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201 Replacements

33 Insertions

26 Deletions

Styling and Annotations

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0 Annotations

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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)

Revision Information:

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v1.1 – November 1988 – Guidelines Amended and incorporated

v1.2 – August 1989 – Guidelines Amended and incorporated

v1.3 – October 1991 – Guidelines Amended and incorporated

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v.1.5 - January 2022 – Guidelines Updated and modifications incorporated – December 3rd, 2021

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General Information

Objectives of the Waters Landing Architectural Guidelines

This document guides Architectural and Environmental Review Committee (AERC) members, staff and homeowners in maintaining and enhancing Waters Landing's carefully designed environment. It addresses improvements for which homeowners commonly submit AERC applications. The guidelines are not intended to be all-inclusive or exclusive, but rather serve as a guide to what may or may not be done.

The specific objectives of this booklet are to:

1. Increase homeowners' awareness and understanding of the Covenants (Declaration & By-Laws).
2. Describe the organizations and procedures involved with the architectural standard established by the Covenants.
3. Give design standard examples to help homeowners developing exterior improvements that are in harmony with the immediate neighborhood and the community.
4. Help homeowners preparing successful AERC applications.
5. Relate exterior improvements to the plans for Waters Landing open space.
6. Provide uniform guidelines for the AERC to use in reviewing applications, considering the goals described in the Waters Landing Association's Founding Documents, and Waters Landing Board of Directors' actions.

Protective Covenants

The basic authority for maintaining the quality and design in Waters Landing comes from the Covenants which are a part of the deed to every property in Waters Landing. The Covenants established the Waters Landing Association and the Architectural and Environmental Review Committee (AERC). Covenant enforcement is intended to maintain the design quality standards. This, in turn, protects property values and enhances the community's overall environment.

Every Waters Landing property owner receives a copy of the Covenants prior to settlement. Since these Covenants "run with the land," they are binding on all owners whether they have been read. Review the Covenants periodically. When you have questions about the Covenants, contact the Waters Landing Association office.

Role of the Waters Landing Association

The Waters Landing Association owns and operate open space. It also conserves and enhances the resources of the total community. Every homeowner in the Association is a member.

The Association accomplishes these functions in a variety of ways. One of these ways is by seeing that the community's harmonious design qualities are kept up. This work is done by the AERC. Surveys of planned communities show that maintaining design qualities preserves and enhances of real estate values and is of prime importance to homeowners.

The AERC ensures the visual quality of the homes and their environs by establishing and monitoring the architectural review process.

The AERC ensures 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?

All exterior alterations require the AERC approval. This applies to permanent or temporary changes.

If any approved plans are changed, the modifications must be approved (See Article VII, Section 5. Limitations).

You must have AERC approval for

- major alterations, like adding a room or deck to a house
- changes in color, materials, or similar
- removals of existing items or features

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 build a deck identical to one already approved by the AERC is still required to submit an application.

Article VII, 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."

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 can be useful, particularly in establishing small-scale design continuity.

To be considered in AERC Reviews, neighborhood guidelines must be

- approved by an active Neighborhood Advisory Council as defined by Article VII of the By-Laws, and
- submitted to, approved by and on file with the AERC.

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. 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 opinion or taste. Judgements represent the general standards of the Covenants.

1. **Relation to the Waters Landing Open Space Concept.** Alterations which can negatively affect open space include fencing, tree removal, changes to the natural topography, and changes in rate or direction of storm water run-off.
2. **Validity of Concept.** The basic idea must be sound and appropriate to its surroundings.
3. **Design Compatibility.** The proposed alterations 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 alterations 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 neighbor's privacy and view. Alterations must not impede visibility to traffic, or pose any safety risk to traffic, pedestrians, or cyclists.

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 an addition that are like the existing house, like roofs and trim, should match in color. Wherever possible, screen alterations and or paint them an earth-tone color like dark brown or green.
7. **Materials.** Continuity is established by using the same or compatible materials as were used in the original house. The design and materials of the original house may limit options somewhat. For instance, if the original house has vertical wood siding, an addition should have the same siding style. 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. All construction must adhere to Montgomery County building codes and permitting processes.

Timing. All applications must include estimated completion dates. If the proposed time period is considered unreasonable, the AERC may not approve the application. Projects which remain uncompleted for long periods of time are visually objectionable. They can also be a nuisance and safety hazard for neighbors and the community.

Amendments to the Architectural Guidelines

These Guidelines may be amended. Changes are generally for clarification rather than substantive modification of the existing Guidelines. They may also be amended to reflect changes in conditions or technology.

The AERC continues to evaluate the Guidelines to determine if amendments are required. Homeowners can also submit change requests to the Waters Landing Association. The actual amendment proceedings may involve public discussions and review by the Neighborhood Advisory Councils. The Board of Directors votes on proposed amendments.

Applications

Each of the following sections in this booklet details requirements for what to include in applications. The application form also helps homeowners determine what to include.

All applications must be signed by four neighboring homeowners. Their signatures indicate awareness of the proposed alterations; they do not indicate approval. Get signatures from homeowners who are most affected because they are adjacent and/or have a view of the change (see Figure A). If signatures cannot be obtained for directly impacted properties, Waters Landing Association staff will notify them.

Site Plan

Every application must include a site plan or plat map. 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 you got when you bought your home. More complex applications require larger scale (20 or 10 scale) enlargements of the plat plan of the County-approved development or site plans. Miss Utility (1-800-257-7777) should be contacted prior to any alterations that require groundwork.

Review Procedures

Submit your application in one of these ways:

- in person to Waters Landing Association office during normal working hours,
- by mail to Waters Landing Association, 20000 Father Hurley Boulevard, Germantown, Maryland 20874, or
- by email to wla@waterslanding.org.

When you submit your application by this deadline	It is reviewed on this date
The 25th of the month, by 4:00 p.m. If the 25 th falls on a weekend, the deadline is the Friday before the 25th.	The AERC meeting on the first Monday of the following month.

The deadline and meeting dates are announced in the monthly Association newsletter. They may change, depending on holidays.

Each submitted application is entered into a monthly log in order of receipt.

The Waters Landing Covenants Assistant checks your application for completeness. The Covenants Assistant also reviews all applications to determine if they are "conforming" or special".

CONFORMING applications have the necessary and applicable four signatures; conform to the Guidelines, 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 do not meet the "conforming" requirements. These applications may require extra processing time.

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

Applicants are welcome to attend the AERC meeting. Attending is optional.

After the meeting, the Association sends letters with copies of the applications and the AERC decision to the address on the application. Letters for disapproved applications are sent by Certified Mail.

An appeal procedure exists for those affected by an AERC decision who feel that any of these 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 appeal a decision

- 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 appeal requests and notices and conduct a hearing.

Application Contents (General items /* = if applicable)

1. Pictures of areas to be reviewed by AERC
2. Materials being used*
3. Dimensions of item seeking change*
4. Site plan or plat map showing the relationship of the change to the property
5. Construction or landscaping plans for item seeking change
6. Signatures of all property owners (not renters*) adjacent to the homeowner's property or neighbors most affected by item change

Enforcement Procedures

The Covenants (Article VII, Section 8.) require the AERC to ensure compliance of all lots with the Association's architectural standards. The Board of Directors adopted these enforcement procedures:

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. Appeals must be made in writing within 15 days of the receipt of the notice.

Violation reports may come from:

- 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. Annual 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., homeowners may request a certificate of compliance after the alteration is completed 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.

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.

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 301-972-3681 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 301-972-3681 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.

Tree Removal

From the By-laws, page 11 in the Red Book, Article VII, Section 8, paragraph (i), **no sound tree measuring in excess of four (4) inches in diameter and two (2) feet above ground, shall be removed from ANY LOT without written approval of the Association, acting through the Architectural and Environmental Review Committee (AERC).**

The AERC may adopt and recommend additional Rules and Regulations regarding the preservation of trees and other natural resources and wildlife. For example, Montgomery County has instituted a 3 for 1 replacement Policy. For example, the AERC may suggest Homeowners to plant native replacements for any tree removed.

If you intend to remove	An AERC application is
A small tree less than four inches in diameter	Not required – we recommend taking photographs of the tree before it is removed, and sending them to the Association office.
A dead tree	
Any other tree	Required before tree removal

IF a tree, is clearly dead, then it is highly recommended that you take photographs of the (dead) tree before it is removed and provide the documentation to the Association office.

If a dead tree is removed prior to the submission of an AERC application, an application is still required to be submitted to the Association office following the removal of said tree.

Fences

Fundamental to Waters Landing's 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.

All fences require AERC applications.

Property line fences are fences built 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 horizontally, if practical.

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.

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

Fencing may not exceed six feet (6') in height and will be considered on a case-by-case basis.

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.

Chain link and stockade fencing is not allowed in any Association neighborhood.

Fencing types allowed within specified neighborhoods may be determined by Neighborhood Advisory Committees (NAC) so long as they do not contradict or supersede the established AERC guidelines. This documentation is required to be submitted to the active AERC for review prior to the restrictions being upheld during the AERC Application Review process.

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, because of the open space concept of Waters Landing described above.

SECURITY - Many homeowners wish to restrict children or pets to or from their property.

PRIVACY - 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 6' in height.

Attached Homes

Fencing shall be restricted to rear yard locations, with the exception of Waterbury Downs North and Waterbury Downs South. 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 AERC may require a setback

- of the fence from the front edge of the house.
- for breaking the visual impact of fences backing to streets.

The AERC may require a setback 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 earth tone 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.

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 following the guidelines for 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**, pending application and AERC approval, used along the rear property line (only) of a certain detached or duplex single-family home which directly abut one of the major roadways, Father Hurley Boulevard, Crystal Rock Drive. (6/87), and Waters Landing Drive. (1/22)

Application Contents

1. Fence style and material.
2. Color of fence.
3. Dimensions.
4. Site plan or plat map is required 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. Placement of enclosed storage areas must not adversely impact the "living space" of a neighboring property, obstruct natural views, or pose any form of obstruction to traffic or pedestrian walkways.

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 in townhouse communities.
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 - Integrated With House

When integrated with the house, storage area must match as closely as possible to the existing house with respect to the coloring of siding and roofing materials as if an extension of the house itself.

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 enclose 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 - Adjacent With Fencing

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 blend with surroundings. Coloring must be of natural wood materials or earth tones such as dark brown or dark green to reduce visual impact.

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.

Scale should relate “well” to the adjacent structures and its surroundings. The maximum size allotment of 8’x10’x8 is derived from the largest Single-Family properties of 13,000 square feet. This maintains a proportional ratio of lot size to storage area size.

When integrated with fencing, storage areas should blend into the natural surrounds and not present itself as a displaced “miniature model” of the property.

Summary

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

If integrated or adjacent with fencing, the storage area must be of earth tone colors such as shades of brown or green.

Special consideration must be made to the visual impact to neighboring properties. It must not adversely affect the view of the neighboring properties (like for example a view of the lake), or obstruction of view of traffic for safety purposes. Special care must be given to the proximity of the "living area" of the neighbors. The contents of storage Sheds often contain materials that pose noxious odors, like for example, gasoline, kerosene, oil, cleansers, pesticides, herbicides, fertilizers, mulch, grass-clipping (clung to mowers), and the like. All of which pose a negative/adverse impact to the serenity of a neighbor's "living area". Storage of these types of materials pose a tremendous ignition danger. Extreme care must be given to the location of such flammable products.

An AERC APPLICATION MUST BE SUBMITTED FOR ANY REQUEST FOR A STORAGE AREA.

ONLY ONE STORAGE SHED WILL BE PERMITTED ON ANY PROPERTY LOT.

The Maximum allowable size (Length x Width x Height) is 8' x 10' x 8'.

8' x 10' x 8' is derived from the largest properties lot size of Single-Family Homes, of 13,000 square feet. This maintains a proportional ratio of lot size to storage unit size. Natural screening is also necessary to avoid polluting the beauty of the natural scenery.

A copy of the Montgomery County Department of Permitting Services Approval is required to be submitted to the Waters Landing Association office following the AERC approval process before application is considered final, and installation of the applicable alteration may proceed.

Application Contents

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

- a. Site plan or plat map is required 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

Patios provide a means for ground level extension of indoor space with less visual impact than elevated decks. With the exception of Waterbury Downs South and North, patios or decks must be located in rear yards.

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.

- a) Must adhere to all County Code and permit requirements.
- b) Must be constructed of pressure-treated natural wood, cedar or artificial woodgrain (e.g., Trex) or composite alternatives.
- c) Repair or replacing all or any portion of a deck with a material different than the original requires AERC approval.
- d) No Approval Required: Any clear and colorless oil or water-based protectant may be applied to decks without AERC approval. Transparent protectants (e.g., light/golden brown) may be applied to decks without AERC approval.
- e) Decks that are not a natural wood color require AERC approval.

Railings

Deck railing should complement the deck and/or house features.

Patios

- a) Must adhere to all County Code and permit requirements.
- b) Must be constructed of stone, concrete or brick.

Drainage

Your application must indicate if changes in grade or other conditions will affect drainage. If adjoining properties are adversely affected by changes in drainage, the application will be disapproved. If you are proposing a patio, give serious consideration to offsetting additional impervious deck or patio area. For example, make ground-level surfaces with porous material or provide mulched or planted beds.

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.

A copy of the Montgomery County Department of Permitting Services Approval is required to be submitted to the Waters Landing Association office following the AERC approval process before application is considered final, and installation of the applicable alteration may proceed.

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 or plat map is required 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 effect 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, or logos.
- 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 or full view without ornamentation such as scallops, scrolls, bars, 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 neighboring 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 & hot tubs 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 given 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, on freestanding poles (without support wires), or semi-permanent equipment. 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 require approval 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 for 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.

A copy of the Montgomery County Department of Permitting Services Approval is required to be submitted to the Waters Landing Association office following the AERC approval process before application is considered final, and installation of the applicable alteration may proceed.

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.

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 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. Please notify the Association Office if a temporary dumpster is necessary for your project.

No debris may be allowed to accumulate during construction. Attached greenhouses will be reviewed as major alterations.

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.

A copy of the Montgomery County Department of Permitting Services Approval is required to be submitted to the Waters Landing Association office following the AERC approval process before application is considered final, and installation of the applicable alteration may proceed.

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.

No Sound-producing device (like wind-chimes for example) may be allowed to operate beyond the sound ordinance rules set forth by Montgomery County. Quiet Time is: 9pm to 7am weekdays, and 9pm to 9am weekend and holidays. Leaving wind chimes to ring all day long, every day, is an assault on the privacy of your neighbors. It is equivalent to leaving a radio on that plays music that you may like but your neighbor resents. It is imperative that you follow the Montgomery County Noise Ordinance Rules of "Quiet Time" between the hours of 9pm – 7am weekdays and 9pm - 9am weekends and Holidays.

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

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 aboveground.
- 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

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**,
- **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

From the By-laws, page 10 in the Red Book, Article VII, Section 8, paragraph (d)

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.
4. Any hauler or utility type trailers.

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 owner's 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.

House Numbers—Curbs (8/89)

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"

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 earth tone, or to match the house and trim color. Their location must not 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. It must not 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 stacked away from the walls of the house to minimize the chance of the termite infestation.

Antennas, Satellite Dishes and other Radio and Television Broadcasting Devices

Solar Panels

An application is required to install solar panels however "Maryland state law prohibits a homeowners' association (HOA) from placing restrictions or conditions on solar panel installation that "(1) significantly increase the cost of a solar system, and/or (2) significantly decrease the system's efficiency" (Maryland Real Property Code §2-119)." Please see Things to Consider Before Going Solar from Maryland Attorney General - Brian E Frosh for additional information. Links accessed 14 September 2021.

An application is required to install antennas, satellite dishes and other radio and television broadcasting devices however "Specific matters regulated (a) antennas, satellite dishes, TV reception devices TV satellite dishes are regulated by the Federal Communications Commission and an association may only regulate or restrict their installation on private property for very limited reasons." Please see CCOC Manual and Resource Guide from the Montgomery County Commission on Common Ownership Communities (CCOC). Link accessed 14 September 2021.

The 5G roll-out is governed by Federal law and the FCC Order following a long rule-making proceeding. The rules don't allow for much interference from states, counties, cities, or community associations, such as our HOA.

The Federal Government wants 5G and its intended economic and social benefits to be made available nationwide, quickly and as efficiently as possible. Health studies and concerns have allegedly already been taken into consideration with the rulemaking, and this information supposedly helped the Commission decide how far transmitters can be from homes, schools, etc.

Our HOA has little say in the placement of these devices - other than perhaps help decide how the equipment is to be camouflaged or decorated in the neighborhood. Because the HOA has no ability to challenge the FCC rules at this

point in time or even influence the placement of equipment in the neighborhood, it would have no liability for any hypothetical injuries that may happen in the future as a result of 5G implementation in Waters Landing.

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 available property.

Landscaping and Vegetable Gardens

An AERC application is required for any major landscaping alterations. Native, non-invasive species are recommended.

Location

Plantings must not obstruct intersections or encroach on sidewalks.

Always consider the views of neighboring units and shade patterns of larger trees.

Plant selection

Consider replacing non-native invasive species with native plants or non-invasive ornamental species. See plant suggestions at <https://www.montgomerycountymd.gov/rainscapes> > Resources

Maintenance

Landscaped areas must be kept neatly mulched and weeded; leaves may be used for mulch.

All gardens must be neatly maintained throughout the growing season. Bare earth spots outside of gardens are not allowed.

Scale

Select plant materials whose height and width will be appropriate for their intended use and location when mature. Mature size is especially important for plantings close to walkways and houses.

Application Requirements

For these plantings	Applications are
Foundation plantings, trees or single plantings	Not required
Hedges more than 2 feet in mature height, or other plantings which in effect become structures, fences or screens	Required

Compost Piles

- You must follow Montgomery County’s composting guidelines. See details at <https://www.montgomerycountymd.gov/sws/composting/>.
- You must submit an AERC application before setting up compost piles. Include a screen planting plan.
- You must place compost piles
 - o at least 5 feet from a lot line, and
 - o in your rear yard.

You must maintain your compost piles to avoid odors or other issues.

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

If your proposed vegetable garden is located	Applications are
<u>Between the rear line of your house and your rear property line</u>	<u>Required only if larger than 1/4 of your rear property area.</u>
<u>In front or on the side of your house</u>	<u>Required</u>

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 repainting.
- 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)

You must follow Montgomery County's Organic Lawn Care standards. Information can be found on Montgomery County's Government website under Lawns. Any turf must be trimmed to a level not to exceed six inches (6") in height, and the area of grass should be kept trimmed and neat in appearance. Turf grass alternatives may include low-growing weed-free plantings like sedges and ferns. ❌

Lawn and Garden Fertilization

Test soil before adding fertilizer, especially in areas where drainage will flow into ponds. Avoid over-fertilizing. Fertilize lawns and gardens when there is the least chance of runoff. Follow Maryland's Lawn Fertilizer Law: <https://mda.maryland.gov/pages/fertilizer.aspx> -.

Trash Removal

Homeowners/residents must pick up litter on their property and prevent wind-blown debris from originating on their land. Association common areas or open space must not 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. Runoff must not negatively impact neighboring properties and or the common grounds.

Pesticides and Herbicides

- You must follow Montgomery County's Pesticide Law. See details at <https://www.montgomerycountymd.gov/lawns>. Pesticides and herbicides may be applied according to label instructions for the specified problem. Choose organic or biodegradable materials to cause the least harm to the natural environment. Careful 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. When they are needed, use them with caution and follow product 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 replaced 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.

An Amendment to the March 1987 Architectural Guidelines of the Waters Landing Association
**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."
