

WILLOWS OF POTOMAC COMMUNITY ASSOCIATION  
ARCHITECTURAL AND ENVIRONMENTAL PRESERVATION COMMITTEE  
STANDARDS AND GUIDELINES

FEBRUARY 3, 1999



*The Willows*  
OF POTOMAC

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**WILLOWS OF POTOMAC COMMUNITY ASSOCIATION  
ARCHITECTURAL AND ENVIRONMENTAL PRESERVATION COMMITTEE  
STANDARDS AND GUIDELINES**

**INTRODUCTION**

To ensure that the Willows of Potomac will always be an attractive and desirable community in which to live, architectural and environmental standards must be maintained. These standards are meant to benefit all residents of the Willows. Thus, all residents share the responsibility to comply with, support and contribute to them.

High standards require that guidelines and restrictions on external alterations/additions be adopted and observed. The Architectural and Environmental Preservation Committee (AEPC) established these guidelines and restrictions in 1996 based on the Willows of Potomac Community Association Declaration of Covenants, Conditions and Restrictions and on the published guidelines of similar homeowners associations. From time to time these guidelines are updated to clarify their intent and address additional types of changes. These rules and guidelines are intended to protect homeowners' investments and to ensure that all homeowners can take pride in their community and be comfortable living in it.

Individual addendums to these Guidelines will be mailed to homeowners via first class mail. The entire document will be reissued and mailed to each homeowner when a sufficient number of changes have been made. Homeowners are expected to comply with the guidelines. If a rule in this document contradicts a guideline set forth in The Willows of Potomac Community Association Declaration of Covenants, Conditions and Restrictions, the Declaration of Covenants guideline will apply. In addition, the Homeowner must comply with State and County regulations.

Compliance with these standards requires from each homeowner that degree of regard for neighbors that is expected in return. The potential benefits include escalating property values, and maintenance of an attractively designed and appealing community that is pleasant and enjoyable. The Committee has endeavored to make the standards and guidelines easy to meet and to make the review process simple and prompt.

The Community has adopted these guidelines. The goal of the AEPC is to strike a balance between protecting homeowners' investments and maintaining the character of the community while giving homeowners the freedom to make exterior changes, improvements or additions without AEPC approval. Any exterior alteration or addition, except as specifically excepted in these guidelines, must have the approval of the AEPC before any work is started.

When not certain whether an alteration meets the guidelines, submit an application for change to the AEPC committee. If your project requires significant effort or cost, you probably should get AEPC approval for your modifications. It is the intention of the AEPC to make this an easy and painless process for all parties involved.

**ARCHITECTURAL AND ENVIRONMENTAL PRESERVATION COMMITTEE**

The existence, composition, basic duties and powers of the Architectural and Environmental Preservation Committee (AEPC) are established in Article VII of the Declaration of Willows of Potomac Community Association, Inc. The Willows of Potomac Community Association, Inc. by-laws also refer in Article V to the power of the Board of Directors to appoint the Architectural and Environmental Preservation Committee.

To enumerate the powers, functions and operation of the Architectural and Environmental Preservation Committee, the following resolution is adopted by a majority vote of the Board of Directors of the Willows of Potomac Community Association, Inc.

WHEREAS, Article VII of the Declaration of Covenants establishes an Architectural and Environmental Preservation Committee to adopt and publish guidelines for exterior changes, improvements and additions to homeowners' property and to approve any such changes, improvements or additions, and

WHEREAS, the Board of Directors wishes to establish an Architectural and Environmental Preservation Committee which will approve and establish architectural and environmental guidelines in accordance with the Declaration;

NOW THEREFORE, BE IT RESOLVED that The Architectural and Environmental Preservation Committee be established and the following procedures and guidelines be adopted:

# I. ARCHITECTURAL GUIDELINES

## A. General

1. Any exterior alteration or addition, except as specifically excepted in these guidelines, must have approval of the AEPC before any work has begun. AEPC approval is not required for the replacement of an existing, previously approved, item with one of the same color, design, dimension and material.
2. Any exterior addition or alteration to an existing building or to the surrounding homeowner grounds shall be compatible with the design character of the original building and surrounding grounds. The AEPC shall be responsible for interpreting whether alteration or addition design characteristics abide by the design character of the Community.
3. Some alterations or additions may be made without written request for approval if they follow the guidelines stipulated hereinafter under "NO APPROVAL REQUIRED".
4. Any other alterations or additions require written submission and subsequent AEPC approval before any changes are made to the property. These are specified hereinafter under "APPROVAL REQUIRED".
5. Some alterations, additions and changes are specifically prohibited as provided in the Declaration and summarized here under "PROHIBITED CONDITIONS".
6. The AEPC is empowered to regulate changes and improvements to homeowners property only. Any desired changes to common grounds must be requested from the Board of Directors' Landscaping Committee. See separate Landscaping Committee Guidelines.
7. Because landscaping may adversely affect the drainage pattern around your home during landscaping, extreme care must be taken to maintain the same basic drainage pattern established by your builder. Approval is required for any landscaping or architectural change that will affect the drainage pattern.
8. Maintenance, upkeep, repair of any portion of the lot or structures with the same materials (including doors, windows, siding) and/or same color materials do not need the approval of the AEPC. In addition, any temporary emergency repairs such as doors, windows, roofs, etc. do not need AEPC approval. i.e. broken locks and windows, water penetration, etc. Permanent repairs must be made within a reasonable time as determined by the AEPC.
9. Nothing shall be kept or stored on the exterior of the structure or the lot that would create an unsightly condition. This includes, but is not limited to, trash or rubbish, machinery and equipment, building materials, etc. Specifically, rubbish cannot build up on property. i.e. blown trash, old newspapers, deflated balloons, etc.
10. All modifications to the house or lot made by the builder after settlement, except those made pursuant to the purchase agreement, must follow the guidelines contained herein.

## **000 DEFINITIONS**

### **000.1 NO APPROVAL REQUIRED**

Alterations not requiring AEPC submission and approval but which must follow stipulated guidelines. Other variations may be allowed but require AEPC approval.

### **000.2 APPROVAL REQUIRED**

Alterations requiring AEPC submission and approval. If approved, they must follow the stipulated guidelines. All alterations not specifically addressed as no approval required, or which are not specifically prohibited, fall into this category. The submission and approval process described in Section II of this resolution must be complied with fully to ensure AEPC approval of an application. When not certain whether an alteration meets the guidelines, submit an application. In general, approvals will be based on the proposed project's harmony with the community's design concept.

### **000.3 PROHIBITED CONDITIONS**

Alterations that are considered potentially detrimental to property values, will detract from the appearance of the community or encroach upon the privacy of other homeowners.

### **000.4 Front building line**

An imaginary line drawn along the front wall of the house extending to both side property lines.

### **000.5 Front of House/Front yard**

Anything between the front property line and an imaginary line drawn along the front wall of the house extending to both side property lines.

### **000.6 Rear of House/Rear yard**

Anything between the rear property line and an imaginary line drawn along the rear wall of the house extending to both side property lines.

### **000.7 Side of House/Side yard**

Anything between the side property line and an imaginary line drawn along the sidewall of the house from the front property line to the rear property line.

### **000.8 Material**

What something is made of. i.e. wood, stone, metal, etc.

### **000.9 Style**

The design of something. i.e. six-board estate fences, cross buck fences, etc.

### **000.14 Managing Agent**

Vanguard Management Associates, Inc.. This is the Willows of Potomac Community Association's Property Management Company. Homeowners may report architectural violations to the Property Management Agent, Sandra Ewing, at [sewing@vanguardmgt.com](mailto:sewing@vanguardmgt.com) or 301-540-8600.

Willows of Potomac  
c/o Vanguard Management  
19536 Amaranth Drive  
Germantown, MD 20874

(301) 540-8600  
(301) 540- 3752 (FAX)

## **005 ANIMALS**

### **005.0 GENERAL**

- 005.0.1 Pets shall be leashed or carried at all times unless fenced in a yard. It is unlawful for any person to allow their dog to run at large.
- 005.0.2 No animal may be permitted to damage, soil, defile or defecate on property other than the owner's. i.e. another homeowner's property or common area. Feces shall be promptly removed and disposed of by the animal's owner. Violations of this rule should be reported to the Montgomery County Division of Animal Control and Humane Treatment at (301) 279-1066. Animal Control Officers respond to and investigate public nuisance, cruelty and vicious animal complaints. Officers enforce county and state animal related laws.
- 005.0.3 Homeowners should report unattended pets or pets causing a nuisance to Animal Control. i.e. dog barking for more than ten minutes.

### **005.1 NO APPROVAL REQUIRED**

- 005.1.1 Domestic pets (dogs, cats, or caged birds, etc.) are permitted provided they are not kept, bred or maintained for commercial purposes and are not a source of nuisance to the neighborhood.

### **005.2 APPROVAL REQUIRED**

- 005.2.1 See definition (Section I.000.2).

### **005.3 PROHIBITED CONDITIONS**

- 005.3.1 The commercial breeding of animals on homeowner property.
- 005.3.2 Pets shall not be permitted upon the common areas unless accompanied by a responsible person and unless they are carried or leashed.
- 005.3.3 A pet urinating or defecating on property other than the homeowners' property is strictly prohibited.

## **010 ANTENNAS AND SATELLITE DISHES**

### **010.1 NO APPROVAL REQUIRED**

- 010.1.1 DBS antennas ("dishes") designed to receive direct broadcast satellite service, including direct-to-home satellite services, that are one meter or less in diameter;

MMDS antennas ("dishes") designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, that are one meter or less in diameter or diagonal measurement;

#### **Provided:**

All efforts must be made to locate a DBS or MMDS antenna ("dish") in the rear yard of the house and to limit the visual impact on the adjoining properties to the

greatest extent possible, so long as the antenna can receive an acceptable quality signal.

No DBS or MMDS antenna (“dish”) may be installed in the front yard of a house unless such installation is the only alternative that permits the dish to receive an acceptable quality signal.

No DBS or MMDS antenna (“dish”) may be installed on a roof or attached to any part of a house, excluding a deck, unless such installation is the only alternative that permits the dish to receive an acceptable quality signal.

If it is necessary to locate a DBS or MMDS antenna (“dish”) where it is visible from the street or adjoining properties, reasonable screening, by landscaping, painting, or otherwise, is required.

Any pole, mast, tripod, etc., used to raise a DBS or MMDS antenna off the ground must be reasonably screened by landscaping, painting or otherwise.

DBS and MMDS antenna on a mast may not extend more than 6 feet over the roofline.

010.1.2 TVBS antennas designed to receive television broadcast signals. All efforts must be made to locate TVBS antennas in the attic, so long as the antenna can receive an acceptable quality signal; should it be necessary to locate such an antenna on the roof in order to receive an acceptable quality signal, the size and shape of the antenna must be no more than absolutely necessary to receive an acceptable signal. TVBS antenna on a mast may not extend more than 6 feet over the roofline. The mast for a TVBS antenna must extend upwards from the roof and cannot be attached to any other part of the house or extend to the ground.

010.1.3 All wiring associated with a TVBS antenna, DBS antenna, MMDS antenna, or Cable Television must be neatly tied and its visibility kept to a minimum.

***010.2 APPROVAL REQUIRED***

010.2.1 Any other antennas.

***010.3 PROHIBITED CONDITIONS***

010.3.1 DBS antennas, and MMDS antennas larger than one meter.

010.3.2 Any TVBS, DBS or MMDS antennas on masts which extend more than 6 feet over the roofline.

**015 COMPOSTING ENCLOSURES**

***015.1 NO APPROVAL REQUIRED***

015.1.1 No additions or modifications were identified as NO APPROVAL REQUIRED.

***015.2 APPROVAL REQUIRED***

- 015.2.1 Composting enclosures require AEPC approval prior to installation. These structures will be reviewed on a case-by-case basis, consistent with, but not limited by, the following guidelines:
- a. Compost enclosures may be store-bought, earth tone colored or may be constructed of pressure treated lattice, supported by a minimum of 2" x 2" pressure treated wood and may not exceed a maximum size of 27 cubic feet (3' x 3' x 3').
  - b. Composting enclosures may be placed in the rear yard only so that it is not visible from the front of the property.
  - c. Compost enclosures may not be located within eight feet (8') of the boundary line of any lot.
  - d. Only leaves and grass may be composted.

### ***015.3 PROHIBITED CONDITIONS***

- 015.3.1 No condition specified.

## **020 DECKS, PATIOS, GAZEBOS AND PORCHES**

### ***020.1 NO APPROVAL REQUIRED***

- 020.1.1 Clear protectant may be applied to decks, porches and patios without approval.
- 020.1.2 Natural wood tone stain may be applied to decks without approval.

### ***020.2 APPROVAL REQUIRED***

- 020.2.1 Decks.

**General:**

- a. Must adhere to all county codes and permit requirements. All decks must follow established county property line setbacks. If the county grants any type of setback variance, the AEPC must also approve the setback variance prior to construction beginning. The AEPC will not consider any variance requests without official proof of the county's decision.
- b. Must be constructed of real, natural, or weather/pressure-treated wood.
- c. Alternative decking material may be approved on a case-by-case basis.
- d. Staining, painting, or constructing a deck of non-natural wood tone materials will be approved on a case-by-case basis. The AEPC will consider proposals for white decks and decks that match the color of the exterior siding. No other colors will be considered.
- e. Staining or painting of decks with non-natural wood tone color or with a color different from the original requires AEPC approval.
- f. Repairing or replacing all or any portion of a deck with a material different from the original requires AEPC approval.
- g. Installation of lattice on or below the deck requires AEPC approval.

**Townhomes:**

- a. Decks cannot extend beyond your property line and two adjacent decks cannot touch. i.e. rest upon each other.

020.2.2 Patios.

**General:**

- a. Must adhere to all county codes and permit requirements
- b. Must be constructed of stone, concrete, brick.
- c. Adequate storm water drainage must be preserved. The homeowner is responsible for insuring storm water DOES NOT interfere with neighboring or Community property.

**Single-Family Homes:**

- a. Patio must be placed no closer than eight feet (8') from neighboring or common properties.

**Townhomes:**

- a. Patio must be installed completely within the area between the originally installed privacy fencing (eight feet (8') from home), or directly beneath and no larger than the area of any installed AEPC approved deck.

020.2.3 Gazebos and Porches.

**General:**

- a. Approval is required for the installation of any type of porch or gazebo.
- b. Must adhere to all county codes and permit requirements. All porches, including screened-in porches, and gazebos must follow established county property line setbacks. If the county grants any type of setback variance, the AEPC must also approve the setback variance prior to construction beginning. The AEPC will not consider any variance requests without official proof of the county's decision.
- c. Any roofs installed on porches, screened-in porches, or gazebos must be gabled or sloped with shingles that match those on the house.
- d. Any structure attached to or part of a deck must be similar in color and design to the deck.

**020.3 PROHIBITED CONDITIONS**

- 020.3.1 Colors other than a natural wood tone color, white, or the color of the exterior siding.

**025 DOORS AND WINDOWS**

**025.1 NO APPROVAL REQUIRED**

- 025.1.1 Metal storm windows with frames painted the same color as the existing window frame.
- 025.1.2 Doors may be replaced doors of the same style, material and color as the original door.

Garage doors may be replaced with garage doors of the same style, material and color as original garage door.

### 025.1.3 Storm/Screen Doors

Full View metal storm/screen doors in the front of the house and Full View or Half View metal storm/screen doors in the rear or side of the house which are the same color as the entry door, house, shutters, or any trim color on the house. Any other style, color scheme or design must be approved by the AEPC prior to installation. White storm doors are acceptable on all homes.

Full View doors are defined as: a) those with a single clear glass panel or screen which runs at least three-fourths the length of the door; or b) those with a double clear glass panels or screens separated by a narrow metal horizontal strip through the center of the door which runs at least three-fourths the length of the door.

Half View doors are defined as those with the top half of the door of clear glass or screen and the bottom half of solid metal.

The use of colorless glass does not require approval.

NOTE: Many builders now use fully insulated metal clad exterior doors. If your home is equipped with one of these steel doors, it may not be advisable to add a storm door because heat build-up between the doors can damage decorative trim or the weather seal on the steel door. Check with your builder.

### **025.2 APPROVAL REQUIRED**

- 025.2.1 Any tinted or frosted glass in storm/screen doors or vertical panel doors must be in keeping with the style of the house and be approved by the AEPC before installation.
- 025.2.2 Replacing doors with those of a different style, material or color requires AEPC approval.
- 025.2.3 Ornamental wrought iron grillwork on storm/screen doors must be approved by the AEPC.

### **025.3 PROHIBITED CONDITIONS**

- 025.3.1 Unpainted wooden or metal screen/storm doors.
- 025.3.2 Wrought iron grills that give the appearance of security bars (as determined by the AEPC) are prohibited.

## **030 DRIVEWAYS**

### **030.1 NO APPROVAL REQUIRED**

- 030.1.1 Replacement of driveway with one of the same color, design and material.
- 030.1.2 Sealing of driveway with material compatible with your driveway type.

### **030.2 APPROVAL REQUIRED**

- 030.2.1 Replacement of driveway with one of a different color, design or material.

030.2.2 Extensions, widening or rerouting of existing driveways for single family homes.

**030.3 PROHIBITED CONDITIONS**

030.3.1 The widening of townhome driveways is prohibited.

**035 FENCES**

**035.0 GENERAL**

- 035.0.1 Fences may not extend beyond the front building line of the homeowner's dwelling or the front building line of any dwelling on all immediately adjacent lots. Fences which extend to the front building line of the homeowner's dwelling may be required to have landscaping installed around it,
- 035.0.2 Fences must be constructed of weather/pressure-treated, natural, or real wood and may not be painted. Clear protectant may be used.
- 035.0.3 Fencing must not be erected outside of the homeowner's property lines.
- 035.0.4 Fencing on townhome lots must be between 6 and 6 ½ feet high.  
Fencing on single family lots must be between 3 ½ and 4 feet high.
- 035.0.5 The finished side of the fence and gate, if applicable, must face out from the property lines.
- 035.0.6 If the fence has a gate, it must be of similar style and construction to the fence.
- 035.0.7 Must adhere to all county codes and permit requirements.

**035.1 NO APPROVAL REQUIRED**

035.1.1 Townhome End-Unit Privacy Fences

Homeowners of townhome end-units without privacy fencing at the outer wall of their home may install that section to exactly match the style, height and length of the builder-supplied privacy fence section at the inner wall.

NOTE: The owner is obligated to observe County building permit requirements for fence construction.

035.1.2 Clear protectant may be applied to fences without approval.

**035.2 APPROVAL REQUIRED**

035.2.1 All fences, gates or walls for townhomes and single family homes except for privacy fence as detailed in Section I.035.1.1 require approval. This includes fencing used to hide utility boxes, trashcans or other fenced enclosures. The following guidelines constitute the basis on which fencing will be reviewed for approval.

**Single-Family Homes:**

Paddock board-on-post, standard crossbuck, five-board estate, six-board estate, or split rail style fences will be approved for single family homes. These fences may be backed by “chicken wire” fencing. (There should be no visible rust. Wire mesh backing on fences may not extend above the top of the fence.)

**Townhomes:**

All townhomes in the community were built with Wyngate-style (also known as alternate board-on-board) privacy fencing. This is the chosen style for the community. Wyngate style fences must have a capboard.

**Both:**

When attaching to a neighbor’s fence, the neighbor’s written permission or a signature on the AEPC Application for Change is required.

035.2.2 The use of natural wood tone stain requires approval.

035.2.3 Alternative fencing material may be approved on a case-by-case basis.

**035.3 PROHIBITED CONDITIONS**

035.3.1 Chain link and other metal fencing is prohibited.

035.3.2 Fences may not be stained any color other than a natural wood tone (i.e. white stain is prohibited) or painted.

035.3.3 Fence styles other than those described in section 35.2 are prohibited. For example, picket fences are prohibited.

**040 FIREPLACES AND CHIMNEYS**

**040.1 NO APPROVAL REQUIRED**

040.1.1 Chimney caps that are stainless steel or painted black.

**040.2 APPROVAL REQUIRED**

040.2.1 Fireplace stacks must be placed on roof on back of the house and at the lower edge such that top of stack is lower than peak of roof (gable elevation). Stack construction and location must comply with applicable building codes, and must be compatible with others in the same builder community in color and style.

**040.3 PROHIBITED CONDITIONS**

040.3.1 No condition specified.

**045 GUTTERS AND DOWNSPOUTS**

**045.1 NO APPROVAL REQUIRED**

045.1.1 Replacement of gutters and downspouts with those of the same color, design and material.

- 045.1.2 Installation or replacement of buried tubing.
- 045.1.3 Tubing used for additional drainage purposes must be buried underground and directed away from adjacent properties. Tubing may be used above ground during construction periods or emergencies on a temporary basis only.

**045.2 APPROVAL REQUIRED**

- 045.2.1 The replacement of gutters and downspouts with those of a different color, design or material and any addition of new gutters or downspouts to the house requires approval. New gutters and downspouts must conform in color and design to existing gutters and downspouts on the house.

**045.3 PROHIBITED CONDITIONS**

- 045.3.1 No condition specified.

**050 HEATING AND COOLING**

**050.1 NO APPROVAL REQUIRED**

- 050.1.1 Replacement of exterior heating and cooling units with units in the same location and of the same design.

**050.2 APPROVAL REQUIRED**

- 050.2.1 Attic and other exhaust fans other than those installed by the original builder.

NOTE: Attic fans must have a low profile and be installed on the rear slope of the roof. Attic fans must not produce noise that is audible: (1) within a neighbor's home, or (2) at ground level on a neighboring property.

- 050.2.2 Exterior air conditioning units or heat pumps may be relocated or added if there is no adverse visual impact to adjoining properties. These will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on adjacent homes and the surrounding area.

**050.3 PROHIBITED CONDITIONS**

- 050.3.1 Individual air conditioning units extending from windows.
- 050.3.2 Permanently installed window fans.

**055 HOUSE NUMBERS AND FIXTURES**

**055.1 NO APPROVAL REQUIRED**

- 055.1.1 Outdoor thermometers in the rear of townhome and single family homes and not visible from the front of the home.

- 055.1.2 Deadbolt locks, peep holes, door knobs, door knockers, and front door brass "kick-plates" not exceeding twelve inches (12") in height. Doorknockers must be of conventional design and maintain the original styling of the house.
- 055.1.3 No more than two (2) birdfeeders may be installed. Birdfeeders must not be an eyesore (as determined by the AEPC) and must not be placed such that seed or shells fall onto neighboring or common properties. Feeders cannot become a nuisance to neighbors.
- 055.1.4 House Numbers should be a minimum of four inches (4") high and affixed to the front of the house. The style of the numbers shall be in keeping with the original design of the community.

**055.2 APPROVAL REQUIRED**

- 055.2.1 See definition (Section I.000.2).

**055.3 PROHIBITED CONDITIONS**

- 055.3.1 Outside clothes lines.
- 055.3.2 Bird seeds, shells or droppings cannot fall onto a neighbors property.

**060 LANDSCAPING AND GARDENS**

**060.0 GENERAL**

- 060.0.1 Homeowners are responsible for maintenance of their landscaping including lawn, ornamental shrubbery and trees. Grass and weeds shall not be allowed to exceed eight inches (8") in height and patches of weeds should not exceed a four square foot area (4' x 4'w). Shrubs must be neatly trimmed. Trees, shrubs and other plants must be trimmed so they do not pose an obstacle to foot or vehicle traffic, or obscure the view from adjacent driveways, signs, signals or traffic itself.
- 060.0.2 Dead trees, shrubs and other plants must be removed within a reasonable period of time (as determined by the AEPC).
- 060.0.3 The homeowner is responsible for maintaining adequate lawn cover to prevent soil erosion and storm water drainage difficulties.
- 060.0.4 The majority (51%) of the front yard must be maintained as lawn.

**060.1 NO APPROVAL REQUIRED**

- 060.1.1 Plants, shrubs, and flowers within the homeowner's property only. Plans for hedges or other planted fencing must be submitted for review by the AEPC.
- 060.1.2 Garden hoses and caddies affixed to the house and extending no higher than thirty-six inches (36") from ground level, or twenty-four inches (24") from deck level and behind a railing. Rollaway caddies are also permitted .
- 060.1.3 Vegetable gardens located in rear yards only, on property of homeowner, and out of view from the front of the home. In Townhomes, vegetable gardens must be planted within the confines of the fencing, and inconspicuous to public, and plant growth must

not exceed the height of fencing. In all homes, plant refuse and stakes must be removed at the end of the growing season. Gardens may not create a nuisance to neighboring properties in terms of adverse drainage conditions, overgrowth of plantings or unsightliness. No offending odors should be created as a result of any garden. Gardens in other locations require AEPC approval.

- 060.1.4 Trees except for the following:
- a. Fruit bearing trees on townhome property.
  - b. Weeping Willows
    - Roots get into sewer lines, very dirty, weeps sap year round.
  - c. Female Ginkgo Balboa
    - Berries gives off foul smell when broken.
  - d. Silver Maple
    - Brash, breaks up easily in storms.
  - e. Tulip Poplar
    - Dirty tree, drops seedpods and little twigs all the time.
  - f. American Beech
    - Attracts Japanese beetles.
  - g. Elm
    - Dutch Elm disease.
  - h. Bamboo
    - Spreads profusely.
- 060.1.5 Decorative borders around flower beds up to eight inches (8") high of the following types:
- a. Natural, red or white brick.
  - b. Railroad ties or landscaping timbers, chemically or pressure treated wood, natural wood color only.
  - c. Stone.

## **060.2 APPROVAL REQUIRED**

- 060.2.1 Vegetable gardens other than those located in the rear yard or if visible from the front of the house.
- 060.2.2 Hedges and other planted fencing must be submitted for review by the AEPC.
- 060.2.3 No sound hardwood trees measuring in excess of six (6) inches in diameter, two (2) feet above the ground, shall be removed from any lot without the written approval of the Association acting through the AEPC.
- 060.2.4 Landscaping ponds must be submitted for review by the AEPC. The AEPC will consider, among other things, the pond's location, depth, and size.
- 060.2.5 Trees or plants with a mature size exceeding the property line require AEPC approval. If mature size is expected to go onto another homeowner's property, the other homeowner must sign the AEPC change request form in the appropriate space.

## **060.3 PROHIBITED CONDITIONS**

- 060.3.1 Grass (and/or associated weeds) shall not be allowed to exceed eight inches (8") in height and patches of weeds should not exceed a four square foot area (4' x 4'w). Grass/weeds may not hang over sidewalks or driveways more than eight inches (8").

- 060.3.2 Fruit Bearing trees on townhome property.
- 060.3.3 Weeping Willows, female Ginkgo Balboa, Silver Maple, Tulip Poplar, American Beech, Elm, and Bamboo trees.
- 060.3.4 Any landscaping that adversely affects the drainage pattern.

## **065 LAWN FURNITURE**

### **065.1 NO APPROVAL REQUIRED**

- 065.1.1 Patio Furniture, lawn furniture, picnic furniture and umbrellas are permitted on porches, decks, and patios or in the rear yard only.

### **065.2 APPROVAL REQUIRED**

- 065.2.1 Permanent, built-in benches and all lawn furniture in the front yard require approval.

### **065.3 PROHIBITED CONDITIONS**

- 065.3.1 No condition specified.

## **070 LIGHTING**

### **070.0 GENERAL**

- 070.0.1 Exterior lighting must be pointed downward so light does not shine directly at neighboring property.
- 070.0.2 Intensity of light is sufficiently low (as adjudicated by the AEPC) so as not to be a nuisance to neighbors.
- 070.0.3 The maximum wattage for each exterior light fixture shall not exceed 300 watts.
- 070.0.4 The maximum wattage of landscaping accent lights may not exceed nine (9) watts per fixture.

### **070.1 NO APPROVAL REQUIRED**

- 070.1.1 Replacement of **existing** exterior lighting fixtures with motion-activated fixtures if:
  - a. Fixture sensitivity is set to prevent light actuation due to motion outside homeowner's property.
  - b. Sensitivity of light must not be set so low that weather related conditions regularly triggers light activation.
- 070.1.2 Have a maximum of three (3) floodlight fixtures on the rear of a single-family house and two (2) floodlight fixtures on the rear of a townhome. Each light fixture may have up to two (2) bulbs.

One (1) additional floodlight fixture may be installed on the street side of a single family home that is on a corner lot.

- 070.1.3 Accent lighting, which is no more than twenty-four inches (24") off the ground, is permitted in the yard. Accent lighting which is no higher than the deck rail is permitted on the deck.

**070.2 APPROVAL REQUIRED**

- 070.2.1 Exterior lighting other than that installed outside the home by the original builder at the time of delivery or specifically allowed in section 070.1. Homeowners may replace (without Application for Change) existing lighting with motion-activated fixtures subject to the conditions and limitations specified in Section I.070.1.1. Installation of new fixtures or modification of existing fixtures, which do not meet the conditions and limitations as specified in Section I.070.1.1, must be approved by the AEPC.
- 070.2.2 Floodlights not in the rear of the home.
- 070.2.3 Bug Lights may be approved for installation in rear yards only and must comply with Montgomery County noise regulations.
- 070.2.4 Sodium and mercury vapor lights.

**070.3 PROHIBITED CONDITIONS**

- 070.3.1 The beam of light from any exterior lighting may not extend beyond the boundary lines of the lot.

**075 MAILBOXES**

**075.0 GENERAL**

- 075.0.1 Mailboxes and newspaper boxes should be kept in good repair and no rust should be visible.

**075.1 NO APPROVAL REQUIRED**

- 075.1.1 Mailboxes and mailbox posts may be replaced with those of the same design, dimension, material, and color or any other mailbox style installed as part of the original construction. Mailbox posts must be of a natural wood tone color.
- 075.1.2 In single-family homes, newspaper boxes may be attached to an existing mailbox post. Wooden newspaper boxes are preferred.

**075.2 APPROVAL REQUIRED**

- 075.2.1 Any mailbox or mailbox post that is not of the same design, dimension, material, or color as originally installed.

**075.3 PROHIBITED CONDITIONS**

- 075.3.1 Newspaper boxes are prohibited in the townhouse area.
- 075.3.2 Newspaper boxes on poles other than existing mailbox poles are prohibited.

075.3.3 Mailbox posts which are not of a natural wood tone color.

## **080 ORNAMENTS AND FLAGS**

### ***080.1 NO APPROVAL REQUIRED***

080.1.2 Flags on removable pole(s), six feet (6') or less in height. (NOTE: No permanent, in ground poles are permitted.)

### ***080.2 APPROVAL REQUIRED***

080.2.1 No more than two (2) lawn statuary and ornaments which do not exceed two feet in height or width, and which blend into the character of the Community (as determined by the AEPC).

080.2.2 Large (greater than twenty-four inches (24") in height or width) lawn ornaments and statuary. A complete description and picture, if possible, of the item(s) must be submitted for approval along with a plat showing location. The AEPC shall be responsible for review of lawn ornament applications to insure design and construction abide by the design character of the Community.

080.2.3 More than two (2) lawn ornaments or statuary.

### ***080.3 PROHIBITED CONDITIONS***

080.3.1 No permanent, in ground flagpoles are permitted.

## **085 PAINTING**

### ***085.1 NO APPROVAL REQUIRED***

085.1.1 Exterior painting using colors which match the original. Any other painting or colors must be approved.

### ***085.2 APPROVAL REQUIRED***

085.2.1 Exterior painting using colors which DO NOT match the original.

### ***085.3 PROHIBITED CONDITIONS***

085.3.1 No condition specified.

## **090 PATHWAYS, WALKWAYS AND STOOPS**

### **090.0 GENERAL**

- 090.0.1 Original walkways and stoops provided by the builder must be replaced/repared using the same material as the original walkways or stoops.
- 090.0.2 Additions adjoining original walkways and stoops must use the same material.

### **090.1 NO APPROVAL REQUIRED**

- 090.1.1 Repairing or replacing of original walkways or stoops using the same material as the original walkway or stoop provided by the builder.

### **090.2 APPROVAL REQUIRED**

- 090.2.1 Installation of additional walkways, stoops, pathways or borders adjacent to walkways and pathways. Additional walkways and pathways should be set back at least four feet (4') from the property line and installed flush to the ground. Only stone, brick, concrete or similar durable construction material should be used.
- 090.2.2 Replacement of original walkways or stoops with materials other than those used in the original walkways provided by the builder.
- 090.2.3 Painting of walkways or stoops.

### **090.3 PROHIBITED CONDITIONS**

- 090.3.1 No condition specified.

## **095 RECREATION EQUIPMENT**

### **095.0 GENERAL**

- 095.0.1 Recreational equipment should be kept in good repair, no rust should be visible and it cannot be installed within eight feet (8') of any boundary line.
- 095.0.2 For basketball hoops, torn nets are not permitted.
- 095.0.3 Toys left outside should be neatly stacked and placed next to the house at the end of each day.
- 095.0.4 Noise from recreational activities should be kept to a minimum outside the hours of 9 AM to 9 PM.

### **095.1 NO APPROVAL REQUIRED**

- 095.1.1 Temporary children's wading pools, twelve inches (12") deep or less are permitted in rear yards only. These pools may not be left outside after the Summer season (September 30).

- 095.1.2 One (1) portable basketball hoops placed within the property line of single family homes. Basketball hoops may not be placed beyond the property lines as the County may preclude such use. Basketball hoop, net and supporting pole must be maintained in good condition. Net cannot be torn and no rust should be visible. Backboard must be white, black or smoke color (no neon or bright colors).
- 095.1.3 One (1) permanent basketball hoop installed within the property line, on a free standing pole within 25 feet of house and no closer than 10 feet (10') from the public sidewalk in the yards of single family homes only. Basketball hoop, net and supporting pole must be maintained in good condition. Net cannot be torn and no rust should be visible. Backboard must be white, black or smoke color (no neon or bright colors).
- 095.1.4 Sandboxes are permitted in rear yards only and must be covered when not in use.
- 095.1.5 For all townhomes, non-metallic outdoor children's play equipment, gym sets, climbing apparatus and play houses six feet high by six feet wide by six feet deep (6'h x 6'w x 6'd) or less are permitted in the rear yard only.
- 095.1.6 For all single family homes, swing sets and lawn gym equipment, if not in front yard, are allowed. Metal swing sets are allowed if made of galvanized metal and have baked on paint. All swing sets and lawn gym equipment must be maintained in good condition. No chains, seats, etc. can be broken and no rust should be visible.

**095.2 APPROVAL REQUIRED**

- 095.2.1 Permanent basketball hoops other than those specified in Section I.095.1.3 in the yards of Single Family homes.
- 095.2.2 For all townhomes, plastic, non-natural wood or natural wood outdoor children's play equipment, gym sets, climbing apparatus and play houses larger than six feet high by six feet wide by six feet deep (6'h x 6'w x 6'd) requires AEPC approval.
- 095.2.3 Exterior hot tubs, Jacuzzis or spas must be located in the rear yard adjacent to the dwelling unit. The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck or patio to which it is attached or most closely related. Screening of hot tubs may be required based on the size of the lot and proximity to adjoining lots. They cannot be installed within eight feet (8') of any boundary line. Appropriate fencing or other security measures should be installed in accordance with State and County guidelines. They must have a locking cover, which is kept locked when not in use.

**095.3 PROHIBITED CONDITIONS**

- 095.3.1 Temporary or permanent basketball hoops are not permitted in the townhouse area.

**100 SEASONAL DECORATIONS**

**100.0 GENERAL**

- 100.0.1 Noise or illumination from decorations shall not create a nuisance to your neighbors.

**100.1 NO APPROVAL REQUIRED**

- 100.1.1 Seasonal (i.e. Thanksgiving, Christmas, Hanukkah, etc.) decorations may be displayed on homeowner's property.

**100.2 APPROVAL REQUIRED**

- 100.2.1 See definition (Section I.000.2).

**100.3 PROHIBITED CONDITIONS**

- 100.3.1 Seasonal decorations may not be displayed more than thirty (30) days before or thirty (30) days after the holiday.

**105 SECURITY DEVICES**

**105.1 NO APPROVAL REQUIRED**

- 105.1.1 No additions or modifications were identified as NO APPROVAL REQUIRED.

**105.2 APPROVAL REQUIRED**

- 105.2.1 All security devices which will be installed outside the home (except certain lighting fixtures as specified in Section I.065, "Lighting") must be approved in advance by the AEPC.

**105.3 PROHIBITED CONDITIONS**

- 105.3.1 No condition specified.

**110 SHEDS AND STORAGE STRUCTURES**

**110.0 GENERAL**

- 110.0.1 Must be built of weather treated wood or siding or be a Rubbermaid or similar shed. If built of wood or siding, must match the siding color of the house or if incorporated into the deck, must match decking material/color. Wood trim must be painted to match that on the house.

As an alternative to using the same color siding material as on the house, homeowners have the option of using T- 111 pressure-treated "siding" for the exterior walls of the structure if painted to match the color of the siding on the house. Particle board and other sheet goods are prohibited as the exterior finish. The roof must be gabled or sloped with shingles that match those on the house.

**110.1 NO APPROVAL REQUIRED**

- 110.1.1 Box-type storage structures not exceeding four feet high by five feet wide by three feet deep (4'h x 5'w x 3'd) placed in the rear yard.

**110.2 APPROVAL REQUIRED**

110.2.1 **Single Family Homes:**

All storage structures exceeding four feet high by five feet wide by three feet deep (4'h x 5'w x 3'd).

Wood sheds require a concrete slab because they may deteriorate with ground settling. Rubbermaid sheds do not require a concrete slab. Galvanized hardware must be used with wood sheds.

Vertical storage structures may not exceed ten feet by twelve feet base by six feet high (10' x 12' base x 6'h walls) with a maximum of eight feet (8') high at the center of the pitched ridged roof. Doors must be hinged and the roof shingled.

Placement:

The structure may be situated at the rear of the lot, however, position will be approved on a case by case basis. Storage structures may not be located within eight feet (8') of the boundary line of any lot.

**Townhomes:**

All storage structures exceeding four feet high by five feet wide by three feet deep (4'h x 5'w x 3'd).

The structure must be placed on a base of brick or concrete or on a ground level deck and be anchored. Galvanized hardware must be used.

Vertical storage structures may not exceed six feet high by six feet wide by six feet deep (6'h x 6'w x 6'd). Doors must be hinged and the roof shingled.

Placement:

The structure must be placed in the rear yard only and within the confines of the fence.

**110.3 PROHIBITED CONDITIONS**

110.3.1 Metal structures.

**115 SIGNS**

**115.1 NO APPROVAL REQUIRED**

115.1.1 Temporary signs on homeowner lots such as "For Sale" or "For Rent" signs not exceeding four (4) square feet. Real estate signs must be removed promptly after the sale or rental of the dwelling is completed.

115.1.2 Notices posted in the development should be dated when posted and removed within 72 hours after the event. Notices which are not for a specific event (i.e. mowing lawns, baby-sitting, etc.) shall be removed within 10 days of being posted. All tape, paper, etc. must be removed. If notices are posted on the townhome mailboxes, one (1) copy per mailbox location may be posted. (i.e. where there are 2-3 sets of mailboxes in one location, only one (1) copy of the notice may be posted.) Other signs must be removed within 30 days of the event.

115.1.3 Security signs are permitted.

**115.2 APPROVAL REQUIRED**

115.2.1 See definition (Section I.000.2).

### ***115.3 PROHIBITED CONDITIONS***

115.3.1 Signs on homeowner lots except for temporary signs such as "For Sale" or "For Rent" sign not exceeding four (4) square feet on the homeowner's property.

## **120 STORAGE**

### ***120.0 GENERAL***

120.0.1 Building materials may be kept on a lot during the course of permitted construction or renovation of any approved dwelling or other permitted structure.

NOTE: Prior to ANY exterior change or construction which is not specifically defined as "NO APPROVAL REQUIRED", the homeowner shall submit a written proposal using the form established and provided by the AEPC.

### ***120.1 NO APPROVAL REQUIRED***

120.1.1 Up to one (1) cord (4'h x 4'w x 8'long) of neatly stacked firewood may be stored outside, but not in front of house. It must be at least eight feet (8') from any boundary line.

### ***120.2 APPROVAL REQUIRED***

120.2.1 See definition (Section I.000.2).

### ***120.3 PROHIBITED CONDITIONS***

120.3.1 Visible outside storage of lumber (other than firewood as specified in Section I.120.1.1), building materials, wheelbarrows, discarded items, or other items which are considered excessive or inappropriate by the AEPC.

## **125 STRUCTURES**

### ***125.0 GENERAL***

125.0.1 Homeowners are responsible for maintaining the structural integrity and appearance of their homes and lots.

- a. Siding which has fallen or is loose must be replaced or repaired within a reasonable period of time (as determined by the AEPC).
- b. Any component which is visibly deteriorated (e.g., rotted wood trim), damaged or missing must be replaced or repaired within a reasonable period of time (as determined by the AEPC).
- c. Regular maintenance of surface coatings (paints) is required. Owners must ensure their homes are properly painted at all times. Chipped, peeling or faded paint is cause for immediate paint maintenance.

### ***125.1 NO APPROVAL REQUIRED***

- 125.1.1 Doghouses must be built of weather-treated wood or siding which matches house and roofed with shingles that match those on the house. It must be placed inside privacy fencing in townhomes and as close to house and out of sight as possible in all homes. Doghouses may not be located within eight feet (8') of the boundary line of any lot.
- 125.1.2 Window boxes will be made of weather-resistant, raw wood that may be painted to match trim on house; or natural, pressure-treated wood left its natural color. Window boxes cannot exceed one foot deep (1'd).

### ***125.2 APPROVAL REQUIRED***

- 125.2.1 Any alteration that changes the drainage pattern.
- 125.2.2 Outdoor fireplaces, permanently installed barbecues.
- 125.2.3 Awnings, other fabric or wooden superstructures on house, deck or patio. A complete description and picture of the item must be submitted along with a plat showing location.
- 125.2.4 Skylights other than those installed by the original builder.
- 125.2.5 Screened in areas require AEPC approval.
- 125.2.6 Trellises and arbors require AEPC approval.
- 125.2.7 Covering or resurfacing the soffit or trim on the exterior of a house with an alternative material requires AEPC approval.

### ***125.3 PROHIBITED CONDITIONS***

- 125.3.1 Any enclosed, covered structural addition on a townhome (e.g., screened patio, solarium, Florida room, or solid-walled addition).
- 125.3.2 Permanent plastic or metal window boxes are prohibited.
- 125.3.4 Dog runs.
- 125.3.5 Indoor/outdoor carpeting installed anywhere outside.
- 125.3.6 Greenhouses.
- 125.3.7 Solar panels.

## **130 TRASH AND RECYCLING BINS**

### ***130.0 GENERAL***

- 130.0.1 Trash recycle bins or garbage containers shall not be placed at curbside any earlier than 7 PM the night before trash or recycle pick-up days.

130.0.2 Trash recycle bins or garbage containers shall not be placed on neighboring properties. Owners of townhomes may place recycle bins and garbage containers on Community or public property for collection, but must retrieve the bins the same evening as collection. Placement of recycle bins and garbage containers must not block walkways or sidewalks.

130.0.3 When being stored, trash, recycle bins or garbage containers should be out of view from any public way or lot.

130.0.4 Homeowners are strongly encouraged to utilize rigid containers to prevent birds and other animals from scattering trash on Community, public or homeowner property. The use of thick opaque bags may discourage animals from scattering trash.

Homeowners shall remove and dispose of any trash that has been scattered by animals. If scattered trash is not removed within one day following refuse collection, the homeowner shall be responsible for costs of any cleanup performed by or under the direction of the Community's management Agent.

### ***130.1 NO APPROVAL REQUIRED***

130.1.1 No additions or modifications were identified as NO APPROVAL REQUIRED.

### ***130.2 APPROVAL REQUIRED***

130.2.1 See definition (Section I.000.2).

### ***130.3 PROHIBITED CONDITIONS***

130.3.1 Storage of trash containers and recycling bins so that they can be seen from any public way or from any lot is prohibited.

130.3.2 Burning or storage of trash is not permitted.

130.3.3 Homeowners shall not dump, pour or store construction debris, paints, Christmas trees, building materials, vehicle parts, lumber, etc. upon Community or publicly owned properties or into storm drains.

## **135 VEHICLES**

### ***135.0 GENERAL***

135.0.1 Vehicle Rules and Regulations are incorporated into this document by reference. See Willows of Potomac Vehicle Rules and Regulations document for a complete list of vehicle rules and regulations.

## **II. AEPC REVIEW PROCEDURES**

### **A. Applications For Change**

1. Prior to ANY exterior change or construction which is not specifically defined above as "NO APPROVAL REQUIRED", the homeowner shall submit a written proposal using the form established and provided by the AEPC. The proposal must contain complete plans and specifications for the project, including but not limited to, the height, width, length, size, shape,

color, materials, type of construction, and location on the plat of the proposed change. In addition, the proposal must include details, which address any other guideline defined as "APPROVAL REQUIRED". Photographs or sketches of similar completed projects will aid the prompt consideration of the application. If the alteration affects the existing drainage pattern, the proposed drainage pattern change must be included in the application.

Descriptive text including purpose of the addition or alteration should also be included in the proposal. ANY deviation from the guidelines must be accompanied by written justification explaining the basis for the variance. Such justifications will be considered during the AEPC review process, but provide no assurance of application approval.

Blank applications are available from the Willows of Potomac Community Association management company. Only the most current form will be accepted. For your convenience, a copy of the Application for Change form is attached to these guidelines. This form shall be considered current until such time as these guidelines are revised.

Written proposals should be submitted to the Architectural and Environmental Preservation Committee. Applications WILL NOT be accepted at AEPC or COA meetings. Please plan ahead to insure sufficient time for review of applications.

2. On the Application for Change form, the signature of the Neighbor(s) affected is required when attaching your fence to a neighbor's fence, modifying a shared driveway, or installing landscaping, fence, or anything else on the property line. The AEPC reserves the right to notify neighbors affected by proposed changes.

The AEPC will take any objections into consideration when reviewing applications. The AEPC will hold a public hearing to discuss an applicant's request in the case of registered objections. The AEPC will hear all information presented and decide by majority vote of the AEPC members to approve, disapprove or table action pending further investigation of the request.

3. Oral requests for changes will not be considered. Homeowners are not entitled to rely on any oral statement by any AEPC or Board member.
4. The applicant will receive a written reply, which will consist of a copy of the application bearing an approval signature, request for more information or disapproval signature. It will explain any restrictions on approval or reason for disapproval of project. The applicant may request reconsideration if he/she can supply new or additional information that might clarify the request or demonstrate its acceptability.
5. To expedite processing of some Applications for Change, the AEPC may grant conditional approvals. Any conditions for approval so specified by the AEPC in writing or attached to the application shall be considered as incorporated into the homeowner's application, and must be complied with as a condition for approval and subsequent construction/alteration. Any objection by a homeowner concerning approval conditions must be resolved BEFORE commencement of construction/alteration.
6. If the AEPC fails to reply to the applicant within fifty-five (55) days of receipt of the application by the AEPC, the applicant shall notify the AEPC. Upon notification, the AEPC will respond to the applicants' request within five (5) days.
7. Work on the approved project must commence within six (6) months following the approval and must be completed within twelve (12) months after approval, or within whatever other period specified by the AEPC upon approval.

If the project does not begin as specified, the approval shall be considered to have lapsed and a new application must be submitted for review.

8. The applicant may not deviate from the approved plans including any imposed restrictions contained on the approval application without further AEPC approval.
9. Approval of any plan shall not be construed as approval of the structural integrity of the alteration or addition nor does it relieve the applicant from acquiring the requisite permits from state or county agencies.
10. The decisions of the AEPC are considered final. However, the applicant has the right to appeal decisions made by the AEPC. There are two levels of appeal:
  - a. The Applicant may petition the AEPC for reconsideration. Applicants may elect to re-submit a disapproved application with modifications or additional information. All persons with a properly registered objection to the original application will be notified of the petition to the AEPC for reconsideration. An Applicant may waive their right to petition the AEPC for reconsideration and proceed to the second and final level of appeal.
  - b. If the AEPC disapproves the second application or the applicant waives their right to petition the AEPC for reconsideration, the Applicant may appeal the AEPC decision to the Board of Directors, provided such appeal is registered in writing to the Community's management company with thirty (30) days of notification of the AEPC decision. In the case of an appeal to the Board of Directors, all persons with a properly registered objection to the original application will be notified of the appeal by the Board. The Board of Directors may reverse, sustain or modify the decision of the AEPC.

### III. PROCEDURES FOR MONITORING ARCHITECTURAL COMPLIANCE

- A. Certificate of Compliance - Upon the completion of any construction, alteration or other improvements in accordance with plans, specifications and procedures as approved by the AEPC, the AEPC shall, if requested in writing by the applicant, issue a certificate of compliance following verification that the alteration is in compliance with all applicable guidelines and/or regulations.
- B. The AEPC shall periodically survey the community for compliance with design standards. The AEPC reserves the right to inspect (or have inspected by designated representatives) exterior properties of homeowners for compliance with architectural and environmental standards.
- C. Alleged violations
  - 1. All reports of alleged violations of these standards and guidelines must first be submitted to the Management Agent who will inspect to determine whether a violation actually exists.
  - 2. If the Managing Agent determines that a violation exists, the Agent shall notify the Homeowner of the violation in writing requesting that the violation be corrected within a specified period of time depending upon the nature of the violation. The Managing Agent will send at least one (1) letter to the Homeowner before the matter is turned over to the AEPC. If that fails, then the Agent shall inform the Owner in writing with a copy to the AEPC, giving the owner thirty (30) days in which to correct the violations. This notice period may be reduced in the event of an emergency situation or in cases where the violation will increase or enhance with the passage of time. In such case, notice shall be sent by registered mail.
  - 3. If the violation is not corrected, the violation shall be turned over to the AEPC for determination of the appropriate disposition of the matter in accordance with enforcement procedures adopted by the Board of Directors and/or the Committee.
  - 4. The AEPC's actions may include any or all of the following:
    - a. Issuing a cease and desist request.
    - b. Requesting the Owner/tenant to remove the unacceptable improvement or restore the affected area to its condition before the change.
    - c. Notifying the Owner/tenant of the violation.
    - d. Referring the matter to the Board of Directors for enforcement action.
- D. Any alterations, or additions completed on homeowner property before the publication of the AEPC Standards and Guidelines and which were approved by the temporary Architectural Review Board (ARB) will be considered in compliance with these guidelines. Any alterations, or additions completed before publication of standards which do NOT meet the guidelines and WERE NOT approved by the temporary ARB will be considered in violation and the owner will be notified to remove the violation through the procedure specified above in IIIC.

#### **IV. LIABILITY AND INDEMNIFICATION**

All officers and members of the Architectural and Environmental Preservation Committee, while acting on behalf of the AEPC shall be legally protected from action against them, as set forth in the legal documents of the Community and in the Directors and Officers insurance policy.

**Willows of Potomac Community Association  
Architectural and Environmental Preservation Committee**

*Application for Change*

**Instructions:**

Complete sections 1 through 4 of this application. Please provide a detailed description of the proposed change to your property. Include drawings, plans, dimensions, construction material(s), color(s), finish and appearance. Enclose a copy of the surveyor-certified plat for your property, which indicates existing property lines and dimensions. Indicate the location and dimensions of the change on the plat. Include set-back distances from property lines. Mail the application and attachments to:  
AEPC, c/o Senzel, 9901 Juniper Hill Road, Rockville, Maryland 20850.

**Permits:**

The Montgomery County Department of Environmental Protection requires homeowners to obtain building permits for installation of additions, decks, fences, skylights, hot tubs, patios, sheds, and other alterations. The AEPC reserves the right to contact County agencies to verify compliance with code and permit requirements, and to seek enforcement of these regulations to ensure construction is performed in a safe and legal manner.

**Section 1 - Applicant Information**

Owner's Name _____	Home Phone ( ) - _____
Address _____	Work Phone ( ) - _____
_____	Lot No. _____
	Estimated Work Begin Date ___/___/___

**Section 2 - Change Requested**

Description (attach additional information, plans or sketches to application, as needed):

Number each attached page. Indicate number of pages attached as part of this application \_\_\_\_\_

**Section 3 - Neighbor Information**

Neighbors may be notified of the proposed change. They may contact the Willows of Potomac property management company to protest a proposed change. Protests must be in writing, and must be delivered within thirty (30) days of the date signed. Signature of Neighbor(s) affected is only required for the following conditions: (Please check one box.)

- a. Attaching your fence to a neighbor's fence.
- b. Modifying a shared driveway. (i.e. Placing a basketball hoop in or on the shared driveway.)
- c. Installing landscaping, fence or anything else on the property line.

Neighbor #1 Name _____	Neighbor #2 Name _____
Address _____	Address _____
Signature _____	Signature _____
Neighbor #3 Name _____	Neighbor #4 Name _____

Address \_\_\_\_\_

Address

Signature \_\_\_\_\_

Signature

Note: A confirmation of these signatures may be requested.

**Section 4 - Applicant's Acknowledgment**

By signing this Application for Change, I certify that I am the legal owner of the property. I acknowledge that I am solely responsible for building permits, engineering, water drainage, and/or any other aspect of this work that might require professional or technical consultation/approval.

I am solely responsible for property damage and/or personal injury which might occur as a result of this work. I am also responsible for any damages to community property and will assume the cost for any required repairs as determined by the Willows of Potomac Community Association governing board.

If my application is approved, I fully understand that the approval is only for the changes proposed on this form, and is based upon the facts I have presented.

Owner's Signature \_\_\_\_\_

Date \_\_\_/\_\_\_/\_\_\_

**Section 5 - For AEPC Use Only**

AEPC Receipt Date \_\_\_/\_\_\_/\_\_\_

AEPC Meeting Date \_\_\_/\_\_\_/\_\_\_

Sent to BOD Date \_\_\_/\_\_\_/\_\_\_

Pursuant to Article VII of the Willows of Potomac Community Association, Inc. Declaration, the undersigned representative of the AEPC is granted the authority to approve or disapprove the plans and specifications for the architectural change herein submitted.

\_\_\_ **Approved** Plans and Specifications submitted in this application meet the requirements of all current by-laws, documents, Declaration, and rules and regulations of the Willows of Potomac Community Association, Inc.

\_\_\_ **Approved with conditions** This application is conditionally approved. The conditions stated below or attached must be adhered to.

\_\_\_ **Disapproved** Plans and Specifications submitted in this application do not meet the requirements of current by-laws, documents, Declaration, and/or rules and regulations of the Willows of Potomac Community Association, Inc.

\_\_\_ **Incomplete** Further information is required before this application can be approved. Please resubmit this application with the following information:

Comments/Conditions: \_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**AEPC Chairperson**

\_\_\_/\_\_\_/\_\_\_  
**Date**

\_\_\_\_\_  
**Board of Directors Chairperson**

\_\_\_/\_\_\_/\_\_\_  
**Date**

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