of the following:

1. Plant a natural screen or hedge.
2. Install patio or small-section fencing screens.
3. Install property line fence as per the guidelines with landscaping.
 - a. 4' split rail fence or picket fence
 - b. Higher than 4' only if:
 1. Special circumstances warrant fence and
 2. Fence is placed at least 4' within property line with evergreen plant material placed in a random pattern on the outside of the fence; specific planting proposals must be included with fence application.
 - c. Six-foot privacy fencing (i.e., board-on-board) material may be used along the rear property line (only) of a certain detached or duplex single family home which directly abut one of the major (four-lane) roadways, Father Hurley Boulevard or Crystal Rock Drive. (6/87)

APPLICATION CONTENTS

1. Fence style and material.
2. Color of fence.
3. Dimensions.
4. Site plan which shows the relationship of the fence to adjacent houses and open spaces and to property lines.
5. Landscaping plans to compliment and/or screen the fence.
6. Signatures of all those property owners adjacent to the proposed fence and most affected by the fence (4 signatures).

ENCLOSED STORAGE AREAS

Any enclosed storage area has an aesthetic impact on neighbors. An inconsiderately placed or poorly designed enclosed storage area can visually and functionally negate an otherwise desirable residential area. Therefore, it is important to remember in choosing and locating an enclosed storage area that there are needs other than storage which must be considered.

DESIGN CRITERIA

1. The design of an enclosed storage area is directly related to its location. As the relationship between the house and the enclosed storage area changes, so does the type of enclosed storage area to be used.
2. The enclosed storage should be designed to appear as part of the house or fence and may be a part of a deck or other outdoor improvement.
3. The enclosed storage area must be designed to respect the "visual rights" and aesthetic interest of neighboring properties.

For convenience, enclosed storage areas have been placed into two categories based upon the enclosed storage relationship to the house.

TYPE 1 - ATTACHED TO THE HOUSE

Design

The architectural design of the enclosed storage area should be compatible with the design of the house, i.e., same materials, same color scheme, same roof pitch, same detailing.

Materials

The finish materials used to enclosed the storage area must be the same as the exterior finish of the house.

Colors

The color scheme must be the same as that on the house.

Roof

The roof slope and the type and color of the roofing materials (shingles, etc.) should match those of the house.

TYPE 2 - INTEGRAL WITH FENCE

When enclosed storage areas are designed as an integral part of fencing, either solid or semi-transparent, fence type is recommended.

The architectural design of the enclosed storage area must be compatible with the design of the fence, whether the fence is existing or to be built with the enclosed storage area.

Materials

The finish material of the enclosed storage area must be the same as the finish material used on the fence.

Color

The color scheme must be identical to that used on the fence.

Roof

The roof of the enclosed storage area should either be flat roof with the top of the roof at the same elevation as the top of the fence (in the case of a 6' high fence) or sloped similar to that of the house.

Size

While enclosed storage areas must provide sufficient volume for their intended use, they must be of a size which is appropriate for the size of the property and which is architecturally compatible with the applicant's house and adjacent houses.

The highest point of the enclosed storage area should not exceed the height of an adjacent privacy fence.

SUMMARY

Enclosed storage areas must be attached to a house or a fence. Roofing and siding materials should be of the same type and color as the house or fence.

APPLICATION CONTENTS

An application is required for all tool/enclosed storage areas. All applications must include:

- a. Site plan which shows the relationship of the enclosed storage area to the adjacent house and property lines.
- b. Picture and/or detailed drawing of the enclosed storage area to include dimensions.
- c. Description of materials used.
- d. Color of enclosed storage area and house.
- e. Estimated completion date.

PATIOS AND DECKS

Patio and Deck Location

Patios provide a means for ground level extension of indoor space with less visual impact than elevated decks.

With the exception of Waterbury Downs I and North, patios or decks must be located in rear yards.

When patio or deck schemes include other exterior changes, such as fencing, lights, planting, etc., other appropriate sections of these Guidelines should be consulted prior to application.

Underdeck Storage

Raised decks include an underdeck area which has a visual impact on neighbors in the surrounding area. When using an underdeck area for informal storage, the impact on neighbors should be kept in mind. Storage must be maintained so as to present a neat, uncluttered appearance. Special underdeck storage, screening or landscaping may be required to hide tall spindly deck supports. Those items mentioned in Article 7, Section 8, paragraph d. of the Declaration and By-Laws may not be stored under any deck.

Materials and Color

Materials should have natural weathering qualities as do brick, wood and stone.

(9/89) - Wood used in decks should be redwood, cedar or pressure treated pine and allowed to weather naturally or treated with a clear, waterproofing agent. Any deviation from this requirement must be specifically requested in the application for change and will be considered on a case-by-case basis.

Drainage

If changes in grade or other conditions which will affect drainage area anticipated, they must be indicated. Approval will be denied if adjoining properties are adversely affected by changes in drainage. In all cases in which a patio is contemplated, serious consideration should be given in making ground level surfaces or porous material or to provide mulched beds to offset additional impervious deck or patio area.

Screened Decks

Screened decks are limited to rear yards only. The slope and construction of the roof must match slope, design and color of existing roof of house. Materials must be constructed of same materials as deck.

Application contents for Ground Level Patios and All Decks

An application is required for all decks and patios. Applications must include the following contents:

- a. Drawings showing the size and style of the deck or patio, including details of railings and stairs, benches, etc.
- b. Site plan showing the relationship of the deck or patio to the house, lot or adjacent properties
- c. A description of materials to be used.
- d. Color of the deck. State if the color of the deck matches the color of the house or trim. If deck does not match house or trim, specify color of house, trim and proposed deck.
- e. Dimensions of railings, posts, stair, steps, benches and other details as required to clearly describe proposal. Include height of deck off ground.
- f. Details of changes to windows and doors, if applicable.
- g. Estimated completion date.

SUN CONTROL DEVICES

The manner in which sun control is implemented has considerable affect on the exterior appearance of a house, and the desirable benefits of sun exposure in the winter, fall and spring.

Materials are available for application on inside of windows to reduce thermal transmission and glare. These materials may provide effective and economical alternatives to awnings and trellises. Effective sun control can often be provided by such simple measures as planting deciduous trees to shade windows from undesired sun exposure.

- a. Sun control devices should be compatible with the architectural character of the house in terms of style, color and materials.
- b. Awnings should be of straightforward design without decorative embellishments such as scallops, fringes and contrasting color stitches.
- c. Awnings as trellises should be consistent with the visual scale of the house to which they are attached.

Location

The location of any awning or trellis should not adversely affect views, light, winter sun or natural ventilation of adjacent properties.

Materials and Color

Solid colors must be used rather than stripes or patterns.

Trelliswork should match the trim or dominant color of the applicant's house.

Pipe frames for canvas awnings should be painted to match trim or dominate color of the house. If awnings are removed for winter storage, frames must be removed.

Landscaping features are very important and should be integrated with sun control devices.

Application Contents

Applications to the AERC must include:

- a. Site plan showing location of trellis and or/awning.
- b. Sketch and/or photograph of house (and adjacent houses if townhouse application).
- c. Sketch, photograph or manufacturer's product information of proposed sun control device including indication of dimensions, construction details showing how the awning or trellis is attached to the house, materials and color. In the case of fabric awnings, submissions of a material and color should be included.
- d. Estimated completion date

CONFORMING STORM AND SCREEN DOORS

Conforming storm and screen doors do not require an application. Doors must be plain of full view without ornamentation such as scallops, scrolls and imitation gate hinges.

Storm or screen doors must be painted to be the same as the entry doors behind them. Consideration will be given to doors that are the same color as the trim, siding and/or existing storm windows.

An application is required for storm and screen doors except as noted above. The application to the AERC must include:

- a. Drawing and/or photograph of purpose doors.
- b. Color indication of the screen/storm door and existing front, rear, etc. door.
- c. Location of doors (front, rear, etc.).
- d. Estimated installation date.

RECREATION AND PLAY EQUIPMENT

Creatively designed play equipment is encouraged. The guidelines listed below are provided in an effort to reconcile the need for play equipment with the goal of minimizing its visual impact. Careful thought should be given to location and kinds of equipment to be installed since neighborhood facilities will be of a larger scale and have a greater usage.

Location and Size

Play equipment must be placed in rear yards. Consideration will be give to lot size, equipment size and design and amount of visual screening, etc.

Basketball Equipment: (11/88)

Residential basketball equipment may be used in detached home (single family or duplex) or garaged-townhome neighborhoods only.

Backboards may be mounted on a garage roof or wall, or on freestanding poles (without support wires). Freestanding poles must be painted a dark earth tone color, and rooftop/wall attachment devices/frames must be painted to match the color of the supporting surface (i.e., siding or roof shingle) . Backboards will be of standard size and should be white in color.

The court playing area must make use of an existing paved or concrete driveway. The addition of a dedicated court surface area is not permitted. Lawns will not be considered a suitable playing area due to the formation of bare earth spots.

Any exceptions to the above must be approved by the AERC.

Material and Color

Play equipment constructed of wood is encouraged.

Metal play equipment, exclusive of the wearing surfaces (slides, poles, climbing rungs, etc.), free standing basketball backboards and their poles should be painted dark earth tones to blend with the natural surroundings or, if located adjacent to a dwelling or fence, painted to match the background or screening structure. Other play equipment colors will be considered, contingent upon location and landscaping. Basketball backboards secured to detached houses or garages should be painted to match the background. A contrasting rectangular color outline may be painted on the backboard behind the goal.

Application Contents

Applications to the AERC must include:

- a. Site plan showing relation of proposed play equipment to adjacent property lines, applicant's house and adjacent houses.
- b. Photograph and/or sketch of proposed play equipment.
- c. Dimensions
- d. Color and material
- e. Estimated completion date.

SWIMMING POOLS

Waters Landing amenities are designed to provide swimming opportunities for all residents through the Association and Community facilities. Lots enclosing single family homes are generally too small for compatible development of a swimming pool.

Only in-ground pools will be considered. Pools for swimming must be located in the rear of the house.

Homeowners are responsible to submitting applications for additional exterior changes either to enhance the swimming pool or to conform to Montgomery County Builders Codes (i.e., fence, decking, retaining walls, etc. See architectural guidelines concerning these items).

Application Contents

Applications to the AERC must include:

- a. Signatures of all property owners effected by the proposed pool (in the event that more than the usual four property owners are affected).
- b. A site plan showing location and dimensions of the pool, other related equipment, fences etc. in relation to the applicant's house, property lines and adjacent dwellings.
- c. Detailed drawings and plans of the pool, deck area, lighting arrangements, walkways, fences, etc. and pertinent information concerning water supply system, drainage and water disposal system.
- d. Planting plan for outside (exterior) fencing.
- e. All other application for changes associated with the swimming pool as noted above.
- f. Estimated completion date.

MAJOR ALTERATIONS

Major alterations are considered to be those which substantially alter the existing structure either by subtraction and/or addition. However, other site changes such as driveway modifications are also included.

The design of major alterations should be compatible in scale, materials and color with the applicant's house and adjacent houses.

The location of major alterations should not impact the views, or amount of sunlight and natural ventilation on adjacent properties.

Pitched roofs must match the same slope of the roof on the applicant's house.

New windows and doors should match the type used in the applicant's house and should be located in a manner which related well to the location of exterior openings in the existing house.

If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction materials should be stored so that impairment of views from neighboring properties minimized. Excess materials should be immediately removed after completion of construction.

No debris may be allowed to accumulate during construction.

Attached greenhouses will be reviewed as major alterations.

Major building alterations include, but are not limited to, construction of driveways, garages, carports, porches, greenhouses, rooms, fireplaces, chimneys, and other additions to a home, etc.

The proposed structure must be compatible with the original structure and in keeping with the existing lot size.

Application Contents

Applications to the AERC must include:

- a. Site plan showing the location of proposed structure, and relationship to the property lines and adjacent houses.
- b. Detailed drawings and plans including the exterior elevations and dimensions.
- c. Description of materials including type of siding on dwelling and proposed structure, color of proposed structure and trim, exterior lighting arrangements, etc.
- d. Final application should be a duplicate of those documents which are to be submitted to Montgomery County for a building permit, and should also include colors, materials, and drawings or photographs as required, to illustrate the relation of the alteration to the applicant's house and adjacent houses where necessary.
- e. Landscaping plans.
- f. Estimated completion date.

MISCELLANEOUS

CHIMNEYS AND METAL FLUES

Large metal flues and chimney caps must be painted and any vent through the roof should be painted to match roof color. Chimneys must be masonry or enclosed in the same material as the exterior of the building.

Application Contents

Applications to the AERC must include:

- a. Site plan showing the relation of chimney/metal flues to the house, property line, and adjacent neighbors.
- b. Picture and/or detailed drawing of chimney, metal flue to include dimensions.
- c. Color and style of house. If chimney was builder option, state how chimney differs from builder option.
- d. Description of materials being used to construct chimney.
If the brick is being used and there is brick already on the house, the brick colors must match exactly.
- e. Estimated completion date.

EXTERIOR DECORATIVE OBJECTS

Approval will be required for all introduced exterior decorative objects including natural and man-made.

Exterior decorative objects include such representative items as bird baths, wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, freestanding poles of all types and sizes attached to approved structures.

Application Contents

Applications to the AERC must include:

- a. Site plan showing the relation of the object to the house, property line and adjacent neighbors.
- b. Picture and/or detailed drawing of object to include dimensions.
- c. Color and material of object.
- d. Estimated completion date.

EXTERIOR LIGHTING

No exterior lighting shall be directed outside the applicant's property. Light fixtures which are proposed in place of the original fixtures should be compatible in style and scale with the applicant's house.

Lighting which is part of the original structure must not be altered without AERC approval. Applications for exterior lighting should include wattage, height of light fixture above ground and a complete description, including descriptive material of the light fixture and location on the property.

ELECTRONIC INSECT TRAPS

Electronic insect traps will be regulated based on the same criteria as for exterior lighting. In addition, no device shall be installed or maintained in such a way to cause discomfort to adjacent owners from noise and may only be operated during those times when the immediate area protected by the trap is occupied by the owner or guests.

Application Contents for Exterior Lighting and Electronic Insect Traps

Applications to the AERC must include:

- a. Site plan showing the relation of the insect trap or lighting to the house, property line and adjacent neighbors.
- b. Picture and/or detailed drawing of the insect trap or lighting to include all dimensions and height of fixture above ground.
- c. State wattage of bulb to be used.
- d. Estimated completion date.

EXTERIOR PAINTING

Applications for repainting or staining a specific object to match its original color need not be submitted. Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures. Change of exterior color for the single family houses should relate to the colors of the houses in the immediate area. Change of exterior color in attached homes should be from one of the existing neighborhood colors.

Application Contents

Application to the AERC must include:

- a. List of all exterior colors on the house and appurtenant structures.
- b. A color sample of the new color to be used.
- c. Estimated completion date.

FLAGPOLES

Permanent flagpoles should be of a height, color and location which is appropriate for the size of the property and background. Permanent free standing flagpoles are approved for only detached houses and must be installed and maintained in a vertical position.

Homeowners wishing temporary flagpole staffs which do not exceed six feet in length and are attached at an incline on the front wall or pillar of the house or dwelling unit need not have an application.

Application Contents for Free-Standing Flagpoles

Applications to the AERC must include:

- a. Site plan showing the relation of the pole to the house, property line and adjacent neighbors.
- b. Picture and/or detailed drawing of pole to include dimensions.
- c. Description of material and color of flagpole.
- d. Estimated installation date.

PERMANENT GRILLS

Permanent grills must be placed in the rear of the house and should not be located within 10 feet of the side and rear property lines and must conform to Montgomery County ordinances regarding fire safety.

Application Contents

Applications to the AERC must include:

- a. Site plan and showing the relation of the grill to the house, property line and adjacent neighbors.
- b. Picture and/or detailed drawing of the grill to include dimensions and materials used.
- c. Estimated completion date.

STORAGE OF BOATS, TRAILERS, CAMPERS, MOBILE HOMES OR RECREATIONAL VEHICLES

No recreational vehicle may be parked or stored in open view on residential property, public or private streets or on open space.

The Board of Directors has defined "recreational vehicle" as follows:

1. A boat or boat trailer.
2. Any motor home or other self-contained camper.
3. Any camper slip-ons where the camper backs are higher than the roof line of the cab of the truck.
4. Any mobile home, trailer or fifth wheel trailer.
5. Any pop-up camp/tent trailer or other similar recreation oriented portable or transportable facility or conveyance.
6. Any other vehicle not defined above which could not normally or regularly be used to daily transportation including dune buggies or non-operative automobile collections or other automotive equipment not licensed for use on the highways of Maryland.

For the purposed of requiring screened parking and storage on a lot in Waters Landing, the following vehicles shall be treated in the same manner as recreational vehicles:

1. Any vehicle that is included in the Montgomery County code as being defined as commercial.
2. Any vehicle that has commercial signs or advertising or commercial equipment visible.
3. Any private or public school or church buses.

Commercial storage for recreational vehicles is available locally. If an RV owner chooses not to use one of these storage areas, the Covenants require that any storage or parking on the owners lot be properly screened. Such screening must meet the fence, storage unit or major additional criteria as applicable.

An application must be submitted for the screening (see pertinent section for information on application contents).

SIDEWALKS AND PATHWAYS

Stone and brick pathways or sidewalks should be back at least 4 feet from the property line and installed flush to the ground.

Application Contents

Applications to the AERC must include:

- a. Site plan showing the exact location of pathway or sidewalk.
- b. Material to be used including color. If using brick, type should with that on the house if any.
- c. Method of installation plus a description of grading changes required, if any, and the resulting impact on neighbors.
- d. Estimated completion date.

CONFORMING ITEMS NOT REQUIRING AN APPLICATION

Attic Ventilators

Attic ventilates and turbines are encouraged but must match the siding or trim of the house if mounted on a gable end or be painted to match the roof if placed on a roof. Roof location shall be on the least visible side of the ridge pole.

Gutters and Downspouts

For detached houses, gutters and downspouts should match those existing in color and design and must not adversely affect drainage on adjacent properties.

Attached and semi-detached house gutters and downspouts should conform to established guidelines or match those existing in color and design and must not adversely affect drainage on adjacent property.

Mailboxes

Mailboxes are a functional necessity, not a decorative item. Since they are usually in a very visual location, they should be straight-forward in design, mounted on simple posts. They should be painted either black, a dark earthtone or painted to match the house and trim color and be located so as not to obstruct sidewalks or site lines in accordance with postal regulations.

Trash Cans

Trash cans should be stored out of sight. This can be accomplished by storing them in garages, basements, etc., or by using appropriate exterior screening, fencing or landscaping.

Firewood (11/88)

Firewood is to be kept neatly stacked and located, within the property lines, to the rear or side of the residence. Firewood is allowed for the personal use of the occupants of the residence, and is not to be stored or processed for sale to other people.

No more than two (2) cords of wood (a single cord being the volume of a stack measuring 4' high by 4' wide by 8' long) may be stored on a single family lot; no more than one (1) cord per townhouse lot; and no more than one-half (1/2) cord per unit in the Waterbury Downs neighborhoods, at any one time. Stacks are limited to four feet (4') in height or the height of an adjacent fence, to whichever is taller. Screening may be required by the Committee in cases where visual impact is of special concern to neighbors or the Committee. Rain covers for wood stacks should be an earth tone color, and secured to the stacks to prevent them from blowing away.

For the convenience, during the fireplace and wood burning season, a small quantity of split firewood--about that which could be expected to be burned in a single day, but not to exceed fifteen (15) pieces--may be kept neatly stacked on front porches. Residents should take care to place any firewood stack away from the walls of the house to minimize the chance of the termite infestation.

Any exceptions to the above must be approved by the AERC.

Real Estate Sales/Rent Signs

Real estate signs must meet County regulations with respect to size, content and removal. Signs may only be placed in the front yard of the property available.

LANDSCAPING AND VEGETABLE GARDENS

Location

Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic.

Also, the views of neighboring units and shade patterns of larger trees should always be considered.

Scale

Care should be exercised in selecting plant materials which upon maturity will be of an appropriate size in height and breadth for its intended use and location. Mature size, both in height and diameter, should always be considered especially when planting close to walkways and houses.

Consideration should be given to the effect which planting will have on views from neighboring houses and property.

Planting should be clustered rather than widely spaced.

Massing, the three-dimensional appearance of planting, may be improved by augmenting trees and taller shrubs with low spreading shrubs and/or ground cover.

All gardens must be neatly maintained throughout the growing season; this includes removal of all unused stakes, trellises and dead growth.

Application Requirements

An application is not required for foundation planting, trees or single planting; however, an application is required for hedges more than 2 feet -in height or other features which in effect become structures, fences or screens and as part of other applications where required.

COMPOST PILES

Compost piles must be constructed of a wooden outside frame with wire or block interior. These piles must have a screen planting plan submitted with each application. Compost piles should not exceed 3 feet in height and must be located at least 5 feet from a lot line and in the rear of a home.

All active compost piles must have a 6 inch layer of straw over the top of them at all times to prevent odors from escaping. All compost piles must be maintained and turned over periodically to ensure the proper destruction of bacteria and weed seeds by the elements.

Failure to maintain a satisfactory compost pile and/or the point at which the compost pile becomes a public nuisance shall indicate an abandonment of the compost pile and violation of the Guidelines.

Application Contents

Applications to the AERC must include:

- a. Site plan showing relation of the compost pile to the house, property line and adjacent houses.
- b. Picture and/or detailed drawing of the compost pile structure to include all dimensions.
- c. Description of all materials used.
- d. Estimated completion date.

Applications should include a description of the types and sizes of shrubs to be planted and a site plan showing the relationship of planting to the house and adjacent dwellings.

An application is required for railroad ties or garden timbers which form a wall over 12 inches high and 8 feet long. Include a site plan with the location of ties or timbers drawn in and information on landscaping plans and any grading changes.

Rock Gardens

Written approval is necessary for rock gardens in the event rocks or collection of rocks exceed 24 inches in any direction. All rocks shall be left in their natural color.

Vegetable Gardens

An application must be submitted for vegetable gardens which do not meet the following conditions.

- a. It is located between the rear line of the house and the rear property line.
- b. Its size does not exceed 1/4 of the area described in (a).
- c. It is not planted on a grade exceeding a ration of 5 feet to 100 feet.
- d. It does not damage property below it through the flow of water onto lower property.
- e. It does not encroach on Association open space.

MAINTENANCE GUIDELINES

Property ownership includes the responsibility for maintenance of all structures and ground which are a part of the property. This includes, but is not limited to items such as mowing grass, removal of trash and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood and, in some cases, safety.

Exterior Appearance

Homeowners are responsible to maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, enclosed storage areas and playground types of equipment.

The following represents some conditions which the AERC considers a violation:

1. Peeling paint on exterior trim.
2. Dented mailboxes or mailboxes and/or stands in need of repainting.
3. Playground equipment which is either broken or in need of repainting.
4. Fences with either broken or missing parts.
5. Enclosed storage areas with broken doors or in need of painting or repair.

6. Decks in need of repair or restaining.
7. Concrete or masonry block foundations and/or party walls in need of repainting.
8. Maintenance of common fencing between two townhomes is the joint responsibility of both owners.

Most homeowners would not allow any of the above conditions to exist as they seek to preserve and protect their investment in their homes and to limit their personal liability by keeping all improvements on their lots in good condition. The Association expects that all homeowners will do this necessary maintenance to prevent any of the cited conditions from occurring in Waters Landing.

Mowing-Lawn Care (11/88)

A minimum of fifty percent (50%) of a front yard, excluding driveway or walkway area, must be planted with residential type lawn grass. The grass must be maintained to a level not to exceed six inches (6") in height, and the area of grass should be kept trimmed and neat in appearance.

Any landscaped areas will be kept neatly mulched and free of weeds. Bare earth spots outside of gardens are not allowed. Any exceptions to the above must be approved by the AERC.

Lawn and Garden Fertilization

All soil should be tested before fertilizer is added especially in areas where drainage will flow into ponds. Special care should be taken not to over-fertilize or to fertilize lawns and gardens when there is the least chance of runoff. In areas adjacent to ponds and waterways, apply only half the recommended amount of fertilizer in order to avoid runoff. Soil test kits are available free from the County Libraries or County Extension Office.

Trash Removal

Each homeowner/resident is responsible for picking up litter on his/her property and preventing wind-blown debris from originating on his/her land.

At no time are the Association common areas or open space to be used as a dumping ground for debris of any kind, organic or inorganic.

Animal Control

According to the Montgomery County Animal Control Ordinance no animal shall damage, soil, defile or defecate on private property other than the owners'. Feces shall be immediately removed from private property and disposed of by the animal owner in a sanitary manner.

Erosion Control

Each resident is responsible for seeing that their lot area is protected from erosion and that storm drain structures are not so blocked so as to cause additional erosion problems which will silt up ponds and stream valleys.

Pesticides and Herbicides

Pesticides and herbicides may be applied according to label instructions for the specified problem. Emphasis should be placed on organic/biodegradable materials in order to ensure the least harm to the natural environment. Care in application is extremely important along ponds and waterways, near neighborhood play areas and tot lots and near adjacent residences. Avoid the use of pesticides and herbicides if at all possible, but when necessary use with caution and follow instructions.

Homeowners are responsible for complying with Montgomery County building codes and ordinances.

THIS DOCUMENT IN NO WAY REPRESENTS A COMPILATION OF ALL POSSIBLE ARCHITECTURAL CHANGES AND IS SUBJECT TO AMENDMENT AND APPROVAL BY THE AERC and BOARD OF DIRECTORS.

Amendments to the March 1987 Architectural Guidelines
of the Waters Landing Association
Approved November 16, 1988

1. FRONT YARD GRASS: Per amendments approved by the Board of Directors on November 16, 1988:
Strike the current guideline under Mowing, on page 19, which reads:
"Turf areas need to be mowed at regular intervals, maintaining a maximum height of six inches."

and Replace with:

Lawn Care

"A minimum of fifty percent (50%) of a front yard, excluding driveway or walkway area, must be planted with residential-type lawn grass. The grass must be maintained to a level not to exceed six inches (6") in height, and the area of grass should be kept free of accumulations of non-grass growth, including weeds. Any area not covered with grass must be mulched and kept free of weeds. Borders between turf areas and landscaped areas will be kept trimmed and neat in appearance.

Any landscaped areas will be kept neatly mulched and free of weeds. Bare earth spots outside of gardens are not allowed .

Any exceptions to the above must be approved by the AERC."

2. FIREWOOD STORAGE Per amendments approved by the Board of Directors on November 16, 1988,
Strike the current guideline under Firewood, on Page 17, which reads:

"Firewood shall be kept neatly stacked and shall be located to the rear or side of the residence and located in such a manner to minimize visual impact. In certain cases, screening may be required.

Firewood piles shall be kept off of the building at least 6 to 12 inches in order to prevent termites from leaving the firewood and entering the house, thus voiding the termite protection".

and Replace with:

Firewood:

Firewood is to be kept neatly stacked and located, within the property lines, to the rear or side of the residence. Firewood is allowed for the personal use of the occupants of the residence, and is not to be stored or processed for sale to other people.

No more than two (2) cords of wood (a single cord being the volume of a stack measuring 4' high by 4' wide by 8' long) may be stored on a single family lot; no more than one (1) cord per townhouse lot; and no more than one-half (1/2) cord per unit in the Waterbury Downs neighborhoods, at any one time. Stacks are limited to four feet (4') in height or the height of an adjacent fence, to whichever is taller. Screening may be required by the Committee in cases where visual impact is of special concern to neighbors or the Committee. Rain covers for wood stacks should be an earth tone color, and secured to the stacks to prevent them from blowing away.

For convenience, during the fireplace and wood burning season, a small quantity of split firewood--about that which could be expected to be burned in a single day, but not to exceed fifteen (15) pieces--may be kept neatly stacked on front porches. Residents should take care to place any firewood stack away from the walls of the house to minimize the chance of the termite infestation. Any exceptions to the above must be approved by the AERC.

Amendments to the March 1987 Architectural Guidelines
of the Waters Landing Association
Approved August 19, 1989

1. DECKS:
Per Amendments approved by the Board of Directors on August, 16, 1989:

Strike the second paragraph of the section entitled "Materials and Color," found on page 14 of the March 1987 edition, which read:

"Wood in decks should match the trim or dominant color of the applicant's house. Certain kinds of wood such as redwood, cedar and pressure-treated pine may be left to weather naturally."

and Replace with:

"Wood used in decks should be redwood, cedar or pressure treated pine and allowed to weather naturally or treated with a clear, waterproofing agent. Any deviation from this requirement must be specifically requested in the application for change and will be considered on a case-by-case basis.

2. HOUSE NUMBERS-CURB

Per Amendments approved at the August 16, 1989 Board of Directors meeting, INSERT in March 1987 edition of guidelines, page 16, at the section entitled "Conforming Items Not Requiring An Application":

"House Numbers--Curbs

Homes located on public (county) streets may stencil the house number once on the curb next to the driveway. The stencil must use black block numbers, 2-1/2 wide by 4" high, painted on a white rectangular background no larger than 18", wide by 6" high. The stencil should be located approximately two (2') from the edge of the driveway"

3. FENCE SETBACKS: No specific guidelines in the March 1987 edition of the Architectural Guidelines address the use of fence setback. Per amendments approved by the Board of Directors on November 16, 1988:

Insert the following guideline to the fencing information, on page 8, between "ATTACHED HOME" and "MATERIALS AND COLORS" sections:

"FENCE SETBACKS

To minimize the visual impact of fencing from the street view, the Committee may require a setback of the fence from the front edge of the house. Additionally, the Committee may require setback from breaking the visual impact of fences backing up to streets. Additionally, to soften the fence line along the street."

4. BASKETBALL EQUIPMENT: Per amendments approved by the Board of Directors on November 16, 1988, in response to earlier exceptions:

Strike the following sections on Page 12, Recreation and Play Equipment:

"Basketball backboards may be secured to detached houses or garages provided that proper consideration is given to color noted below.

Material and Color

...free standing basketball backboards and their poles should be painted dark earth tones to blend with the natural surroundings or, if located adjacent to a dwelling or fences, painted to match the background or screening structure...Basketball backboards secured to detached houses or garages should be painted to match the background. A contrasting rectangular color outline may be painted on the backboard behind the goal."

and Replace with:

Basketball Equipment: (11/88)

Residential basketball equipment may be used in detached home (single family or duplex) or garaged-townhome neighborhoods only.

Backboards may be mounted on a garage roof or wall, or on free- standing poles (without support wires). Freestanding poles must be painted a dark earth tone color, and rooftop/wall attachment devices/frames must be painted to match the color of the supporting surface (i.e., siding or roof shingle) . Backboards will be of standard size and should be white in color.

The court playing area must make use of an existing paved or concrete driveway. The addition of a dedicated court surface area is not permitted. Lawns will not be considered a suitable playing area due to the formation of bare earth spots.

Any exceptions to the above must be approved by the AERC.

Approved by the Board of Directors
October 16, 1991

1. "WINDOW AIR CONDITIONING UNITS:

Due to visual and acoustical intrusiveness of window air conditioning units (including systems that cool, heat, or provide air filtration), such units are determined by Waters Landing Association to be incompatible with the neighborhood environment and the exterior designs of the homes in Waters Landing and will not be permitted for the any reason. In-wall air conditioning units, however, will be considered on a case-by-case only if a compelling need can be proven (such as a medically certifiable condition with a medical recommendation) and if the established, central heating and cooling system cannot be improved to reasonably meet the need. Even if a need can be established, approval may be granted only if the wall unit is installed to blend with the exterior design of the home, is flush with the outside wall, is located so that it is not visually or acoustically intrusive, and does not despoil the enjoyment of property of neighboring homeowners."
