

**RULES, REGULATIONS  
AND  
ARCHITECTURAL  
GUIDELINES**

**BROAD CREEK LANDING  
HOMEOWNERS ASSOCIATION**

As Adopted  
by the Board of Directors  
on October 11, 2005

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## INTRODUCTION

To ensure that your community will always be an attractive and desirable place in which to live, architectural standards must be maintained. These standards are generally outlined in the Declaration of Covenants, Conditions, Easements and Restrictions ("DCCER"), a copy of which should have been provided to each Homeowner upon the purchase of their property in the Association. The DCCER, Bylaws, Articles of Incorporation, and the Rules, Regulations and Architectural Guidelines are collectively referred to herein as "Governing Documents".

Applying architectural standards benefits all residents and all residents share the responsibility to comply with, support, and contribute to them. These Rules, Regulations and Architectural Guidelines ("Guidelines") are not intended to constrain the pride individual Homeowners have in their property, nor are they meant to unnecessarily restrict creative efforts to enhance the appearance of that property. The purpose of the Guidelines is to protect each Homeowner's investment and ensure that all members of our community can take pride in living in our community.

These Guidelines are a guidance document to be used as a *supplement* to the DCCER, Bylaws, and Articles of Incorporation. The purpose of the Guidelines is twofold. First, it presents the rules and regulations in an easy to understand format. Second, it provides specific guidance concerning processes and restrictions that may only be generally expressed in the DCCER, Bylaws, and Articles of Incorporation.

It is recommended that every homeowner read the Governing Documents for a full understanding of the rules, processes, and restrictions that apply to our community. If an item is not covered in the Governing Documents, the Homeowner must submit an Application prior to commencement of work. As with the other Association documents, this document is intended to be a part of each Homeowner's permanent records.

We look forward to working with residents to keep Broad Creek Landing an attractive community.

Sincerely,

Members of the Board of Directors  
Broad Creek Landing Homeowners Association, Inc.

## ARCHITECTURAL CHANGE REQUEST REVIEW PROCESS

*Application.* Prior to beginning ANY exterior change or construction, including, but not limited to, changes in colors, each Homeowner if so required by the Governing Documents, must submit an Application for the addition, alteration, or improvement to his/her lot in writing to the Board of Directors (the "BOD") or the Covenants Committee (the "CC") using the approved Architectural Change Request form (copy attached as Exhibit A). For the purposes of these Guidelines, the CC will be presumed to be the reviewing body although the Board of Directors may also act as such. The Application must be complete for consideration by the CC. Incomplete Applications will be returned to the Homeowner for the required information. The CC has sixty (60) days to review a complete Application. If an Application is returned to the Homeowner for any reason, the sixty (60) day review period will begin upon the receipt of the revised Application. Oral requests will not be considered and may not be relied upon by any Homeowner.

*Neighbor Notification.* The CC requires the signature of adjoining neighbors and/or those who have a view of the Applicant's property, on the Application. Neighbors and other community members are encouraged to provide their candid opinions concerning any proposed architectural changes in writing to the CC through the HOA's management company. To ensure that any opinion concerning a proposed architectural change is considered by the CC during the Application review, neighbors should provide their opinions as soon as they are notified of the proposed change. Neighbor agreement to a proposed architectural change request does not guarantee acceptance. Additionally, neighbor disagreement of a proposed architectural change request does not preclude the CC from approving the request. The CC views neighbor and other Homeowner's input as one of many factors for consideration in reviewing architectural change requests.

*Voting.* The CC tries to meet monthly to review and vote upon architectural change requests submitted by the Homeowners. A request is approved or denied by majority vote of those present. Decisions of the CC generally are based upon the DCCER and these Guidelines. For unusual circumstances, or for other good cause, exceptions to the Guidelines may be made without creating precedence.

*Homeowner Notification.* The HOA's management company (or other CC designate) will notify the Homeowner in writing as to the decision of their request. This written reply will consist of a copy of the Application bearing approval or disapproval, along with an explanation of any restrictions or contingencies, or an explanation as to why the request was denied.

*Approved Architectural Change Requirements.* If a request is approved, the Homeowner may immediately begin to implement the change. The change must begin within 6 months and be completed within 12 months of the approval date. If the project is not begun or completed as specified, the approval is considered lapsed and the Homeowner must reapply for the change.

Approval of any change is not to be construed as approval of the structural integrity of the alteration or addition, nor does it relieve the Homeowner from acquiring the necessary permits and approvals from County or State agencies.

No alterations or additions may be made which change the drainage patterns or cause runoff onto common areas, adjacent lots, or streets. Homeowners are responsible for any drainage or runoff damage caused by an architectural change.

*Reconsideration/Appeal.* The decisions of the CC are considered final. However, any decision made by the CC may be reconsidered by the CC or appealed to the BOD. The Homeowner may resubmit their request to the CC with **new relevant information** for consideration; or, the Homeowner may appeal the CC's decision to the BOD in writing, via the HOA's management company, within 15 days of the date on the notification letter of the CC's decision. Any appeal to the BOD must provide information to the BOD as to how the Application for an architectural change was not reviewed in accordance with the DCCER and these Guidelines. A hearing will be scheduled only if specifically requested by the Homeowner or Board. Otherwise, the Board will communicate its decision in writing. Neighbors and other community members who have a registered complaint concerning an Application may be notified of the request for reconsideration and/or invited to the appeal hearing. In accordance with the DCCER, two-thirds of the BOD is required to overturn or modify a CC decision (in whole or in part), but a simple majority is needed to affirm.

*Unapproved Changes.* Homeowners will receive written notification of a violation if the Homeowner implemented an architectural change prior to obtaining permission from the CC, or has repeatedly violated the Governing Documents. This letter will state the violation, and, if applicable, provide a date by which the Homeowner must either: (1) bring their property back into compliance (i.e., original condition); or (2) apply for the change. If, after review of the Application, the CC denies the change, the Homeowner must bring the property into compliance in accordance with the Governing Documents, unless the Homeowner: (1) appeals the CC's decision to the BOD, or (2) requests that the CC reconsider its decision on the Application as set forth above. Under this circumstance, a Homeowner can request reconsideration only once per application. Homeowners who have corrected a violation and brought their property into compliance must provide written notification of the correction to the CC.

## **ENFORCEMENT**

It is the sincere hope and expectation of the HOA that members of the community abide willingly to these Guidelines as a demonstration of mutual respect for their neighbors and the community as a whole. However, in the event that a Homeowner does not abide by these Guidelines, the HOA is empowered by the Governing Documents to utilize numerous methods, including, but not limited to, legal action, to enforce these Guidelines. If a Homeowner is found in violation of these Guidelines, the following process will be followed:

1. The Homeowner will be sent a letter from the HOA's management company (or CC designee) describing the violation and requesting that the Homeowner bring their property into compliance within 30 days of the letter.
2. If, after 30 days, the Homeowner has not brought their property into compliance, nor provided a reasonable explanation for the delay in bringing their property into compliance, the HOA's management company must provide the Homeowner (and, if known, other adult person(s) responsible for the violation) with a second letter (sample attached as Exhibit B), sent certified mail, with the following information:
  - a. Identification of the violation
  - b. Enforcement options open to the BOD
  - c. Opportunity for a hearing if requested within five (5) days of the date of the notice. If a hearing has been requested, a hearing date must be scheduled and notice sent to Owner and any other parties.
  - d. Opportunity to acknowledge violation within five (5) days of the date of notice and correct the violation.
3. If the Homeowner's property is not brought into compliance by the specified date, the BOD shall (after a hearing if requested by the Homeowner as set forth above) review the violation and determine the enforcement options. Enforcement options open to the BOD include, but are not limited to:
  - a. Fines and/or liens on property
  - b. Removing or correcting the violation, of which the Homeowner must be responsible for all costs
  - c. Arbitration and legal enforcement
  - d. Suspension of common area privileges

**If the court or arbiter rules in favor of the HOA, the Homeowner is legally obligated to pay the HOA for all legal and any additional enforcement-related costs.**

**The HOA reserves the right to inspect Homeowner property for compliance with the Governing Documents. The HOA has the right, upon resolution of the BOD, to enter upon the Homeowner's property and take steps to remove or abate the violation. Any costs incurred by the HOA for bringing a property into compliance may be assessed against the owner of the property, and a statement of the amount must be rendered to the Homeowner. The assessment is due upon receipt. This assessment becomes a lien on the lot until removed by payment. Alternately or simultaneously, the BOD may turn the matter over to legal counsel for resolution.**

## **ARCHITECTURAL GUIDELINES**

Below are the Guidelines for the community. It is impossible to draft Guidelines which will cover all possible exterior changes. The CC will review, on a case-by-case basis, change requests that are not covered by the Guidelines. Emphasis will be placed on proper scale, materials, and impact on neighboring properties. The CC may exempt a Homeowner from these Guidelines for unusual circumstances without creating precedence for the community at-large. For instance, given their unique location, vis-à-vis to other homes, change requests for corner lots may be reviewed on a slightly different basis than non-corner lots.

Please keep in mind that these Guidelines are a supplement to the DCCER, and are intended to add clarification to the DCCER. If a restriction speaks for itself as written in the DCCER, it might not be reiterated here.

Homeowners are responsible for obtaining all required governmental permits prior to implementing a change.

### **Air Conditioners**

- Window air-conditioning units are strictly prohibited.

### **Aerials, Antennae and Satellite Dishes**

- An approved Application is required for the installation of all television aerial (but not radio antenna) and other devices intended to receive telecommunications signals such as direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS) (collectively referred to as "Antennae").
- Every effort should be made to locate the Antenna so that it is not seen from the street, and, if on the ground, installed as close to the home as possible without interrupting transmission. Landscape screening may be required.
- Antennae must be of a standard manufacturer color, such as gray, brown, and off white.
- Antennae situated entirely within a dwelling unit, and not visible from the exterior, are permitted.

### **Awnings, Sun Trellises, Superstructures**

- An approved Application is required for awnings. Only retractable awnings will be considered. A complete description and picture of the item must be submitted.
- An approved Application is required for sun trellises and/or wooden superstructures. A complete description and picture of the item must be submitted.
- Awnings must be natural or dark green in color.
- Only rear yard installations will be considered for awnings, sun trellises and wooden superstructures.

### **Boats/Trailers/Trucks/RVs/Vehicle Repairs**

- Boats, buses, trailers, commercial vehicles (including vans used for commercial use and vehicles displaying commercial signage), trucks (as defined by the Maryland Department of Motor Vehicles and/or by common usage, except for light pick-up trucks of half (1/2) ton capacity or less used for non-commercial purposes), junk vehicles, unlicensed, unregistered

or inoperable motor vehicles (which include, without limitation, any vehicle which would not pass applicable state inspection criteria), campers, RV's, machinery or equipment of any kind of character (except for such equipment and machinery as may be reasonable, customary or usual in connection with the use and maintenance of any dwelling), or any similar items must not be stored on the common areas, parking lots, driveways, or any portion of any lot for any time, other than in garages.

- Guests using campers or RV's may park such vehicle in a Homeowner's driveway for not more than two weeks within a 12-month period.
- Major vehicle renovation or repair on any property within the community is prohibited.

### Clotheslines

- Clotheslines or any other exterior clothes drying apparatus are strictly prohibited.

### Compost Bins

- An approved Application is required for a compost bin.
- Compost bins must be located in the rear yard and if visible from adjoining properties, screened by a fenced in yard or landscaping.
- Compost bins must be self-contained, sturdily constructed of durable wood, plastic, or metal, and finished in a dark, muted color or left to weather naturally (if wood).
- Compost bins must be regularly maintained so that they do not create a visual or environmental nuisance.
- Compost bins must not exceed 4' in height and 4' x 4' in dimension.

### Decks

- An approved Application is required for decks.
- Decks and deck stairs must be in the rear of the house and must not protrude past the sides of the home (i.e., the imaginary planes, which run parallel to the sides of the home and extend to the lot border). A waiver of this requirement may be granted if extenuating circumstances are deemed by the CC to exist, such as a berm area, swale, woodlands, steep topography, etc.
- A ground level deck that is less than twelve inches (12") in elevation does not require handrails. All other decks require handrails. Only vertical pickets will be approved for handrails. A maximum of four (4) sunbursts or starbursts will be allowed.
- Materials allowed are pressure treated wood, vinyl, and Trex or similar synthetic material. If Trex or a similar synthetic material is used, a sample of the color must be provided.
- Deck pickets must be constructed of wood, synthetic materials, aluminum or vinyl. A sample picture must be included with the Application.
- Decks, if stained, must be stained and/or sealed in colors that are compatible with the existing trim of the dwelling unit. Deck flooring may be a different color from the railings/pickets. A sample of the stain color must be included with the Application.
- Any lattice, sun shields, privacy screening, benches, and other decorative items must be outlined in the Application and will be reviewed on a case by case basis.

### Dog Houses

- An approved Application is required for a dog house.
- The dog house must be located in the rear yard and the entire rear yard must be enclosed with a board on board fence.



- The dog house must be in a location to least impact neighbors and surrounding community.
- Only one dog house will be approved per Lot.

### Driveways and Driveway Aprons

- An approved Application is required for driveway extension, widening or rerouting.
- Driveways and driveway aprons must not be changed from original material used by Builder.

### Flagpoles

- Permanent, freestanding flagpoles are prohibited.
- Temporary flagpole staffs, which do not exceed six feet (6') in length and are attached at an incline to the front wall or pillar of the house, need not have an approved Application.

### Fences

- An approved Application is required for a fence.
- Fencing on shared property lines must not be "doubled" to create a fence to fence situation. If an existing fence is bordering a proposed fence installation, the new fence should simply meet the existing fence, and not construct an additional fence on the same property line.
- Fences installed by an Owner must be flat top board on board, with or without lattice top. No other styles will be considered. See Exhibit C for an example of the approved fence type.
- Fences must be six (6) feet in height.
- Fences may be wood or vinyl.
- Fences may be stained white or a natural color stain only.
- Homeowner has the sole responsibility for compliance with all County or other governing authority code or regulations.
- Fencing must be constructed on the property lines, and enclose the entire rear yard. A waiver of this requirement may be granted if the CC believes that extenuating circumstances exist such as a prohibitive easement, berm area, swale, woodlands, etc.
- No fencing installed by Owner will be permitted in the front yard of any Lot.
- All side yard fencing must terminate within five feet (5') of the rear wall of the home. However, where certain conditions warrant (including, but not limited to side exits, stairwells, areaways and grading conditions), fencing may extend up to two thirds (2/3) the distance from the rear plane of the house, forward.
- The location of fences on pipestem Lots and Lots that adjoin pipestem driveways, Lots adjoining extended driveways, and corner Lots require special consideration regarding fence location. Each request will be reviewed on a case-by-case basis.
- Fencing must not interfere with the flow of drainage in swales or within surface drainage easements. A Homeowner who installs a fence within an easement area does so at their own risk and the HOA assumes no liability.
- Invisible pet fences must be installed in the rear yard, inside the property lines, and must not encroach on common property.

### Firewood

- Firewood can be stored outside if stacked neatly on a platform directly behind the house. Firewood cannot be stacked in the front of the house, side of the house, or on Common Areas.

### **Garages**

- Detached garages constructed by Owners are prohibited.
- Garages must not be converted to a home office or residential living space.
- Garage doors must remain closed when the garage is not in use.

### **Grills and Fireplaces**

- An approved Application is required for all permanent grills or fireplaces.
- Permanent grills or fireplaces should not be visible from the street.
- Temporary (moveable) grills must be stored behind the house or in the dwelling when not in use.

### **Hot Tubs/Spas**

- An approved Application is required for an outside hot tub or spa. The Application must include the following information:
  1. A site plan showing the location of the hot tub or spa and its relationship to existing structures, drainage, and property lines. Adequate drainage must be carefully evaluated for site selection approval.
  2. Dimensions, type and color of proposed materials.
  3. Proposed screening and landscaping plan.
- Hot tubs and spas must be located only in the rear yard behind the house and within 20 feet of the dwelling.
- Hot tubs and spas must be of a material that will blend with surrounding structures.
- A childproof cover is required.

### **Irrigation Systems**

- An approved Application is not required for an irrigation system.
- Irrigation systems must not be installed in any easement areas.

### **Landscaping and Lawns**

- An approved Application is required for hardscaping, brickwork, stone work, structures, etc.
- An Application is not required for planting shrubs, trees, lawn, flowers (including freestanding flowerpots). The exception to this is the planting of hedges or rows of plants used as a blockade or screen, which requires an approved Application.
- No tree, hedge, or landscape feature can be placed in a location where it will obstruct sight-lines for traffic on community streets, neither at the time of planting nor as the plants grow.
- No planting or structure may interfere with any easement for the installation or maintenance of utilities, or which may unreasonably change, obstruct, or retard the direction or flow of any drainage channel.
- No wire or other lawn edging shall be placed or maintained on any Lot which would impede the HOA's ability to perform its obligations as set forth in the DCCER, or which would be inharmonious with the aesthetics of the community. For the purposes of the immediately preceding sentence, wire lawn edging must be deemed inharmonious.

### **Lawn Furniture**

- All lawn furniture not maintained on a deck or patio must be maintained only within the rear yard, screened from public view.
- Lawn furniture is not allowed to remain overnight within any front or side yard of any lot or in the common areas.
- Concrete, metal, or wrought iron benches not on a patio or deck are considered lawn ornaments, and must meet the Guidelines listed under "Lawn Ornaments".

### **Lawn Ornaments**

- An approved Application is required for any lawn ornament, statuary, or bench. The Application must include a complete description of size, location on lot, materials, color and design. A drawing or picture should be included.
- Plastic ornaments are not allowed.
- Front and side yard ornaments are:
  1. Restricted to a total of two ornaments per lot
  2. Of a color that is consistent with the house trim or of a neutral/natural color
  3. No larger than one foot in height
  4. Placed in flower or shrub beds directly next to the house
- Holiday ornaments are allowed during holiday seasons. They may be installed one month prior to the holiday and must be removed one month after the holiday. Holiday lighting must follow the Guidelines stated under "Lighting".
- Ornaments placed in the rear of the house are:
  1. Restricted to a total of 6 ornaments per lot
  2. Must not exceed two feet in height
  3. Of a color that is consistent with the house, or of a neutral/natural color
- Single family birdhouses and small feeders (bird and squirrel) in the rear yard do not require an approved Application. However, large birdhouses, birdhotels, and large decorative feeders require an approved Application.

### **Lighting**

- An approved Application is required if a change in style, shape and color or positioning is desired or if additional light fixtures are to be installed.
- An approved Application is required for permanent exterior lighting and wiring, including walkway lighting.
- All fixtures are to be of similar color and style.
- Lamppost (including globe) must have a single fixture and be no larger than 7 feet in height.
- An approved Application is not required if replacing an existing light fixture with one similar in size, shape, and color to the old fixture.
- All exterior lighting must be installed so as not to shine on adjacent property or public space and the CC may require relocation or other mitigation if such lighting is deemed to be a nuisance by the CC.
- Permanent walkway lighting must be an inconspicuous size and design. It should not be easily noticed from the curb during daylight. Only low-level lighting will be considered. This restriction does not apply to approved security or floodlights.

- Temporary decorative holiday and festive lighting does not require approval. However lighting may be installed no earlier than one month prior to use and must be removed within one month after the holiday or function.
- Permanent party lights, fluorescent lights used outdoors, and large bug lights are prohibited.

### **Mailboxes**

- If individual mailboxes are installed by the Builder, then replacement mailboxes must be substantially similar in design, dimension and material to the mailboxes installed by the Builder.

### **Painting and Staining**

- The color of the exterior of all structures or dwellings, including, without limitation, garage doors, all siding, gutters, downspouts, brick and trim, must not be changed or altered.
- Repainting or staining doors, shutters, decks, or fences a color different from the existing color requires an approved Application.
- Applications for painting or staining must include a sample of the color.

### **Patios**

- An approved Application is required for construction of a patio.
- Patios must be no higher than 6" above the ground.
- Materials allowed are reinforced concrete, flagstone or brick. If brick or flagstone is used, a sturdy barrier must surround the perimeter of the patio unless the brick is at ground level.
- The patio must not be located forward of the rear foundation wall and must not extend past the side of the house.
- Patios must not affect the drainage on any property.
- Wood patio structures are considered decks and must follow Guidelines for deck construction as set forth herein.

### **Play Equipment, Basketball Backboards, Trampolines**

- Play equipment such as bikes, wagons, skateboards, etc. are not allowed to remain overnight within any driveway, front yard, or side yard.
- Only portable trampolines will be allowed and require an approved Application. Trampolines are restricted to the rear yard. Portable trampolines must be properly secured, maintained as necessary, and removed from sight when not in use.
- One temporary or one permanent basketball backboard may be erected on a Lot, and will only be permitted on the driveway. Permanent basketball backboards require an approved Application. Portable backboards must be properly secured, repaired as necessary, and must not be placed on the sidewalks or streets and does not require an approved Application.

### **Play Structures**

- An approved Application is required for play structures such as play sets, swing sets, play houses, and jungle gyms.
- The play structure must be constructed of natural wood.
- Play structures must not exceed 14 feet in height and 20 feet in width.

- Play structures are restricted to the rear yard and to the extent possible, must be placed on the inside of the imaginary parallel lines from the side planes of the house.
- Play structures must not be installed within an easement area.
- All swings, slides and awnings must be a dark or neutral color. No flags on the top of the play set will be allowed.
- Landscape screening may be required after installation if deemed necessary.

### **Security Doors and Windows**

- An approved Application is required for security doors and windows.
- Security doors will only be allowed on rear doors not visible from the street.
- Security windows will only be allowed on the interior and screened by curtains or blinds so that they are not visible from the outside of the house.

### **Screened Porch**

- An approved Application is required for screened porches.
- Screened porches and steps must be confined to the rear yard (i.e., the space behind the home between the two planes created by the sides of the house) and must not protrude from the side of the home.
- Wooden portions of screened porches must be stained or sealed, unless such staining or sealing is specifically prohibited by the manufacturer. If other than a clear stain or seal is used, a sample of the color should be included with the Application.
- Roof shingles must match those on the house.
- Siding must match the house.
- Any lattice, sun shields, privacy screens, benches, and other decorative items must be outlined in the Application and will be reviewed on a case by case basis.
- Screening must be of a non-rusting type.

### **Sheds**

- An approved Application is required for sheds.
- Sheds must be located in the rear yard and to the extent possible be placed inside of the imaginary line extending from the side plane of the house. Sheds must be situated to least impact neighbors and surrounding community.
- Only one (1) shed per Lot will be approved.
- Sheds must be one story, not to exceed 15 feet in height with the roof line. Freestanding sheds must not exceed 100 square foot surface.
- Siding must be vinyl, wood, or T1-11 type wood. Aluminum siding, metal, wood shingles, plywood or other flush wood finish **are not permitted**.
- Color of the siding, trim, roof, door and windows must match the existing house as closely as possible.
- Additional landscaping to conceal sheds from the public or neighbors' view may be required after installation if deemed necessary.

### **Skylights**

- An approved Application is required for skylights unless installed by the Builder at the time of house construction.

- A picture of the proposed skylight, dimensions, color and a plan showing where it is to be installed must be submitted with the Application.

### **Storm Doors**

- An approved Application is required for storm doors.
- Storm doors must be rustproof metal or wood with clear glass panels (or fiberglass screening in the summer). They must be attached flush to the original doorjamb. Raw aluminum storm doors will not be considered.
- Any modifications to the original doorjamb necessary for installation of a storm door must be specified on the change Application.
- Storm doors must either be white in color or must be painted to match the entry door or the trim around the entry door.
  1. Storm doors on the front of the house must be full view clear glass.
  2. Storm doors on the rear or side of the house must be of traditional design, must be either full view or three quarters view clear glass.

### **Storage Containers/Boxes**

- A wood, vinyl or other synthetic material storage container or box will be allowed if not higher than 4' and not longer than 6' and is placed on or under a deck, on a patio or completely screened from view.
- If the storage container or box meets these guidelines, an approved Application is not required.
- Only one container will be allowed per lot.

### **Storm Windows**

- An approved Application is required for storm windows.
- Storm windows must either be white in color or must be painted the same color as the window trim.

### **Swimming Pools**

- An approved Application is required for in-ground swimming pools. The Application must include the following information:
  - 1) A site plan showing the location of the swimming pool, its relationship to existing structures, drainage, and property lines. Adequate drainage must be carefully evaluated for site selection approval.
  - 2) Dimensions, type and color of proposed materials.
  - 3) Proposed screening and landscaping plan.
  - 4) Proposed fencing.
- Above-ground swimming pools are prohibited.
- Children's wading pools in rear yards are allowed and do not require an approved Application.

### **Tennis Courts**

- Tennis courts are prohibited on individual lots.

### **Vegetable Gardens**

- An approved application is required for vegetable gardens.
- Vegetable gardens must be placed in the rear yard and to the extent possible be placed inside of the imaginary line extending from the side plane of the house and be inconspicuous from the street.
- Vegetable gardens must be maintained in a neat and attractive manner at all times and immediately cleaned up when the growing season ends.
- Black vinyl coated wire fence, no more than 6' in height, may be used but must be removed when the growing season ends.

### **Water Features**

- An approved Application is required for all decorative water features (example: lily ponds, water gardens, fountains, etc.).
- Water features must be installed in the rear yard.

### **Window Flower Boxes**

- An approved Application is required for window flower boxes.

**BROAD CREEK LANDING SUBDIVISION**

**EXHIBIT A – ARCHITECTURAL CHANGE APPLICATION**

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## BROAD CREEK LANDING SUBDIVISION ARCHITECTURAL CHANGE APPLICATION

TYPE or PRINT - Please READ INSTRUCTIONS and COMPLETE ALL SPACES. USE A SEPARATE APPLICATION FOR EACH REQUEST.

- County laws require you to obtain a Building Permit on most structural changes to your home and some on your lot. This may include fences, decks, patios, sheds, etc. You are responsible for contacting the County to determine if a permit is required. Approval or denial of a request is based on the Homeowners Association criteria. Property owner has sole responsibility for compliance with County codes and regulations.
- Owner must contact "Miss Utility" at 800-257-7777 prior to digging.
- ATTACH a detailed, scale drawing plat map or blueprint of the lot, with proposed alterations indicated IN RED (A copy of your location drawing received at settlement is ideal.). Include all lot and alteration dimensions, color changes, materials and design information.
- Any variation from the original Application must be resubmitted for approval.
- ATTACH structural drawings, including elevation measurements, the color and material list and photo if available, of proposed alteration.
- INCOMPLETE APPLICATIONS, OR APPLICATIONS SUBMITTED WITHOUT PLANS, ETC., WILL BE RETURNED.
- Use the reverse side of Application if more space is needed.
- SUBMISSION OF APPLICATION DOES NOT GIVE AUTHORIZATION TO BEGIN WORK. WRITTEN APPROVAL MUST BE OBTAINED PRIOR TO COMMENCING ALTERATIONS.

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_  
 Work Telephone: (\_\_\_\_) \_\_\_\_\_  
 Home Telephone: (\_\_\_\_) \_\_\_\_\_  
 E-Mail Address \_\_\_\_\_

Lot #: \_\_\_\_\_ Block: \_\_\_\_\_

Date Work to Begin: \_\_\_\_\_  
 Date Work to be Completed: \_\_\_\_\_

- A. Proposed Alteration: \_\_\_\_\_  
 B. Types of materials: \_\_\_\_\_  
 C. Dimensions: \_\_\_\_\_  
 D. Colors: \_\_\_\_\_ House \_\_\_\_\_ Trim \_\_\_\_\_ Door \_\_\_\_\_ Other \_\_\_\_\_ Stair \_\_\_\_\_  
 E. Additional Details: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature and comments from all adjoining neighbors and/or those who have a view of the Applicant's property. Their signatures indicate an awareness of your intent and do not constitute or indicate approval or disapproval. Signers are encouraged to write to the Association if they have additional comments.

Address/Lot #	Signature	Comment, if any

--- FOR CC USE ONLY ---

Date Received: \_\_\_\_\_ Date Action Taken: \_\_\_\_\_ Reviewed by: \_\_\_\_\_

APPROVED: _____ With these EXCEPTIONS: _____ _____ _____	NOT APPROVED: _____ For these REASONS: _____ _____ _____	INCOMPLETE/PENDING APPLICATION: _____ _____ Incomplete _____ Returned to Owner _____ Provide the following: _____ _____
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**BROAD CREEK LANDING SUBDIVISION**

**EXHIBIT B – SAMPLE VIOLATION LETTER**

CERTIFIED MAIL – RETURN RECEIPT REQUESTED  
AND FIRST CLASS MAIL

Record Owner or Tenant/Invitee \_\_\_\_\_

Re: Broad Creek Landing Homeowners Association, Inc.  
Second Notice of Covenant Violation

Dear Record Owner or Tenant/Invitee:

This letter must serve as notice that you remain in violation of the Association's covenants, specifically Article \_\_\_\_ of the Association's (Declaration, Bylaws or Rules, Regulations and Architectural Guidelines), due to \_\_\_\_\_ (describe violation). As initial violation notice was previously sent to you.

If you fail to correct the above violation within \_\_\_\_ days of the date of this letter, the Board of Directors is authorized to impose a fine against you for your violation of Article \_\_\_\_ of the Associations (Declaration, Bylaws or Rules, Regulations and Architectural Guidelines). Please be advised that each recurrence of the above violation or each day during which it continues must be deemed a separate offense, subject to a separate fine not to exceed a reasonable amount as established by the Board of Directors for each offense. Please note that the Board is also authorized to suspend your membership privileges due to the above violation.

You have the right to request a hearing before the Board of Directors if you wish to dispute or explain the above violation. Such request must be made in writing and must be received by the Board within 5 days of the date of this notice. If you request a hearing, the Board will schedule a hearing for you and notify you of the date and time.

In lieu of requesting a hearing, you may respond to this notice within 5 days of the date of this notice, acknowledging in writing that the violation occurred as alleged and promising that you will immediately correct the violation and will not allow the violation to recur. Such acknowledgement and promise, as well as correction of the violation, must terminate the enforcement activity of the Association with regard to this particular violation.

Thank you for your cooperation with this matter. If you have any questions, you may contact the undersigned at \_\_\_\_\_.

Sincerely,  
BROAD CREEK LANDING HOMEOWNERS  
ASSOCIATION, INC.

By: \_\_\_\_\_

cc: Record Owner (if not already listed above)

**BROAD CREEK LANDING SUBDIVISION**

**EXHIBIT C – SAMPLE PICTURES OF APPROVED FENCE TYPES**

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BOARD ON BOARD

