

## Rose Hill Architectural Control Committee

### **Standards and Guidelines**

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

High standards require that guidelines and restrictions on external alterations and additions be adopted and observed. The Architectural Control Committee (ACC) established these guidelines and restrictions based on the Declaration of Covenants, Conditions and Restrictions, the By-Laws and the published guidelines of similar homeowners associations. These guidelines may be updated from time to time in order to clarify their intent and to address additional types of change. These rules and guidelines are intended to protect homeowners' investments and to ensure that all homeowners can take pride in their community and be comfortable living in it.

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

Compliance with these standards requires from each homeowner that degree of regard for neighbors that is expected in return. The benefits include escalating property values and maintenance of an attractively designed and appealing community that is pleasant and enjoyable. The Committee has endeavored to make the standards and guidelines easy to meet and to make the review process simple and prompt.

The goal of the ACC is to strike a balance between protecting homeowners' investments and maintaining the character of the community while giving homeowners the freedom to make exterior changes, improvements or additions without waiting for explicit ACC approval. Exterior alterations or additions, except where specifically listed in these guidelines, must have the explicit approval of the ACC before any work is started.

When not certain about whether an alteration meets the guidelines, submit an application for change to the ACC. If your project requires significant effort or cost, you should probably get explicit approval for your modifications. It is the intention of the ACC to make this an easy and painless process for all parties involved.

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## PROCESS FOR ACC SUBMISSION AND NOTIFICATION

1. ACC application is submitted to the Management Company
2. Management Company staff makes file copies of application before mailing application to ACC reviewer
3. Reviewer calls all homeowners after receipt of application. Application will be checked for completeness. The following items will be checked:
  - complete application with neighbor acknowledgement signatures if required (for fences or shrubbery at property line)
  - copy of the property plat depicting where work will be done
  - description of materials to be used. Builder or landscape drawings are preferred
4. Reviewer works with homeowner to complete any application that is not ready for review
5. Reviewer emails a list of applications to ACC chair for inclusion at the meeting to be held the last Tuesday of the month
6. Applications are reviewed at ACC monthly meeting and decision is made on the application
7. Applications along with decisions are sent to the management company
8. Management Company sends out letter to the homeowner specifying the outcome of their application request

**Note: All applications must be received by Management Company by the Tuesday prior to the ACC meeting to be included in the monthly review. Any application given directly to a member of the ACC will be reviewed where possible.**

## Rose Hill Architectural Control Committee

### **General Guidelines**

The existence, composition, basic duties and powers of the Architectural Control Committee are established in the Declaration of Covenants, Conditions and Restrictions, and in the By-Laws established under that Declaration.

### **ARCHITECTURAL GUIDELINES**

#### **General**

1. Any exterior alteration or addition, except where specifically listed in these guidelines, must have the explicit approval of the ACC before any work is begun. ACC approval is not required for the replacement of an original, or a previously approved item, with one of the same color, design, dimension and material.
2. Any exterior addition or alteration to an existing building or to the surrounding homeowner grounds shall be compatible with the design character of the original building and surrounding grounds. The ACC shall be responsible for interpreting whether alteration or addition design characteristics abide by the design character of the community.
3. Some alterations or additions may be made without explicit approval from the ACC if they follow the guidelines stipulated hereinafter under "Automatic Approval".
4. Any other alterations or additions require written submission, and subsequent ACC approval, before any changes are made to the property. These are specified hereinafter as "Approval Required".
5. Some alterations, additions and changes are specifically prohibited as provided in the Declarations and summarized here as "Prohibited Conditions".
6. The ACC is empowered to regulate changes and improvements to homeowners' property only. Any desired changes to common grounds must be requested from the Board of Directors.
7. Because landscaping and other changes may adversely affect the drainage pattern around your home, care must be taken to maintain the same basic drainage pattern as initially established. Approval is required for any landscaping, or other change, which will affect the drainage pattern to neighboring homes or to common areas.
8. Maintenance, upkeep and repair of any portion of the lot or structures with the same materials (including doors, windows, siding) and/or same color materials do not need the approval of the ACC. In addition, and temporary emergency repairs such as

doors, windows, roofs, etc do not need ACC approval, i.e. broken locks and windows, water penetration, etc. Permanent repairs must be made within a reasonable time as determined by the ACC and conform to these guidelines.

9. Nothing shall be kept or stored on the exterior of the structure or the lot that would create an unsightly condition. This includes, but is not limited to, trash or rubbish, machinery and equipment, building materials, etc.

10. Homeowners should make application sixty days before they would like work to start. It is better to make early submission of a request than it is to wait until a quote is received from contractors, as these are often valid only for a limited period. All work must be started within 6 months of ACC approval. All work must be completed within a reasonable time not to exceed 12 months from beginning of project.

11. For the purposes of calculating required setbacks from property lines, the privacy-fence section of a side boundary will not be regarded by the ACC as a "lot line" (or "boundary line"). The rear boundary is always a "lot line", whether fenced or not. No structure should be built within nine feet of the lot line.

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

## **DEFINITIONS**

### **No Approval Required**

Alterations that do not require ACC submission.

### **Automatic Approval**

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

### **Approval Required**

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

### **Prohibited Conditions**

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

## **1. ANIMALS**

### **General**

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

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

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

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

### **No Approval Required**

Domestic pets (dogs, cats, caged birds, etc) are permitted provided they are not kept, bred or maintained for commercial purposes and are not a source of nuisance to the neighborhood.

### **Prohibited Conditions**

Breeding of animals on homeowner property.

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

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

## **2. ANTENNAS AND SATELLITE DISHES**

### **Automatic Approval**

DBS antennas ("dishes") designed to receive direct broadcast satellite service, including direct-to-home satellite services, which are one meter or less in diameter, provided:

All efforts must be made to locate the antenna at the rear of the house and to limit the visual impact on the adjoining properties as much as possible.

#### Approval Required

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

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

#### Prohibited Conditions

DBS antennas larger than one meter.

### 3. BARBECUE EQUIPMENT

#### General

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

#### Approval required

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

### 4. CLOTHES LINES

#### Prohibited Conditions

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

### 5. DECKS, PATIOS, GAZEBOS AND PORCHES

#### General

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

#### No Approval Required

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

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

#### Approval required

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

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

Railings must match those on neighboring decks in style and be painted white or the same color as the trim of the house unless a clear protectant or natural wood stain is used. Note that City code requires that deck railings be vertical.

Enlargement of a deck requires ACC approval.

#### Patios

#### General

Must adhere to all City codes and permit requirements.

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

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

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

### **Prohibited Condition**

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

### **Gazebos and Porches**

#### **General**

Approval is required for the installation of any type of porch or gazebo. Front porches which meet the design guidelines are encouraged.

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

Any roofs installed on porches must match those on the house.

#### **Prohibited Condition**

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

## **6. DOORS, AND WINDOWS**

#### **No Approval Required**

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

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

#### **Automatic Approval**

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

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

#### **Approval Required**

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

#### **Prohibited Conditions**

Unpainted wooden or metal storm/screen doors.

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

## **7. DRIVEWAYS**

### **No Approval Required**

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

Sealing of driveway with material appropriate for driveway type.

### **Approval Required**

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

Addition to or enlargement and/or rerouting of existing driveway.

### **Prohibited Conditions**

Enlargements to existing driveways must be made of a material consistent with what is already in place. The preferred material is fine grade asphalt.

## **8. FENCES**

### **General**

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

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

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

Fencing must be no more than six feet high. Front yard fencing is to be 36 inches in height maximum and of a picket style in either metal or wood.

If the fence has a gate, it must be of similar style and construction to the fence.

Note that all fences require City of Rockville approval.

### **Approval Required**

All fences, gates or walls require ACC approval.

### **Prohibited Conditions**

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

Partial fencing, i.e. fencing of one side of the property, whether on the sides or back.

## **9. FLAGPOLES**

### **General**

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

### **Prohibited Conditions**

Flagpoles are not permitted.

## **10. FIREPLACES AND CHIMNEYS**

### **Automatic Approval**

Chimney caps of stainless steel or painted black.

### **Approval Required**

All other additions of changes to chimneys or fireplace vents.

## **11. GUTTERS AND DOWNSPOUTS**

### **No Approval required**

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

Replacement of buried tubing.

Temporary use of drainage tubing in emergencies.

### **Approval Required**

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

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

## **12. HAZARDOUS MATERIALS**

### **Prohibited Conditions**

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

## **13. HEATING, COOLING AND MACHINERY**

### **No Approval Required**

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

### **Approval Required**

Attic and other exhaust fans (other than like-kind replacement of original units).

Exterior heat pumps or air conditioning units may be added or relocated if there is no adverse impact on neighboring properties. ACC will consult with neighbors before any such request is approved.

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

### **Prohibited Conditions**

Individual room air conditioning units extending from windows.

Permanently installed window fans.

## **14. HOUSE NUMBERS AND FIXTURES**

### **No Approval Required**

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

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

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

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

## 15. LANDSCAPING AND GARDENS

### General

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

Dead trees, shrubs and other plants must be removed within a reasonable period of time (as determined by ACC).

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

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

### Automatic Approval

Plants, flowers and shrubs (mature height less than eight feet) within the homeowner's property only. Trees (mature height greater than eight feet) and hedges etc require ACC approval.

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

Vegetable gardens in the rear yard.

### Approval Required

Redesign of front landscaping and bedding.

Vegetable gardens in any area clearly visible from the street.

Hedges and similar planted fencing.

Addition of trees or plants with a mature height in excess of eight feet.

Removal of trees with a diameter of six inches or more (measured two feet above ground level). Note: City of Rockville permit may also be required.

Plans for landscaping ponds must be submitted for review by ACC. The ACC will consider, among other factors; the pond's location, depth and size. The ACC will typically require installation and use of a pump to reduce insect problems.

#### Prohibited Conditions

The following are not permitted:

- weeping willow
- gingko balboa (female)
- silver maple
- tulip poplar
- American beech
- elm
- bamboo

## 16. LIGHTING

### General

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

Light intensity must not be so high (as determined by ACC) as to be a nuisance to neighbors.

ACC will give considerable weight to neighbors' concerns over lighting. Homeowners should be prepared to make adjustments to lighting (re-aiming, small baffles, change sensitivity settings etc) to accommodate neighboring homeowners.

### Automatic Approval

Replacement of existing exterior fixtures with motion-activated fixtures if

- (a) aiming and sensitivity of sensor is set to prevent light activation due to motion outside homeowner's property
- (b) sensitivity of sensor must not be such that weather-related conditions regularly trigger light activation.

### Approval Required

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

## **17. MAILBOXES**

### No Approval Required

Replacement of mailbox and/or post with those of similar design, size, color and material.

### Approval Required

Any mailbox or post not of the same design, size, color or material as its predecessor.

## **18. PAINTING**

### No Approval Required

Exterior painting using colors which match original colors. If colors have faded, repainting may match the existing color or the original color of the item.

### Approval Required

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

## **19. PATHWAYS, WALKWAYS AND STOOPS**

### General

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

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

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

### No Approval Required

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

### Approval Required

Installation of additional paths, walkways or stoops.

Replacement of path, walkway or stoop with materials other than those of the same style and color.

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

## 20. RECREATION EQUIPMENT

### General

Recreational equipment should be kept in good repair, no rust should be visible, and it cannot be installed within nine feet (9') of any lot line.

### No Approval Required

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

Portable or permanent basketball hoops will only be allowed in the rear of the property within the property line, on a freestanding pole within 25 feet of house. Basketball hoop, net and supporting pole must be maintained in good condition. Net cannot be torn and no rust should be visible. Backboard must be clear, white, black or gray (no neon or bright colors).

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

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

### Approval Required

Portable or permanent basketball hoops other than those specified above.

Exterior hot tubs, Jacuzzis, or spas must be located in the rear yard adjacent to the dwelling unit. The exterior finish of an elevated hot tub should blend with the exterior finish of the home, deck or patio to which it is attached or most closely related. Screening of hot tubs may be required based on the size of the lot and proximity to other lots. They cannot be installed within nine feet of any boundary line. Appropriate fencing or other security measures should be installed in accordance with local codes. They must have a locking cover and must be kept locked when not in use.

## **21. SEASONAL DECORATIONS**

### **General**

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

### **No Approval Required**

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

### **Prohibited Conditions**

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

## **22. SECURITY DEVICES**

### **Approval Required**

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

## **23. SHEDS AND STORAGE STRUCTURES**

### **General**

No metal outside sheds or storage buildings shall be permitted.

Shed must be attached to the back or rear side of the house.

Shed must be of a material consistent with the house. This should include siding and roofing material of the same color as the house where appropriate. If shed is underneath deck, shed must be of same material as the deck OR the house. i.e., if

decking is wood, then shed could be of wood or siding of the same color of the house.

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

Shed must not be viewable or visible from the Street.

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

Provided written approval from Rose Hill ACC granted as of November 6, 2002, the present shed is allowed, but shall not be replaced.

Replacement structure must apply with these guidelines.

Shed should be used only for storage.

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

#### Approval Required

All structures require approval by the ACC.

### 24. SIGNS

#### General

No signs or advertising devices of any kind may be displayed on or about any lot or dwelling, except that one temporary real estate sign, not exceeding four square feet in area, may be displayed on a homeowner's property which is for sale or rent.

### 25. STORAGE

#### General

Building materials may be kept on a lot during the course of permitted construction or renovation.

#### Prohibited Conditions

Visible, outside storage of lumber (except firewood as described above), building materials, wheelbarrows, discarded items, or other items which are considered excessive or inappropriate by the ACC.

Trash cans may not be stored in the front of the house. Trashcans may be placed at the curb the evening before pick-up and must be removed from the curb not later than fifteen hours following collection.

### 26. STRUCTURES

#### General

Homeowners are responsible for maintaining the structural integrity and appearance of their homes and lots.

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

#### **Automatic Approval**

Permanent window boxes will be made of weather-resistant wood that may be painted to match trim on house, or natural, pressure-treated wood left its natural color. Window boxes cannot exceed one foot in depth. Temporary plastic window boxes are permitted.

#### **Approval Required**

Any alteration, which adversely changes the drainage pattern.

Outdoor fireplaces, permanently installed barbecues.

Awning or other superstructures on house, deck or patio.

Skylights other than those originally installed.

Screening of any area.

Trellises and arbors require approval.

#### **Prohibited Conditions**

Any structure within nine feet of any lot line.

Side or front additions to any property will not be permitted.

## **27. VEHICLES**

### **General**

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

Non-standard items include:

- unlicensed or inoperable motor vehicle
- any vehicle with commercial registration
- trailer

- recreational vehicle or camper
- boat (with or without trailer)
- bus
- house trailer
- horse trailer
- machinery or equipment

This prohibition shall not apply to a recreational vehicle, camper or trailer accompanying a short-term visitor.

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

## **28. GENERAL**

### **Prohibited Conditions**

**No commercial activity shall be conducted on any lot.** This prohibition shall not prevent working from home as long as the work does not generate traffic to the home.

No poles or wires for the transmission of electricity, telephone and the like are permitted above ground on any lot.

No structure, planting or other material is permitted which may damage or interfere with any easement for the installation or maintenance of utilities.

No aboveground swimming pools are permitted on any lot. See above for exception for children's temporary wading pools.

No burning of trash is permitted on any lot.

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