

GUIDELINES FOR THE BUILDING OF ADDITIONS TO PROPERTIES LOCATED IN ROSE HILL, ROCKVILLE, MARYLAND

WHEREAS every property located in the subdivision Rose Hill is subject to, among other documents, the Declaration of Covenants, Conditions and Restrictions governing the Rose Hill Homeowners' Association ("Declaration");

WHEREAS section 4.2.1 of the Declaration requires any plans for the alteration of a property located in Rose Hill to be consistent with the "safety, harmony of external design, type and grade of material, color and location in relation to surrounding structures and topography and conform with the design and concept for the community;"

WHEREAS section 4.2.3 of the Declaration mandates that the Board of Directors of the Rose Hill Home Owners' Association ("Board of Directors") approve any alteration made to any property located in Rose Hill;

WHEREAS section 4.2.3 of the Declaration also requires that the Board of Directors require any alteration to a property located in Rose Hill be completed utilizing "best engineering practices;"

WHEREAS section 4.2.5 authorizes the Board of Directors to publish guidelines to be followed in preparing petitions to "alter" a property located in Rose Hill;

WHEREAS the Board of the Directors notified the Homeowners of Rose Hill that it would hold a town hall meeting on April 27, 2006 ("April 27 Meeting"), to discuss publicly whether the members of the Home Owners' Association desired guidelines to be promulgated concerning the building of additions to homes located in Rose Hill. The April 27 Meeting took place as scheduled, and the Rose Hill Community debated the topic for more than two and a half hours;

WHEREAS, having had the opportunity to appear and speak at the April 27 Meeting, or alternatively, to send written comments to the Board of Directors before or after the April 27 Meeting;

WHEREAS the Board of Directors has debated the issue in due course and has taken into account the stated desires of the homeowners located in Rose Hill; and,

WHEREAS the Board of Directors is not aware of any restriction in the Declaration, the Bylaws or the Articles of Incorporation that restrict a homeowner in Rose Hill from building an addition to a home located in Rose Hill, subject to approval by the Board of Directors or its designee;

Therefore, the Board of Directors issues the following **Guidelines** concerning the construction of additions to homes in Rose Hill:

1. The term "addition" as used in these Guidelines shall mean any structure that requires footings and includes siding, approved type windows, roof, and heating or air conditioning. The term "addition" excludes screened porches and decks.

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

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

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

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

2. The Applicant must obtain from the Board-approved engineer a certification that the proposed addition will not have any impact on the storm drainage of adjacent homes or HOA common areas.

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