

# Rose Hill Homeowners Association, Inc.

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*Architectural Control Committee Guidelines*

*Version 2.0 - FINAL*

*Adopted May 6, 2014*

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## Standards and Guidelines

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

High standards require that guidelines and restrictions on external alterations and additions be adopted and observed. The Architectural Control Committee (ACC) established these guidelines and restrictions based on the Declaration of Covenants, Conditions and Restrictions, the By-Laws, and the published guidelines of similar homeowners associations. These guidelines may be updated from time to time in order to clarify their intent and to address additional types of change. 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.

Homeowners are expected to comply with these guidelines. If a rule in this document contradicts a guideline in the Declaration of Covenants, Conditions and Restrictions, and By-Laws, then the guideline in the Declaration will apply. In addition, the homeowner must comply with all State, County, and City regulations.

Compliance with these standards requires from each homeowner that degree of regard for neighbors that is expected in return. The 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 goal of the ACC 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 waiting for explicit ACC approval where appropriate. Exterior alterations or additions, except where specifically listed in these guidelines, **must** have the explicit approval of the ACC **before** any work is started.

When not certain about whether an alteration meets the guidelines, submit an application for change to the ACC. If a project requires significant effort or cost, it is recommended that the homeowner get explicit approval for the modifications, to avoid any potential issues. It is the intention of the ACC to make this an easy and painless process for all parties involved.

## Process for ACC Submission and Notification

1. ACC application, found on The Rose Hill HOA web site, is filled out and sent to the Management Company via USPS or email. Application must contain:
  - a. Complete application, including neighbor signatures when request borders on neighbors' properties
  - b. Full list of materials to be used, including color, and any other identifying information
  - c. A drawing of the proposed work. Engineering drawings are required on additions or exterior changes where these are required
  - d. A lot plat, with the proposed changes drawn in to give an accurate understanding of location
2. Management Company reviews application for completeness and returns to homeowner if necessary.
3. Management Company scans application and all accompanying documentation and forwards to the ACC via email. If architectural drawings are provided, Management Company ensure drawings are provided to the ACC
4. ACC reviews applications as these are submitted. A decision is made within 60 days of application submission
5. ACC informs Management Company of decision via email
6. Management Company sends out letter to the homeowner detailing the outcome of the application request

**Note: applications must be provided to the management company. Any application provided directly to a member of the ACC, is not guaranteed immediate action. The ACC member will provide application to the Management Company first to follow the process described above.**

## General Guidelines

The existence, basic duties, and responsibilities of the Architectural Control Committee are established in the Declaration of Covenants, Conditions and Restrictions, and in the By-Laws established under such Declaration. Exhibit 6 of the “Rose Hill Homeowners’ Association, Inc. Disclosure Package” dated April 3, 2000 provides overall design guidelines for the community. Its goal is to create a cohesive neighborhood that contains accessible open space, a unified landscape, and a strong architectural quality.

### Architectural Guidelines

1. Any exterior alteration or addition, except where specifically listed in these guidelines, must have the explicit approval of the ACC before any work is begun. ACC approval is not required for the replacement of an original, or a 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 ACC 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 explicit approval from the ACC if these follow the guidelines stipulated hereinafter under “Automatic Approval”.
4. Any other alterations or additions require written submission, and subsequent ACC approval, before any changes are made to the property. These are specified hereinafter as “Approval Required”.
5. Some alterations, additions, and changes are specifically prohibited as provided in the Declarations and summarized here as “Prohibited Conditions”.
6. The ACC 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.
7. Because landscaping and other changes may adversely affect the drainage pattern around your home, care must be taken to maintain the same basic drainage pattern as initially established. Approval is required for any landscaping, or other change, which will affect the drainage pattern to neighboring homes or to common areas.
8. Maintenance, upkeep, and repair of any portion of the lot or structures, with same materials (including doors, windows, siding) and/or same color materials, do not need the approval of the ACC. In addition, any temporary emergency repairs, such as doors, windows, roofs, etc., do not need ACC approval, i.e. broken locks and windows, water penetration, etc. Permanent repairs must be made within a reasonable time as determined by the AC and conform to these guidelines.

9. Nothing shall be kept or stored on the exterior of any structure or lot that would create an unsightly condition. This includes, but is not limited to, trash or rubbish, machinery and equipment, building materials, etc.
10. There will be no burning of trash permitted on any lot.
11. No poles or wires for the transmission of electricity, telephone, and the like are permitted above ground on any lot.
12. Homeowners should make application sixty days before they would like work to start. It is better to make early submission of a request than it is to wait until a quote is received from contractors, as these are often valid only for a limited period. All work must be started within 6 months of ACC approval. All work must be completed within a reasonable time, not to exceed 12 months from beginning of project.
13. For the purposes of calculating required setbacks from property lines, the privacy fence section of a side boundary will not be regarded by the ACC as a “lot line” (or “boundary line”). The rear boundary is always a “lot line”, whether fenced or not. No structure shall be built within nine feet of the lot line.  
**Note:** City regulations must be followed regarding setbacks on construction. In some cases, city regulations require setbacks to be greater than the 9’ Rose Hill limit. The greater setback requirement will be used for approval.

## *Definitions*

### No Approval Required

Alterations that do not require ACC submission.

### Automatic Approval

Alterations not requiring explicit ACC approval but which must follow stipulated guidelines. Other variations may be allowed but require explicit ACC approvals.

### Approval Required

A request must be submitted to the ACC and written approval received for the alteration.

### Prohibited Conditions

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

## 1. Additions/Structures

### General

Per the Rose Hill HOA approved 2006\_08\_Guidelines\_for\_Additions, the term “addition” as used in these Guidelines shall mean any structure that requires footings and includes siding, approved type windows, roof, and heating or air conditioning. The term “addition” excludes screened porches and decks (addressed in section 6 of this document).

All petitions for the construction of an addition to any home located in Rose Hill shall follow a three-step approval process based on the Guidelines below.

**Tentative Approval by the ACC:** Applicants must submit a written application to the ACC (via the management company) detailing the Applicant’s plans for the proposed addition. This application must contain a detailed rendering from the Contractor(s) demonstrating what the addition will look like and the materials to be used in constructing the proposed addition. The applicant must also submit a detailed sketch of the addition on a plat demonstrating that the addition will be within the applicable setbacks. Finally, the application must contain a certification from the Applicant that the plans for the proposed addition comply with all applicable laws, including those of the City of Rockville, Montgomery County, and the State of Maryland. Based on this material, the ACC will within 30 days tentatively approve or reject the plans for the proposed addition.

**Subsequent to Tentative ACC Approval:** Once applicants receive the tentative ACC approval discussed in above, the Applicant, at his or her own expense, must submit the ACC-approved plans for the proposed addition to a State licensed architect and engineer. The Board will designate a list of architects and a list of engineers that it deems to have substantial experience with Rose Hill and/or the neighboring communities to facilitate the process.

- a. The Applicant must obtain from a State certified architect, a certification that the proposed addition uses materials that are the same or substantially similar materials as those used to build the house itself, i.e. bricks, siding, roof materials, and that the proposed addition is compatible with other nearby homes.

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8521 Leesburg Pike, Suite 700  
Vienna, Virginia 22182  
Tel: +1.571.830.1800  
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- b. The Applicant must obtain from a State certified engineer, a certification that the proposed addition will not have any impact on the storm drainage of adjacent homes or HOA common areas.

Burgess and Niple, Inc. - Engineers  
attn: Melvin F. Willis  
Montrose Office Park  
3204 Tower Oaks Blvd  
Suite 200  
Rockville, MD 20852  
301-468-9400 - phone  
301-468-9669 - fax

**Final ACC Approval:** Upon receiving the certifications discussed above, the Applicant must then submit a final application to the ACC for its approval. Final approval shall be granted or denied in accordance with the Declaration and the Bylaws of the Rose Hill Homeowners' Association.

#### **Guiding Principles for Building Architecture**

Architecture should create a small town urban feel, using appropriate elements and styles in the context of the surrounding Maryland architecture. Appropriate historical styles are Georgian, Adams, Early Classic Revival, Colonial Revival, Charleston, and Federal interpretations; with emphasis on the appropriate detailing. Building elevations are varied and reinforce the pedestrian feel of the community and the architectural styles being used. Garages are rear of side loaded where possible.

#### **Detailing**

Roofs – Roof pitches on the main roof should be a minimum of 6/12 and a max of 10/12. Reverse gable roof pitch may be a greater slope, if appropriate for the historical style referenced. **Materials:** architectural shingles or metal roofs. Simple gable or hip roofs are preferred with emphasis on matching the historic style references. Overhangs and eaves should match the intent of the historic style referenced on the front, sides, and rear of the building. Cornice trim is to enhance the elevation from the pedestrian level with appropriate amount of historic detail. Gutters and downspouts should be painted to match the trim color. Roof penetrations, such as vents, should be located on the rear of roof slopes.



Windows – Windows are to be wood, clad, or vinyl and trimmed with 1x4, 5/4x4, or brick mould. Shutter dogs are encouraged. True divided or simulated divided windows are encouraged. Wide muntins are encouraged with 6 over 6 or 9 over 9 standard muntin patterns to be used. Windows should be larger on the lower floors than the upper floors. See Index for Window example

Doors – the door entrance detail should be reflective of the architectural style of the elevation. Brass kickplates are encouraged. The front door should have two entrance lights symmetrically placed on the front door. The entry door should be oriented toward the street and sidewalk. Entry stoops are to have brick or stone veneer/pavers with painted iron or wood rails. Single car garage doors are preferred on all garages visible from the street. See Index for entry examples.

Porches – Porch columns are to be architectural columns with a minimum diameter of 8" or 8" square with appropriate capital and base details. Porch decking is to be 1 x 4 T&G decking painted or stained. Stoops and porches are to have brick or stone veneer. Wood porches are to be built on stone or brick piers with wood painted lattice screening below. Lattice screening is to have 1 x 4 surrounding perimeter. Metal or architectural shingles should be placed on porch roofs. Porch wood rails are to be painted. Porch ceiling is to be 1 x 4 T&G or vinyl T&G soffit. See Index for porch and stoop examples.

Dormers/Bays – dormers to the street and public spaces are encouraged. See Index for appropriate dormers in reflection of architectural style. Front bay windows are to be trimmed out with wood and M.D.O. plywood. Roofs are to be architectural shingles or metal roofs. Bay windows on front elevations are permitted. See Index for dormer examples.

Materials – brick, beaded siding of wood or wood composites, synthetic stucco, or beaded reinforced vinyl siding. Corner trim to be 1x6 or 5/4x6 trim in the front. Front cornice is to reflect the appropriate elevation detail and should return with the fascia along the side of the house a minimum of 24". A trim skirt board should be provided on siding elevations on the front elevation. Brick or stone water table is encouraged on the front elevation. Wood, wood composites, brick or brick and precast window head features on the front elevation.

Detached garages and outbuildings – Garage trim and materials to match requirements on main house. Garage double doors may be located on alley lots.

Colors – brick, stone should be from an indigenous color palette.

Stone:



Siding and trim colors are to be subtle and mirror the references historic periods.

Shutter colors should be accent colors using a colonial color palette.



## 2. Animals

### General

Pets shall be leashed or carried at all times unless the pet is within the owners' property or if complying with the City of Rockville "no leash" policy. It is unlawful for any person to allow a dog to run at large.

No animal may be permitted to damage, soil, defile, or defecate on another homeowner's property. Feces shall be promptly removed and disposed of by the animal's owner.

Homeowners should report unattended pets or animals causing a nuisance, including excessive barking, to the City of Rockville's Animal Control Division at 240-314-8930.

Feeding of birds is permitted. Not more than two birdfeeders may be installed. Birdfeeders must not be an eyesore (as determined by the ACC) and must not be placed such that seeds or shells fall onto neighboring or common properties. Feeders must not become a nuisance to neighbors.

#### No Approval Required

Domestic pets (dogs, cats, 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.

#### Prohibited Conditions

Breeding of animals on homeowner property.

Pets shall not be permitted upon common areas unless accompanied by a responsible person.

It is strictly prohibited to allow a pet to urinate or defecate on another homeowner's property.

### **3. Antennas and Satellite Dishes**

#### Automatic Approval

DBS antennas (dishes) designed to receive direct broadcast satellite service, including direct-to-home satellite services, which are one meter or less in diameter, provided all efforts are made to locate the antenna at the rear of the house and to limit the visual impact on the adjoining properties as much as possible.

#### Approval Required

If it is impossible to obtain an acceptable quality signal using a DBS antenna on the rear of the house approval may be requested for another location. If it is necessary to locate a DBS antenna where it is visible from the street or adjoining properties, reasonable screening is required.

TVBS antennas designed to receive television broadcast signals should be located in the attic.

#### Prohibited Conditions

DBS antennas larger than one meter in diameter.

#### 4. Barbecue Equipment

##### General

Barbecue equipment, grills, gas grills, and portable patio fireplaces shall be stored out of public view when not in use.

##### Approval Required

Any permanent barbecue grill or outdoor fireplace shall meet all applicable safety codes and be integrated with the design of the patio, deck, or landscape. Such structure shall be screened from public view.

#### 5. Clothes Lines

##### Prohibited Conditions

No clothing or any other household laundry shall be hung in the open to dry on any lot unless hung from a device that is removed from view when not actually in use. This device must be removed at the end of the day. No permanent clotheslines are allowed.

#### 6. Deck, Patios, Gazebos, and Porches

##### General

City regulations must be followed regarding setbacks on construction. In some cases, city regulations require setbacks to be greater than the 9' Rose Hill limit. The greater setback requirement will be used for approval.

##### No Approval Required

Clear protectant may be applied to decks, and patios without approvals.

Natural wood tone stain may be applied to decks without approval.

##### Decks

##### Approval Required

Must adhere to all City codes and permit requirements. All decks must follow established City property line setbacks. If the City grants a setback variance, approval must also be requested from the ACC for the variance.

Must be constructed of real, natural, or pressure treated wood. Requests for alternative materials of similar appearance will be evaluated on a case-by-case basis.

Railings must match those on neighboring decks in style and painted white or the same color as the trim of the house unless a clear protectant

or natural wood stain is used. Note that City code requires that deck railings be vertical.

Enlargement of a deck requires ACC approval.

## **Patios**

### **General**

Must adhere to all City codes and permit requirements.

Should be constructed of gray flagstone, brick, or other material that is consistent with the style of the home. Other materials may be approved on a case-by case basis.

Adequate storm water drainage must be preserved. The homeowner is responsible and remains responsible after construction for ensuring that storm water does not adversely affect neighboring or community property. The homeowner may be required to take additional measures to eliminate erosion from storm water runoff.

Patios should be placed no closer than nine feet from neighboring or common properties.

### **Prohibited Condition**

No patio shall be placed in the front of any property.

## **Gazebos and Porches**

### **General**

Approval is required for the installation of any type of porch or gazebo. Front porches, covering a minimum 50% of the elevation and meet design guidelines, are encouraged.

These must adhere to all City codes and permit requirements. All porches and gazebos must follow established City property line setbacks. If the City grants a setback variance, approval must also be requested from the ACC for the variance.

Any roofs installed on porches must match those on the house or be in compliance with design guidelines.

### **Prohibited Conditions**

Sunrooms or any additions (except for front porches) in the front of a house will not be allowed. Screened in porches in front of a property are strictly prohibited.

## 7. Doors, and Windows

### No Approval Required

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

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

### Automatic Approval

Storm doors will be made of paintable wood or metal and will be primarily glass with a maximum frame of 6". Doors will be painted in a color matching the front door within 3 months of installation.

Back screen doors may be screen, screen replacement, or iron grillwork.

### Approval Required

Any style, color or design other than those indicated above.

### Prohibited Conditions

Unpainted wooden or metal storm/screen doors.

Iron grillwork, giving the appearance of security bars (as determined by the ACC) in the front of the house.

## 8. Driveways

### No Approval Required

Replacement of driveway with one of the same color, style, design, and size.

Sealing of driveway with material appropriate for driveway type.

### Approval Required

Replacement of driveway with one of different color, style, design or size.

Addition, enlargement and/or rerouting of existing driveway.

## 9. Fences

### General

Fences should be constructed of pressure-treated, natural or real wood. Other materials may be approved on a case-by-case basis.

Fences may be painted white or a wood protectant may be applied.

Fencing may not be erected outside the homeowner's property lines.

Fencing must be no more than six feet high. No fencing should be constructed past the front of the house.

Fence gates must be of similar style and construction as the fence.

All fences require City of Rockville approval.

#### Approval Required

All fences, gates or walls require ACC approval.

#### Prohibited Conditions

Split rail fencing with "chicken wire" is not allowed except for homes that border on buffer areas and need to meet City of Rockville requirements.

Partial fencing, i.e., along one side or back of the property.

## 10. Flagpoles

#### General

Up to two flags at a time may be displayed on a flag staff attached to a residence.

#### Prohibited Conditions

Flagpoles are not permitted

## 11. Fireplaces and Chimneys

#### Automatic Approval

Chimney caps of stainless steel or painted black.

#### Approval Required

All other additions or changes to chimneys or fireplace vents required approval. Any new chimneys must be masonry in construction and of same color and material to match the home's original brick.

## **12. Gutters or Downspouts**

### **No Approval Required**

Replacement of gutters and/or downspouts with those of same color, design, and material.

Replacement of buried tubing.

Temporary use of drainage tubing in emergencies, not to exceed two weeks.

### **Approval Required**

Tubing used for additional drainage purposes requires approval. This must be buried underground and directed away from adjacent properties or common areas. Homeowners are responsible for minimizing erosion and repair of erosion damage.

Replacement of gutters and/or downspouts with those of different color, design or material, and any addition of gutters or downspouts.

## **13. Hazardous Materials**

### **Prohibited Conditions**

No hazardous material (except those that are ordinarily found and/or used in dwellings for acceptable purposes) shall be used or stored on any Lot.

## **14. Heating, Cooling, and Machinery**

### **No Approval Required**

Replacement of exterior units with units in the same location and of similar design.

Roof vented attic. Color should be consistent with that of the roofing. Location should optimize technical requirements but minimize visual impact, facing the rear of the house.

Exhaust fans of the type and style already being used may be installed. Location should optimize technical requirements but minimize visual impact, facing the rear of the house.

### **Approval Required**

Exterior heat pumps or air conditioning units may be added or relocated is there is no adverse impact on neighboring properties. Homeowners



are urged to purchase properly sized energy efficient units that produce the lowest possible levels of noise.

Permanent installation of electricity generators. Running of generators will be approved for emergency use only. ACC will consult with neighbors before any such request is approved.

#### Prohibited Conditions

Individual room air conditioning units extending from windows in either the front or back of any residence.

Permanently installed window fans.

### 15. House Numbers and Fixtures

#### No Approval Required

Outdoor thermometers in the rear of a home, and not visible from the front.

Deadbolt locks, peep holes, doorknobs, doorknockers, and front door “kick plates” not exceeding twelve inches in height. Doorknockers must be of conventional design and maintain the original styling of the house.

House numbers should be a minimum of four inches high and affixed to the front of the house. The style of the numbers must be the same as those originally installed.

### 16. Landscaping and Gardens

#### General

Homeowners are responsible for all landscaping including lawns, ornamental shrubbery, and trees. Grass and weeds shall not be allowed to become unsightly. Shrubs must be neatly trimmed. Trees, shrubs and other plants must be trimmed so that they do not pose an obstruction to foot or vehicle traffic, or obscure the view from adjacent driveways, or obscure signs or traffic itself. Grass height should not exceed 4” (ornamental grasses excluded). Any yard with grass exceeding 6” will be cut by the community landscapers and the cost will be billed to the homeowner. The homeowner will be given one week notice prior to this event.

Dead trees, shrubs, and other plants must be removed within a reasonable period of time not to exceed three months.

The homeowner is responsible for maintaining adequate lawn cover to prevent soil erosion and storm water drainage difficulties.

Homeowners may not make any change or addition to the property, which adversely affect drainage onto any neighboring property or common area without explicit ACC approval for the drainage change.

#### Automatic Approval

Plants, flowers, and shrubs with a mature height less than eight feet confined to homeowner property and meeting setback requirements.

Garden hoses and caddies affixed to the house. Rollaway caddies are also permitted.

Vegetable gardens placed in the rear of any property.

Permanent window boxes made of weather-resistant wood that is painted to match trim on house, not to exceed one foot in depth. Temporary plastic window boxes, matching trim are permitted in front of dwellings.

#### Approval Required

Trees or plants with a mature height greater than eight feet.

Changes that adversely affect drainage to neighboring properties.

Redesign of front landscaping and bedding.

Hedges and similar planting hedging or screening

Removal of trees with a diameter of six inches or more. City of Rockville permit may also be required.

Ponds, trellises, and arbors.

#### Prohibited Conditions

The following are not permitted:

Ginkgo balboa (female)

Silver maple

Tulip poplar

Elm

Bamboo

## 17. Lighting

### General

Exterior lighting must be aimed so that light does not shine directly onto neighboring property.

Light intensity must not be so high as to be a nuisance to neighbors. Concerns by neighbors will be given considerable weight. Homeowners should be prepared to make adjustments such as re-aiming, small baffles, change sensitivity settings, etc.

### Automatic Approval

Replacement of existing exterior fixtures with motion activated fixtures if

- a. Aiming and sensitivity of sensor is set to prevent light activation due to motion outside homeowners property
- b. Sensitivity of sensor must not be such that weather-related conditions regularly trigger light activation.

### Approval Required

Exterior lighting other than that originally installed, including floodlights. Note that “harsh” or “cold” exterior lighting, such as that typically found in industrial environments, will not normally be approved.

## 18. Mailboxes

### General

The individual residents are fully responsible for the cost of replacing their own mailbox and/or post and the Homeowners’ Association will not bear any portion of the cost.

### No Approval Required

- a. The replacement mailbox shall fit within the following dimensions: 10 inches high, 9 inches wide and 20 inches deep;
- b. 2. The replacement mailbox color must be black;
- c. 3. The replacement mailbox must be constructed of metal, including, but not limited to, aluminum or steel (plastic is not acceptable);
- d. 4. The replacement mailbox post color must be white;
- e. 5. The height of the highest point of the replacement mailbox and/or post must be 55 inches or less; and
- f. The replacement mailbox numbers must be black and in the same style as the original numbers.

### Approval Required

Any replacement mailbox and/or post that do not meet the criteria set forth above in the No Approval Required subsection.

## 19. Painting

### General

All exterior paint must comply with defined color palettes and styles in section 1 Additions

### No Approval Required

Exterior painting using colors which match original color.

### Approval Required

Any exterior painting, which changes the color of any exterior item.

## 20. Pathways, Walkways, and Stoops

### General

Existing paths, walkways, and stoops must be repaired/replaced using materials of the same style and color.

Color and style of materials used in additions must match that of existing paths, walkways, and/or stoops, as appropriate.

Layout and design of additions must blend with existing paths, walkways, and/or stoops.

### No Approval Required

Repair and/or replacement using materials of same style and color as existing path, walkway, or stoop.

### Approval Required

Installation of additional paths, walkways, or stoops.

Replacement of paths, walkways, or stoops with materials other than those of the same style and color.

Addition to any path, walkway, stoop, or rerouting any path or walkway.

## 21. Recreation Equipment

### General

Recreational equipment should be kept in good repair, no rust should be visible, and should meet city of Rockville set back requirements.

### No Approval Required

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

Portable basketball hoops are allowed in the front of driveway area within 5' of the house. Permanent basketball hoops will only be allowed in the rear of the property within the property line, on a freestanding pole, within 25' of the house. 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 clear, white, black, or gray (no neon or bright colors).

Sandboxes are permitted in rear yards only and must be covered when not in use.

Swing sets and lawn gym equipment are permitted other than in the front yard. Metal swing sets are allowed if made of galvanized or other non-rusting metal and have baked-on paint. All play equipment must be maintained in good condition. No chains, seats, etc. can be broken and no rust should be visible.

#### Approval Required

Portable or permanent basketball hoops other than those specified above.

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. Screening of hot tubs may be required based on the size of the lot and proximity to other lots. They cannot be installed within nine feet of any boundary line. Appropriate fencing or other security measures should be installed in accordance with local codes. They must have a locking cover and must be kept locked when not in use.

In-ground swimming pools are allowed as long as they meet all setbacks, and conform to City of Rockville, county, and state regulations.

#### Prohibited Conditions

Above ground pools, except for temporary children's wading pools addressed above, are permitted under any circumstances.

## 22. Seasonal Decorations

### General

Noise or illumination from decorations must not create a nuisance to your neighbors.

#### No Approval Required

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

#### Prohibited Conditions

Seasonal decorations may not be displayed more than thirty days before or after the holiday.

### 23. Security Devices

#### Approval Required

All security devices that will be installed outside the home (except lighting as previously defined) must be approved in advance by the ACC.

### 24. Single Family Dwelling Use

Per The Rose Hill HOA 1<sup>st</sup> Amendments to the Declaration of Covenant, which every homeowner received at time of purchase (section 6.1.18), none of the Lots shall be used for any purpose other than for a one family, non-commercial and non-industrial, residential Dwelling use except, with the prior written approval of the Board and ACC. This approval may be withheld at the sole and subjective discretion of the Board and ACC and provides by these entities to permit use for non-residential purposes (including but not limited to accounting, dentistry, law, medicine, and the like) provided such use complies with all laws, rules, regulations, and/or ordinances and provided further that such activity does not involve the regular employment, with or without salary, of more than one (1) other person who is not a resident family member, and provided further that such activity does not involve offensive, disagreeable or noxious sounds, noises, odors or smells, or any unusual congestion of clients, patients, patrons or customers outside the residential improvements, detrimental to the peaceful use and quiet enjoyment of the other residential properties in its vicinity.

### 25. Sheds

#### General

No metal outside sheds or storage buildings shall be permitted.

Shed must be attached to the back of the house.

Shed must be of material consistent with the house. This should include siding and roofing material of the same color as the house. If shed is underneath a deck, shed must be of the same material as the deck OR the house, i.e. if deck is made of wood, then shed may match materials as deck. Otherwise, shed will match home siding and color.

Shed must not exceed 50 square feet, regardless of placement.

Shed must not be viewable or visible from the street.

Shed should not exceed 6' in height unless placement is underneath a deck. In this situation, shed could be the height of the area underneath the deck.

Provided written approval from the Rose Hill ACC as of November 6, 2002, all sheds in existence shall be allowed but may not be replaced unless conforming to the new regulations. New shed applications will be required for replacements.

Shed should be used only for storage.

No structure may be located within nine feet of any property line.

#### Approval Required

All sheds require approval by the ACC.

## 26. Signs

### General

Security company signs, no larger than 8" squared, may be displayed in front of any property.

Temporary Real Estate signs, not to exceed 4 square feet in area, may be displayed on a homeowner's property which is for sale or rent.

Non-real estate temporary signs, such as political or contractor, must be removed within 30 days.

## 27. Storage

### General

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.

### Prohibited Conditions

Visible outside storage of lumber, building materials, wheelbarrows, discarded items, or other items which are considered excessive or inappropriate.

### Trashcan storage

City of Rockville provided 64- and 96-gallon trash and/or recycling containers only may be permitted to be stored, prior to regular trash pick-up, neatly against the rear of the house only and in a manner that does not allow for the trash containers to be directly visible from the street and with lids secured at all times. For houses that are on a corner

lot where the rear of the premises is visible from the side street, it is sufficient that such containers are neatly stored against the rear of the house with lids secured.

## 28. Vehicles

### General

Non-standard items may not be kept on any street or any homeowner's property, except if stored in garage.

Items include:

- Unlicensed or inoperable motor vehicle
- Any vehicle with commercial registration
- Trailer
- Recreational vehicle or camper
- Boat (with or without a trailer)
- Bus
- House trailer
- Horse trailer
- Machinery or equipment

This prohibition shall not apply to a recreational vehicle, camper or trailer accompanying a short term visitor for a period not to exceed 30 days.

Automobiles, minivans, pickup trucks (3/4 ton or less) and the like are not "non-standard items" unless they have a commercial registration.