

# **Architectural Control Standards and Guidelines And Application for Modification**

**Approved and Adopted by the  
Board of Directors**

**Annapolis Cove Property Owners Association (ACPOA) ,  
3129A Catrina Lane Annapolis, MD. 21403  
Revised January 1, 2013**

**These Standards and Guidelines supersede any previous versions.**

**As provided by the Annapolis Cove Property Owners Association Covenants and Restrictions, any new construction or alterations to existing structures including the height, shape, location, color, style or material of homes and properties in the Annapolis Cove community require an application and approval by the Annapolis Cove Architectural Committee before new construction or alteration commences.**

**Visit [www.annapoliscove.org](http://www.annapoliscove.org) for the application and instructions.**

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## **Introduction**

### **Authority for Architectural Control**

#### **Declaration of Covenants, Conditions and Restrictions, December 18, 1980**

##### **ARTICLE V ARCHITECTURAL CONTROL**

No building, addition to a building, or structure of any nature whatsoever including fences, shall be commenced, erected or altered until the complete building plans and specifications for the same, including its proposed location upon its lot, have been submitted to the DECLARANT **in duplicate** and approved by the DECLARANT in writing. If the DECLARANT shall not approve or disapprove such plans and specifications in writing within thirty (30) days from their date of submission, it shall be conclusively presumed that the DECLARANT has approved the plans and specifications as submitted. No additional buildings, fence, walls or other structure, shall be commenced, erected, or maintained upon the properties, nor shall any changes thereto affecting shape, height, and location of the same be made until the plans and specifications shall have been submitted to and approved in writing by an Architectural Control Committee to be appointed by the Board of Directors of the Association. In the event the Committee fails to approve or disapprove such design and location within thirty (30) days after such plans and specifications have been submitted to it, approval will not be required and this article will be deemed to have been fully complied with.

Note: As provided by the Declaration of Covenants, Conditions and restrictions, all authorities and responsibilities of the Declarant (the original developer of Annapolis Cove) were transferred to the Annapolis Cove Property Owners Association, no later than December 1,1990.

#### **Mission Statement for Architectural Control:**

- To protect the property values of the Annapolis Cove Community by encouraging the maintenance and continued improvement of all properties and homes.
- To ensure alterations and new improvements are of suitable quality and contribute to a harmonious appearance throughout the Community.
- To establish guidelines in accordance with and in addition to the Annapolis Cove Property Owners Association Articles V,VII,IX and X of the Declaration of Covenants Conditions and Restrictions recorded 12/16/1980 as recorded at the Office of Land Records, Anne Arundel County, Maryland.

## **The Architectural Control Committee**

The Architectural Control Committee (herein referred to as ACC), is appointed by the Board of Directors to act directly in all areas of architectural control contained within the Declaration of Covenants from which these architectural control guideline standards are derived.

The ACC meets once a month as necessary. Meetings with individual property owners may be scheduled at any time.

### **IMPORTANT NOTES**

Community property owners are solely responsible for being aware of the existing ACC guideline standards, and application procedures. The lack of specific written Standard(s) or Guideline(s) for planned architectural change(s) does not mean that that an Application is not required and approval by the ACC is not required.

Also, exact compliance with the written Standard(s) or Guideline(s) for planned architectural change(s) does not mean that an Application is not required and approval by the ACC is not required.

It is the homeowner's responsibility to obtain the proper government construction and grading permits and to comply with government codes. Approval by the ACC should not be construed to mean that respective permits are not required.

## **PROCEDURES FOR SUBMISSION OF APPLICATIONS TO THE ARCHITECTURAL CONTROL COMMITTEE**

- 1.. The Covenants require that all applications must be submitted in **duplicate** and shall include attachments as indicated on the application form (see attached).
2. If duplicate copies of the submission are not received, it will not be accepted by the ACC and shall be returned with no action taken by the ACC.
3. Because of approval time requirements specified in the Covenants, **Applications must be postmarked** and mailed to the following address:

**Annapolis Cove Property Owners Association (ACPOA)  
3129A Catrina Lane  
Annapolis, MD 21403**

### **ATTN: ACC**

In cases where supplemental materials (such as siding or stone samples) cannot fit into a mailing envelope, make a note of such in application and ACC will contact you to make arrangements for drop-off of materials. Materials must be dropped off within 3-5 days of contact.

4. ACC written approval must be received before commencement of construction. Initiating construction without written approval is a violation of the Covenants and could result in legal action to stop and remove the construction at the homeowner's expense.
5. The Covenants grant the ACC 30 days from the application postmark date in which to take action on any submitted application.
6. If the ACC does not take action on the submitted postmarked application within the 30 day allocated period, the Covenants declare that the submitted application is automatically approved.
7. Approval of an application requires a majority of the ACC members.
8. Any changes made to the original approved plans require approval by the ACC.
10. Approvals remain in effect for the period stipulated in the approved application. However, in no event will an approval exceed a 12-month duration. After that period a new application must be submitted.

## EXCEPTIONS

Homeowners wishing to initiate architectural projects that fall outside of guideline standards may ask for an exception to the existing standards. The application must state the specific exception and provide the reason the exception is being sought. The ACC's decision will hinge strongly on the cited basis for the exception.

## APPEAL PROCESS

Every homeowner receiving unfavorable ACC action is entitled to appeal the decision. In such cases the following process will apply:

All correspondence between homeowners and the ACC relating to this process shall be conducted via **United States Postal Service certified mail service sent to the ACC Chairperson's home address**. The dates reflected on the certified mail record shall serve as the time dates for the actions described below.

1. The homeowner shall make a written request of the ACC chairperson for an appeal board within 15 days of unfavorable notification from the ACC on the homeowner's application. The homeowner shall cite the basis for the appeal.
2. The ACC shall schedule an appeal hearing within 20 days of receipt of the homeowners' request via certified mail request.
3. The ACC shall notify the homeowner of the ACC's decision on the appeal no later than 10 days after the hearing.
4. Homeowners may request a further appeal with the Board of Directors by certified mail sent to the home address of the President of the Board. This appeal must be made no later than 15 days following notification from the ACC.
5. The Board of Directors will schedule the hearing within 20 days of the homeowners' certified mail request.
6. The Board of Directors shall notify the homeowner of its decision no later than 10 days after the hearing.

## **STANDARDS & GUIDELINES (APPLICATION REQUIRED FOR ALL)**

### **1. ANTENNAE, CABLE AND SATELLITE DISHES (Application Required)**

Cable TV is available in Annapolis Cove and its use is encouraged. "Dish" antennae one meter (39.37") or less in diameter designed to receive direct broadcast satellite service and other antennae one meter or less in diameter or diagonal measurement designed to receive video programming service via wireless cable may be approved by the Architectural Control Committee. Applications for approval should include a plat with precise location, including height off the ground, of the antenna.

### **2. ATTIC VENTILATORS (Application Required)**

Roof location of attic ventilators shall be on the least visible side.

### **3. CHIMNEYS AND METAL FLUES (Application Required)**

Chimneys must be brick or enclosed in material which conforms to the exterior of the building. Metal flues protruding from the roof are generally not allowed, but will be considered on an individual basis.

#### **Application Requirements**

Applications for chimneys must include the following information:

- a. Site plan showing the relation of chimney to the house, property line, and adjacent neighbors.
- b. Picture and/or detailed drawing of chimney to include dimensions.
- c. Color and style of house.
- d. Description of materials being used to construct chimney. If brick is being used and there is brick already on the house, then the brick colors must match.
- e. Estimated start and completion dates.

### **4. CLOTHESLINES (Application Required)**

Clotheslines will be approved on an individual application basis. Drawing or picture of design and placement on the property (drawing on survey) must be provided.

## 5. DECKS & PATIOS (Application Required)

### Location

Decks and patios will generally be located in back yards. Requests for side yard locations will be evaluated on their individual merits.

### Changes

Changes to fencing, lights, plantings, etc. caused by the erection of decks and patios will be restricted by the other appropriate sections of these ACC Standards & Guidelines.

### Screening

Lattice and/or landscape screening will be required when the ACC deems it necessary to hide unsightly storage areas created by these structures. Raised decks with large under deck areas and spindly supports will usually require such treatment.

### Materials and Color

Materials must have natural weathering qualities as do brick, wood, and stone. Painted or color stained wooden decks must match the general color scheme of the applicant's house. All decks must be constructed with materials approved by the Architectural Control Committee, (sample or brochure must be provided).

Applications for decks and patios must include the following information:

- a. Drawings showing the exact size and style of the deck or patio with locations and dimensions of railings, stairs, benches, footers, and screening treatment for raised decks.
- b. Site plan showing the relationship of the deck or patio to the house, lot, and adjacent properties. Include height of the deck off the ground and the level where it meets the house.
- c. A full description of all materials being used
- d. Color and shade must be specified

## 6. EXTERIOR CHANGES TO EXISTING HOMES or PROPERTY STRUCTURES.(Application Required)

**Exterior *changes* refers to any alterations, additions or construction to existing exterior structures including the height, shape, location, color, style or material.**

This includes, but is not limited to sidewalks, walkways, driveways, garages, garage doors, exterior doors, porches, greenhouses, fireplaces, chimneys, garden walls, awnings of any material, and new construction.

#### General

The design of alterations should be compatible in scale, materials, style and color with the applicant's house and adjacent houses. Additions should look like natural extensions of the existing house..

Pitched roofs must match the slope of the roof on the applicant's house. New windows, doors and garage doors should match the look of those used in the applicant's house and should be located in a manner which will relate well to the location of exterior openings in the existing house.

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Construction materials should be stored so that their visual effect is minimized. Excess material should be immediately removed after completion of construction.

Construction dumpsters, whether for interior or exterior changes, may be placed on the homeowner's property or in the street along the curb line of the affected property. Specific location within the homeowner's property must be indicated in the application and approved by the ACC prior to the placement of the dumpster. Dumpster size, delivery date and pickup date for the dumpster(s) must be included in the application. Homeowner's are responsible for insuring that their contractors comply with ACC guidelines regarding placement of dumpsters and disposal of debris.

No debris may be allowed to accumulate during construction.

Any construction variations to the approved application must be approved by the ACC.

Applications for exterior changes must include the following information:

- a. Site plan showing location of proposed structure, and relationship to property lines and adjacent houses. Plan should also include proposed location of construction dumpster if applicable.
- b. Detailed drawings and plans including exterior elevations and dimensions.
- c. Description of materials including type of siding on dwelling and proposed structure, color of proposed structure and trim, exterior lighting arrangements, etc.
- d. Landscape plans that involve hardscape construction or when plant screening may be required

- f. Estimated start and completion dates including arrival and departure dates for construction dumpster if applicable.

## 7. EXTERIOR DECORATIVE OBJECTS (Application Required)

Exterior decorative objects include such representative items as wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, free-standing poles of all types, decorative fencing sections, and items attached to approved structures.

### Application Requirements

Applications for major exterior decorative objects must include the following information:

- a. Site plan showing the relation of object to house, property line, and adjacent neighbors.
- b. Picture and/or detailed drawing of object to include dimensions.
- c. Color and material of object.
- d. Estimated start and completion dates.

## 8. EXTERIOR PAINTING (Application Required)

Repainting or staining a specific object to match its original color does not require approval. Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures. Change of exterior color for single family houses should relate to the colors of the houses in the immediate area.

### Application Requirements

Applications for exterior painting changes must include the following information:

- a. List of all exterior colors on the house and appurtenant structures.
- b. A color sample of the new color to be used.
- c. Estimated start and completion dates.

## 9. FENCES (Application Required)

### A. General

Fencing is used to separate property, provide security and visual privacy, or architecturally define space. In achieving any one of these goals, a barrier is created which has both visual and physical impact on the boundaries of common land and properties of adjacent homeowners. Careful consideration should be given to the basic

fencing concept and the manner in which the concept is executed. There are alternatives to fencing that may achieve the desired objectives. For example, short segments of privacy fence may be combined with landscaping to achieve the desired screening without a severe impact on others. Use of plant material alone can be an alternative.

#### B. Location

1. Fences are restricted to rear yards and must not extend forward of rear corner of house.
2. Front yard property line fences are not allowed.

#### Types and Materials

1. Property line fencing must be an open type such as split rail, rail, picket, or board-on-board, wood, vinyl, or other material suitable for long term exposure of materials acceptable by the Architectural Control Committee (sample to be provided), and cannot exceed 4'0" in height excepted as indicated specifically for swimming pools.
2. Planting schemes should be integrated with all fencing to soften the visual impact.
3. Gates should be consistent with fencing in design, material, height and color.
4. Fencing should be compatible with the materials and colors in the applicant's house.
5. Chain link, other metal fences and stockade (solid) fences are not permitted.
6. Fencing which is finished on one side only must be constructed with the finished side facing out and structural members facing the interior.

#### C. Swimming Pools

Six (6) foot high fences shall be used to enclose swimming pools. Landscape plantings are required of three (3) feet minimum height and on eight (8) foot centers (initially) along the street side of the fence and may be required on other borders.

#### D. Perimeter Lot Fencing

Perimeter lots are defined as lots adjoining other communities and/or wooded areas that are not part of the Annapolis Cove community and all Annapolis Cove lots adjoining Bay Ridge Road. Annapolis Cove perimeter lots are given special consideration for property line fence height on the perimeter lot line only. Fence height on the perimeter lot line may be up to a height of six (6) feet. This height exception has been granted since the ACC has no control over appearances, safety, and privacy of properties in other communities or Bay Ridge Road

#### Application Requirements

Applications for fences must include the following information:

- a. Fence style and material.
- b. Color of fence.
- c. Dimensions.

- d. Site plan which shows the relationship of the fence to adjacent houses and open spaces and to property lines. Most fencing involves boundary line considerations to some degree. Therefore, applications must show exact relationship with property lines.
- e. Certification from the homeowner that a survey will be completed by a licensed surveyor, prior to construction of the fence.
- f. Landscaping plans to complement and/or screen the fence.
- g. Note: AA County requires that all fences be located inside the fence owner's property line.

## 10. LANDSCAPING (Application Required)

### Landscaping Materials

An application is required for the use of garden timbers, or other hardscape materials acceptable by the Architectural Control Committee (sample to be provided) that form a wall over eighteen (18) inches high or fifteen (15) feet long.

### Application Requirements

Applications for the use of landscaping materials must include the following information:

- a. A site plan indicating with the location of ties or timbers.
- b. Type of material to be used.
- c. Indicate any changes to grading.
- d. A brief description of the work to be done.

## 11. PERMANENT RECREATION AND PLAY EQUIPMENT (Application Required)

**Note: For Portable Recreation and Play Equipment see Annapolis Cove document:  
“Property Use Restrictions and Property Maintenance Requirements”**

Permanent installation of recreational and play equipment:

### Location and Size

Such equipment must always be placed in rear yards. Consideration will be given to lot size, equipment size and design, amount of visual screening, etc.

### Materials and Color

Playhouses cannot be used for storage in, or under, if elevated. Roof must be gable or hip. Maximum height of roof ridge is 67" above platform. Platform height cannot exceed five (5) feet above grade. Platform cannot exceed thirty (30) square feet and walls must be 50% open.

### Sports Equipment

Permanent basketball hoop backboards must be installed in the rear yard and may not be attached to the house and/or garage.

#### Application Requirements

Applications for recreation and play equipment must include the following information:

- a. A site plan indicating the location of the equipment.
- b. Type of material to be used.
- c. Indicate any changes to grading.
- d. A brief description of the work to be done.

### 12. STORAGE SHEDS

Free standing storage sheds are prohibited.

### 13. SWIMMING POOLS Types and Fencing (Application Required)

Only in-ground swimming pools are permitted. The pool and related equipment must be enclosed by a six (6) foot board on board fence. The fence must meet the criteria expressed in these Guidelines under Fences.

#### Application Requirements

Applications for Swimming pools must include the following information:

- a. Site plan shown- location and dimensions of the pool, other related equipment, fences, etc. in relation to the applicant's house, property lines and adjacent dwellings.
- b. Detailed drawings and plans of pool, deck area, lighting, fences, etc.
- c. Planting plans for fence exterior.
- d. Estimated start and completion dates.
- e. Drainage plan.

### 14. VEGETABLE GARDENS (Application Required)

Vegetable Gardens must meet all of the following conditions:

- a. It is located between the rear line of the house and the rear property line.
- b. Its size does not exceed 1/4 of the area described in (a).
- c. It does not damage property adjacent to it at lower levels through the flow of water onto this property.

### 15. NEW HOME CONSTRUCTION (Application Required)

### General

New homes to be constructed on any vacant lot must be comparable in style, size, materials, lot development, overall quality, and price to existing homes in the community. In general this is viewed as meaning that homes have a minimum of 2500 square feet of finished space plus a basement and two car garage.

Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction.

No debris may be allowed to accumulate during construction.

### Application Requirements

Applications for new home construction must include the following information:

- a. Site plan showing location of proposed structure, and relationship to property lines and adjacent houses.
- b. Detailed drawings and plans including exterior elevations and dimensions.
- c. Description of materials including type of siding on dwelling and proposed structure, color of proposed structure and trim, exterior lighting arrangements, etc.
- d. Estimated start and completion dates
- e. Selling price.

16. New Technologies (Application Required)

New technologies that impact the exterior of the home or property (including but not limited to solar panels, wind turbines, machinery, rain barrels, etc.), are considered structures and need to be approved through the application process.

**THE APPLICATION FOR MODIFICATION IS ON THE NEXT PAGE**

# **Annapolis Cove Property Owners Association**

## **Homeowners Application for Modification**

Homeowners are advised to read the guidelines carefully before completing this application. **Two** copies of this application along with supporting documentation must be submitted. Please attach a photo of the exterior of your home.

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Email(optional): \_\_\_\_\_

**A. Type of Modification (please check all that apply)**

## Exterior Painting      Exterior Changes to Home

\_\_\_\_\_ Permanent Recreation Equip \_\_\_\_\_ Deck/Patio

Fencing  Sidewalk/Driveway/Porch

Garage Door  Pools  All Other (explain) \_\_\_\_\_

## **B. Description of Project:**

Description must include, where applicable: size, style, dimensions, description (photos and/or brochures preferably) of materials being used.

**C. Estimated Start Date:** \_\_\_\_\_ **Estimated Completion Date:** \_\_\_\_\_

**D. Dumpster: Yes\_\_\_\_ No\_\_\_\_ Temporary Storage Container: Yes\_\_\_\_ No\_\_\_\_**

If yes, please indicate delivery date, pick up date, size, type, and location during construction :

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### **Application Checklist**

- 1 **TWO** copies of this completed Application. One will be returned with signed approval for your records.
- 2 Site Plan or Plat indicating location of equipment, fence, patio, deck, sidewalk, porch, driveway, fencing, home addition or modification, or pool showing the relationship of the modification to the house, lot, and adjacent properties must accompany application.
- 3 Drawings reflecting changes and/or addition must accompany application. In the event of a major home remodeling project which impacts the elevation, architectural drawings are required. For other projects, brochures and/or photos, etc. are desirable.
- 4 Description of bricks/paving materials/stones must include color, size, shape. Photos and/or brochures are desirable
- 5 Paint Chips (2 samples for each color) must accompany application
- 6 Photo of the exterior of your home.

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**Signature of Homeowner**

**Date**

**Mail To: Annapolis Cove Property Owners Association (ACPOA)**  
**3129A Catrina Lane, Annapolis, Md**  
**Attn: ACC**

<b>Approved*</b>	<b>Disapproved</b>	<b>Date</b> _____
<b>Signatures of Architectural Control Committee:</b>		
_____	_____	_____
_____	_____	_____
_____	_____	_____

**\* A new application must be submitted if the project is not completed within one year from the approval date.**

**Annapolis Cove  
Architectural Control Standards and Guidelines  
Amendment for SOLAR COLLECTOR SYSTEMS**

**I. Introduction**

The Annapolis Cove standards and guidelines for architectural control require that each Homeowner maintain the exterior appearance of his/her property in a manner that upholds the quality of our neighborhood. These declarations are to protect every Homeowner's property value by ensuring a well-kept and desirous place in which to live, which includes aesthetics involving after-construction equipment added to a lot or a house.

The laudable goal of saving energy and incorporating equipment and systems into and on to homes has resulted in increased interest in the installation and use of solar energy devices and equipment. The Association does not want to do anything to prevent use of such devices, but feels it is important to ensure that such equipment is reasonably controlled as to the appearance and location of installation, so as to protect neighbors and the community as a whole from unsightly equipment and/or installation. Accordingly, the purpose of these Rules about solar energy devices and equipment is to reasonably control use and location to protect home values and aesthetics in the community, without preventing their use.

**II. POLICY**

These standards and guidelines apply to solar panels and all associated components.

**1. APPROVAL OF INSTALLATIONS**

- a. Detailed plans for installation and placement of any solar panel must be submitted to the Architectural Control Committee for review and receive written approval from the Association prior to such installation.
- b. An illustrated brochure of the proposed system, which depicts the materials to be used, drawings showing the location and number of collectors, the attachment to the roof structure, and the location of exterior system components shall be submitted with the Architectural Request.
- c. An Anne Arundel County Permit may be required for the installation of solar panels and ancillary equipment. The Association requires Owners to use an installer with an appropriate contractor's license. Owner is entirely and solely responsible for knowing what permits may be required, and obtaining any such permits before installation begins.
- d. Homeowners are urged to check with their insurance company prior to installation of devices for how such installation may impact their roof warranty or other aspects of their structure. Neither the Architectural Committee nor the HOA Board of Directors is liable to the property owners from roof damage or for effects to roof warranties. The Association and its Board has no expertise or special knowledge regarding such systems and therefore the Association's approval for installation of any such device(s) or system is not a representation that the system chosen by an Owner is safe to

use or is compatible with Owner's roof, and Owner assumes and bears all risks regarding installation and use of such a system.

## 2. TYPES

- a. Only commercially or professionally made Roof-mounted solar panels or other roof-mounted systems are allowed. "Home made" devices will not be permitted due to the safety and aesthetic aspects of such devices.
- b. Ground-mounted solar panels or systems are NOT permitted.

## 3. PLACEMENT AND FINISH

- a. **Solar panels are to be installed on the rear of the house, so their installed location will not be seen from the street fronting the house.**
- b. The panels and all equipment must be flush mounted, as close to the roof as possible, parallel to the roof pitch, and stationary (fixed-mounted).
- c. No part of the installation should break the roof ridgeline or be visible above the peak of the roof.
- d. The panels must not exceed the perimeter of the roof.
- e. All non-absorbing roof-mounted parts must be painted to match the roof.
- f. Piping, wiring, and all additional components must be hidden or minimally visible in a manner approved by the Architectural Control Committee. All exterior lines shall be painted to match, or the color of the materials used must match the roof and siding. Aluminum trim, if used and visible, should be anodized or otherwise color treated to blend into the surroundings as much as possible.

## 4. MAINTENANCE

- a. Homeowners will ensure that all surfaces of such devices or equipment, whether painted or colored materials, are properly and timely maintained to prevent peeling and cracking of paint or loss of coloration or other deterioration to the point where the equipment becomes unsightly and/or incompatible with the aesthetic standards of the community.