

FARMBROOK HOMEOWNERS' ASSOCIATION, INC. ARCHITECTURAL CONTROL GUIDELINES

Adopted by the Board of Directors
July 1984

First Amendment, October 1989

Second Amendment, August 1994
(Supersedes and Replaces all Previous Amendments)

Third Amendment, October 2000
(Shed Regulations)

Fourth Amendment, August 2007
(Supersedes and Replaces all Previous Amendments)

CONTENTS

PARAGRAPH TITLE	PAGE NUMBER
I. INTRODUCTION	3
A. OBJECTIVES	3
B. PROTECTIVE COVENANTS	3
C. BOARD OF DIRECTOR APPROVAL	3
D. AMENDMENTS TO ARCHITECTURAL GUIDELINES	3
E. MAINTENANCE OF PRIVATELY OWNED PROPERTY	4
II. APPLICATION PROCEDURE	4
A. APPLICATION	4
B. APPLICATION APPROVAL PROCEDURES	4
C. APPLICATION DISAPPROVAL	4
D. INSPECTION PROCEDURE	5
E. NON-COMPLIANCE	5
III. REVIEW CRITERIA	5
A. GENERAL GUIDELINES	5
1. Design Compatibility	5
2. Location and Impact on Neighbors	5
3. Scale	5
4. Materials	5
5. Workmanship	5
6. Building Permits	5
7. Utility Lines	5
8. Conformance with Covenants	6
9. Drainage Easements	6
B. GUIDELINES APPLICABLE TO SINGLE FAMILY HOMEOWNERS	6
1. BLANKET APPROVAL	6
a. Storm Windows	6
b. Storm Doors	6
c. Air Conditioning Units	6
d. Attic Ventilators	6
e. Exterior Lighting	6
f. Gutters and downspouts	6
g. House Numbers	6
h. Exterior Antennae	6
i. House and Trim Color	7
2. REQUIRES APPROVAL	7
a. Fencing	7
b. Decks	7
c. Pools	8
d. Porches	8
e. Sheds	8
f. Driveways	9
g. Playhouses	9

PARAGRAPH TITLE	PAGE NUMBER
h. Dog Houses	9
i. Solar Panels	9
C. GUIDELINES APPLICABLE TO TOWN HOUSE HOMEOWNERS	9
1. BLANKET APPROVAL	10
a. Storm Windows	10
b. Storm Doors	10
c. Air Conditioning Units	10
d. Attic Ventilators	10
e. Exterior Lighting	10
1. Gutters and Downspouts	10
g. House Numbers	10
h. Exterior Antennae	10
i. House and Trim Color	10
2. REQUIRES APPROVAL	10
a. Fencing	10
b. Patio	11
c. Decks	11
d. Sheds	11
e. Playhouses	12
f. Dog Houses	12
g. Solar Panels	12
IV GENERAL INFORMATION	12
Leased Properties	12

I. INTRODUCTION

A. OBJECTIVES

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

B. PROTECTIVE COVENANTS

Basic control for maintaining the quality of design at Farmbrook comes through the Covenants, which are part of every deed of homeownership. The BOD ensures that proposed exterior alterations comply with the standards set forth in the Covenants. This involves the regular review of all applications for exterior alterations submitted by homeowners.

Every Farmbrook homeowner should have received a copy of the Declaration of Covenants at settlement. However, all too frequently the Covenants are not read by the homeowner. Since these Covenants "run with the land," they are binding on all homeowners and should be fully understood.

C. BOARD OF DIRECTORS APPROVAL

Article V, Section 1, of the Covenants explicitly states that all exterior alterations require the approval of the BOD:

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association or by a committee appointed by the Board of Directors, and all of whom must be residents of the Farmbrook Homeowners Association. In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty (30) days after receipt of said plans and specifications, approval will not be required and this Article will be deemed to have been fully complied with. Nothing in this Article of the Declaration or any of the rules and regulations adopted and promulgated pursuant to the provisions hereof, and/or their respective agents, employees, successors and assigns, may come upon any lot during reasonable hours for the purpose of enforcing and administering those provisions or rules and regulations; provided however, that, except in the case of any emergency, no entry shall be made except upon fifteen (15) days written notice to the member or members affected thereby to correct the deficiency. This right to enter is enforceable through appropriate legal proceedings.

Each Architectural Change Request Application is reviewed separately. For example, a homeowner who wishes to construct a deck identical to one already approved by the BOD is still required to submit an application.

In each case not covered by blanket approval, an application must be submitted and reviewed in order to consider specific implications of location and impact to surroundings.

D. AMENDMENTS TO THE ARCHITECTURAL GUIDELINES

(1) These guidelines may be amended. It is anticipated that the changes will be primarily additive and will not involve substantive changes to existing guidelines. However, amendments may be made to reflect changed conditions or technologies.

(2) The BOD will conduct a periodic evaluation of the guidelines to determine if amendments are required. Homeowners may also submit to the Board of Directors of the Farmbrook Homeowners Association, Inc., requests for additions or changes to the guidelines. The actual amendment proceedings will involve open discussions at a publicized meeting of the BOD and acceptance by a majority vote of the Board of Directors.

E. MAINTENANCE OF PRIVATELY OWNED PROPERTY

As a matter of personal pride; in the interests of developing an attractive community; in consideration of your neighbors; and in the interest of improving your property value, adequate time and effort should be taken to see that your yard, landscaping, and home are properly maintained.

1. Painting: During annual community inspections conducted by the BOD or its designated committee, paint conditions of homes and exterior structures will be evaluated. If the BOD determines that painting is required, the homeowners will receive written notification. The homeowner will then be given two weeks to provide a schedule for complying with the notification. If the required painting is not completed in accordance with the approved schedule, the matter will be taken up by the Board of Directors for appropriate action.

2. Grass: Grass height should not generally exceed four (4) inches, and should be kept even. If grass is found to be four (4) inches or higher management will send a notice to the homeowner of the property requesting that the violation be corrected within five (5) days from the date of the letter. If property is found not in compliance after the five (5) days management will hire a contractor to correct the violation and the homeowner's assessment account will be billed.

II. APPLICATION PROCEDURE

NOTE: IF IN DOUBT AS TO WHETHER YOUR EXTERIOR CHANGE NEEDS APPROVAL, ALWAYS SUBMIT AN APPLICATION.

Written applications for all exterior changes must be submitted either to the Management Agent, or directly to the Board of Directors. Oral requests will not be considered. Each alteration must be specifically approved, even when a similar or identical alteration has been previously approved.

A. APPLICATION

1. Form: A sample of a completed application is attached for your guidance (see Appendix A). An application form is also attached to these guidelines for your future use. All necessary information should be stated in a clear, concise form to insure that the BOD will interpret the application as intended by the homeowner; additional forms may be downloaded from the HOA website at www.farmbrookhoa.com

2. Description of Proposed Project: A graphic description such as a site plan, elevations or sketches shall be provided to avoid delay in the approval process. A statement identifying proposed materials and colors should be included in the application. A site plan is most easily prepared by submitting a copy of the property plat with the proposed manufacturer's literature or photographs of similar projects. Written material should support and fully document any plans or sketches. All applications must include estimated completion dates.

B. APPLICATION APPROVAL PROCEDURES

1. All Architectural Change Applications must be submitted to the management agent for processing. Within thirty (30) days of review of an application by the BOD, the homeowner will receive, in writing, notification of BOD action. If thirty (30) days lapse with no written notification of BOD action, the homeowner's application is considered approved as submitted.

2. At final inspection by the Management Agent or BOD, the homeowner will be given fourteen (14) days to complete or correct any deficiencies in the project, or to request in writing an appeal of the inspector's decision.

3. If the project is still unacceptable and no written response is received by the BOD within fourteen (14) days, the Board of Directors, upon legal advice, will take appropriate action to correct the deficiency.

4. Upon receipt of a written appeal from the homeowner within the fourteen-day (14) period, the BOD will render a decision at its next regularly scheduled meeting. If the homeowner disagrees with the BOD decision, he will be given fourteen (14) days to make a written appeal to the BOD. Failure to submit an appeal within the allotted time results in forfeiture of the homeowner's right to appeal.

C. APPLICATION DISAPPROVAL

If the application is disapproved, the homeowner will be notified in writing and informed of the problems in the application. The applicant is free to request that the BOD reconsider its position and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability. If upon resubmission the application is still disapproved, the homeowner will be given fourteen (14) days to make a written appeal to the Board of Directors. If the homeowner

does not submit a written appeal within fourteen (14) days to the BOD, he/she then forfeits his right of appeal and the application is considered "disapproved."

D. INSPECTION PROCEDURE

The Management Agent, the Board of Directors, or a duly designated representative of such will conduct periodic inspections of the project while it is under construction to ensure compliance with the approved application. Any deviations from the application will be dealt with by the BOD. On completion of the project, the homeowner is required to contact the BOD within fourteen (14) days to conduct the Final Approval Inspection. Final Approval requires compliance with stated specifications of the approved application.

E. NON-COMPLIANCE

1. Changes Made After Disapproval: If the homeowner proceeds with any exterior changes disapproved by the BOD, the BOD may initiate legal action by the authority of the Covenants, Article V, Section 1. A final court decision then becomes binding.
2. Failure to Obtain a Written Approval: If a homeowner fails to submit an application and obtain written approval, then proceeded with any exterior change, the BOD may initiate legal action by the authority of the Covenants, Article V, Section 1, or assess a fine not to exceed \$100.00.

III. REVIEW CRITERIA

A. GENERAL GUIDELINES

The BOD evaluates all applications on their individual merits. Besides evaluation of the particular design proposal, the evaluation includes consideration of the characteristics of the housing type and the individual site, since what may be an acceptable design of an exterior in one instance may not be for another. Exterior changes to townhouses, due to their close proximity to each other, are usually more noticeable and have more impact on adjoining properties than do detached house changes. Judgments are based on the following criteria that represent, in specific terms, the general standards of the Declaration of Covenants, Conditions and Restrictions.

1. Design Compatibility: The proposed change must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.
2. Location and Impact on Neighbors: The proposed alteration should relate favorably to the landscape, the existing structure, and the neighborhood. The primary concerns are access, drainage, view, sunlight, and ventilation. When a proposed alteration has a possible impact on adjacent properties, it is suggested that the applicant discuss the proposal with neighbors prior to making application. The BOD in some cases may require that neighbor comments be submitted along with the application.
3. Scale: The size of the proposed alteration should relate well to adjacent structure and its surrounding.
4. Materials: Continuity is established by use of the same or comparable materials as were used in the original house, except where so noted in the guidelines.
5. Workmanship: The quality of work should be equal to, or better than, that of the surrounding area. Poor workmanship can be visually objectionable to others, and can cause safety problems. The BOD assumes no responsibility for the safety of new construction by virtue of approval of design or workmanship.
6. Building Permits: Frederick County requires building permits/codes for any structural changes. Obtaining building permits does not eliminate the requirement that you obtain BOD approval, nor does BOD approval eliminate the need for a building permit. The BOD (at its discretion) may ask that a copy of the building permit be submitted. In addition, Frederick County building codes are to be adhered to (check with the Frederick County authorities).
7. Utility Lines: You should be aware that various types of utility lines are buried in the ground on your property and that you are prohibited from building permanent structures over those easements. You can contact "Miss Utility or any of the local public utility companies to determine the location of these easements and the steps which you must take to prevent cutting into any utility lines.

8. Conformance with Covenants: All applications are reviewed to confirm that the project is in conformance with the Declaration of Covenants. Final Approval indicates conformance.

9. Drainage Easements: You should be aware that ownership of your property is subject to certain drainage easements which you cannot and must not obstruct in any way. Failure to abide by this could result in legal action against you by your neighbors or the Association, and could result in serious water damage problems for you and others near you.

B. GUIDELINES APPLICABLE TO SINGLE FAMILY HOMEOWNERS

1. BLANKET APPROVAL: To facilitate matters for the homeowners, structures, alterations or additions as delineated below need not be formally approved. Any item not listed below must be submitted for approval to the Board of Directors. Within the guidelines of blanket approval, conformance to the Guidelines is still required. If in doubt, inquiry to the Management Agent or BOD is recommended.

- a. Storm Windows: Storm window frames must be compatible with the color of the house trim, or white. Raw or galvanized metal or clear anodized aluminum will not be approved. If temporary lightweight plastic film storm windows are used, they must be applied only to the interior of the window.
- b. Storm Doors: Storm door compatible with the architectural style will be considered provided they are painted to match either existing house or trim color or white. Raw aluminum storm doors will not be considered. Storm doors must be rustproof screening. They must be attached flush to the original doorjamb. See Appendix B for samples of approved styles.
- c. Air Conditioning Units: No window air conditioning units will be approved. Exterior air conditioner or heat pump units may be added or relocated only when they do not interfere visually or acoustically with neighbors.
- d. Attic Ventilators:
 1. Location: They should be located on the rear of the roof and not extend above the ridgeline.
 2. Color: They should be aluminum or galvanized steel, preferably painted to blend with the roof or the house trim.
 3. Design & Structure: Lattice ventilators or other mechanical apparatus requiring penetration of the roof should be as small in size as is functionally possible. Wind powered vents are not permitted.
- e. Exterior Lighting: No exterior lighting shall be directed outside the applicant's property. Lights fixtures which are proposed in place of the original fixtures should be compatible in style and scale with the applicant's house.
- f. Gutters and Downspouts:
 1. Location: The drainage patterns on adjacent property shall not be adversely affected, and no direct drain onto common or neighboring sidewalks is allowed.
 2. Color: Gutters and downspouts should match as closely as possible to the trim color of the house or be white. Other colors must be approved by the BOD.
 3. Design & Structure: A factory applied finish is required.
 4. Underground Drainage Pipe: Black plastic underground drainage pipe is permitted.
- g. House Numbers: The Fire Department encourages the use of large (at least three [3] Inches) house numbers. They should be located in an area that is highly visible and in close proximity to the front entrance.
- h. Exterior Antennae: For safety reasons, rooftop television antennas are not permitted. Before a homeowner, whether in a town home/town house or a single-family home, decides to install an external satellite dish, amateur radio or other type antenna, the homeowner is required to contact the Association Management Office and familiarize themselves with the appropriate FCC Regulations and Association guidance on installation and/or restrictions. The Association Board of Directors, upon recommendation of the Association Manager, will take final action consistent with the FCC Telecommunication Regulations. Additional FCC information is available at their website www.fccregulations.com.

i. House and Trim Color: Blanket approval will be given to homeowner's maintaining house color and trim with same colors, any changes to siding or trim (color) must meet approval of the Board of Directors.

2. REQUIRES APPROVAL: Written applications to the Management Agent for review and approval by the Board of Directors are required to be submitted for the items listed below:

a. Fencing: All Frederick County codes apply.

1. Non-Decorative: (It is intended that such fencing completely enclose the rear yard of the property).
 - aa. Such fencing shall not be erected forward of the rear foundation wall without the written approval of the BOD.
 - bb. Consideration is to be given to applicable Frederick County restrictions with regard to proximity to existing right-of-way (corner lots).
 - cc. Acceptable styles are spilt rail, alternating vertical batten, rustic wood picket, stockade design, and estate type. Any other styles must have the written approval of the BOD. Maximum height is four (4) feet.
 - dd. Finish is to be stained, natural or white.
2. Decorative: (It is intended that such "fencing" is added to provide decorative accent to the property and does not enclose the property).
 - aa. Conforms to guidelines bb. through ee under non-decorative fencing.
 - bb. No more than one (1) ten-foot section, except for corner accents as discussed below.
 - cc. Corner accents, to border driveways or corner of lots only, cannot extend more than one (1) ten-foot section, with one (1) additional ten-foot section perpendicular to the first section being allowed.
3. Pool Enclosures:
 - aa. Material is to be current/modern materials; finished stained, natural or white.
 - bb. Conformance to applicable Frederick County codes for enclosing in-ground and above ground pools to afford security and safety. Applicable code requirements will dictate height and style.

b. Decks: Defined as a permanent structure attached to the rear of the house with weather-exposed flooring and (typical) railing.

1. Blanket approval is given for simple square or rectangular decks (only) not larger than one-hundred twenty (120) square feet. All others must be approved by the Board of Directors.
2. **Materials**: Decks must be constructed of current, modern, or pressure-treated outdoor/deck lumber. This includes the substructure, flooring, railing, stairs, and permanent accessories.
3. **Building Codes**: All construction must be able to meet all Frederick County Codes. Note however, that approval for construction by the Farmbrook BOA does not guarantee that the structure will meet code. It is the homeowner's responsibility to ensure that the structure will pass. Care should be exercised to ensure that concrete footers are large enough and deep enough to pass code requirements, and to support the structure throughout its lifetime, without sinking or settling.
4. **Design**: Decks are suitable for at grade and above grade (often as much as seven feet or more above) use. If more than twelve (12) inches above grade at any point on the deck, a safety rail is mandatory. Porch swings suspended below decks, partial trellises, and similar accessories should be included in the application for architectural changes.
5. **Placement**: Decks will be located at the rear of single-family houses. No deck should wrap around the side or laterally protrude beyond the rear edge of a home. Placement of a deck should not require the removal of any trees of more than six (6) inches in base trunk diameter. All property boundaries and easements must be considered in placement.

6. **Finish:** Decks may be left natural, or finished in a clear or colored transparent stain/sealer. Colored stains must be selected to fit with the color scheme of the home, and must be submitted with application. Paint, semi opaque and opaque stains are not suitable for use on decks.

c. Pools: Pools are accepted in Farmbrook provided they meet the following requirements:

1. All pools, above ground and in ground, shall be submitted to the Board of Directors for approval.

2. Applicable Frederick County Codes for enclosing pools, above ground and in ground, shall be enforced to afford security and safety. Applicable code requirements will dictate height and style.

3. In the absence of Frederick County Code requirements, fencing shall be as follows:

- (a) Finish being natural, stained or white.
- (b) Minimum height to be forty-eight (48) inches
- (c) Style must conform to fencing guidelines applicable to single family
- (d) Gates shall be self-closing and self-latching locks.

4. Proper maintenance and cleanliness are the responsibility of the homeowner and subject to enforcement by the Board of Directors.

5. Homeowners assume all responsibility and liability for ownership of said pool.

d. Porches: Defined as a permanent structure attached to the front or rear of a house, with railing and a roof Porches are sometimes screened in.

1. **Materials:** Porch substructures should be constructed of pressure-treated or redwood lumber. Because much of the porch is protected from direct exposure to the weather, standard building materials may be utilized in the roof and side structure, and for the flooring. Generally, gutters will be required around the roof's edge to avoid water damage to the structure.

2. **Building Codes:** All construction must be able to meet all applicable codes. Note however, that approval for construction by the Farmbrook HOA does not guarantee that the structure will meet codes. It is the homeowner's responsibility to ensure that the structure will pass. Care should be exercised to ensure that concrete footers are large enough and deep enough to pass code requirements, and to support the structure throughout its lifetime without sinking or settling.

3. **Design:** All porches will be designed with side railing and a roof. The roof must be an exact match to the existing house's roof in terms of color, style, and physical connection. Porch designs are not suitable in cases where the floor would be above grade by more than three (3) feet.

4. **Placement:** No porch should wrap around the side or laterally protrude beyond the rear edge of a home. Porches will be placed at the rear of single-family homes. Small porches that are essentially integral to the structure may be considered for placement at the front of a single family home. Placement of a porch should not require the removal of any trees of more than six (6) inches in base trunk diameter. All property boundaries and easements must be considered in placement.

5. **Finish:** Porches will be painted to exactly match the color scheme of the house. As with the house itself, porches must be maintained and periodically repainted.

e. Sheds:

1. No metal sheds or exposed particleboard shall be considered.

2. All construction plans for sheds must be submitted to the Board of Directors for approval. Height, size, style, and placement shall be reviewed and considered.

aa. Storage sheds attached to homes may be erected only if the roofing and siding materials to be used match that of the existing house exactly (i.e., material and color).

bb. Storage sheds detached from the house shall meet the following criteria:

1. Material to be pressure treated wood, T-111, aluminum, or vinyl siding. All other material shall be submitted to the BOD for approval.

2. Color: The walls of the shed shall match the exterior walls of the house. The trim may match the walls or the trim of the house.

3. The roofing color is to match that of the existing house.

4. The maximum floor areas are one hundred twenty (120) square feet. The highest part of the shed shall not exceed ten (10) feet in height.

cc. Under-deck sheds shall be permitted provided that these are fully screened with pressure treated lattice. Other material shall be submitted to the BOD for review and approval.

5. Only one (1) shed per lot allowed.

f. Driveways: Any change, alteration or modification to the original driveway shall be approved by the BOD. Residents are encouraged to provide proper routine maintenance to the driveway.

g. Playhouses:

1. Playhouses shall be constructed of pressure-treated lumber, T-111 wood, aluminum, or vinyl siding. All other materials shall be submitted for approval to the BOD.

2. Playhouses may be left natural, or finished in a clear or colored transparent stain sealer. Colored stains and/or aluminum siding must be selected to fit with color scheme of the home, and must be submitted with application. Paint, semi-opaque and opaque stains are not suitable for use on playhouses.

3. Height, size, style, and placement shall be reviewed by the BOD.

4. Roofing color and materials shall match the existing home.

5. Playhouses built on a platform or above ground shall have a safety railing.

h. Dog Houses:

1. Dog houses shall be constructed of pressure-treated lumber, T-111 wood, aluminum, or vinyl siding. All other materials shall be submitted for approval to the BOD.

2. Dog houses may be left natural, or finished in a clear or colored transparent stain/sealer. Colored stains and/or aluminum siding must be selected to fit with color scheme of the home, and must be submitted with application. Paint, semi-opaque and opaque stains are not suitable for use on doghouses.

3. Height, size, style, and placement shall be reviewed by the BOD.

4. Roofing color and materials shall match the existing home.

5. No dog pens or dog runs shall be permitted. Facilities for other animals are not permitted without written approval of the BOD.

i. Solar Panels: Solar panels will be in accordance with the previously adopted guidelines of June 1985. All applications will be submitted to the Management Agent for review and approval of the BOD.

C. GUIDELINES APPLICABLE TO TOWNHOUSE HOMEOWNERS

1. Blanket Approval: To facilitate matters for the homeowners, structures, alterations or additions as delineated below need not be formally approved. Any item not listed below must be submitted for approval to the BOD. Within the guidelines of blanket approval, conformance to the guidelines is still required; if in doubt, inquiry to the Management Agent or BOD is recommended.

a. Storm Windows: Storm window frames must be compatible with the color of the house trim or white. Raw or galvanized metal or clear anodized aluminum will not be approved. If temporary lightweight plastic film storm windows are used, they must be applied only to the interior of the window.

b. Storm Doors: Storm doors compatible with the architectural style will be considered provided they are painted to match either existing house or trim color or white. Raw aluminum storm doors will not be considered. Storm doors must be rustproof screening. They must be attached flush to the original doorjamb. See Appendix B for samples of approved styles.

c. Air Conditioning Units: No window air conditioning units will be approved. Exterior air conditioner or heat pump units may be added or relocated only when they do not interfere visually or acoustically with neighbors.

d. Attic Ventilators:

1. Location: They should be located on the rear of the roof and not extend above the ridgeline.
2. Color: They should be aluminum or galvanized steel, preferably painted to blend with the roof or the house trim.
3. Design & Structure: Attic ventilators or other mechanical apparatus requiring penetration of the roof should be as small in size as is functionally possible. Wind powered vents are not permitted.

e. Exterior Lighting: No exterior lighting shall be directed outside the applicant's property. Light fixtures which are proposed in place of the original fixtures should be compatible in style and scale with the applicant's house.

f. Gutters and Downspouts

1. Location: The drainage patterns on adjacent property shall not be adversely affected, and no direct drain onto common or neighboring sidewalks is allowed.
2. Color: Gutter and downspouts should match as closely as possible to the trim color of the house or be white. Other colors must be approved by the BOD.
3. Design & Structure: A factory-applied finish is required.
4. Underground Drainage Pipe: Black plastic underground drainage pipe is permitted.

g. House Numbers: The Fire Department encourages the use of large (at least three (3) inches house numbers. They should be located in an area that is highly visible and in close proximity to the front entrance.

h. Exterior Antennae: For safety reasons, rooftop television antennas are not permitted. Before a homeowner, whether in a town home/town house or a single-family home, decides to install an external satellite dish, amateur radio or other type antenna, the homeowner is required to contact the Association Management Office and familiarize themselves with the appropriate FCC Regulations and Association guidance on installation and/or restrictions. The Association Board of Directors, upon recommendation of the Association Manager, will take final action consistent with the FCC Telecommunication Regulations. Additional FCC information is available at their website www.fccregulations.com.

i. House and Trim Color: Blanket approval will be given to homeowner's maintaining house color and trim with same colors, any changes to siding or trim (color) must meet approval of the Board of Directors.

2. REQUIRES APPROVAL: Written applications for the items listed below are required to be submitted to the Management Agent for review and approval by the Board of Directors.

a. Fencing: All Frederick County codes apply.

1. Non-Decorative: Fences must be of the same color and material used by the builder within the Farmbrook Community (it is intended that such fencing completely enclose the rear yard of the property).
2. No fences are permitted forward of the rear foundation wall without the written approval of the BOD. Consideration is to be given to applicable Frederick County restrictions with regard to proximity to existing right-of-way (corner lots).
3. The height must be the same dimensions as the portion of the fence provided by the builder. It shall be rail, alternating vertical batten, rustic wood picket, stockade design, and estate type. Any other styles must have the written approval of the BOD.
4. All fences must enclose the rear of the yard. Substitutions are for enclosing the rear yard only in place of additional fencing. For this portion of the fence, materials allowed may be:

- aa. Trees
- bb. Shrubs
- cc. Bushes
- dd. Continuation of the original fencing.

5. Fence must be installed on the boundary lines of the property.

6. Vertical post and/or board must be vertically straight and the top of the fence aligned with a level.

b. Patio

1. No higher than six (6) inches above the ground.

2. Materials allowed:

- aa. Concrete (reinforced).
- bb. Brick, block or flagstone. Note: wood patio structures are considered decks.

3. If brick is used, then a sturdy barrier must surround the perimeter of the patio unless the brick is at ground level.

4. Must not be located beyond the rear foundation wall.

5. Patio must be attached to the rear of the house.

6. Dimension of the patio may not exceed 12' X 14'.

c. Decks: Defined as a permanent structure attached to the rear of a townhouse with weather exposed flooring and railing (typical).

1. Materials: Decks must be constructed of either redwood or pressure-treated outdoor/deck lumber. This includes the substructure, flooring, railing, stairs, and permanent accessories.

2. Building Codes: All construction must be able to meet all applicable codes. Note however, that approval for construction by the Farmbrook HOA does not guarantee that the structure will meet code. It is the homeowner's responsibility to ensure that the structure will pass. Care should be exercised to ensure that concrete footers are large enough and deep enough to pass code requirement, and to support the structure throughout its lifetime without sinking or settling.

3. Design: Decks are suitable for at grade and above grade (often as much as seven (7) feet or more above) use. If more than twelve (12) inches above grade at any point on the deck, then a safety rail is mandatory. Porch swings suspended below decks, partial trellises, and similar accessories should be included in the application for architectural changes.

4. Placement: Decks will be located at the rear of a townhouse. No deck should wrap around the side or laterally protrude beyond the rear edge of a home. Placement of any deck should not require the removal of any trees of more than six (6) inches in base trunk diameter. All property boundaries and easements must be considered in placement.

5. Finish: Decks may be left natural, or finished in a clear or colored transparent stain/sealer. Colored stains must be selected to fit with the color scheme of the home, and must be submitted with the application. Paint, semi-opaque and opaque stains are not suitable for use on decks.

d. Sheds

1. No metal sheds or exposed particle board shall be considered.

2. All construction plans for sheds must be submitted to the BOD for approval. Height, size, style, and placement shall be reviewed and considered.

aa. Storage sheds attached to homes may be erected only if the roofing and siding materials to be used match that of the existing house exactly (i.e., material and color).

bb. Storage sheds detached from the house shall meet the following criteria:

1. Material to be pressure treated wood, T-111, aluminum, or vinyl siding. All other material shall be submitted to the BOD for approval.

2. Color: The walls of the shed shall match the exterior walls of the house. The trim may match the walls or the trim of the house.

3. The roofing color is to match that of the existing house.

4. The maximum floor area is eighty (80) square feet. The highest part of the shed shall not exceed ten (10) feet in height.

5. One shed per townhouse is allowed.

cc. Under-deck sheds shall be permitted provided they are fully screened with pressure treated lattice. Other material shall be submitted to the BOD for review and approval.

e. playhouses

1. Playhouses shall be constructed of pressure-treated lumber, T-111 wood, aluminum or vinyl siding. All other materials shall be submitted for approval to the BOD.

2. Playhouses may be left natural, or finished in a clear or colored transparent stain/sealer. Colored stains and/or aluminum siding must be selected to fit with color scheme of the home, and must be submitted with application. Paint, semi-opaque and opaque stains are not suitable for use on playhouses.

3. Height, size, style, and placement shall be reviewed by the BOD.

4. Roofing color and materials shall match the existing home.

5. Playhouses built on a platform or above ground must have a mandatory railing for safety purposes.

f. dog houses

1. Dog houses shall be constructed of pressure-treated lumber, T-111 wood, aluminum, or vinyl siding. All other materials shall be submitted for approval to BOD.

2. Dog houses may be left natural, or finished in a clear or colored transparent stain/sealer. Colored stains and/or aluminum siding must be selected to fit with color scheme of the home, and must be submitted with application. Paint, semi-opaque and opaque stains are not suitable for use on dog houses.

3. Height, size, style, and placement shall be reviewed by the BOD.

4. Roofing color and materials shall match the existing home.

5. No dog pens or dog runs shall be permitted. Facilities for other animals are not permitted without written approval of the BOD.

g. solar panels

Solar panels will be in accordance with the previously adopted guidelines of June 1988. All applications will be submitted to the Management Agent for review and approval of the BOD.

IV. GENERAL INFORMATION

Leased Properties

The following provision is a requirement of all owners who lease their properties to tenants:

"All owners are required to forward a copy of the lease for the rental of their properties to the Management Agent promptly following the execution thereof. In addition, the owners are required to enter into an Addendum to their lease agreement with the lessees identical to the form attached hereto entitled, "Appendix C." This Addendum will ensure that each Lessee is made aware of the Declaration of Covenants and the Architectural Control Guidelines, and they agree to abide by the provisions thereof."