

**CLARKSBURG RIDGE HOMEOWNER'S ASSOCIATION**

***ARCHITECTURAL DESIGN  
GUIDELINES***



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## I. INTRODUCTION

All new construction and exterior modifications to a home or lot in Clarksburg Ridge, including major landscaping modifications must first be reviewed and approved in writing by the Architectural Review Committee (ARC).

The board members of the Clarksburg Ridge Homeowner's Association are pleased to provide you with this Architectural Guidelines Booklet for your use in preparing an application for architectural review by the Architectural Review Committee. The purpose of this document is to serve as an adjunct to the Declaration of Covenants, Conditions, and Restrictions found in your Clarksburg Ridge Homeowner's Association manual. The Covenants are the ultimate authority for all HOA matters. These guidelines are intended to be used as a reference tool that will provide you with the information you need to understand the architectural review procedure and to make the system work for you and for all your neighbors in the community. Ultimately, the goal of the architectural review standards and procedures is to preserve the unique quality of Clarksburg Ridge and to maintain the high aesthetic standards that make it a desirable place to live. The committee may consult an architect to get a professional perspective on the proposed change to preserve the standards and enhance the property values in the community.

## II. DESIGN CRITERIA USED BY THE ARCHITECTURAL REVIEW COMMITTEE

### A. GENERAL PRINCIPLES

Clarksburg Ridge is part of the planned development for Clarksburg. Traditional architectural styles within the community were developed to mimic or reflect the styles found in the old towns of America. In reviewing applications, the ARC will review whether designs are consistent, cohesive and properly proportioned with this traditional architectural style. Each home will be evaluated for its "collective design" within the neighborhood, rather than the sum of individual component parts. Property owners must be cognizant of the fact that elements of architecture taken from several different homes may not necessarily be appropriate when combined on the same house, as it is the effect of all design elements working together which gives a home a traditional feel. Comments, suggestions, approvals and rejections may be based solely on the aesthetic judgment of the ARC.

The ARC is responsible for applying certain standards in making decisions regarding architectural improvements in Clarksburg Ridge. The guiding principles that direct the ARC in making its decisions include:

- Protecting owners against improper use of surrounding lots as might depreciate the value of their lots;
- Obtaining harmonious color schemes; and
- Preventing haphazard and inharmonious improvement or modification of lots.

In all cases, the ARC is concerned with the impact and the view from neighboring lots, roads (curb appeal) and recreational areas. Furthermore, it is mindful of any improvements that serve to create a precedent in the community.

## **B. MUNICIPAL APPROVALS**

Approval of the ARC in no way negates the owner's responsibility to get certain municipal approvals and/or inspections. However, ARC approval should be received before applying for any necessary municipal permits or other approvals.

ARC approval in no way guarantees, or warrants that the improvement complies with building codes, governmental regulations, or sound engineering practices; all of the aforementioned being outside of the scope of the ARC's responsibilities.

## **C. MODIFICATIONS BY PRIOR OWNERS**

Purchasers of a resale property could be notified that they are in violation of the ARC because of an existing, unapproved architectural modification to their property. Current owners are responsible for any existing violations. Should owners find themselves in this situation, they should remove the unapproved modification themselves or, alternatively, if the previous owner did not seek approval, the new owners should submit an application explaining the matter and requesting approval.

### **III. GUIDELINES FOR MODIFICATIONS TO HOMES AT CLARKSBURG RIDGE- CONSIDERATIONS, SPECIFICATIONS, AND APPLICATION GUIDELINES**

#### **A. ADDITIONS (Rooms, Porches, etc.)**

##### **General Considerations**

Structural additions can have a significant impact on the appearance of the original building and on neighboring properties. The ARC will be very sensitive to this fact when making any decisions regarding these types of additions.

It is preferred that the owner submit concept drawings or preliminary plans for ARC review and comment before more detailed plans are made. Any preliminary comments are not to be interpreted as final approval by the ARC.

For all structural additions, upon completion, final inspection and/or certificate of compliance must be provided to the ARC.

##### **Specifications**

The design of the addition must be compatible in scale, massing, roof pitch, character, materials and color with the original house. The location of the addition should be planned to minimize the effect on neighboring properties as it relates to their privacy and views, and located to minimize the removal of trees and other vegetation. Changes in grade or drainage resulting from the addition must not adversely affect adjacent property, and should be shown on the site plan.

##### **Application**

Your application should include a completed application form and:

- A site plan and/or record plat to scale showing the location of the proposed addition, the existing building and the setbacks from all property lines;
- Detailed construction elevation drawings for all views to scale;
- Drawings or photographs of the existing building and the site conditions before the proposed changes; and
- Perspective drawings or scale models (not required, but may be helpful).

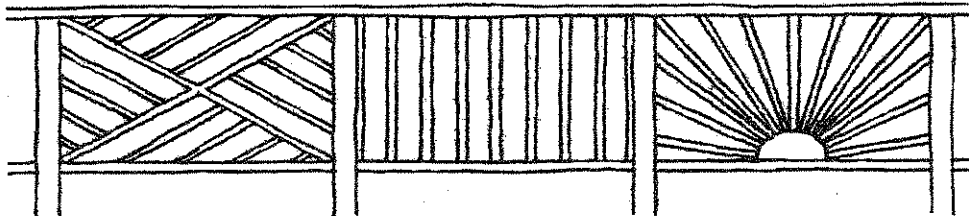
## B. DECKS

### General Considerations

A deck can provide a home with extended “living space” and the opportunity to better enjoy the outdoor views of Clarksburg Ridge. The Architectural Review Committee understands the desire of most owners to add or modify a deck. However, decks can greatly impact the appearance of a house and may affect the privacy of adjacent owners, the Architectural Review Committee will take careful review of any deck plan to be certain that its design is complementary to the existing house and it will not interfere with the right of quiet enjoyment of any adjacent residents.

### Specifications

- No decks shall be permitted in front or side yards. Decks are only allowed in the rear of homes. Decks shall not extend beyond the owner’s building restriction line.
- New decks or modifications to existing decks must provide continuity in detailing, such as materials, color, post locations, railing designs and trim.
- For aesthetic appeal and consistency, only the standard railing designs subsequently depicted will be permitted on decks in the community.



Basketweave or Herringbone  
(Allowed but not preferred, these are easily climbed by small children)

Vertical Picket  
(Preferred railing style, no horizontal step surfaces for climbing)

Sunburst  
(Allowed, but preferred for use as a highlighting detail, not for the entire railing)

- Decks must be constructed with pressure-treated, rot-resistant wood and/or a synthetic composite material such as Trex. Wood deck surfaces may be left to weather naturally. Wood decks, if stained should be done in a neutral color and blend well with the brick and color trim of the house.
- Lattice may be used to screen the underside of the sides of the deck, between the deck and the ground. The addition of lattice on the underside of the deck may be required if, and when, the underside of the deck is used for storage. Lattice should be made of the same dominant material and or color of the deck.
- On walkouts, the area beneath the deck shall be properly maintained, in accordance with community standards. The Architectural Review Committee may require some additional landscaping around the deck in instances where the deck is visible from neighboring properties, the road, or recreational areas.
- Any deck accessories such as arbors, pergolas, lattices, and trellises, must be submitted as part of a complete deck application package.

#### Application

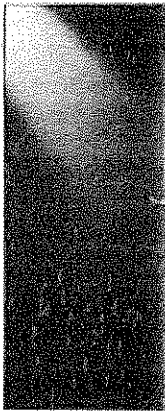
Applications must be submitted for new decks, modifications to, and replacements of, existing decks. An application shall include a completed application form and:

- A site plan and/or record plat to scale, showing the location of the proposed deck, the existing building, and the setbacks from all property lines.
- Detailed construction elevation drawings for all views (scale not less than 1/4" = 1 ft.), including details of railings, built-in benches, permanent barbeque or cooking areas, etc. Drawing should indicate relationship of the deck to the existing house.
- Stain color samples where applicable.
- A full description of the deck including materials and dimensions must be included.
- Pictures of the finish product must be submitted with the application.



### C. STORM DOORS

An application must be submitted for all storm doors, however, a survey plat is not required. Storm doors shall be full view (with optional full view screen for warmer weather) and the color of the storm door must match either the main door color or the trim around the door. A picture of the storm door with the color must be included with the package.



#### **D. HOLIDAY/SEASONAL DECORATIONS**

Holiday and Seasonal Decorations are allowed in the community. However, they should be put up no earlier than 30 days prior to the holiday or season and must be removed 30 days after the holiday or season. No application is required.

## E. SHEDS

### General Considerations

A complete application with a survey plat showing the location of the shed must be submitted. Sheds will be reviewed on a case by case basis. Sheds should conform to the specifications below.

### Specifications

- Metal, portable, and Rubbermaid-type sheds are not permitted. Homeowners who desire to erect a shed will be required to follow the same guidelines as stated in the section titled, "Additions".
- Sheds should be screened from neighbors with landscaping to minimize the impact and view to the extent possible.
- The materials and colors of the shed and the roof of the shed must be the same materials and colors as the materials used on the house and the roof of the house. In addition, the design of the shed must be compatible with the character, style, materials and color of the original house and surrounding structure.

### Application

Your application should include a completed application form and:

- A site plan and/or record plat to scale showing the location of the proposed shed, the existing building and the setbacks from all property lines;
- Drawings or photographs of the proposed shed and the site conditions before the proposed changes; and any related screening and/or landscaping.
- Samples of colors and materials, if available.

## F. FENCES

### General Considerations

A complete application for all fences must be submitted and include information on the materials, colors, measurements and pictures of the fence. General guidelines are provided below but the ARC will review plans on a case by case basis.

### Specifications

- Chainlink and split rail fences are not allowed. Picket fences and stockade style fences are the acceptable styles for Clarksburg Ridge. However, depending on the builder of your home, the following guidelines should be followed.
- Ryan Homes: Fences for Ryan homes must be 36" to 42" high, painted white and match the fence style in the front of the house.
- NV Homes: For NV homes with attached garages, fences should not go past the front corner of the house.
- No signage can be placed on any fence, this includes the contractor's or builder's advertising.

### Application

- Site plan and/or record plat showing the entire lot, buildings, and property lines, and showing the proposed location of the fence;
- Catalog sheets or detailed construction drawings indicating the materials, height, style, trim, and color.

## G. SATELLITE DISHES

### General Conditions

Many times, there is more than one location where a satellite dish can be installed. The best location provides a quality signal for the homeowners and locates the dish or antenna to be as inconspicuous as possible from the street and adjacent properties.

While no application is required for the installation of satellite dishes, the Architectural Review Committee requests that you install your satellite dish or antenna on the back of the house where it is least visible from the street unless your home is situated in such a way that you are unable to get a quality signal from that location. If you must locate the satellite dish or antenna somewhere other than the back of the house, be sure that you and/or your installation contractor consider your neighbors and the overall appearance of the community when selecting the least obtrusive location for your dish.

### Specifications

- All wiring and cabling leading to or from the satellite dish or antenna must be completely concealed from view.
- Satellite dishes must be limited to one meter or less in diameter.
- All satellite dishes must be screened from view as best as possible.

### Application

No application is required.

## H. EXTERIOR LIGHTING

### General Considerations

Typical site lighting includes, but is not limited to, lighting fixtures of the following types:

Building-mounted lights at entries; post-mounted lights; garden lights; building-mounted security flood lights in hooded fixtures located only in rear yards; flush-mounted up or accent lighting and garden style lighting. All exterior lighting shall be subject to the specifications set forth in this section.

While we understand the added security that lighting can provide, Clarksburg Ridge should be viewed as a quiet, natural, nighttime setting without intense, overly decorative lighting. Fixtures shall be of high quality, traditional in design, and consistent with the original builder style. All fixtures on the front of a home shall be of a uniform and consistent design. Whether building-mounted or freestanding, lighting fixtures shall be properly located, directed, diffused and/or shielded to avoid causing glare when viewed from adjacent properties or from the street. No exterior lighting shall be directed outside the boundaries of the lot.

### Specifications

- Lamps shall be an energy saving fluorescent, halogen or incandescent type of 75-Watts or equivalent for most applications. High-wattage, commercial/industrial-type fixtures are unacceptable.
- Unobtrusive, building-mounted fixtures are preferable. When building-mounted light is inadequate for proper illumination, high-quality, post-mounted fixtures of eight feet or less in height are preferred.
- Exterior lamp posts and attached fixtures shall be black in color and of like materials and style as established by the original developer. Wiring must be buried.
- Low-level landscape or garden lighting should be used sparingly, if at all. They should be spaced no closer than 12 inches apart, and the tops of the lights should be no more than 12 inches above the ground and should be hidden by plantings. All lighting wiring must be buried or covered, for example by mulch.
- Security floodlights shall be used with discretion, so as not to adversely impact adjoining properties. When the rear lot line of a residence abuts wooded areas or other similar situations, flood lights may be used for

security purposes to illuminate the rear yard. Floodlights shall always be attractive fixtures and not of the bare bulb and socket variety. They shall be mounted on the fascia board (not the brick or siding), or under the roof eaves, and shall be a color that blends with the surfaces upon which they are mounted.

- All conduit and wiring shall be buried out of sight.
- Sodium vapor, quartz, and other non-incandescent varieties of lamps are unacceptable.
- Flush-mounted up and accent lighting for building facades shall be low-intensity to create a subtle, warm impression. The lights shall not be obtrusive as visible fixtures and shall not create any glare. Such lighting shall be totally or partially buried in the ground.
- For the town houses, all lighting fixtures must match the existing fixtures and the material must be brass.

### Application

Garden style lights do not need an application as long as they meet the above guidelines.

All other lights require an application. Applications should include a completed application form and:

- A “to scale” site plan, plat or house location survey showing the home, existing buildings and other improvements, property lines, and the location of existing and proposed lighting;
- Catalog sheets of any fixtures, including photographs or drawings, description and lamping data; and
- Landscape plan when lighting is integrated and/or softened with plants.

## I. PATIOS AND WALKWAYS

### General Considerations

A patio can provide a home with extended “living space” and the opportunity to better enjoy the outdoor views of Clarksburg Ridge. The ARC understands the desire of most owners to add or modify a patio. However, as a patio can greatly impact the appearance of a house and may affect the privacy of adjacent owners, the ARC will take careful review of any patio plan to be certain that its design is complementary to the existing house and will not interfere with the right of quiet enjoyment of any adjacent residents. The ARC also understands that the addition or modification of a walkway may be desirable in order to access parts of a home site. Due to concerns similar to those discussed above with regard to patios, the ARC will also review walkway plans to be certain that its design is complementary to the existing house and it will not interfere with the right of quiet enjoyment of adjacent residents.

### Specifications

- No patios shall be permitted in front yards.
- New patios or modifications to existing patios shall provide continuity in detailing such as materials, color, and trim.
- Walkways may be located as required to accomplish the proposed purpose of use and shall not exceed 36-inches in width.
- Patios and walkways shall be constructed with stone, brick, concrete (including stamped and tinted concrete) or approved, pre-cast pavers. Surfaces, in many cases, may be left to weather naturally. Patios and walkways shall be a neutral color, and blend with the brick and trim color of the house.

Any patio accessories such as arbors, pergolas, lattices, and trellises, must be submitted as part of a complete patio application package. Any columns, knee walls, seating walls, raised planters, etc. shall be submitted as part of the application package and should adhere to the specifications set forth in the “Retaining Walls” section of this document.

If you are planning to change grading, a grading plan should be submitted with the application.



## J. RETAINING WALLS

### General Considerations

Retaining walls should be as unobtrusive as possible and should be installed only where structurally necessary, such as for purposes of diminishing erosion or creating a more level lawn or garden area. Retaining walls should be built only to the minimum height needed to serve its function.

### Specifications

All above-grade walls, retaining, decorative or otherwise, shall be submitted to the ARC for approval. Retaining walls must be constructed of stone or approved, interlocking, architectural, pre-cast, concrete blocks of neutral tone, or bricks that match the color and style of those found on the home. Concrete walls or walls constructed of rounded landscape timbers will not be approved for aesthetic reasons.

Walls must gradually taper down to the ground, rather than abruptly end.

In some cases, safety codes may require a railing atop the retaining wall. The owner is responsible for determining, through the proper authorities, if a railing is necessary. Should a railing be required, the design specifications, including dimensions, material, and color shall be included as part of the application. Alternatively, the owner may want to consider stepping the wall in a terracing effect in order to keep the wall height below the maximum allowable height for which a railing is not required.

In certain instances, plantings may be required to screen areas where the retaining wall will be obtrusive either from the street and/or from neighboring homeowners.

### Application

Your application should include a completed application form and:

- A "to scale" site plan, plat, or house location survey showing the home, location of the retaining wall, any existing or planned buildings, and the relationship to property lines;
- A sectional drawing showing the construction details;
- A description of materials; and
- Landscape plan showing additional plant material to be used to soften the appearance of the retaining wall(s).

## K. DRIVEWAYS

### General Considerations

The impact of an enlarged or modified driveway on neighboring properties will be carefully considered. Further, it is not anticipated that many requests for driveway revisions, specifically in design, will be made since these issues should have been carefully considered during the original new home construction review and approval process, and because most of the lot sizes in the community limit major modifications.

### Specifications

Enlarging or modifying a driveway and/or walkway may be done only where it and its use will not adversely affect adjacent property, natural areas or drainage and where it will not negatively impact the appearance of the streetscape. Depending on the modification requested, extensive landscaping may be required as part of the approval. Applications for new or revised walkways or driveways must be submitted to the ARC for approval.

### Application

Your application shall include a completed application form and:

- A “to scale” site plan, plat, or house location survey showing the home and driveway or parking pad, and proposed changes, showing dimensions and distances from the property lines;
- A grading plan if the existing grade is changed; and
- A full description of the surfacing materials proposed for use.

## L. PLAY EQUIPMENT

### General Considerations

For many property owners, children's play equipment including swing sets, jungle gyms, sand boxes, and similar type equipment are desirable additions to a home site. Respect for neighbors and the aesthetic quality of Clarksburg Ridge must, however, be given due consideration. Such equipment should not be placed in such a manner as to constitute a nuisance to adjoining homeowners and should be as inconspicuous as possible from the street.

### Specifications

- Play equipment will only be permitted in the rear yard, except for corner lots with side yards, which will be reviewed on a case by case basis. The exception is basketball backboards, which are addressed separately in this document.
- Due to size and location constraints complete screening (e.g. landscaping and trees) is not always possible. Therefore, screening is not required but encouraged.
- Play equipment may be constructed of wood, plastic, or metal, and should be properly maintained.

### Application

Due to the various types of play equipment available, and the many possible locations where it might be situated, homeowners are required to submit an application and obtain approval before erecting play equipment and/or playsets that need to be anchored into the ground. Applications must include:

- Site plan, plat, or location survey showing the entire lot, buildings and property lines, and showing the proposed location of the play equipment.
- Catalog sheets or detailed descriptions of proposed play equipment.
- Landscape plan if landscaping is to accompany installation of play equipment.

## M. GAZEBOS

### General Considerations

Due to the limited lot sizes in Clarksburg Ridge, the ARC does not anticipate receiving a large number of requests for gazebos. Because of this, applications for gazebos will be considered on a case by case basis. The size and location of a proposed gazebo or similar structure and its relation to surrounding houses, properties, and open space will be taken into consideration when reviewed by the ARC.

### Specifications

Generally, these structures must be located in the rear yard. However under rare circumstances, if a homeowner has a unique or corner lot layout that makes a side yard the most suitable, such a location will be considered. Its design, including details, colors and materials must relate visually to the house.

A gazebo should be integrated into its location by means of grading and landscaping as appropriate. If located on a deck, the size and design of the gazebo must be consistent and harmonious with that of the deck and the house.

### Application

Your application shall include a completed application form and:

- An existing scaled site plan showing the house, property lines, any accessory structures, patio/deck, fencing, and the proposed location of the gazebo, including any trees to be removed;
- Elevation drawings or manufacturer's illustration of the gazebo showing dimensions, materials, and color.
- Photographs or illustrations of any exterior lighting; and
- If applicable, a landscape plan indicating the proposed type and location of landscaping.

## N. DOG HOUSES

### General Considerations

Dog houses must be located to minimize their visual and acoustical impact on neighboring properties and should take advantage of screening provided by existing structures and/or vegetation. Further, they should optimally be placed in the rear yard. It should be noted that due to the design and size of the lots, dog houses are not permitted on townhouse properties.

### Specifications

- No more than one dog house is permitted on a single family home lot. (As stated above, dog houses are not allowed on townhouse lots.)
- Dog houses must be located in rear or side (where applicable) yards and be screened by landscaping.
- Generally, dog houses will not be permitted except within an enclosed yard.

### Application

Your application shall include a completed application form and:

- Site plan, plat, or location survey showing the entire lot, buildings and property lines, and showing the proposed location of the dog house;
- Catalog sheets or detailed descriptions of proposed materials; and
- Landscape plan if landscaping is to accompany installation of doghouse.

## O. HOT TUBS/SPAS

### General Considerations

Exterior hot tubs and spas should be located to limit any adverse visual or acoustical impact on neighboring properties. It is not anticipated that hot tubs or spas will be installed on townhouse lots, but applications from townhouse owners will be reviewed on a case by case basis.

### Specifications

- Hot tubs must be located in the rear or side (where applicable) yard, behind the house, and not more than 20 feet from the back of the house.
- Generally, hot tubs shall not protrude more than 3 feet above the adjacent ground or deck level.
- The exterior finish of an elevated hot tub should blend in with the exterior finish of the home, deck or patio to which it is attached.
- Screening with landscape material should be considered and may be required to reduce the impact on adjacent property owners.

### Application

Your application shall include a completed application form and:

- A site plan showing the house, property lines, any fencing, patio/deck, and the proposed location of the hot tub including any vegetation to be removed;
- Catalog sheets or photographs of the unit showing the dimensions, materials, and color; and
- Where applicable, a plan indicating the proposed type and location of fencing and/or vegetation for screening.

## P. LANDSCAPING AND GARDENS

### General Considerations

Landscaping can provide a significant improvement to the community when done in a careful way. It is recognized that the qualities of any landscaping is highly subjective and it is not the intent of this specification to require all landscaping to be identical. There are an infinite number of possible combinations of borders, flowers, trees, shrubs, and beds. There are also many different types of gardens. Homeowners are encouraged to design and implement their landscaping in such a way that brings them the maximum enjoyment without significant negative impacts on the community. Landscaping should be balanced and attractive. The specifications below provide some detailed requirements and general guidelines.

### Specifications

- Excessive landscaping in the front yard is discouraged and should be limited to approximately one third of the yard. Landscaping plant material previously approved may be hanged out without submitting a new landscaping plan.
- Landscaping in the rear of the house need not be applied for as long as it conforms to the specification of this section. Landscaping for the side/front of the house should be applied for. If there is any ambiguity on the location- front, rear or side- the homeowner is encouraged to apply.
- Borders may be used around landscaped areas. This section only covers borders that are 12 inches or less in height. If a homeowner desires a border greater than 12 inches in height, this would be considered a retaining wall (see Section J) or a short fence (see Section F).
- Borders should all be installed and maintained properly. We encourage borders of the type listed below:
  - ⇒ Landscape Bricks
  - ⇒ Stone
  - ⇒ Wood
  - ⇒ Pre-fabricated shapes made of concrete or similar materials
  - ⇒ Small decorative fences

The ARC may allow borders that vary from the above; however, construction type materials will not be permitted.

- In general, there is no restriction on the type, size or location of trees. However, homeowners should consider the long-term size and appearance of the tree. Further, regarding location, as outlined in the Covenants, no tree or hedge or

other landscape feature can be planted or maintained in a location which obstructs sight-lines for vehicular traffic on public or private streets and roadways. Trees should be placed such that the entire volume of the tree will remain within the borders of the homeowner's lot when the tree is mature. If a tree is part of an overall landscaping plan it should be indicated on the plan with the application. If it is a stand-alone item no application is necessary.

- The homeowner may take reasonable, temporary measures to protect their garden without filing an application. These measures include, but are not limited to: insect traps, netting, mesh, protective bag trees, protective cages, plant and tree supports, and watering bags. These measures are not to be of a structure nature without filing an application. If the homeowner judges the protective measures to be structural in nature, they are required to apply.
- For water gardens, fountains, or other landscaping water features, please see Section Q.
- Large surface areas of mulching or placing of rocks is not in itself a completed landscape or garden. These items can be used in conjunction with other landscaping, plants or structures but cannot by themselves be used to eliminate a grassy area.
- No tree larger than 6" in circumference shall be cut down without prior approval of the ARC.

### Application

Your application shall include a completed application form and:

- Site plan, plat, or location survey showing the entire lot, buildings and property lines, and showing the proposed location of the garden or landscaping.
- Detailed descriptions and/or sketches of the relevant landscaping with elevation views if appropriate.



## Q. FRUIT, VEGETABLE AND HERB GARDENS

### General Considerations

It is understood that homeowner's may desire to grow and harvest fruits, vegetables, herbs and other edible items. It is also understood that there may be arrangements, supporting materials, shielding and other items that are required to successfully grow and harvest the items of interest. However, these gardens must be placed in the rear yards of homes, never in the front. Depending on the design of some lots, gardens of this nature may be considered in a side yard by the ARC but will be reviewed on a case by case basis.

### Specifications

- Vegetable and fruit gardens may only be in the rear lot of the house, and need not be applied for. Herbs may be planted anywhere and need not be applied for.
- Raised beds are allowed up to 2 feet above ground level, and if they are less than one foot they need not be applied for. The raised beds can be entirely filled with soil or simply be an extended border or frame. There may be rare instances where the ARC may allow raised beds taller than 2 feet in height if the homeowner provides a compelling reason in their application.
- Poles, cages and other items to support vegetables, which must be grown in the backyard, are allowed. Homeowners are encouraged to use the least visible version possible of these items. Homeowners are encouraged to use materials that blend into the surroundings when possible. Thin green poles and black or green netting are examples of this. These items shall be of a temporary nature and only used during the growing season and need not be applied for if they are less than six feet in height. If the homeowner desires permanent versions of these items or items taller than six feet in height they are required to apply for these items. The permanent items will have to meet the applicable sections of the design guidelines.

### Application

Your application shall include a completed application form and:

- Site plan, plat, or location survey showing the entire lot, buildings and property lines, and showing the proposed location of the garden or landscaping.
- Detailed descriptions and/or sketches of the relevant landscaping with elevation views if appropriate.

## R. LAWN ORNAMENTS, GARDEN PONDS, AND FOUNTAINS

### General Considerations

Decorative lawn ornaments are not permitted under Article 9.2 Paragraph H of the Declaration of Covenants, Conditions and Restrictions. A lawn ornament is defined as a yard decoration with a footprint greater than 12" by 12" and with a height greater than 36".

Lawn ornaments and other yard decorations can add a touch of individuality to a property, but they can also become a nuisance and eyesore if installed with no consideration of property or community aesthetics. Ornaments may not be of a vulgar, inflammatory, insulting or offensive nature. Some examples of ornaments are small ceramic or stone statues, wind-catching pinwheels, garden gazing balls, statuary on front stoops, birdbaths, etc. Ponds, fountains, and other water features can also enhance the look and beauty of a yard. Water features are specifically allowed in the rear yard. In some cases, such as small fountains that fit within the front garden, fountains or small water features may be allowed to be in the front or side yards but will be reviewed on a case by case basis.

For townhomes, no more than 3 permissible yard items are permitted in the front without ARC approval. For single family homes, no more than 6 permissible yard items are permitted in the front without ARC approval.

### Specifications

If many permissible yard items are desired, or if a single item does not meet the above criteria, the homeowner must submit an application describing the desired ornaments. Since almost anything can be used as a lawn decoration, each application will be reviewed on its own terms. Keep in mind that expansive ornamentation will not be permitted, and homeowners should be thinking of lawn decorations as accents rather than as primary features of their front yards.

### Application

Your application shall include a completed application form and:

- Site plan, plat, or location survey showing the entire lot, buildings and property lines, and showing location of proposed ornaments; and
- Catalog sheets or photos and detailed descriptions of proposed ornaments.

#### IV. QUICK REFERENCE COVENANTS

All covenants, conditions and use restrictions are detailed in the Clarksburg Ridge Homeowner's Association (CRHA) manual under the Declaration of Covenants, Conditions and Restrictions, Article 9. However, excerpts from Article 9, specifically Sections 9.1, 9.2 and 9.3 have been replicated from this portion of the CRHA manual and included here as a quick reference.

*Note: The list below is not complete and homeowners must read and be familiar with all of the Declaration of Covenants in the CRHA Manual.*

#### ARTICLE 9

In addition to all other covenants, conditions and restrictions contained herein, and in addition to other covenants, conditions and restrictions adopted by Equity Resolutions, the use of the Property and each Lot therein is subject to the following:

**Section 9.1. Permitted Uses.** The Lots shall be used for residential purposes exclusively, and no building shall be erected, altered, placed or permitted to remain on any such Lot other than one used as a dwelling, except that the use of a dwelling unit for a "no-impact home-based business", as defined in §11B-111.1 of the Maryland Homeowners Association Act, as amended (the "Act"), shall be permitted, provided that: (i) before any dwelling unit may be used for a no-impact home-based business the Owner and/or resident of such dwelling unit shall notify the Association, in writing, at least thirty (30) days prior to the opening of the no-impact home-based business; and (ii) in no event shall the Common Area be used by or in connection with any permitted no-impact home-based business. Nothing contained in this Article, or elsewhere in this Declaration, shall be construed to prohibit the Declarant from the use of any Lot or dwelling, or the improvements thereon, for promotional or display purposes, or as "model homes", a sales and/or construction office, or for any other lawful purpose.

**Section 9.2. Prohibited Uses and Nuisances.** Except for the activities of the Declarant and the Participating Builders during the construction and development of the Property, or except with the prior written approval of the Declarant or the Board of Directors, or as may be necessary in connection with reasonable and necessary repairs or maintenance to any dwelling or the Common Area:

(a) no noxious or offensive trade or activity shall be carried on upon any Lot or within any dwelling or any other part of the Property, nor shall anything be done therein or thereon which may be or become an annoyance or nuisance to the neighborhood or other Members. Without limiting the generality of the foregoing, no speaker, horn, whistle, siren, bell, amplifier or other sound device, except such devices as may be used exclusively for security purposes, shall be located, installed or

maintained upon the exterior of any dwelling or upon the exterior of any other improvements constructed upon any Lot.

(b) the maintenance, keeping, boarding or raising of animals, livestock, or poultry of any kind, regardless of number, shall be and is hereby prohibited on any Lot or within any dwelling, or other part of the Property, except that this shall not prohibit the keeping of a reasonable number of dogs, cats, caged birds or other small domestic animals as pets provided (i) they are not kept, bred or maintained for commercial purposes; (ii) such domestic pets are not a source of annoyance or nuisance to the neighborhood or other Members; and (iii) such pets are maintained in strict conformance to all laws and ordinances. The Board of Directors and the Covenant Committee shall have the authority, after hearing, to determine whether a particular pet is a nuisance or a source of annoyance to other Members, and such determination shall be conclusive. Pets shall be attended at all times and shall be registered, licensed and inoculated as may from time to time be required by law. Pets shall not be permitted upon the Common Area unless accompanied by a responsible person and unless they are carried or leashed. The Board of Directors shall have the right to adopt such additional rules and regulations regarding pets as it may from time to time consider necessary or appropriate, including, without limitation, rules prohibiting pets within the Community Facilities.

(c) no burning of any trash and no accumulation or storage of litter, lumber, scrap metals, refuse, bulk materials, waste, new or used building materials, or trash of any other kind shall be permitted on the Common Area or Community Facilities.

(d) except for parking within garages, and except as herein elsewhere provided, no junk vehicle, commercial vehicle (including vans used for commercial use and vehicles displaying commercial signage), truck (as defined by the Maryland Department of Motor Vehicles and/or by common usage and practice except for light pick-up trucks of three-quarter (3/4) ton capacity or less used for non-commercial purposes), unlicensed or inoperable motor vehicle (which shall include, without limitation, any vehicle which would not pass applicable state inspection criteria), trailer, camp truck, house trailer, recreational vehicle, boat or other similar vehicles, machinery or equipment of any kind or character (except for such equipment and machinery as may be reasonable, customary and usual in connection with the use and maintenance of any dwelling and except for such equipment and machinery as the Association may require in connection with the maintenance and operation of the Common Area) shall be kept upon the Property or upon the public or private streets within or adjacent to the Property, nor (except for bona fide emergencies) shall the repair or extraordinary maintenance of automobiles or other vehicles be carried out thereon. The Association may, in the discretion of the Board of Directors or the Covenant Committee, provide and maintain a suitable area designated for the parking of such vehicles.

(e) trash and garbage containers shall not be permitted to remain in public view except on days of trash collection and the evening prior to such days of trash

collection. Garbage and trash containers shall be screened from public view at all other times.

(f) no Lot shall be divided or subdivided and no portion of any Lot (other than the entire Lot) shall be transferred or conveyed for any purpose. The provisions of this subsection shall not apply to the Declarant or the Participating Builders and, further, the provisions hereof shall not be construed to (i) prohibit the granting of any easement or right-of-way to any municipality, political subdivision, public utility or other public body or authority, or to the Association, the Declarant, the Participating Builders or any other person for any purpose, or (ii) prohibit minor boundary line adjustments between adjoining Lot Owners if done in accordance with applicable local zoning ordinances, governmental guidelines and restrictions. The provisions of this subsection shall not be deemed to preclude any Owner from granting an easement or right-of-way to any municipality, political subdivision, public utility or other public body or authority, or to the Association, to serve necessary public purposes, or from dedicating or conveying a portion of such Owner's Lot for such purposes.

(g) no tree, hedge or other landscape feature shall be planted or maintained in a location which obstructs sight-lines for vehicular traffic on public streets or on private streets and roadways. Without limiting the generality of the foregoing, no wire or other lawn edging, fencing or other treatment shall be placed or maintained on any Lot which would impede the Association's ability to perform its obligations as set forth in this Declaration, or which would be inharmonious with the aesthetics of the Project.

(h) no decorative lawn ornament, no structure of a temporary character, and no trailer, tent, shack, barn, pen, kennel, run, stable, or other similar structure shall be erected, used or maintained on any Lot at any time. A storage shed may be erected, constructed or placed on a Lot provided that such shed (i) is approved, in writing, with respect to design (including, but not limited to color and materials), location and construction by the Architectural Review Entity, and (ii) any shed must be properly maintained at all times by the owner of the Lot upon which it is located.

(i) except for entrance signs, directional signs, signs for traffic control or safety, community "theme areas" and such promotional sign or signs as may be maintained by the Declarant, the Participating Builders or the Association, no signs or advertising devices of any character shall be erected, posted or displayed upon, in or about any Lot or dwelling, provided, however, that one temporary real estate sign not exceeding six (6) square feet in area may be erected upon any Lot or attached to any dwelling placed upon the market for sale or rent. Any such temporary real estate sign shall be removed promptly following the sale or rental of such dwelling. The provisions and limitations of this subsection shall not apply to any institutional first mortgagee of any Lot who comes into possession of the Lot by reason of any remedies provided by law or in such mortgage or as a result of a foreclosure sale or other judicial sale or as a result of any proceeding, arrangement, assignment or deed in lieu

of foreclosure. The Declarant and the Board may, through the adoption of an Equity Resolution, adopt additional covenants, conditions and restrictions regarding signage.

(j) no water pipe, sewer pipe, gas pipe, drainage pipe, cable or other similar transmission line shall be installed or maintained upon any Lot above the surface of the ground and no wire, cable or other similar transmission line may be attached to the exterior of any structure on any Lot; provided, however, that such transmission lines, wires or cables providing utility services to any Lot or dwelling (including, but not limited to, electricity, telephone, gas, water and cable television) shall be permitted.

(k) no play equipment, including, without limitation, basketball backboards, basketball hoops and other equipment associated with either adult or juvenile recreation, shall be erected or attached in any manner to the exterior of any dwelling, nor shall any basketball backboards and/or hoops, whether temporary or otherwise, be placed or maintained within any Lot or the adjacent public street, without the prior written approval of the Architectural Review Entity pursuant to Article 7 hereof. If approved in accordance with this Declaration, such play equipment must be properly maintained at all times.

(l) no structure, planting or other material shall be placed or permitted to remain upon any Lot which may damage or interfere with any easement for the installation or maintenance of utilities, or which may unreasonably change, obstruct or retard the direction or flow of any drainage channels.

(m) except as specifically permitted by applicable federal governmental regulations, no exterior aerials or antennas of any type, including, but not limited to, satellite dishes for reception or transmission, may be erected or maintained within the Property without the prior written approval of the Architectural Review Entity pursuant to Article 7 hereof; provided, however, that satellite dishes not in excess of one (1) meter in diameter are permitted.

The Architectural Review Entity may impose reasonable rules and regulations regarding the location and screening of any such satellite dish, subject to applicable federal governmental regulations. Aerials and antennas situated entirely within a dwelling unit, and not visible from the exterior, are permitted.

(n) vegetable gardens shall be maintained only within the rear yard of any Lot, and shall be maintained in a neat and attractive manner.

(o) lawn furniture shall be used and maintained in rear yards or decks only and shall be maintained in a neat and attractive manner.

(p) no equipment or machinery (including, without limitation, equipment or machinery for use in connection with the maintenance of any dwelling) shall be stored in the front, rear or side yard of any dwelling.

(q) no Member shall make any private, exclusive or proprietary use of any of the Common Area or Community Facilities except with the specific approval of the Board of Directors and then only on a temporary basis, and no Member shall engage or direct any employee or agent of the Association on any private business of the Member during the hours such employee or agent is employed by the Association, nor shall any Member direct, supervise or in any manner attempt to assert control over any employee or agent of the Association.

(r) all fences constructed within the Property shall be in accordance with the Design Guidelines.

(s) bed sheets, plastic sheets, newspapers, plastic storm windows or other similar window treatments shall not be hung or placed in or on any window of any dwelling within the Property.

(t) children's play and similar equipment shall not be allowed to remain overnight within any front yard of any dwelling or within the Common Area.

(u) children's outdoor permanent playhouses and swinging or climbing apparatus or equipment shall be permitted within the Property with the prior written approval of the Architectural Review Entity pursuant to Article 7 hereof. Such equipment, playhouse(s) and/or apparatus shall be properly maintained at all times.

(v) no drying or airing of any clothing or bedding shall be permitted outdoors at any time. Clothes-hanging devices such as lines, reels, poles and frames are prohibited.

(w) no garage or outbuilding properly erected on a Single-Family Detached Lot or Townhouse Lot shall at any time be used for human habitation, temporarily or permanently, nor shall any structure of a temporary character be used for human habitation. No garage may be altered, modified or changed in any manner which would inhibit or in any way limit its function as a parking area for vehicles without the prior written approval of the Architectural Review Entity pursuant to Article 7 of this Declaration. Notwithstanding the foregoing, any Single-Family Detached Lot or Townhouse Lot owned by the Declarant or the Participating Builders upon which is situated a dwelling unit in which the garage has been modified to serve as living area shall be exempt from this paragraph and any grantee of the Declarant or a Participating Builder, and such grantee's successors and assigns, shall also be exempt until such time as the garage is restored or a garage is constructed on such Single-Family Detached Lot or Townhouse Lot.

(x) Except for parking within designated parking spaces, parking of vehicles within the Common Area is prohibited.

**Section 9.3. Parking.** Parking within the Property shall be subject to the following restrictions:

a) The Association shall be entitled to establish supplemental rules concerning parking and traffic control on all or any portion of the Common Area and Lots, including, without limitation, providing for the involuntary removal of any vehicle violating the provisions of this Declaration and/or such rules.

(b) Except as provided in this Section, Common Area parking spaces shall be deemed unassigned and designated for general use, to be used on a "first come, first served" basis. Subject to applicable law, however, the Board of Directors may assign all or any portion of these parking spaces as "reserved" for the exclusive use of designated Owners. No vehicle belonging to any Owner, or to any tenant, guest, invitee or family member of any Owner, shall be parked in a manner which unreasonably interferes with or impedes ready vehicular access to any adjoining parking space.

(c) Each Owner shall comply in all respects with such supplemental rules which are not inconsistent with the provisions of this Declaration which the Board of Directors may from time to time adopt and promulgate with respect to parking and traffic control within the Property, and the Board of Directors is hereby authorized to adopt such rules. The location of any Common Area parking space assigned to any Owner in accordance with this Section may be changed by the Board of Directors, at any time and from time to time, upon reasonable notice thereof in writing. The Board of Directors reserves the right to assign and reassign Common Area parking spaces if necessary to fulfill federal, state or local laws, including, without limitation, the Fair Housing Amendments Act of 1988, as amended, and any Owner requested to relinquish his or her reserved Common Area parking space shall promptly comply with such request; provided, however, that if another reserved Common Area parking space is not made available to such Owner, the Board of Directors shall reimburse such Owner for any monies previously paid by such Owner, if any, to acquire such reserved Common Area parking space. The Board of Directors may suspend the right of any Owner to use any Common Area parking space assigned to that Owner in accordance with this Section for any period during which any assessment against such Owner's Lot remains unpaid.

(d) The Declarant, its successors and assigns, and its nominee or nominees and any agents, servants and/or employees thereof shall be exempt from the provisions of this Section 9.3.