

WILLOW BROOK
HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL AND ENVIRONMENTAL GUIDELINES

I. INTRODUCTION

A. OBJECTIVES

1. To provide uniform guidelines to be used by the Board of Directors (BOD) in reviewing applications in the context of standards established by the Declaration of Covenants, Conditions and Restrictions of Willow Brook Homeowners Association, Inc.
2. To assist homeowners in preparing an acceptable application to the BOD.
3. To increase residents' awareness and understanding of the Covenants.
4. To help maintain a reasonably uniform and architecturally sound appearance for the Willow Brook Community, thus enhancing the investment of all homeowners.

B. PROTECTIVE COVENANTS

Controls for maintaining the harmony of design at Willow Brook are specified in the restrictive covenants of each Lot and are recorded in the deed. The primary architectural goal of the BOD is to ensure all proposed exterior alterations comply with the standards set forth in the Covenants and this document. This procedure includes a review of all applications for exterior alterations submitted by property owners.

These Architectural Control Guidelines ("Guidelines") have been adopted pursuant to the authority found in the Declaration of Covenants, Conditions and Restrictions of the Willow Brook Homeowners Association ("the Covenants"), Article VIII, Section 6, Rules and Regulations, etc. These Guidelines have been prepared in accordance with the language and requirements of Article VIII of the Covenants, which are recorded among the Land Records of Frederick County, Maryland. Should a conflict arise between the Covenants and these Guidelines or any other Guidelines, the Covenants are the higher authority and shall be considered the controlling document.

All Willow Brook property owner(s) should have received a copy of the Covenants at the time they purchased their property (lot). The Covenants "run with the land," and are binding on all Lots and Owners (see Article I, C. and F. of the Covenants), and compliance is deemed to be agreed to at all times. Owners are encouraged to familiarize themselves with the Covenants, a copy of which may be viewed or downloaded from the Willow Brook website, www.willow-brook.net.

It is essential for Owners to be aware that *"...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 landscaping along a Lot line) 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..."

Further, "...it shall be prohibited to install, erect, attach, apply, paste, hinge, screw, nail, build, alter, remove or construct any lighting, shades, screens, awnings, patio covers, fences, wall, slabs, sidewalks, curbs, gutters, patios, balconies, porches, driveways, or to make any change or otherwise alter (including any alteration in color or landscaping along a Lot line), in any manner whatsoever, the exterior of any improvements constructed upon any Lot or upon any of the common areas, or to combine or otherwise join two (2) or more dwellings, or to partition the same after combination, or to remove or alter any windows or exterior doors of any dwelling, 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 Board of Directors or the Architectural and Environmental Review Committee) shall have been submitted to and approved in writing..." by the Architectural and Environmental Review Committee or the Board of Directors. (Foregoing quotations are taken from the Covenants, Article VIII, Section 1.)

C. BOARD OF DIRECTOR APPROVAL

The Covenants, Article VIII, Architectural Control, Section 2, Architectural and Environmental Review Committee - Operation, grants the Board of Directors (BOD) the authority to appoint an Architectural and Environmental Review Committee (AERC). In this document, for simplicity sake, the terms Board of Directors (BOD) and Architectural and Environmental Review Committee (AERC) are used interchangeably.

Article VIII, Section 1, of the Covenants explicitly states that all exterior alterations require the prior written approval of the BOD.

Each Architectural Change Request Application shall be reviewed separately and independently. For example, an owner who wishes to construct a deck identical to one already approved by the BOD on another property is required to submit an application and obtain written approval prior to beginning construction.

D. AMENDMENTS TO THE ARCHITECTURAL GUIDELINES

These guidelines may be amended in accordance with the provisions of Article VIII, Section 6. The BOD may conduct an evaluation of the guidelines to determine if amendments are required. Owners may also submit to the Board of Directors requests for additions or changes to the guidelines.

E. MAINTENANCE OF PRIVATELY OWNED PROPERTY

In the interests of maintaining an attractive community; in consideration of your neighbors; and in the interest of improving your property value, adequate time and effort should be taken to see that your

yard, landscaping, and home are properly maintained. Regular community inspections may be conducted by the BOD or its designated representative(s). Exterior conditions of houses, lawns and landscaping may be evaluated, as may compliance with the Covenants, AERC Guidelines and Community Rules and Regulations. Should the BOD determine that maintenance is required or that the Guidelines, Rules and Regulations have been violated, the homeowner(s) will be provided written notification to bring the property into compliance with community standards, and will be given an appropriate period of time, as determined by the BOD, to comply.

1. Exterior: Paint, roofing and other exterior conditions of houses and exterior structures shall be maintained and kept in good repair.
2. Lawn: The recommended height of all grass should generally be three to four inches, not to exceed six (6) inches. The grounds should be maintained and well groomed at all times.
3. Landscaping: Shrubs, trees and other landscape and hardscape should be maintained and kept in good order at all times.

II. EXTERIOR CHANGE APPLICATION AND APPROVAL PROCEDURE

Written applications for all exterior changes shall be submitted to the Management Agent or other such designated person or committee. Oral requests are not accepted. Each proposed alteration or change must be specifically applied for and approval granted prior to work beginning. Approval of identical, similar or substantially identical alterations for other properties is not a basis for approval for your proposed change(s).

A. APPLICATION

1. Form: A sample application is attached for guidance (see Appendix). The application form may be amended from time to time, so Homeowners should obtain a current form of application from the Community's web site or from the Management Agent. All necessary information should be included, stated in clear, concise terms to ensure the BOD will interpret the application as intended by the homeowner.
2. Approval: The language of each form contains certain requirements and restrictions which are the sole responsibility of the applicant. Neither the Board of Directors nor any of their authorized representatives assume any liability for the failure of the applicant to comply with all federal, state or local building codes, to obtain any licenses or permits, or perform any other tasks or functions stated or implied.
3. Description of Proposed Project: A graphic description such as a site plan, elevations or sketches shall be provided to assist the BOD in visualizing the proposed change and to avoid delay in the approval process. A statement identifying proposed materials and colors should be included in the application. A copy of the house location survey (which should have been provided each purchaser at the time of settlement) is generally the easiest and most accessible form to use as a site plan. Manufacturer's literature, photographs of similar projects or detailed drawings

should be submitted with the application if available. Written material should support and fully document any plans or sketches. All applications must include estimated starting and completion dates.

B. APPLICATION APPROVAL PROCEDURES

1. All Architectural Change Applications must be submitted to the Management Agent for processing. The effective date of the application process shall begin when the application is received and date stamped by the Management Agent.
2. The application shall be forwarded to the AERC for consideration and review at their next meeting. Frequently the AERC may require a personal visit to the property to determine if the proposed change(s) will meet the objectives stated in the Covenants.
3. The AERC shall take action to approve or deny all applications within the provisions detailed in Article VIII, Section 3. Approval, etc. Homeowners are encouraged to familiarize themselves with this section of the Covenants prior to submitting an application. While the AERC endeavors to approve or deny applications within thirty (30) days of receipt, Article VIII, Section 3 of the Covenants provides up to sixty (60) days after receipt of all requested information for a final decision. Homeowners should therefore plan well ahead for the application process. The Management Agent or other duly authorized representative shall notify the applicant of the action taken by the AERC in writing. Any changes or additional requirements shall be stated in the letter.
4. Should a homeowner application be denied by the AERC, such decision may be appealed by the homeowner in accordance with the provisions of Article VIII, Section 7, Appeals.

C. LIMITATIONS

Construction or alterations in accordance with plans and specifications approved by the AERC pursuant to the provisions of the Article VIII of the Covenants shall be commenced within six (6) months following the date of approval and shall be substantially completed within twelve (12) months. In the event construction is not commenced within the six month period mentioned above, then approval of the plans and specifications shall be deemed to have lapsed. Another application shall be required in accordance with the terms of Article VIII. Section 4. Limitations, of the Covenants.

D. INSPECTION PROCEDURE

The Management Agent or the Board of Directors or a duly designated representative of such may conduct periodic inspections of the project while under construction or when completed, to ensure compliance with the approved application. Any variation or deviations from the application shall be forwarded to the Board of Directors for further action.

E. NON-COMPLIANCE

Should the homeowner proceed with any exterior changes after his or her application has been denied by the BOD or if a homeowner fails to make an application and obtain written approval, and has proceeded with or made any exterior change, the BOD may initiate any remedial action lawfully available to it including, but not limited to, imposing fines, obtaining injunctive relief and/or other legal action as permitted by the Covenants and applicable law.

III. REVIEW CRITERIA

A. GENERAL GUIDELINES

The AERC shall consider and evaluate each application on its individual merit. The evaluation process involves consideration of particular design, style, location, harmony, color, size of not only the improvement but the adjacent properties. What may be an acceptable design or change for one property may not be applicable to all properties. For example, exterior changes to townhomes, due to the physical relationship of the properties, are usually more noticeable and generally have more impact on adjoining properties than would the same change to a detached house. Frequently the AERC is required to make a judgment based on the harmony of external design and location of the change in relation to surrounding structures, topography and conformity with the overall design concept for the Association.

1. Design Compatibility: The proposed change 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.
2. Location and Impact on Neighbors: The proposed alteration should relate favorably to the landscape, the existing structure, and the neighborhood. The primary concerns are access, drainage, view, sunlight, and ventilation. When a proposed alteration has a possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with neighbors prior to making application. The AERC may require neighbor comments be submitted along with the application or may solicit them as it deems appropriate.
3. Scale: The size of the proposed alteration should relate well to adjacent structure and-its surroundings.
4. Materials: Continuity is established by use of the same or comparable materials as were used in the original house, except where so noted in the guidelines.
5. Workmanship: The quality of work should be equal to, or better than, that of the surrounding area. Poor workmanship can be visually objectionable to others, and can cause safety problems. The BOD assumes no responsibility for the safety of new construction by virtue of approval of design or workmanship.

6. Building Permits: Except in the case of an application for an in-ground pool, a building permit is not required for Association approval. It is the sole responsibility of the applicant to obtain all necessary permits and/or inspections and to comply with all requirements of the City/County.
7. Utility Lines: Utility lines are buried in the ground on your property. You are prohibited from building permanent structures over those utilities and the applicant is responsible for verifying the exact location of all easements prior to building. You must contact "Miss Utility (1-800-257-7777) prior to digging.
8. Drainage Easements: Each lot has an approved drainage plan that is a part of the overall grading and drainage plan for the community. It is the owner(s) responsibility to ensure all changes to the property do not alter the flow of water as originally intended. Should this occur, it is the sole responsibility and cost of the party making the change to correct the drainage of all affected adjacent property(s). Failure to abide by this could result in legal action against you by your neighbors or the Association and could also result in serious water damage problems for you and others near you.

B. PROHIBITED CHANGES FOR ALL HOMEOWNERS

1. Above Ground Pools: Above ground pools larger than nine feet in diameter (an area of 64 ft²), deeper than two feet, or incorporating a filtering system are prohibited. The intent is to limit above ground pools to what are commonly known as wading pools, set out for temporary use and emptied and stored when not in use.
2. Chain Link Fencing: Prohibited.
3. Metal Storage Sheds: Prohibited.
4. Window Air Conditioning Units: Prohibited.

C. GUIDELINES APPLICABLE TO ALL HOMEOWNERS

Changes Not Requiring An Application

1. Gutters & Downspouts: Gutters and downspouts should match the color of the house trim or be white. Other colors require an application and written approval.
2. House Numbers: House numbers that are brass, black, white or made from tile are approved. Approved sizes are from four inches (4") to six inches (6"), or such size as may be recommended or required by the fire or safety authorities. Other types or sizes require approval.
3. Mail Boxes: See Appendix for "Approved Mailbox Styles". No application is necessary for this post and style of mailbox. All others require approval.
4. Storm Doors: See Appendix "Storm Door Design" for drawings. The color of the door must match the trim color of the house, the color of the front door or white. They must be one and one-

quarter (1 1/4) inches thick and constructed of rust-proof material. Storm doors may not have any decorative grill work and/or bars attached over the glass portion of the door and must be mounted flush to the original door jamb. Storm doors may have interchangeable glass and fiberglass or rustproof screening. Raw or galvanized metal or clear anodized aluminum storm doors are prohibited.

a. **Front Storm Doors:** Storm doors must be full length glass doors (no crossbuck doors). The glass must be tempered glass, clear, with no frosting.

b. **Rear & Side Storm Doors:** Storm doors may be of one-half (1/2) to full length glass and the glass must be tempered glass, clear, with no frosting.

5. **Attic Ventilators:** Attic ventilators are permitted if painted to match the color of the roof, when roof mounted, or the color of the house or trim, when mounted on a gable end. If mounted on the roof, they must be mounted on the least visible portion of the roof, below the ridgeline. Wind powered ventilators are not permitted.

6. **Clotheslines:** No clothing or any other household laundry shall be hung in the open to dry on any Lot unless hung from a device located in the rear yard, obscured as much as possible from public view, which device shall be removed from view when not actually in use. Laundry shall not remain hung for more than twelve (12) consecutive hours.

7. **Storage Boxes:** Storage boxes for toys, pool equipment, garden tools, etc. are permitted.

a. **Construction, Finish and Size:** Storage boxes must be prefabricated, nonmetallic, with lids or doors and of a neutral color in harmony with the surroundings. Storage boxes must be four (4) feet or less in height and have a maximum footprint of fifteen (15) square feet. Any box exceeding these dimensions requires an application and approval from the AERC.

b. **Placement:** Storage boxes must be placed to minimize visibility by neighbors or from public areas. They must not be visible from the street.

c. No more than one storage box is permitted without AERC approval.

8. **Satellite Receivers/Antennas:** Satellite dishes do not require an application *provided* the following guidelines are maintained. Note: The design standards contained herein cover any device used to receive video programming services including direct broadcast satellite (DBS), television broadcast stations and/or multichannel multipoint distribution services (MDS or MMDS) satellite dishes or antennas ("Satellite Receiver"). Satellite receivers may be erected in accordance with the following general guidelines.

a. The Satellite Receiver is 1 meter (39.37 inches) or less at the broadest/tallest measurement.

b. The device may not adversely affect the view, lifestyle, safety, or right of enjoyment of neighboring homeowners in their property. For reasons of safety, the system shall not emit

electromagnetic radiation which is either harmful, or which interferes with the operation of any appliance or biomedical device in proximity to the satellite receiver.

c. The Satellite Receiver shall be placed in a location, which, while providing the homeowner with an "acceptable quality signal", minimizes the visual impact to neighbors and roadways. Acceptable locations, in order of preference, are listed below. An application is not required in any of the following situations, unless the installation requires movement of landscaping elements (which may require an application).

- i. Ground level in the rear yard of any lot and reasonably screened from common view
- ii. Ground level in the side yard of any lot and reasonably screened from common view
- iii. Rear roof installation below peak of roof
- iv. Rear elevation of any dwelling

If a location not listed above is required, the AERC will consider an alternative installation location *provided* the homeowner can prove the requirements prohibit him/her from receiving an "acceptable quality signal."

d. The homeowner shall make a reasonable effort to ensure that the Satellite Receiver, once erected, will not be visible from the street or right-of-way in front of the homeowner's property.

e. The homeowner shall make a reasonable effort to ensure that no existing tree or vegetation will be removed to accommodate the Satellite Receiver installation or reception. If any location requires the relocation or removal of existing trees or vegetation, the homeowner(s) may be required to submit an application for such change.

f. In considering the installation of any such receiver, the AERC may specify such additional reasonable measures it may deem appropriate to minimize the visual impact of such device upon the community and surrounding homeowners, including but not limited to, requiring the installation of landscaping or other forms of screening.

g. For example, such additional measures may include any or all of the following conditions:

- i. The Satellite Receiver shall be located entirely within and entirely below the height of approved privacy fencing which fully encloses the rear yard of any unit or located within the boundaries of a deck and above the walking surface of a railed deck, providing that no portion of the device projects more than six inches above the height of the deck railing.
- ii. The Satellite Receiver shall be of a color and material, which are reasonably compatible with the colors and materials of the home to which it is attached, or painted to match the mounting site, the determination of such to be solely at the discretion of the AERC.
- iii. Cables must be hidden from view.

- h. When any Satellite Receiver is no longer in use as such, it shall be removed by the owner of the property upon which the device was installed.

Changes Requiring an Application for ALL Owners

Except as specifically listed above, all modifications to the exterior of buildings, structures or lots require an application and approval. This includes color and finish changes, landscaping along lot lines, or removal of trees having a trunk diameter in excess of six (6) inches (If a tree is approved for removal, the homeowner is strongly encouraged to plant a suitable replacement.) The following specifics are provided here for homeowner guidance.

9. Decks: Defined as a permanent structure attached to the rear of the house with weather exposed flooring and railing (typical).
 - a. **Materials**: The supporting structure must be constructed of structurally-rated pressure-treated outdoor lumber. Decking, stair treads, risers, railings and trim may be pressure-treated lumber, redwood, cedar or composite materials finished to resemble natural or stained wood. Railings and handrails may also be of vinyl, either white or a color matching the trim color of the house.
 - b. **Building Codes**: All construction must be inspected and approved by Frederick City/County. A deck requires a building permit. Approval by Willow Brook HOA does not guarantee the proposed structure will be approved by Frederick City/County.
 - c. **Design**: Decks may be installed both at grade-level and elevated above grade-level. If elevated, porch swings suspended below decks, partial trellises and similar accessories must be included in the application. If the area under the deck is to be used for storage, suitable screening must be provided for in the application.
 - d. **Placement**: All decks shall be located to the rear of the houses. Wrap-around decks or decks extending beyond the side building wall of the house are not permitted. The location of property boundaries and utility easements is the responsibility of the applicant.
 - e. **Finish**: Decks may be left natural or stained a semi-transparent (non-opaque) natural wood-tone or semi-transparent color matching the house siding or trim as closely as possible. Desired deck finishes must be submitted as part of the application. If the deck is left natural, the application of a clear preservative is recommended after the wood has aged for several months. Rail pickets, stair risers and handrails only may be painted white or the trim color of the house. The deck flooring, structural members and steps may not be painted.
10. Dog Houses: All dog houses must be approved by the BOD. A copy of the house location survey must be attached showing the requested location of the dog house. Other considerations are height, size, and style.
 - a. A dog house may only be occupied by one dog.

b. Dog houses shall be constructed of pressure-treated lumber and sheathed with T-111 wood siding, or vinyl siding to match the house. T-111 wood siding and trim should be stained a semi-transparent (non-opaque) natural wood-tone or semi-transparent color matching the house siding or trim as closely as possible. Roofing material may match the house roofing or be of wood shakes. If wood shakes are used, they may be left natural or stained a semi-transparent wood tone or a semi-transparent color matching the house roof. Desired finishes must be submitted as part of the application. Alternatively, manufactured resin or vinyl dog houses may be permitted if the siding is white or a neutral color complementary to the house and neighboring structures, and if roof color is neutral and complementary to the house and neighboring structures.

c. Attached dog houses must use the exact color, size, style and texture siding and roofing materials of the existing house.

d. No dog pens or dog runs are permitted.

11. Facilities for other animals: not permitted without written approval of the BOD.

12. 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.

13. Patios and hardscapes: Patios and hardscapes include all sidewalks and retaining or decorative walls located within a lot. They must meet all applicable Frederick City or County codes. No application is required when replacing an existing approved hardscape, as long as the new hardscape is identical in size, style, and type of material, color and texture. All other hardscapes require an application. Materials should be simple and of a neutral color, such as unpainted concrete, stone, brick, or composite. Wood patio structures are considered decks and must comply with the provisions of paragraph C.7., above.

a. Generally, new hardscapes should:

i. Disturb existing contours and drainage as little as possible. Mitigate impact by terracing land contours or provide retaining walls and safety railings. In no case may hardscape construction cause drainage to impact neighboring lots or common areas.

ii. Be located to provide reasonable visual and acoustical privacy for both applicants and their neighbors—consider screening or plantings where necessary to preserve privacy.

iii. Patios must be attached to or adjacent to the rear of the house and must not extend forward of the house rear foundation wall.

iv. Hardscapes should be constructed of material such as brick, slate, flagstone or concrete. If brick or small patio block is used, a retaining barrier must surround the perimeter of the

patio or walkway unless the top surface of the brick is at ground level and the bricks are set on concrete and mortared in place.

v. Hardscapes may not be elevated more than six inches (6") above the ground unless an appropriate retaining wall is constructed.

b. Applications should include the following information:

i. Site plan showing the relationship of the proposed deck/patio to the house, lot and adjacent structures.

ii. Descriptive drawings (plan and elevations) including dimensions, height above grade, and details of railings and stairs.

iii. List of proposed materials (including samples or brochures are helpful).

iv. Indicate removal or relocation of any plantings, utility meters or air conditioning equipment.

v. Description of changes in exterior lighting or alterations to existing property elements.

14. Storage Sheds: The AERC must approve all sheds, including under-deck storage spaces. A copy of the lot plat survey must be attached to the application showing the location of the shed. Only one shed per lot is allowed.

a. Materials: Sheds may be of wood construction or of vinyl or resin construction.

i. If wood construction, it should be framed with structural-grade framing lumber (treated wherever there is to be ground contact) and sheathed with vinyl or T-111 siding. If vinyl siding, it shall match the exterior walls of the home and the trim shall match the trim of the home. If T-111 wood siding, it shall be stained a semi-transparent (non-opaque) natural wood-tone or semi-transparent color matching the house siding or trim as closely as possible. The trim may be stained to match the T-111 siding or may be painted to match the trim of the home. The roofing material and color is to match as closely as possible that of the existing home.

ii. If vinyl or resin construction, the siding and roof must be of neutral, rather than bright, colors complementary to the house and neighboring structures.

b. The maximum footprint of a shed is one hundred forty-four (144) square feet for single-family and fifty-six (56) square feet for townhome sheds.

c. The highest part of the shed shall not exceed a height above ground level of nine (9) feet for a single family lot and eight (8) feet for a townhome lot except under special circumstances as may be approved by the AERC.

- d. Storage space may be incorporated under elevated decks provided they are fully screened with lattice or siding material complementary to the house as may be approved by the AERC.
15. Storm Windows: Storm window frames must be compatible with the color of the house trim, or white. Raw, galvanized metal or clear anodized aluminum is not approved. Temporary plastic film insulating windows must be applied "only" to the interior of the window.
 16. Play Structures: Play structures are any type of permanent playground-type structures typically found in the rear of homes. They include swing sets, forts, play houses, tree houses and children's activity equipment, including elevated, enclosed and covered platforms. All such structures must be located behind the rear foundation wall of the property. Play structures to be placed or constructed on Town House lots must be of a size and scale appropriate to the size of the lot, as determined by the AERC.
 - a. Play structures shall be constructed of pressure-treated lumber, cedar or redwood. Other materials, including prefabricated structures, may be considered upon application to the AERC. Metal swing sets are not permitted.
 - b. Play structures may be left natural, or finished in a clear or semi-transparent stain. All semi-transparent stains must be approved prior to application. After the wood has aged for several months, the application of a clear preservative is generally recommended. Please consult a specialist or deck expert for further information.
 - c. Height, size, style, and placement shall be reviewed on a case-by-case basis.
 - d. Roofing color and materials shall match the existing home.
 - e. Playhouses built on a platform or above ground shall have a safety railing.
 17. Solar Panels: Detailed plans for installation and placement of any solar panel/energy device must be submitted to the AERC for review approval prior to such installation. An illustrated brochure and/or professional proposal of the desired installation, depicting materials to be used and drawings showing the location and number of collectors, the attachment to the roof structure, and the location of exterior system components, shall be submitted with the Architectural Request. Only commercially or professionally made devices are allowed. "Home made" devices will not be permitted due to the safety and aesthetics aspects of such devices. The following guidelines for location and placement must be incorporated into system design:
 - a. Installation: The preferred installation for roof-mounted solar collection systems is a flush-mounted system, integrated with the roof system. Collection panels should be centered on the rear of a house or garage roof if sufficient space is available. If mounted on or over existing roof tile, collection panels should be parallel with the slope of the roof and as close as possible to the roof surface. Solar components must not project above the roof ridgeline, but be positioned as low as possible on the roof, extending wider rather than higher on the roof plane. Visibility of devices and their components must be minimized from public view, and may be required to be

screened from neighboring property in a manner approved by the Architectural Committee. Alternative placement may be necessary in order for the energy device to perform as intended (so that any loss of efficiency or capability is no more than 10%). If the location required under these Guidelines would result in the device losing 10% or more of its efficiency or energy generating capability, then the Committee will consider alternate locations. The front slope (facing the public streets or rights-of-way) of the roof of the house or garage may not be used.

b. **Construction and Finish:** All roof mounted equipment, including any plumbing lines (but excluding the face of the solar panels), must match the color of the roof material. This includes solar skylights and other equipment. Exposed surfaces such as any frame or supports for panels but excluding the exposed collector panel face itself must be painted to match, or the color of the materials used must match, any surface on which it is mounted. Aluminum trim, if used and visible, should be anodized, painted or otherwise color treated to blend into the surrounding surfaces as much as possible.

D. GUIDELINES APPLICABLE TO SINGLE FAMILY HOUSES

1. **Driveway Widening:** Any change, alteration or modification to the original driveway shall be approved by the BOD. The only material(s) that shall be approved are those that would match the existing driveway.
2. **Fencing:** Fencing requires an application. For approved designs, refer to "Single Family Fence Designs" and "Town House Fence Design" in the Appendix. Fencing shall completely enclose the rear yard of the property, unless there is a pool (see below). Partial fencing is not permitted. Other general requirements are:
 - a. No fence shall be erected forward of the mid-point between the rear and front foundation walls without the written approval of the AERC.
 - b. Special consideration regarding location may be given to houses with unusual or special physical characteristics, i.e., corner lots.
 - c. Maximum height not to exceed sixty inches (60"). This is the highest point of the post, gate and/or the railing. Special circumstances may warrant privacy fencing for all or a portion of the fence line, not to exceed seventy-two (72) inches in height. The AERC may consider an application under such conditions.
 - d. Materials are to be of wood, vinyl or resin only. Chain link fencing is not permitted. Welded wire fencing, however, may be attached to the inner surface of fences to contain pets, if desired. If wood, the finish may be natural, stained a wood tone or painted white. If vinyl or resin, the finish may be white or finished to simulate wood. All finishes must be submitted as part of the application, including color photos, brochures or paint/stain chips, if possible.
3. **Pool fencing:** See Pools.

4. Pools: Proper maintenance is the responsibility of the owner and subject to enforcement by the Board of Directors. Location of proposed in-ground pools must be shown to scale on a house location survey and must include distance from all side and rear property lines. In-ground pools may be approved provided they meet the following requirements:
 - a. Applicable Frederick City/County Permits must be obtained prior to, and included with, submission of the AERC application. Any application submitted without an approved permit will be rejected as non-compliant.
 - b. Pool fencing shall meet the Frederick City/County Code requirements. Applicable code requirements will dictate height, style and placement and must be attached to the application. The minimum height must be forty-eight (48) inches or, if so determined by Frederick City/County Code, higher. Gates shall be self-closing and self-latching. Permitted materials, styles and finishes shall otherwise conform to the provisions of paragraph D.2., "Fencing."
 - c. Drainage issues may be affected by pool construction and operation, and must be addressed in the application. Please refer to Section III, paragraph A.8., "Drainage Easements."
6. Porches: Defined as a permanent structure attached to the front or rear of a house with - . railing and a roof. Rear porches are sometimes screened on three sides.
 - a. Materials: Porch substructures should be constructed of pressure-treated lumber. Generally, gutters will be required around the roof's edge to avoid water damage to the structure.
 - b. Design: All porches will be designed with a railing and a roof. The roof must be an exact match to the existing house's roof in terms of color, style, and physical connection.
 - c. Placement: No porch shall wrap around the side or laterally protrude beyond the front or rear elevation of a home. Small porches that are essentially integral to the structure may be considered for placement at the front of a home.
 - d. Finish: Porches will be painted to exactly match the color scheme of the house if constructed of wood. The same siding (color, size, style, and type) may be used in areas deemed appropriate.

E. GUIDELINES APPLICABLE TO TOWNHOUSE OWNERS

1. Fencing: Only one style fence, six (6) feet in height, is approved. Please refer to the Appendix "Townhouse Fence Design" for details.

IV. GENERAL INFORMATION

Leased Properties: The owner of the property is required to sign the application form or architectural change request. The tenant may actually do the work but the owner of the property must make the application.

All owners who lease or rent their property are required to provide a copy of the lease or rental agreement to the Management Agent promptly following the execution thereof. All lease or rental agreements shall incorporate the requirements stated in Article VIII, Section 10, Leasing, of the Covenants.

These AERC Guidelines were duly adopted by the Board of Directors of the Willow Brook Homeowners Association, Inc., on October 24, 2012.