

Pembroke HOA – Architectural Control Guidelines
As amended and approved on 20 April 2024

1 Overview

This section provides an overview of the Pembroke HOA (PHOA) – Architectural Control Guidelines (ACG).

1.1 Basis for this Document

The PHOA Board of Directors (BOD) and Architectural Review Committee (ARC) derive their charter, scope, and rules governance from applicable articles, sections, and paragraphs of the (PHOA) Articles of Incorporation (AOI), and PHOA Declarations of Covenants, Conditions and Restrictions (CCRs), and Bylaws of PHOA.

Specifically:

- 1) The third section of the AOI states “This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, presentation and architectural control of the residence lots and the Association property...”
- 2) Section I.17 of the CCRs states “Rules and Regulations shall mean such rules and regulations as may be adopted by the Board or the architectural review committee appointed by the Board governing:
 - (i) use of the Common Areas, including any improvements and amenities located thereon;
 - (ii) additions, alterations, and improvements on or to the Lots;
 - (iii) reasonable interpretation and construction of the provisions of the Declaration (CCRs), the Articles (AOI), and the Bylaws;
 - and
 - (iv) such other matters as are specified as the subjects for such Rules and Regulation in this Declaration (CCRs), the Articles (AOI), or the Bylaws.
- 3) Section V.2.B of the CCRs defines owners’ responsibilities.
- 4) Section VI.3 of the CCRs “The Association, through the Board, may adopt reasonable Rules and Regulations governing the use of the Property, Common Areas, and Recreational Facilities, if any, which rules and regulations shall be consistent with the rights and duties established by this Declaration. ...”
- 5) Section VII.1.S states “There shall be no violation of the Rules and Regulations which may from time to time be adopted by the Board and promulgated by it in writing; and the Board is hereby and elsewhere in this Declaration authorized to adopt such rules.”
- 6) Section VII.2 states “The Board may from time to time adopt general rules consistent with, and to implement, the purposes set forth in this article and to interpret the covenants in this article, which general rules may apply to the Property as a whole or to any part thereof.”
- 7) Section VIII of the CCRs defines the Architectural Control provisions under which the PHOA operates.
- 8) Section VIII.8.(E) of the Bylaws defines the duties of the ARC Chair.

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1.2 Purpose of this Document

This document serves as a consolidated resource for most of the more common PHOA ACG rules. While the title of the document contains the word “guidelines”, these are the rules to be followed when building new properties or modifying existing properties within the PHOA neighborhood. Where applicable, references to the other governing documents are provided. The rules contained herein:

1. Define the architectural rules for new and existing homes,
2. Amplify and provide rationale for ACG rules based upon the applicable elements of the Bylaws and CCRs,
3. Outline the committee’s roles and responsibilities,
4. Guide members of the PHOA on “how to” initiate request and get project approvals, and
5. Provide enforcement guidelines.

1.3 Background

Our protective covenants (CCRs) bind PHOA and its members. They direct that PHOA members hold a minimum of certain standards for land use, architectural control, and property maintenance. Our Architectural Rules and Standards will be reviewed and revised as necessary to update, clarify, and reflect actual design and construction experience, as well as residential requirements in support of our protective covenants.

1.4

Applicability

Each and every homeowner, upon acceptance of a deed for any lot in Pembroke is subject to PHOA obligations and rules. However, when local laws, standards, codes, or ordinances are more restrictive than our protective covenants and rules, the local directives shall prevail.

From the approval date of these amended Architectural Control Guidelines, and going forward, a project will not be approved simply because a same or similar design, modification or additional already exists in Pembroke. All future new construction, modifications to or updates of existing properties, and additions to existing homes and properties shall comply with the Architectural Rules and Standards contained herein. Conversely, all previously approved construction and projects are “grandfathered”, as described in their respective approved ARC request. Homeowners must maintain copies of approved architectural requests to safeguard against future changes to these guidelines.

These Architectural Control Guidelines (Rules) are to be considered in effect only upon approval by a majority vote at a regular meeting of the board. Approved Architectural Control Guidelines will be filed with the county and posted on the PHOA website (<https://pembrokehoa.org/>).

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2 New Home Rules

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section VII.1.B (Building Restrictions)
- b) CCRs Section VIII.4 (Rules and Regulations, etc.)

Plans for new homes shall be submitted to the committee for HOA board concurrence prior to commencement of construction. In addition, the committee shall review subsequent modifications to approved plans that affect the exterior appearance of a new home. Documentation (i.e., blueprints, drawings, plat map, etc.) submitted shall provide sufficient detail to visualize accurately the exterior appearance, location, and orientation of the proposed new home. New home construction shall comply with the following rules.

- a) Single story homes shall have a minimum of 1600 sq. ft. of living space. Two story homes shall have a minimum of 2200 sq. ft. of living space. Living space is defined in a fashion consistent with that commonly used by the Maryland Real Estate industry.
- b) Each principal dwelling, where feasible, shall have an attached garage capable of housing a minimum of two cars.
- c) The forward portion of the principal dwelling must have an exposed brick or stone foundation. Exposed portions of poured concrete foundations shall be painted to match or accent the vinyl, brick, or stone siding.
- d) Steps and sidewalks shall be concrete, brick, or stone.
- e) Direct vent fireplace kick-out, box areas shall have an "A" gable, singled roof (no shed roof styles) and shall have siding material consistent with that side of the home's exterior sheathing material.
- f) The dwelling's main roof pitch shall be a minimum of 6 x 12. Only dimensional roof shingles shall be allowed. Shingles made from wood shall be specifically prohibited.
- g) The exterior of the principal dwelling shall be brick, stone, Dryvit, or vinyl siding. Hardwood, aluminum, or cedar siding are not permitted. "Hardie Plank" style material may be submitted to the committee for consideration; this material is supplied by various manufacturers and comes in different quality specifications.
- h) Lattice under/around front and side porches shall not be allowed. All areas under front and side porches shall be brick or stone.
- i) All front and side porch railing shall be white, vinyl coated, maintenance-free material. No painted wood is allowed.

Builders constructing homes within Pembroke shall maintain their construction sites, keeping in mind that the development is a premier residential community, and not an industrial park. Builders shall provide portable toilets at construction sites. Receptacles are to be maintained for the orderly disposal of debris, which shall be confined to the construction site and not allowed to spill over onto adjacent properties, even if unoccupied. All excavation materials from each site shall be removed at the earliest time possible based on backfill and landscaping schedules, but in no instance shall excavation material be left after the house is "closed up". Construction activity which creates noise audible on adjacent properties is not permitted before 6:30 a.m. or after 9:00 p.m. Monday through Saturday, and no construction is permitted on Sundays.

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5. Sheds and gazebos may be placed directly on the ground; concrete blocks, or concrete foundations.
6. Sheds and gazebos visible from the street and/or adjacent property that are sitting on level lots with more than one course of blocks must be landscaped to hide open exposure under the shed or gazebo.
7. Sheds and gazebos visible from the street or adjacent property on sitting or uneven lots with multiple levels of blocks or wood pilings to accommodate steep slopes will require screening with lattice as well as landscaping around the exposed base of the shed.
8. Sheds and gazebos less than 120 square feet (10' x 12') may be placed within two (2) feet of the property line.
9. The exterior color scheme of the sheds or gazebos, including roof shingles, will match the scheme of the principal dwelling.
10. No metal or plastic molded sheds or gazebos are allowed.
11. Sheds and gazebos needing lattice and landscape will have plans depicting the planned landscape with the shed application.

3.2 Porches, Decks, and Patios

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section I.20 (“Improvement” or Improvements”)
- b) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- c) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for porches, decks, and patios are:

1. Decks and porches may be constructed of treated wood, or composite material, providing that the color and texture of the materials are in harmony with adjacent structures.
2. Decks may have a clear preservative stain in acceptable earth tones applied to them or be left to weather naturally.
3. The ARC must approve all solid stain colors.
4. If the underside of the porch or deck is to be used for storage, the underside must be enclosed with white vinyl or wood lattice enclosing the deck from the framework to the ground.

3.3 Solar Collectors

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section I.20 (“Improvement” or Improvements”)
- b) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- c) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for solar collectors are:

1. Large collectors on a sloping roof should be positioned level on the slope with the roof.
2. Smaller collectors can be laid parallel on the roof and finished to replicate a skylight.
3. Ground mounted collectors may be located in the back yard and must be screened and are not to cover in excess of 25 percent of the available square footage of the backyard.
4. Ground mounted solar collectors should be constructed from glass with wood or metal frames painted to match the roof or house trim.

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5. Window solar collectors must not change the outside aesthetic appearance of the window and conform to the exterior of the home as detailed in other sections of the CCR and these guidelines.
6. Plexiglass framing is not authorized as it will sag and leave an unsightly appearance.
7. All piping shall be aesthetically concealed.
8. The ARC recognizes that solar power is an ever changing and fast-moving arena of development. Solar panels and the Law will most likely change in the future. Therefore, additional documents of these Local, State and Federal Laws and policies may be required by the ARC of the homeowner/HOA member.

3.4 Satellite Dishes and Antennas

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section I.20 (“Improvement” or Improvements”)
- b) CCRs Section VII.1.O (Antennae)
- c) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- d) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for satellite dishes and antennas are:

1. The preferred location for antennas and satellite dishes is either roof mounted on the rear of the primary structure or pole mounted located at the rear of the primary structure.
2. All antennas and dishes will be situated as inconspicuously as possible within line-of-sight requirements.
3. Dishes are not solely to be installed on the side of the primary structure where cable connection boxes are situated. Location is strictly driven by appearance and screening ability.
4. Dish locations may be allowed in other locations by the ARC, only if the dish is unable to access connections/satellite signals. Correspondence from the Homeowner and Contractor/Installer is required before approval.

3.5 Dog Houses and/or Dog Runs

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section I.20 (“Improvement” or Improvements”)
- b) CCRs Section VII.1.P (Animals)
- c) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- d) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for dog houses and dog runs are:

1. Doghouses, dog runs, and any other pet enclosures will be placed in the backyard only.
2. They will be located as close as possible to the rear of the principle dwelling and not extend beyond either side of the dwelling.
3. The color of the structure will match the principal dwelling.
4. Black vinyl coated 4-foot chain link fence may be considered when defining the area of containment.

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3.6 Fences

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section I.20 (“Improvement” or Improvements”)
- b) CCRs Section VII.1.B (Building Restrictions)
- c) CCRs Section VII.1.G (Protection of Easements and Natural Drainage.)
- d) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- e) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for fences are:

1. Fences are not permitted forward of the rear corners of the principal dwelling. Exceptions can be approved by the ARC for abnormal conditions such as corner lots and odd-shaped lots that are not necessarily square, or where it is not conducive due to the lay of the home’s orientation to the lot. Priority for denying exceptions to this rule are:
 - a. Utility connections, meters, and shutoffs to a house are not to be enclosed by fences. This is to allow for unrestricted access in emergency situations whereby access delays caused by fences, gates, and unknown situations behind the fence (e.g., pets) could cause additional damage to the house or neighboring houses.
 - b. Egress windows from basement living spaces are not to be enclosed by fences. This is to maximize rapid determination of possible rescue points by emergency personnel.
 - c. Fence alignments with neighboring fences are to minimize “coves” when viewed from the street-side of the properties. This is to reduce hiding spaces where intruders or others could hide from routine patrol searches.
2. Only one fence is to be placed on, or near any common property line.
3. Fences will be either all wood or all vinyl. Mixing both products is not authorized.
4. Attaching to a neighbor’s existing fence is allowed provided the neighbor’s material type is the same as the material for the requested fence.
5. Chain link fences are only permitted around storm water management ponds or for dog runs as denoted in Section 3.5.
6. White vinyl or plastic fence materials are preferred.
7. Wood fences shall be unfinished or sealed with a transparent stain in acceptable earth tone colors. Solid color stains are not authorized without approval from the ARC.
8. Picket fences are allowed but may not be taller than 4 feet.
9. Stockade style privacy fences are not authorized.
10. Total fence height is not to exceed six (6) feet. Total fence height includes any decorative trim or ascetics bordering the top.
11. No fence shall be erected in the area between the front of the home and the front of the lot line.
12. Fences should be of the same height and material on all sides.

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3.7 Swimming Pools

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section I.20 (“Improvement” or Improvements”)
- b) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- c) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for swimming pools are:

1. In-ground and above ground swimming pools are authorized and must be situated behind the house.
2. Above ground pools such as small inflatable children’s pools are permitted but must be emptied and stored at night unless within a fenced area.
3. Non-permanent larger pools not requiring a supporting frame, such as “Intex” pools with inflatable rings, are not permitted.
4. The fence must meet all guidelines outlined by St. Mary’s County guidelines and restrictions.
5. All pools require a St. Mary’s County issued permit and is the responsibility of the homeowner to acquire.
6. Any pool must be properly maintained, presenting a neat appearance. Free of debris and algae growth to promote good hygiene and prevent insect infestation.
7. All approved permanent pools shall be securely covered in the colder months to prevent the buildup of debris.
8. Should the pool fall into disrepair in the material condition of the structure or the water’s condition, the HOA shall send the owner a written letter outlining the violation that must be fixed. The homeowner has 30 days to show the HOA that the pool is compliant with all ARC rules, or the pool must be removed, and the area returned to its original state.

3.8 Home Additions, Major Building Additions, or Exterior Structure Modifications

This section of the Architectural Control Guidelines refers to:

1. CCRs Section I.20 (“Improvement” or Improvements”)
2. CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
3. CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for home additions, major building additions, or exterior structure modifications are:

1. Major building improvements include but are not limited to greenhouses, porches, rooms, storage additions, etc.
2. Exterior home additions that add living space to the home shall match the principle dwelling in appearance and style (i.e., roof shingles, vinyl siding, masonry brick, doors, windows, eaves, fascia, and foundational material).
3. The additional will be integral to the original dwelling and not “tacked on”.
4. Exterior modifications shall meet the same requirements specified under “New Home Rules” listed above unless otherwise approved by the ARC.

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5. The addition shall not impair the view, amount of sunlight, or ventilation of adjacent residents or the public's use of common areas.
6. Additions must not create situations where adjacent neighbors will have difficulty adding to, modifying, or maintaining their existing property.
7. Additions must not adversely affect drainage conditions on adjacent properties through changes in grade or other significant run-off conditions.
8. All county setbacks must be maintained (5 feet to side and rear lot lines and twenty-five feet to front of lot lines).
9. The design of major additions must be consistent with existing shape, style, and size of the dwelling in the following ways:
 - a. Siding, roofing, and trim materials must be the same as, or compatible with, the existing materials of the dwelling in color and texture.
 - b. Windows and doors must be compatible with those of the existing dwelling in style and color. These should also be located on walls that are the same appropriate height as those of the existing dwelling and be trimmed in a similar manner.
 - c. Roof eaves and facias should be the same depth, style, and approximate slope as those of the existing dwelling.
10. Any addition must meet county setback requirements. Currently, the county setback requirements stipulate five (5) foot setbacks from side & rear lot lines and a twenty-five (25) foot set back from the front lot line.

No improvements, alterations, change of paint color, excavations, changes in grade or other work which in any way alter the exterior of any lot shall be made or done without the approval of the ARC. The Property owner is solely responsible for correspondence with the ARC and must fill out any required architectural requests. Contractors, at the request of the property owner, may contact the Board to provide additional information. All actions that fall within these guidelines shall be requested in accordance with established procedure, only by the property owner.

3.9 Clothes Lines and Poles

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section I.20 ("Improvement" or Improvements")
- b) CCRs Section VII.1.J (prohibition of clothes lines and poles is voided by MD state law)
- c) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- d) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for clothes lines and poles are:

- 1) All clothes lines and poles must be behind the house to maximize viewing from the road.

3.10 Trash

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section VII.1.K (Refuse Accumulations)
- b) CCRs Section VII.1.L (Trash Receptacles and Storage)
- c) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- d) CCRs Section VIII.4 (Rules and Regulations, etc.)

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The guidelines for Trash Receptacles stored outside are:

1. Trash cans, bins, and other receptacles shall be stored on the side or rear of the residence, preferably behind bushes, fence, etc. to conceal them from normal view when standing at the edge of the street closest to the house aligned to the center of the house.
2. Trash receptacles shall be taken off the street and stored no later than 24 hours after trash collection.
3. No burning of any trash and no accumulation or storage of litter, lumber, scrap metals, refuse, bulk materials, waste, new or used building materials, or trash of any other kind shall be permitted on any Lot or on the Common Areas.

3.11 Landscaping

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section V.2.B (low-impact landscaping is allowed under MD law)
- b) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- c) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for landscaping are:

- 1) The preferred landscaping is seeded and mowed grass, with shrubbery as applicable to reduce visibility of foundations and lattice work.
- 2) Low-impact landscaping, as defined by Maryland State law, is allowed but is not to interfere with neighborhood activities. In general, smaller areas situated away from other neighbors and adjacent to open areas may be allowed. This means, for example, that large bio-habitat gardens and other features to attract wildlife and/or pollinator gardens and other features to attract pollinator species most likely will not be allowed given the expected significant impact to neighbors.
- 3) Vegetable Gardens are authorized at the rear property line situated behind the principal dwelling. The size of the garden should not exceed 25 percent of the size of the rear area of the property.
- 4) Landscaping and lawns will be maintained in a neat, clean, and trimmed appearance, lawns are not to exceed (8) inches in height. Every lot and the area between the property line and the road surface shall be kept clear of all brush, tall grass, and weeds by the Lot Owner. Grass shall be trimmed/cut so as not to present unsightly appearance, to include edging between the concrete sidewalks and driveways. Lawns and yard scaping shall be maintained in a healthy condition. Unless prohibited by water conservation laws, lawns and yard scaping shall be watered to prevent browning or death of the vegetation.
- 5) Even if the lawn is maintained at or below (8) inches, lawns shall be deemed unsightly if any species grow seeds or seed pods beyond the allowable height.
- 6) For lawns maintained with grass lawns with greater than 25 percent weeds or uncovered ground shall be deemed to be in non-compliance.
- 7) All grass clippings must be bagged and properly disposed of.
- 8) Common areas and street drains are not to be used to dispose of grass clippings.
- 9) All principal dwellings shall have landscaping in the front of the dwelling.
- 10) Dwellings on corner lots will have landscaping on the street adjacent to the community street.

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3.12 Outdoor Play Equipment

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- b) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for play equipment are:

1. Children's recreational play equipment shall be restricted to the back yards in the rear of the property. Swings and outdoor gym equipment may be installed and do not require ARC approval.
2. Non-standard items such as skateboard ramps and sandboxes made from tractor tires are not permitted.
3. Basketball goals must be freestanding and are not to be installed onto the principal dwelling. Basketball goals are to be used in the driveways and not in the street. They must be stored out of view when not in use.

3.13 Vehicle Parking and Repairs

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section V.2.B (The Owner's Lot)
- b) CCRs Section VII.1.M (Objectional Vehicles)
- c) CCRs Section VII.1.N (Parking and Traffic Restrictions)
- d) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- e) CCRs Section VIII.4 (Rules and Regulations, etc.)

The guidelines for vehicle parking and repairs equipment are:

1. Automobiles are to be parked in the principal dwelling garage and/or driveway.
2. Automobiles are not to be parked routinely in the street. Street parking is to be kept to a minimum for safety reasons so as not to obstruct visibility, congest traffic flow, or inhibit snow removal.
3. Automobiles not licensed or inoperable will be kept in garages and will not be parked in driveways or streets.
4. No vehicle in disrepair shall remain on any street for longer than 24 hours. Repair or upkeep of vehicles shall be restricted to the homeowner's property, specifically the driveway or garage, unless an emergency condition dictates otherwise.
5. Open-air auto repair and maintenance of automobiles is restricted to three (3) days and only in the driveway. Repairs taking place longer than three (3) days will take place in the garage or off Pembroke Neighborhood premises.
6. Parking of vehicles on grass areas is not authorized.
7. Vehicles will not be parked in a way that obstructs sidewalks and/or fire hydrants.
8. No junk or inoperable vehicle or other vehicle on which currently valid registration plates are not displayed, vehicles which exceed twenty-five (25) feet in length, and/or have three (3) or more axles, trailer, house trailer, or other similar machinery or equipment of any kind or character (except for such equipment and machinery as may be reasonable, customary and usual in connection with the use and maintenance of any dwelling and except for such equipment as the Association may require in connection with the

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maintenance and operation of the Common Areas) shall be kept upon any part of the Property nor shall the repair or extraordinary maintenance of automobiles or other vehicles be carried out thereon.

9. Vehicles and recreational equipment such as boats and jet skis will not be stored behind the principal dwelling unless they are stored behind a fenced property and screened out of view from the street and neighbor's property. In instances where small parts of the boat's superstructure cannot be screened out of view, the HOA Board may approve its storage if neighbors adjacent to, in front of, and behind the property agree to its presence in writing.
10. If more than 24 hours is needed, owners may request (via email to arc@pembrookehoa.org) "short-term" (a day or two) approval of campers and the like for loading/unloading of personal effects and/or cleaning at the onset and termination of use of said vehicle.

3.14 Decorations and Signs

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section VII.1.D (Signs)
- b) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- c) CCRs Section VIII.4 (Rules and Regulations, etc.)
- d) MD Article on Real Property Section 11B-111.2

The decoration and sign guidelines are:

1. Holiday decorations will not be put in place more than forty-five (45) days prior to a holiday and must be removed within forty-five (45) days after.
2. Display of political signage will follow the local laws and ordinances for each voting event. In general, political signs shall not be displayed sooner than thirty (30) days before the primary election, general election, or vote on the proposition and shall not be displayed more than seven (7) days following the primary election, general election, or vote on the proposition.
3. Except for such signs as may be posted by the Declarant or the Board for promotional or marketing purposes, traffic control or the like, no signs of any character shall be erected, posted or displayed upon, in, from or about any Lot or the Common Areas without the prior consent in writing of the Board and compliance with such conditions as it may establish.
4. Posting notices and signs on government property is prohibited! Specifically, no notices or signs may be posted to mailboxes or other government property, as may exist or be installed within the PHOA neighborhood. They are not owned by the HOA, but may be the responsibility of the HOA to maintain. The board has approved a fine equal to any and all costs to the PHOA for repair, repainting, or replacement of affected mailbox units.

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4 Property Maintenance

This section of the Architectural Control Guidelines refers to:

- a) CCRs Section VIII.1 (Additions, Alterations, and Improvements by Owners.)
- b) CCRs Section VIII.4 (Rules and Regulations, etc.)

The property maintenance guidelines are:

1. The Board may conduct regular or unscheduled/unannounced inspections of external areas of properties within the PHOA neighborhood. Upon receipt by the board of three individual complaints by different HOA members or three board members agreeing the lot shall be deemed to be in non-compliance and the board shall act as per the CCRs to resolved, and may levy fees in accordance with Section 5.3.
2. Property owners are responsible for the upkeep and appearance of their dwelling and surrounding property so as not to detract from the neighborhood's overall appearance and ambiance.
3. The exterior of the dwelling shall be maintained free of mold, mildew, damaged siding, caves, shutters, doors, roof shingles, brick, stone, faded paint or stain, etc.
4. Unoccupied properties are the responsibility of the homeowner and must be kept free of debris and maintained in a neat, clean appearance.
5. Non-resident property owners (lesalers/renters) are bound by these rules.
6. Sidewalks shall be maintained free of snow, ice, leaves, grass clippings, and other material by the property owner.

5 The Architecture Control Process

This section describes the ARC, architectural control process, and enforcement.

5.1 The Architectural Review Committee

The president of the PHOA, with the approval of the officers of the board, shall appoint the Architectural Committee Chair (ACC) per Bylaws section VIII.2. The ACC shall solicit/accept volunteers for membership to the committee to have members from each phase of Pembroke. The committee will have at least three (3) and not more than seven (7) members.

Architectural Requested Change (ARC) applications and required forms can be found on the PHOA website, <https://pembrokechoa.org/>. ARC requests shall be submitted either by mail to:

Pembroke Homeowner's Association
C/o Architectural Committee Chair
46909 Pembroke Street
Lexington Park, MD 20653

Or by email to:
arc@pembrokechoa.org

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5.3 Enforcement

In addition to the means of enforcement provided with-in the Covenants and By-Laws, the Association shall have the right to levy fines against an Owner or the Owner’s guests, relatives, lessees or invitees, in the manner set forth herein, and such fines shall be collectable as any other assessment such that the Association shall have a lien against the lot of such Owner as provided in these Declaration, the Bylaws and Articles of Incorporation and such fine(s) shall also become the binding personal obligation of such Owner.

The Board may, at its discretion, levy fees against a property owner when the above-mentioned ARC rules are broken. All fines shall be due 15 days after receipt of the fine notice. Infractions are deemed to be additive through one calendar year only.

| | |
|------------------------|--------|
| First Infraction | no fee |
| Second Infraction | \$15 |
| Third Infraction | \$50 |
| Subsequent Infractions | \$100 |

In the event a property owner refuses to correct infractions or takes unilateral action in installing a non-board approved Arch addition, the Board may levy a fee equal to the cost for a contractor to remove or rectify the issue. This does not presuppose the Board will pay for the corrective action itself. The Board may also levy the cost of an outside contractor (such as a Lawn Service Company) to remedy the infraction. In the event legal action is sought by the Board against a property owner, the property owner shall be fined the cost of legal fees.

The Board shall be charged with determining whether there is probable cause that any provision of the Architectural Control Guidelines or Rules and Regulations of the Association, regarding the use of dwelling units and Lots, are being or have been violated. In the event that the Board determines an instance of such probable cause it shall cause the Board to provide a written notice to the person alleged to be in violation, and the Owner of the Lot which that person occupies or is visiting if such person is not the Owner, of the specific nature of the alleged violation and of the opportunity for a hearing before the Board upon request made within (10) days of the sending of the notice. The notice shall also specify, and it is hereby provided, that each recurrence of the alleged violation or each day during which it continues shall be deemed a separate offense, subject to a separate fine in accordance with the list above.

If a hearing is timely requested, the Board shall hold the same, at the next regularly planned Board meeting, or hold a special meeting at the concurrence of the Owner of the alleged violation. The Board shall hear all defenses to the alleged violation, including witnesses that the alleged violator, Owner, or Board may produce. Any party at the hearing may be represented by Counsel. The fees for such Counsel shall not be reimbursed by the Board.

After any hearing, or if no hearing is timely requested and if no acknowledgement and promise is timely made, the Board shall determine whether there is sufficient evidence of a violation, or

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violations as provided herein. If the Board determines that there is sufficient evidence, it may levy a fine for each violation in the amount herein.

A fine pursuant to this Section shall be assessed against the Lot which the violator occupied or was visiting at the time of the violation, whether or not the violator is an Owner of that Lot, and shall be collectible in the same manner as any other assessment, including the Association's lien rights as provided by the Covenants and Bylaws. Nothing herein shall be construed as to interfere with any right that an Owner may have to obtain from the violator occupying or visiting his Lot the payment of the amount of any fine(s) assessed against that Lot.

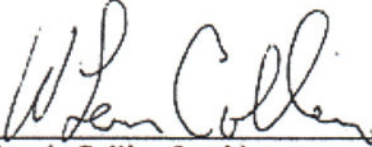
Nothing herein shall be construed as a prohibition of or limiting the right of the Association to pursue any other means of enforcement of the provisions of the Covenants, the Bylaws Articles or Rules and Regulations, including, but not limited to, legal action for damages or injunctive relief.

Failure by a homeowner to submit requests for exterior Architectural changes to the ARC using the Control Process can result in a fine of up to and including \$500.00 at the discretion of the Board. Board approval does not negate the homeowner's responsibility to follow all local and applicable laws, ordinances, or codes. If the homeowner believes the Board has denied or approved any Architectural change that in counter to any law, ordinance, or code it is incumbent upon the homeowner to bring and conflict to the Boards attention in writing with the applicable references.

In the case of excess delinquency for non-payment of the PHOA dues (currently deemed to be any fees or associated cost that are over one (1) year old) the board is authorized as per the CCR's the use of a collection agency. This will result in additional costs to the delivery homeowner/s. The additional fees may range from a minimum of \$250.00 to a total of \$1500.00 depending on what lengths the collection agency must go to in order to collect the delinquent fees. If a lien is required to collect, the minimum charge will be \$1500.00, plus the original fees and associated legal costs. The board is both financially and legally obligated to make recovery attempts for all fees incurred and owed to the Association.

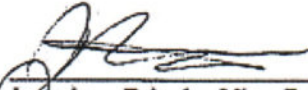
Pembroke HOA – Architectural Control Guidelines
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Approval Signatures



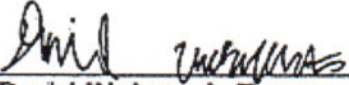
Lewis Collier, President

24 APR 2024
Date




Jonathan Friscia, Vice President

24 APR 2024
Date



Daniel Wadsworth, Treasurer

24 APR 2024
Date



David Chandler, ARC Chair

24 APR 2024
Date

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DOCUMENT VALIDATION

LR - HOA Dep Amendment
25.00

HOA Name: FENBROOKE

HOA

Ref: TCA

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Total: 25.00

05/09/2024 02:45

CC18-PaW

#18119637 CC0704 - St

Mary's

County/CC07.04.01 -

Register 01

Circuit Court for St. Mary's County
PO Box 676
41605 Courthouse Drive
Leonardtown, MD 20650
(301) 475-7844