

## THE DECLARATION OF COVENANTS

Owners should have received a copy of the Declaration of Covenants at the time of settlement on the property. The Declaration of Covenants will subsequently, throughout this document, be called the covenants. Moreover, it is the responsibility of each owner to read and understand this document.

The Covenants are a binding contract between the developer of Chester Grove Apartment and all residents. The covenants assure the residents of certain minimum standards for land use, architectural design, and property maintenance throughout the neighborhood. They are the instrument which provides the framework for creation as well as the mechanism for operation of the Architectural Review Committee, subsequently, throughout this document, be called the ARC.

The Covenants "run with the land" as a part of your deed of ownership and for all practical purposes may not be changed. With the completion of the development, the covenants became a contract between the homeowners association, as represented by its elected Board of Directors, and the resident as well as between each resident and every other resident of the neighborhood. It is our intent and duty to help you in every way to obtain the fullest enjoyment of your private property and the commonly owned property while simultaneously fulfilling our obligations to other residents.

## THESE ARE GUIDELINES

Article VII of the Declaration of Covenants delegates to the Board of Directors, the responsibility to set rules and procedures for architectural control and the power to interpret the covenants and allow exceptions to their restrictions. The guidelines presented here have been prepared by the ARC as a part of their responsibility.

These guidelines should be understood as just that: GUIDES TO BE USED BY RESIDENTS IN PREPARING AN APPLICATION FOR EXTERIOR MODIFICATION. Based upon the policies and previous decisions of the board, they will tell you what is most likely to be approved in typical circumstances, and also give you important information on how to prepare your application

## PROCEDURE FOR CHANGES

### 1. AUTHORIZED CHANGES

Complete plans and specifications for any change must be submitted to and approved by the ARC. Submissions must include the location, nature, shape, height, material, color, type of construction and any other proposed form of change. Approvals will be kept on permanent file and one copy will be returned to the member applicant. Decisions will be forthcoming within 30

days and approvals are in no way transferrable. A complete application submission must include the following:

- A. Completed application
- B. Diagram of modification
- C. Listing of materials
- D. Plat of property

## 2. LIMITATIONS

A. Approved changes must be started within 6 months and completed within 12 months. No deviations from the approved plan will be tolerated. If not acted upon within 12 months, previously approved plans must be resubmitted for committee approval.

B. The owner or tenant shall comply with the declarations of covenants as well as all laws, ordinances and regulations of Prince George's County and the State of Maryland.

## 3. UNAUTHORIZED CHANGES

Alterations begun without prior approval are done so at risk to the member. If one fails to submit an application, or if the application is turned down or modified, the member will bear the cost of removing the alteration and restoring the change to its original state as well as the cost of litigation. The Covenants provide the means for placing these costs as a lien against the members property.

## 4. CERTIFICATION OF COMPLIANCE

Upon completion of the approved plan, the members may request a certificate of compliance from the ARC, a copy of which will be kept on permanent file.

## ENFORCEMENT

In order to ensure that property values are maintained, and as required by the Covenants, your representatives must ensure compliance with the covenants. Accordingly, the following procedures have been established:

1. When a violation is cited, notice of violation is sent.
2. If no communication is received by the ARC and/or the problem is not corrected within thirty (30) calendar days, a second notice is sent.
3. If no communication is received by the ARC and/or the problem is still not corrected, the matter will be referred to the Board of Directors legal counsel for enforcement of the covenants and restrictions.

OWNERS ARE RESPONSIBLE FOR ANY VIOLATIONS BY THEIR TENANTS

#### APPEALS

Any member dissatisfied with a decision of the ARC, may, within 15 working days after the decision is rendered, make an appeal to the Board of Directors. Subsequently, the Board shall, within 60 days, conduct a hearing to address the appeal.

#### ANTENNAS

External or outside antennas of any kind are prohibited.

#### ATTIC VENTILATORS

This includes any attic ventilator that is exterior on the structure. The following provisions should be met:

1. No part of the ventilator shall protrude more than 12" above the roof surface.
2. All exposed parts are to be painted to match the exterior color of the material they penetrate so as to conceal them.
3. Shall be mounted and located on the least visible side of the roof, preferably the back side, and must not extend the ridge line.
4. If it becomes necessary to block air flow through the ventilator, this should be done from the inside of the structure.

#### AWNINGS

Awnings will not be allowed.

#### BASKETBALL BACKBOARDS

Basketball backboards must be completely portable and must be removed when not in use.

#### BOATS AND RV'S

No boats or RV's shall be installed, constructed, maintained or stored upon any member lot. The same is true for the parking areas.

#### CHIMNEYS (RESIDENTIAL) AND SMOKESTACKS

Exterior chimney installations will be in harmony with the applicant's as well as surrounding townhouses. It is recommended that chimneys adhere to the original building concepts and match the existing architecture.

1. In general, chimney which exit through a wall or foundation or which run vertically along a wall must be of brick construction or be boxed in with materials which match the exterior wall finish in material, style and color.
2. In all cases, the height of the exposed metal section or the boxed-in chimney should be limited to the minimum permitted by the Prince George's County Building and Fire Codes, which is "from the point on the stack where no roof top elements is within a ten foot horizontal arc, an additional two feet of stack shall

be installed."

#### CLOTHES POLES AND LINES

Clothes poles and lines, portable or permanent, are not allowed.

#### DECKS, PATIOS AND WALKWAYS

This guideline refers to any new or expanded patios, decks and walkways, or to any material changes in existing patios, decks, and walkways. All new materials should be of simple material of a neutral color, such as undyed concrete, stone or clay brick, or treated wood.

1. Decks and patios may be constructed on wood, masonry, stone or concrete, providing that the color and texture of the material is in harmony with the adjacent structures. Decks may not be stained or painted.
2. Decks and patios must be located to the rear of the dwelling.
3. The decks or patio must end at least two (2) feet from the back property line.
4. The height of the deck or patio is limited to the finish floor line of the townhouse dwelling.

#### DOG HOUSES

Under no circumstances is a dog house to be placed in the front yard area. Dog houses may only be placed in the fenced-in back yard of the member's townhouse.

The dog house must be compatible in color with the dwelling and natural surroundings.

#### FENCES

An application is required for all fences including replacement of the privacy screenings. Fences must be of the same style and architecture as the original privacy screening.

Double gates may be installed as long as they conform in style etc. as the existing privacy screening. If digging is required member should contact Miss Utility.

#### GARDENS (ROCK)

Written approval is not necessary for rock gardens at grade and provided that the rocks are left in their natural color.

#### GARDENS (VEGETABLE)

Written approval is not necessary for vegetable gardens provided the following conditions are fulfilled:

1. Located between the rear line of the house and the rear property line.

2. Its size does not exceed 1/4 of the area described in "1."
3. It is not planted on a grade which will cause damage to property below it through the flow of water onto lower property.

#### GRILLS (BARBEQUE)

Permanent grills are generally discouraged, but will be evaluated on a case by case basis.

#### GUTTERS AND DOWNSPOUTS

Written approval is not required, however, replacement shall be done with material that is the same color as the original equipment and installation will be performed in such a manner so that there is no change in the direction of drainage.

#### LAWN ORNAMENTS AND EMBELLISHMENTS

Lawn ornaments and embellishments over two feet in height require an application and will be evaluated on a case by case basis.

All lawn ornaments and embellishments two feet in height and under must be in keeping with the architectural character of the neighborhood and restricted to flower bed area when placed in front yard area.

#### LEASES

Lessees bear the same responsibilities as the owner.

#### OWNERS ARE RESPONSIBLE FOR THEIR TENANTS ACTIONS.

#### LIGHTING (EXTERIOR)

Replacement of an existing light fixture, if accomplished with a realistic match to the old fixture, does not require approval. Landscape lighting does not require approval.

An application is required, however, for changes in style, shape, color or positioning, or if additional fixtures are to be installed on existing or new structures.

All exterior lighting should be installed so as to not shine on adjacent property or public space, and should be aesthetically planned for each location.

Flood lights and various types of high output lights fall under the category of security lighting. Exterior lighting of this type must be considered more carefully because of the impact on neighboring properties. Light fixtures of this type should be carefully aimed so that they illuminate only a specific areas, such as a doorway. Some high output light fixtures may have to be shielded in a manner similar to some light installations to prevent unwanted or excessive intrusion of light from one property to another.

Temporary lighting for decorations, holiday and festival use, does not require a formal application. Holiday lighting may be

installed for a period not to exceed six weeks. After the period of use, all temporary lighting and decorations shall be removed.

It is recommended that before any digging is initiated, that the applicant call Miss Utility for locations of existing utilities.

#### MAINTENANCE OF PREMISES

Each owner or tenant shall at all times keep his premises, buildings, improvements and appurtenances in a safe, clean, neat and sanitary condition. Appropriate maintenance shall include, but not be limited to, the seeding, watering and mowing of all lawns, the pruning and cutting of all trees and shrubbery, and the painting (or other appropriate external care) of all buildings and other improvements all in a manner and with such frequency as is consistent with good property management. The owner or tenant shall comply with all laws, ordinances and regulations pertaining to health, safety and pollution, and shall provide for storage and removal of trash and rubbish from his premises in the prescribed manner.

#### MAJOR BUILDING ADDITIONS

Major building additions include, but are limited to greenhouse, purchases, and rooms, etc. The design of major additions should be consistent with the existing shape, style and size of the dwelling in the following way.

1. Siding, roofing and trim materials should be the same as or compatible with existing materials of the dwelling in color and texture.
2. New windows and doors should be compatible with those of existing dwelling in style and color. These should also be located on walls at the same approximate height as those of existing dwelling, and be trimmed in a similar manner.
3. Roof eaves and facias should be the same depth, style and approximate slope as those existing on dwelling.

The following conditions shall determine the acceptability of new addition locations.

1. Additions should not significantly impair the view, amount of sunlight, or ventilation of adjacent residences or the public's use or enjoyment of open space. New windows, doors, or viewing areas from addition should not impinge upon existing internal or external private areas of adjacent residences.
2. New additions should not create situation in which adjacent neighbors will have difficulty adding to, modifying or maintaining existing dwellings.
3. Additions should not adversely affect drainage conditions on

adjacent properties through changes in grade or other significant run-off conditions.

#### NOXIOUS BEHAVIOR

No noxious or offensive trade or activity shall be carried out on any lot or within any dwelling.

#### PETS

Only pets not maintained for commercial purposes may be kept by members. Pets must be attended at all times, registered, licensed and inoculated as required by law.

Pets are not permitted on the common areas unless accompanied and controlled by a member. Scoop laws must be followed.

#### PLANTINGS

Applications are not required for foundation plantings, trees, or single plantings; however, a complete application is required for hedges.

#### PRIVACY SCREENING

Replacement of privacy screening must be of the same style as originally installed. Privacy screening cannot be painted, but can be stained with a wood preservative.

#### PRIVATE POOLS/HOT TUBS

Private pools are generally discouraged because there are very few locations in townhouse communities where they can be placed without affecting adjacent properties.

Portable children's wading pool not more than six (6) feet in diameter are permitted without an application. A complete application should be filed for all other pools, and any type of hot tub.

#### REPAINTING

An application is required when house, siding or trim, is to be painted a color different than its existing color. The new paint is considered to be different if the color itself changes (for example, yellow instead of green) or if, while the color remains the same, it is lighter or darker than the original. An application is not required when the new paint is the same of the original in both these respects.

Application must include samples of all color changes, as well as a description of where on the house changes will occur. The colors of adjacent homes must also be included in the application and will be a determining factor.

Similarity of color tones in neighborhoods is a means of assuring the complimentary blending of each house with its landscape background.

#### RESIDING/RESTYLING

The choice of the material to be used in residing is left to the discretion of the member, however, it is strongly recommended that the style, material, color and shape of the existing structure be retained. It is the owner's responsibility to ascertain whether the new material meets the Prince George's County building and fire codes which apply to exterior materials. Moreover those attributes listed above should be consistent or compatible with the style and color of siding material on neighboring townhouses.

The style of existing trim work at soffits, corners, eaves, windows and doors, and on accent panels, shutters, or other stylistic features should be retained in the residing design. This will be considered an important requirement where these elements contribute to the visual continuity of the neighborhood by evoking similarities in style among nearby homes.

The ARC will render a decision based on the following considerations:

1. Size and shape of the residence in relation to existing and proposed materials.
2. The variety of styles and siding materials of the homes immediately surround the residence.
3. Types of materials used as well as colors and shapes, etc.
4. The overall visibility of the residence from nearby public and private properties.

#### SCREENS, STORM WINDOWS AND DOORS

Screens, storm windows and doors do not require approval if a colors and style is chosen that match the house and storm doors are of a straightforward design, without extensive or extreme decorative embellishment.

All other types of door and window alterations require an application. All applications should include descriptions of materials, color, and type to be used.

#### SHEDS, TOOL/STORAGE

1. Sheds should be located as close to the dwelling as possible, preferably attached. However, they may be built in conjunction with the privacy fence. Sheds must be closed in, and

secure.

2. Sheds must be located to the rear of the dwelling and may not extend beyond either side.
3. The maximum storage area cannot exceed 120 square feet. For a shed attached to the dwelling, the height may not exceed seven (7) feet.
4. If a storage shed is attached to the dwelling, then one wall must be in common with the dwelling and it must be constructed of the same materials as the dwelling. The siding, doors, and trim must be the same size, color, and texture as that of the dwelling. Additionally, the roof must have the same color as the existing roof.
5. Detached sheds are permitted provided they are in the rear fenced in area behind the townhouse.

#### SIGNS

Only signs approved by the committee may be erected, posted or displayed.

Exceptions:

1. Professional sign, i.e. medical doctor not to exceed two (2) square feet.
2. Real estate sign not to exceed 6 square feet.

#### SOLAR COLLECTORS

Solar collectors can represent a large visual impact on a structure due to their size. Therefore, it is important to properly integrate the collector into the design of the house so as to properly conceal it. Whenever possible, solar collectors should not be placed on the front side of the roof.

Collectors should be located to give maximum advantage to the user and minimum visibility.

Large collectors on a sloping roof should appear to be flush with the roof and not laying on top. Smaller collectors may be laid on top of a sloping roof and finished to appear like a skylight.

Collectors should be constructed of glass with wood or metal trim. All trim should be painted to match the background color of the roof or house trim to conceal it. Plexiglass is not acceptable as it sags and yields an unsatisfactory appearance. All pipe work should be concealed.

All applications should include a site plan plus elevations of

the house showing the appearance of the collector. Details should show how the collector edges will meet the roof. Any superstructure necessary to elevate collector above existing roof place must be enclosed by approved materials and color.

#### STORAGE

No accumulation or storage of litter, lumber, scrap metals, refuse, bulk materials, waste, etc will be tolerated.

#### STRUCTURES

No temporary structures, trailers, tents, pens, kennels, runs, stables, or other structures may be erected, used or maintained.

#### SWING SETS AND SANDBOXES

The equipment should be located behind the house as inconspicuously as possible. New swings sets and sandboxes do not have to be painted. However, when the equipment needs to be painted, it should be painted solid dark green or brown. application is not required.

#### TRASH

Trash and garbage containers are to be kept out of public view except on trash collection day. It is recommended that all refuse be placed in covered containers and conform to the rules established by the contract trash company.

Burning of trash is prohibited.

#### TREES

No trees may be removed with approval.

#### VEHICLES AND REPAIRS

Junk vehicles, house trailers, campers, boats and the like are not permitted. Repair of vehicles is not permitted except in case of emergency. Cars without current state license plates and/or inoperable for road use (flat tires, etc) shall not be parked in the parking area.

#### WOOD STORAGE/FIREWOOD

Storage of firewood shall be restricted to the area behind your townhouse at a height not to exceed the privacy screening.

CHESTERGROVE

ARCHITECTURAL CONTROL FORM

SUBJECT: Architectural Review Committee  
Chestergrove Homeowners Association  
P.O. Box 47110  
District Hgts., MD 20747

TO: Name \_\_\_\_\_ Unit # \_\_\_\_\_  
Address \_\_\_\_\_ Phone \_\_\_\_\_ (H)  
\_\_\_\_\_ (W)

Approval is requested to make the modification, alteration or addition described and depicted below (or on additional pages, as necessary). Include such information as dimensions, materials, color, design, location, etc., in sufficient detail to allow a decision.

I (We) acknowledge and agree that I (we) will be solely liable for any claims, including without limitation, claims for property damage or personal injury, which result from the requested addition or modification. I (We) hereby indemnify the Homeowners Association from and against any and all such claims. I (We) understand and acknowledge that I (we) am (are) responsible for complying with all applicable codes and ordinances, and for obtaining all necessary permits and inspections for the requested addition or modification and further that I (we) am (are) responsible for all maintenance, repair and upkeep of said addition or modification.

\_\_\_\_\_  
(Signature of Owner) (Signature of Co-Owner) (Date)

DATE RECEIVED: \_\_\_\_\_

ACC COMMITTEE: APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ NEED MORE INFORMATION \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_

BOARD OF DIRECTORS: APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ NEED MORE INFORMATION \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ TITLE \_\_\_\_\_

CHESTERGROVE HOMEOWNERS ASSOCIATION  
REQUEST FOR MODIFICATION OR ADDITION

NOTE: Please submit an original and two (2) copies of this form. One copy reflecting the action taken by the ARC will be returned to you for your records.

Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Unit Number/Lot: \_\_\_\_\_

Telephone: (H) \_\_\_\_\_ (W) \_\_\_\_\_

In accordance with the Declaration of Covenants, Conditions and Restrictions referred to in the Deed covering the property described above, I/we hereby apply for written consent to make the following modification(s) or addition(s).

DESCRIPTION OF MODIFICATION OR ADDITION REQUESTED

The description should include complete information necessary for the ARC to thoroughly understand anticipated modifications or additions such as the height, width, size, shape, color, etc. Please submit photographs, sketches, brochures, or copies of your plat, if appropriate.

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Homeowners Signature \_\_\_\_\_ Date \_\_\_\_\_

Acknowledgement by adjacent property owners is needed. Their signatures indicate an awareness of intent and do not constitute approval or disapproval.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Owner's Acknowledgement: I/We understand that:

1. Material herein contained shall represent alterations which comply with the zoning and building codes of the county to which the above property is subject. Further, nothing herein contained shall be construed as a waiver or modification of such ordinances. I/We are responsible for obtaining the necessary building permits prior to commencement of construction.
2. No work shall commence until written approval of the ARC has been received by me/us. Any construction or exterior alteration before approval of this application is not allowed and that, if alterations are made, I/we may be required to return the property to its former condition at my/our own expense; and that I/we may be required to pay all legal expenses incurred.
3. Approval is contingent upon all work being completed in a workmanlike manner. Members of the ARC may make a routine inspection.
4. This request is subject to restrictions by the Covenants and a review process as established by the Board of Directors. Any variation from the original application must be resubmitted for approval. A copy of this request will be returned to me/us after review by the ARC.

\_\_\_\_\_  
Homeowner Signature

\_\_\_\_\_  
Date

