

Walnut Creek Homeowners Association, Inc.

# Architectural Regulations and Guidelines

Revised September, 2024

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## Policy Statement

The Architectural Committee is established by section IX of the Deed, Agreement and Declaration. It is the purpose of the Architectural Committee to maintain the integrity of a high-quality residential neighborhood through proper architectural control. As per the Declaration, any change to your property including, but not limited to, painting, additions, construction of outbuildings, major landscaping, etc. must have the approval of the Architectural Committee prior to commencement of work. Approval by the Committee does not exempt you from obtaining proper building permits.

The Committee, with approval of the Board of Directors, has established these guidelines that will be followed when approving any changes to your property. In planning any changes or alterations to your property, the utmost consideration should be given to your neighbors. The Committee may from time to time review lots to verify conformity with architectural regulations and guidelines. Members found to be in violation of these guidelines or regulations stipulated in the Deed, Agreement and Declaration will be notified by the Board in writing.

If the member is not in compliance within 30 days after notification, the member may be fined as per amendment VII of the bylaws. The Association may initiate legal action as provided under Article X of the Declaration. The member must pay any court costs or attorney fees incurred by the Association. Failure to pay such costs will result in a lien being filed against the homeowner's property as provided under Article VI of the Declaration.

All members and residents should be familiar with the items pertaining to maintenance of the property, prohibited uses, architectural control, and enforcement stated in the Deed, Agreement and Declaration. The Declaration and other Association documents are available on the Association's website: [walnutcreekhoamd.com](http://walnutcreekhoamd.com).

Items below marked by an asterisk (\*) are architectural regulations set in the Declaration. Neither the Architectural Committee nor the Board of Directors may grant waivers of those regulations.

## Procedures for Requesting Approval by the Architectural Committee

Complete and submit two Architectural Committee Approval Forms to the chairperson of the Architectural Committee or submit them at a regular meeting of the Architectural Committee. Complete requests are acted upon by the Committee at regularly scheduled

Board of Directors meetings. The Committee chair will keep one copy for Association records and return the other copy to you once it has been voted upon.

For any construction projects, you must submit site plans, floor plans, elevations, photographs, materials lists including finished colors, etc. when appropriate. Any impacts to neighboring properties must be noted including, but not limited to, such impacts as drainage.

Requests denied by the Architectural Committee may be appealed in writing to the full Board of Directors.

Approval by the Committee or the Board is valid for one year unless otherwise stated. If work is not completed during the one-year period, a request for extension must be submitted.

Note: Only written requests for architectural approval will be considered.

## Regulations and Guidelines

### Basketball Nets/Backboards/Other Outdoor Recreational Equipment

- Basketball backboards and nets may be mounted to a house but must be centered above the garage and use mounting brackets that do not extend above the top of the backboard. The backboard must be kept in good repair and be painted to match the approved trim color of the home.
- Basketball nets and backboards will not be authorized for townhouses because of the proximity of adjoining units.
- Any temporary recreational equipment such as horseshoes, badminton, croquet sets, etc. may be temporarily erected but must be removed after use.
- Barbecue grills will only be used and stored in the rear of the house.

### Clothes Hanging\*

- No clothing or any other household fabrics shall be hung in the open on any lot unless hung from an umbrella or retractable clothes hanging device which is removed from view when not in use and unless the same is enclosed by a fence or other enclosure at least six inches higher than such hanging articles, provided such fence or other enclosure is approved by the Architectural Committee.

- Clothing or other household fabrics may not be hung in any front yard or from balconies.

## Commercial and Public Vehicles/Boats/Miscellaneous Trailers\* and Parking

- No motor vehicles (other than that of a private passenger type), boat, boat trailer, house trailer, trailer or any similar items shall be stored upon any lot.
- Vehicles not properly tagged and registered must be kept in the garage. Untagged vehicles or vehicles with expired registration may not be parked in the townhouse parking lots.
- Driving or parking on common grounds is prohibited.
- Parking on lawns is prohibited.

## Driveways

- Driveways must be paved and kept in good repair and free of major cracking, missing portions, and significant depressions. Concrete must be patched with a matching concrete patching material. Likewise, asphalt must be repaired using a matching asphalt material. Approval of other materials may be made on a case-by-case basis.

## Fencing

- Fences must be limited to a height of 6-1/2 feet measured from toe ground to the top of the fence.
- Chain link or wire fencing will not be approved. Vinyl-coated wire fence may be approved for use inside split rail or similar type fences to enclose pets.
- Fences may be left natural, painted the approved trim color of the house, or painted or sealed using another approved color.
- Fencing must be installed within your property lines.
- The finished side of the fence must face the street.
- Generally, fences may not extend past the front of your home. Exceptions may be made for corner lots or other extraordinary circumstances.

## Machinery

- No machinery shall be placed on or operated upon any lot except such machinery as is usual in maintenance of a private residence.
- Noise generated from machinery must comply with the current Montgomery County Noise Ordinance for residential noise areas.

## Mailboxes

- All mailboxes will be installed as a permanent fixture in a stationary manner.
- Mailboxes will be kept in good repair.

## Outdoor Lighting

- Functional lighting fixtures on free-standing poles must be limited to 6 feet in height.
- Care should be taken when directing lights so as not to interfere with the privacy of neighbors.

## Patios, Decks, and Balconies

- Patio or deck construction must not interfere with proper drainage or negatively impact adjoining lots. Decks must be constructed of pressure-treated or other rot-resistant materials.
- Front balconies must be painted/stained an approved color.
- Decks may be painted/stained an approved color.
- Front balconies may not be supported from the ground except the balcony on the Seville model as originally designed. Refer to Appendix A for details on Larwin and Petit home and models.
- The size of townhouse front balconies should not exceed the original design specification for depth (exterior house wall to outside edge of railing), but may be extended the full width of the house if a party wall exists on both sides of the balcony.
- Above-ground decks on the rear of townhouses may not extend past a depth of ten feet from the back wall of the house to the outside of the back rail of the deck.

## Roofing

- Dimensional asphalt or fiberglass shingles must be used on the single-family homes built by Larwin. Because of irregular shapes of dimensional shingles, roofing must be stripped to the sheathing before applying dimensional shingles.

- Standard flat or dimensional asphalt or fiberglass shingles may be used on the townhouses built by Larwin and the homes built by Petit at 18000 – 18911 Lindenhurst Road. No more than two layers of flat shingles may be installed without stripping roofing material to the sheathing.
- Color should be earth tones.
- Skylights must be framed and glass. Plastic bubble-type skylights will not be approved.
- Breezeway and patio covers may be considered on a case-by-case basis. Plastic panels will not be considered as an approved cover material for breezeways.

## Siding

- Replacement of siding may be of vinyl or composite materials. The use of vertical siding is encouraged but not required. The use of natural materials (such as masonry, cedar shakes, etc.) for the purpose of accenting architectural details may be approved on a case-by-case basis.
- Colors should be earth tones.
- Unless re-siding the entire house, the patterns of the replacement siding and the original siding must align.
- T1-11 textured plywood and textured Hardiboard siding are recommended as replacement materials for the original siding on the Larwin homes.
- Should a project require a phased approach, a phasing plan shall be submitted to the Architectural Committee for review. The phasing plan shall clearly note what facades are replaced in phases. Plan shall avoid a patchwork appearance whenever possible.
- Vertical or horizontal siding shall be approved provided the color, style, and texture combination is consistent with the architectural integrity of the Association.

## Windows

- Windows on Larwin homes should be replaced with either a slider type or a casement type, which closely resembles the sliders from the original construction in size and profile.
- White windows may be approved on the Larwin homes if window trim is painted white. White windows will not be approved with dark trim.
- Windows on the Larwin townhouses and single-family houses may not have grids or mullions.
- Windows on the Petit homes must have rectangular grids or mullions.

## Storage Sheds and Outbuildings

- Storage sheds and outbuildings should be erected at locations on the side not readily visible from the street. County regulations including proper setback, permits, interference with utility installation, and maintenance must be followed. Placement shall not affect drainage on the lot or affect drainage on adjoining lots.
- Design of the shed or outbuilding should complement the home; roofing and siding should match as closely as possible that on the house. Paint colors should match those on the house.
- Metal sheds are prohibited.
- Townhouse sheds and outbuildings may not exceed footprint dimensions of 4'-8" or a height of 7 feet.
- The size of single-family sheds and outbuildings will be evaluated based on the size and configuration of the lot.
- Above-ground pools are not permitted. In-ground pools must not affect draining of adjacent properties.
- Temporary children's wading pools are permitted but should not be placed in the rear yard.

## Television and Satellite Dish Antennas\*

The Telecommunications Act of 1996 prohibits restrictions that impair the installation, maintenance, or use of antennas used to receive video programming signals from direct broadcast satellites, broadband radio service providers, and television broadcast stations. This rule applies to direct-to-home satellite dishes that are less than one meter in diameter; TV antennas; and wireless cable antennas. The sections of the Deed, Agreement and Declaration that ban TV antennas and satellite dishes between 24" and one meter are therefore not enforceable. However, the Act does allow for HOAs to regulate the placement of satellite dishes and antennas as long as these regulations do not (1) unreasonably delay or prevent installation, maintenance, or use; (2) unreasonably increase the cost of installation, maintenance, or use; or (3) preclude the reception of an acceptable quality signal.

- Satellite dish and TV antennae as noted above must be installed in the least conspicuous location that will still provide view of the transmission satellite.
- Satellite dishes may only be mounted on the front of the house as a last resort.
- Whenever possible, satellite and TV antennae should be mounted so they are not seen from the street.



## Trash Collection\* and Composting

- Containers for trash or other refuse to be picked up may be placed at the curb on the day of collection. At all other times, such containers shall be stored in such a manner so that they cannot be seen from adjacent and surrounding properties.
- Trash bags should be put in containers with lids for pick-up on collection day.
- Montgomery County regulations concerning recycling and disposal of household hazardous waste must be followed.
- Composting of yard waste may only be done using enclosed composting containers that will not attract rodents or generate odors.
- Composting bins may not be visible from the street, except when placed at the curb on collection days.
- Dumping on common grounds is strictly prohibited.

## Painting of Single Family and Town Homes

- Color schemes for painting are approved on a case-by-case basis. Colors should be earth tones.
- The body of the house must be painted in a flat or satin luster; trim and doors must be painted in a flat, satin, or semi-gloss luster.
- Failure to obtain prior approval may result in an order to repaint at your own expense.
- See Appendix D for examples of approved color combinations.

## Common Grounds

- No encroachment (planting or building) on common grounds is permitted.
- Dumping on common grounds is strictly prohibited.
- Driving or parking on common grounds is prohibited.

## Adoption of Regulations and Guidelines

These regulations and guidelines are hereby adopted by the Board of Directors of the Walnut Creek Homeowners Association this 9<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
President, Board of Directors

9/5/2024  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Secretary, Board of Directors

9/9/2024  
\_\_\_\_\_  
Date

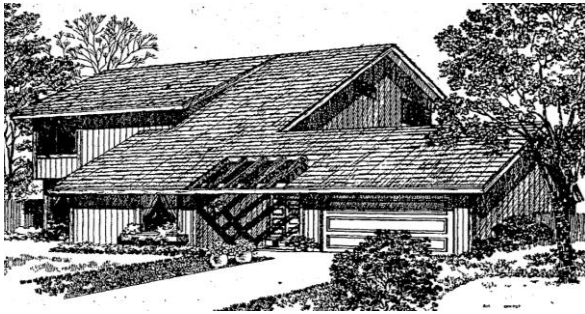
# Appendix A: WCHOA Home Builders and Models

## Home Builders

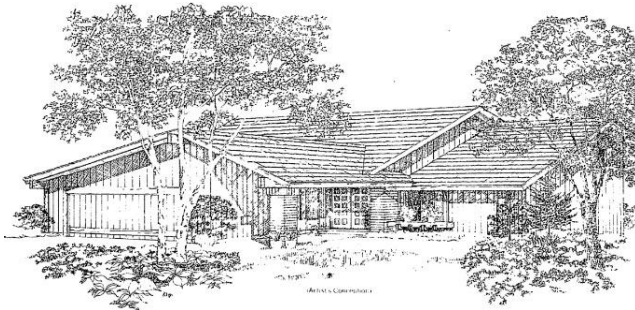
- Single-family homes from 18800 to 18911 Lindenhouse Road were built by Petit.
- 19104, 19108, 19112, 19116, and 19120 Harkness Lane; and 9201 and 9205 Centerway Road were built by an unidentified builder.
- All other single-family homes and all townhomes were built by Larwin Atlantic.

## Larwin Single-Family Models

### Barcelona



### Castille



### Seville

