

BROOKEVILLE KNOLLS HOMEOWNER'S ASSOCIATION
Architectural Design Review Committee
Procedures and Guidelines

I. Legal Basis for the Committee

- A. All homes in Brookeville Knolls are subject to the Declaration of Covenants, Conditions, and Restrictions for Brookeville Knolls (hereinafter the "Declaration of Covenants") which is recorded at Liber 7213, Folio 203 et seq., among the land records for Montgomery County.
- B. Article V of the Declaration of Covenants, Conditions, and Restrictions for Brookeville Knolls states that all exterior modifications must be approved by the Board of Directors for the Brookeville Knolls Homeowner's Association, Inc. (hereinafter the "Board") or by an architectural committee appointed by them.
- C. Article VI of the Declaration of Covenants enumerates use restrictions for each property and lot.
- D. These two articles form the legal basis for architectural review in the Brookeville Knolls Homeowner's Association (hereinafter the "Association").

II. Objectives of Architectural Guidelines

- A. The purpose of these procedures and guidelines is to keep Brookeville Knolls an attractive community for the enjoyment of all members, to protect property values, and to maintain the original character of the community.
- B. It is not the intention of these guidelines to arbitrarily restrict or restrain a homeowner's use and enjoyment of his property, but to maintain a pleasant environment for all property owners.
- C. These guidelines should assist the homeowner in designing any proposed improvements, in determining how to apply for approval, and in clarifying ambiguities in the restrictions set forth in the Declaration of Covenants.

III. Changes or Additions Requiring Design Approval

Design review and approval are required for all new construction and all permanent exterior changes to existing properties. This includes but is not limited to all items listed in Section VII herein.

IV. Architectural Design Review Committee

- A. The committee appointed by the Board to review and approve modifications and additions to properties in the Brookeville Knolls HOA will be known as the Architectural Design Review Committee (hereinafter the "Committee") and will abide by the following guidelines.
- B. Membership shall consist of three or more voting members appointed by the Board and serving at its discretion.
- C. To become a voting member on the Committee an individual must:
 - 1. Be a member in good standing of the Brookeville Knolls HOA.
 - 2. Be appointed by the Board.
 - 3. Have no exterior modifications not approved by the committee.
- D. Voting status will be lost if a member misses three consecutive regular monthly meetings or misses at least six regular monthly meetings during a calendar year (January-December).
- E. A quorum of at least 50 percent of the total members of the Committee will be required to hold a Committee meeting.
- F. A vote of the majority of those voting members in attendance will be required to approve or disapprove an application.
- G. If a quorum is not present, the Committee shall schedule a special meeting to act on the applications. Any Board member may attend this special meeting and serve as a Committee member to achieve a quorum.
- H. Regular monthly Committee meetings will be held each month; however, special meetings shall be held as needed to satisfy the 30-day time limit.
- I. A member of the Committee cannot vote on his own application.
- J. The Committee shall elect a Chairperson, Vice-chairperson, and Secretary with the advice and consent of the Board.
- K. All meetings of the Committee are open and may be attended by any member of the Association.

V. Procedures for Requesting Architectural Design Review

- A. Homeowners requesting approval of plans for an exterior modification must complete and submit an application to the Committee. Email is the preferred mode to submit applications. Applications can also be submitted via postal mail.
- B. All applications must be submitted on the current approved forms which are available on the HOA website, BrookevilleKnollsHOA.com and from Committee members and members of the Board.
- C. Article V of the Declaration of Covenants states that failure by the Committee to act on a request within 30 days of receipt will result in automatic approval. This 30-day period does not begin until the Committee has received a complete application including all the required information. The Committee will review all applications within 30 days of receipt and will approve, deny, or request additional information from the home owner. For applications that are sent by postal mail, this time period shall begin 3 days from the date of postmark. The application must include a written description specifying the dimensions, location, materials to be used in construction, the color of its finish, its style, and the estimated starting and completion dates.
- D. In addition to a written description on the application, the following attachments must be included:
1. For all structures such as decks, fences, sheds, additions, porches, pools, greenhouses, walks, patios, gazebos, etc., a copy of the site plan (plot plan) received at settlement or one prepared by a licensed surveyor, with the location of the structure in relation to the house and property lines clearly and accurately marked.
 2. For all structures a floor plan as well as sketches of all elevations (side views) must be included.
 3. Attach a picture or sketch of all fences, exterior doors, storm doors, shutters, exterior lighting fixtures, or other exterior modifications.
 4. Completed applications should be submitted via email to brookevilleknollshoa@gmail.com or can be mailed to:

Brookeville Knolls HOA
P.O. Box 393
Olney, MD 20832

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ATTN: Architectural Design Review Committee

VI. General Guidelines and Procedures

The following conditions apply when the Committee grants approval of an application:

- A. Projects must be commenced within 6 months after approval has been granted and must be completed within 1 year after being approved.
- B. The approval will be revoked if the project is not commenced within 6 months of its approval and the homeowner will have to resubmit the application before undertaking the project.
- C. Failure on the part of the homeowner to meet any applicable Montgomery County code will negate any Committee approval.
- D. The Committee will not knowingly approve a project that violates county building codes.
- E. Obtaining required county building permits, etc., is the responsibility of the homeowner.
- F. Obtaining required county building permits, etc., does not relieve the homeowner of the responsibility to obtain approval for the project from the Committee. Failure to obtain required permits shall negate Committee approval.
- G. There shall be no deviations from the plans and specifications approved by the Committee without prior written consent by the Committee.
- H. The homeowner will be provided written notification of the decision of the Committee in the form of a copy of the application form with the approval or disapproval box on the back of the form checked within 3 days of the Committee's action.
- I. If a request is disapproved as submitted, the Committee will provide the homeowner with the reasons for the disapproval and describe changes or modifications that are required in order to obtain Committee approval.
- J. Appeals of disapprovals are discussed in Section VIII.

VII. Specific Guidelines

- A. External antennas are prohibited. Satellite dishes are permitted and should be placed in the rear of the house, if possible.
- B. Additions

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1. Exterior style and appearance must be consistent with the existing structure.
 2. Color, siding, brick, and shingles must match the existing structure.
- C. Chimneys shall be constructed of brick to match the other brickwork on the house and the style of existing chimneys in the neighborhood.
- D. Clotheslines for the exterior drying of clothes are prohibited unless screened in a manner approved by the Committee.
- E. Decks
1. Decks shall be constructed of pressure treated lumber, redwood, cedar, cypress, or other rot and weather resistant wood or composite / vinyl material such as Trex.
 2. Decks shall be located at the rear of the house and not extend beyond the sidelines of the house.
 3. Wooden decks may be painted, with prior approval of the color by the Architectural Committee. Wooden decks may also be coated with clear preservatives or transparent wood-tone stains.
- F. Doors and Storm Doors
1. Highly stylized doors should be avoided.
 2. Color changes must be approved. Doors shall be painted to match the color of the existing door, shutters, and/or trim. Wooden doors may also be coated with wood-tone stain.
 3. Plain glass full-view storm doors are suggested.
 4. Mill finish aluminum storm doors are prohibited.
- G. Driveways
1. Driveways may not be extended, widened, or enlarged by adding parking pads beyond the boundaries of the original driveway.
 2. Replacement of the original driveway shall be of the same size and shape and shall be constructed of asphalt or professionally-poured concrete.
 3. All vehicles must be parked on paved surfaces.
- H. Fences
1. Chain-link and metal fences are prohibited.
 2. Fences shall be a maximum of 72 inches tall from grade.
 3. Fences shall not be built in front of the front line of the house.

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4. Fences shall not intersect the side property lines in front of the front line of a neighboring house.
(Houses that are situated in front of pipe stem lots are exempt from this guideline.)
5. For single family detached lots, post and rail vinyl fences with three (3) rails, vinyl estate board, split rail, picket fences, and board on board fences are permitted (subject to prior written approval of the Architectural Committee). Chain link and other wire fencing are specifically prohibited; however, thin vinyl wire fencing used in conjunction with a three (3) rail or similar fencing is permitted if installed on the installing lot owner's side of the fence and if prior written approval is obtained from the Architectural Committee.
6. Fences shall be of wood or vinyl construction. Vinyl must be in a natural wood color. Because of the many color variations, the Architectural Committee will review each request individually.
7. Wood fences may not be painted but may be coated with clear preservatives or transparent wood-tone stains.
8. Fences around a single yard shall be of uniform height and style.
9. Fences that have a smooth finished appearance on one side and exposed posts and rails on the other (i.e., picket fences, solid board, stockade. etc.) shall be constructed so the smooth side faces outward toward neighboring yards and the unfinished side faces inward.
10. The outside face of a fence cannot be placed closer than 2 inches to the boundaries of the homeowner's property with the exception of two contiguous neighbors agreeing to jointly construct a fence directly on their adjoining property lines or to connect their respective fences to each other.
11. Fences shall be maintained in good condition.

I. Greenhouses

1. Window greenhouses shall be installed on rear windows only.
2. Lean-to greenhouses shall be constructed in the rear of the house between the sidelines of the house.
3. Freestanding greenhouses shall be located in the rear of the house between the sidelines of the house.

J. Seasonal holiday decorations of a temporary nature do not require approval; however, they shall be removed promptly at the conclusion of the holiday or season.

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K. Lawns shall be kept mowed to 9 inches in height or less and kept in good order and free of debris.

L. Exterior Lighting

1. Original exterior lighting shall not be changed without approval.
2. Replacement of original fixtures or additional fixtures must be compatible in style and scale with the house.
3. Exterior lighting shall not be directed beyond the boundaries of the homeowner's property.
4. White or clear replacement light bulbs shall be used in front light fixtures.
5. Ultra-violet insect killers shall be approved for use only in the rear of a house between the sidelines of the house.

M. Painting

1. Repainting the house and/or trim the existing color does not require approval.
2. Any change of color must be approved to ensure compatibility with neighboring houses and the community.

N. Patios and walks shall be constructed of pressure treated wood, flagstone, brick, concrete, gravel, or wood chips.

O. Porches

1. Screened porches shall be built in the rear of the house.
2. Screened porches shall not extend beyond the sidelines of the house.
3. Porch roofs shall be shingled to match the shingles on the house roof.
4. Siding on a porch shall match the house's siding.
5. Front porches will be considered on an individual basis to ensure compatibility with the style and design of the house.

P. Roofing

1. Reroofing the house the existing color does not require approval.
2. Any change of color must be approved to ensure compatibility with the house, neighboring houses, and the community.

Q. Sheds

1. Sheds shall be located in the rear of the house between the sidelines of the house. In cases where

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location of a shed between the sidelines of the house is not possible, approval may be granted to construct a shed in the rear of the house behind fencing or other visual barrier such as bushes, shrubs, or trees.

2. Sheds shall be shingled to match the shingles on the roof of the house (if the roof requires shingles).
3. Sheds shall be finished with a clear wood preservative, a transparent wood-tone stain, or painted to match the house and/or trim.
4. Sheds shall be maintained in good condition.
5. Sheds shall be constructed of wood, composite, or vinyl.

R. Shutters

1. Shutters shall match the existing shutters on the house.
2. Changes to the color or style of shutters must be approved.

S. Signs are prohibited with the exception of a For Sale sign.

T. Swimming pools and Ponds

1. All in-ground pools and ponds must be approved.
2. Children's wading pools of less than 2 feet in depth and 12 feet in diameter need not be approved, provided they are located in the rear of the house between the sidelines of the house and are removed after the end of swimming season. Any other above-ground pools are prohibited.

U. Swing sets and children's play apparatus shall be positioned behind the house between the two sidelines of the house and maintained in good condition.

V. No structure of a temporary nature, trailer, tent, shack, garage, or barn shall be used at any time as a residence either temporarily or permanently. No trailer, camper, boat, or similar equipment shall be permitted to remain upon any property unless placed or maintained within an enclosed garage or carport.

W. Vegetable Gardens

1. Garden fences must be submitted for approval.
2. Wire mesh garden fences of a temporary nature will be permitted.
3. Temporary garden fences and garden apparatus may not be erected before April 1 and must be removed before November 1.

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4. Gardens shall be set back at least 5 feet from any property line.
- X. Window awnings are prohibited.
- Y. Woodpiles
1. Woodpiles shall be located in the rear of the house between the sidelines of the house.
 2. Woodpiles must be neatly stacked and appropriately screened.
 3. No more than 2 cords may be stacked on any lot at any one time.
- Z. Any exterior change not listed above still must be approved. Such changes will be considered on an individual basis.

VIII. Appeals

- A. If a homeowner's request for approval of a modification is denied by the Committee, the homeowner may appeal the decision in writing or in person to the Board.
- B. The appeal must be made within 10 days of the receipt of the Committee's written disapproval and will be considered at the next meeting of the Board.
- C. The Board will review the application and all accompanying documents and will provide the Committee and the homeowner an opportunity to address the Board at its next meeting.
- D. The Board will vote to approve or disapprove the appeal with a majority vote governing the outcome.
- E. The Board will announce its decision within 30 days of the receipt of all requested information unless the period is extended by the Board.
- F. The homeowner and the Committee will be notified by telephone of the Board's final decision within 10 days. The homeowner will also receive written notification of the Board's decision.
- G. A copy of the notification letter to the homeowner will be filed with the Association Secretary and will be available for inspection by members of the Association.
- H. The Committee may not appeal a Board decision.

IX. Corrective Action for Noncompliance

- A. The Committee and the Board shall monitor the community for noncompliance with these guidelines.

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- B. Association member's concerns and complaints may be addressed to the Committee or to the Board.
- C. The Committee shall inform the Board of any noncompliance with these guidelines at the next Board meeting after the noncompliance has been verified.
- D. The Board shall inform the homeowner of the noncompliance in writing.
- E. The homeowner in noncompliance shall have 30 days from the mailing of the Board's letter to correct the noncompliance or apply to the Committee for a variance unless extraordinary and compelling circumstances require immediate corrective action. If the Committee disapproves the application for a variance, the homeowner will have 30 days from the notification of disapproval to correct the noncompliance or appeal the disapproval to the Board.

X. Purpose

These guidelines are an attempt to ensure a harmonious and aesthetically pleasing community. The Committee reserves the right to amend or revise these guidelines as necessary.