

**DESIGN REVIEW AND MAINTENANCE GUIDELINES**  
**AUDUBON SQUARE/FALLBROOK HOMEOWNER'S ASSOCIATION**  
**(AUDUBON SQUARE)**

**Architectural Environmental  
Control Committee (AECC)**

**Adopted: August 1986**  
**Revised: September 1993**

**Adopted** \_\_\_\_\_

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## DEFINITIONS

- A. **AECC** - The Architectural and Environmental Control Committee (AECC) is appointed by the Board of Directors and is composed of three (3) or more persons.
- B. **APPLICATION** - The Design Review Application form which Homeowners must fill out and submit to the AECC for approval of any contemplated change to the exterior of their homes.
- C. **ASSOCIATION** - "Association" shall mean and refer to Audubon Square Homeowners Association, Inc., and its successors and assigns.
- D. **CHANGES** (alterations, additions, modifications) - The word change(s) will be used throughout the guidelines to mean: to make different in some particular way, to replace or modify, to make an essential difference amounting to a loss of original identity, by substitution of one thing for another, or to alter without loss of identity. This means that any change from the original color scheme or structure of the exterior of the house that the Homeowner contemplates, e.g. painting, replacing, adding, etc. must be approved by the AECC.
- C. **DESIGN REVIEW AND MAINTENANCE GUIDELINES** - These provide Homeowners with guidance for contemplated changes to the exterior of their homes. They provide a mechanism for consistent application of the standards for design and appearance of the Audubon Square/Fallbrook Community.
- E. **GOOD SOUND REPAIR** - free from defect, damage, decay, or safety hazards.
- F. **MAINTENANCE** - Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property. This includes, but is not limited to, activities such as mowing the grass, removing of trash, and maintaining exterior structures. Maintenance affects the visual character, economic value of each property and of the community, and, in some cases, safety of Homeowners and guests. See "Specific Guidelines", Section III, D for description of maintenance items.
- G. **MANAGEMENT AGENT** - "Management Agent" shall refer to the property manager or management company selected by the Board of Directors.
- H. **PROTECTIVE COVENANTS** - The documents which all Homeowners received at the purchase of their home, i.e., "Articles of Incorporation," "Declaration of Covenants," "By laws," "Fine Schedule," "Violation Enforcement Procedures," and "Design Review and Maintenance Guidelines." The Board of Directors and the AECC are bound, as are all Homeowners, by these protective covenants. The purpose of these covenants is to ensure consistency in the standards of the design and appearance of our community.

## I. INTRODUCTION

### A. OBJECTIVES

This document presents a guide to the architectural and maintenance standards and procedures for Audubon Square/Fallbrook Homeowner's Association (Audubon Square). It is intended for the use of the residents of the community and as a reference for the AECC. It is not intended to amend or modify in any way the existing protective covenants.

The Design Review and Maintenance Guidelines do not address all matters included in the protective covenants. Rather, they address exterior improvements which are most likely to be undertaken by Homeowners, as well as general maintenance. They also provide a mechanism for the consideration of all requests brought before the AECC and a structure for enforcement of Homeowners' design and maintenance responsibilities.

The Design Review and Maintenance Guidelines provide guidance to the Homeowner contemplating architectural changes or maintenance while assuring the overall community that the standards for design and appearance will be maintained. This should, in turn, protect property values and enhance the community's overall environment.

The specific objectives of the Guidelines are:

1. To provide uniform guidelines to Homeowners contemplating change or maintaining their homes;
2. To inform Homeowners that ALL exterior changes or additions must receive prior approval from the AECC, even those which appear to meet the Guidelines provided herein or have been made by other Homeowners in Audubon Square;
3. To assist Homeowners in preparing an acceptable application to the AECC;
4. To preserve the maintenance and overall appearance of the community;
5. To increase residents' awareness and understanding of the governing documents; and
6. To provide uniform guidelines to be used by the AECC in considering design review applications in the context of standards established by the protective covenants of Audubon Square.

B. PROTECTIVE COVENANTS

Responsibility for maintaining the quality of design at Audubon Square is established through the governing documents which are a part of every deed of homeownership. The AECC determines whether proposed and/or completed exterior alterations and maintenance comply with the standards set forth in these governing documents. These determinations involve reviewing all applications for exterior alterations submitted by Homeowners and evaluating all changes once completed.

C. THE ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE

The Board of Directors (BOD) is responsible for appointing an Architectural and Environmental Control Committee, composed of three (3) or more persons that are designated from time to time by the BOD. Such persons serve at the pleasure of the BOD. The primary responsibility of the AECC is to administer the provisions of Article VII of the Declaration. These responsibilities include:

1. Informing the community of the Guidelines and any changes to those Guidelines;
2. Reviewing in a timely manner all plans and specifications and architectural changes proposed by Homeowners as stated in Article VII of the Declaration;
3. Approving or disapproving all applications and evaluating all changes once completed;
4. Investigating instances of alleged resident's non-compliance with the governing documents;
5. Surveying the community and notifying Homeowners of the need for maintenance;
6. Annually reviewing the guidelines to determine if revisions are needed; and
7. Reporting to the BOD on AECC activities and any violations of the Protective Covenants.

Article VII, paragraph 2, of the Declaration explicitly states that all exterior alterations require the approval of the AECC. In particular, it states that:

"It shall be prohibited to install, erect, attach, apply, paste, hinge, screw, nail, build, alter, remove or construct any lighting, shades, screens, awnings, patio covers, decorations, fences, walls, aerials, antennas, radio or television broadcasting or receiving devices, slabs, sidewalks, curbs, gutters, patios, balconies,

porches, driveways, or to make any change or otherwise alter (including any alteration in color) in any manner whatsoever the exterior of any improvements constructed upon any lot or upon any of the common areas, or to combine or otherwise join two or more dwellings, or to partition the same after combination, or to remove or alter any windows or exterior doors of any dwelling, or to make any change or alteration within any dwelling which will alter the structural integrity of the building or otherwise affect the property, interest or welfare of any other lot owner, materially increase the cost of operating or insuring any of the common areas or impair any easement, until the complete plans and specifications, showing the location, nature, shape, height, material color, type of construction and any other proposed form of change (including, without limitation, any other information specified by the Architectural and Environmental Control Committee) shall have been submitted to and approved in writing as to safety, harmony of external design, color and location in relation to surrounding structures and topography and conformity with the design concept for the community by the Architectural and Environmental Control Committee designated by the Board of Directors."

This paragraph explicitly states that ANY change to the exterior appearance of a Homeowner's property must have prior written approval of the AECC. Once an application has been submitted and approved, it must be abided by, in accordance with the Protective Covenants.

The application must be signed by three (3) members of the AECC for approval.

It is important to understand that AECC approval is not limited to major alterations, such as adding a room or deck to a house, but includes such things as color and materials, etc. Approval is also required when an existing structure is to be removed or altered in any way.

Each application will be reviewed separately. There are no "automatic" approvals. For example, a Homeowner who wishes to construct a deck that is identical to one already approved by the AECC, is still required to submit an application.

For all changes, including those affecting the common grounds, an application must be submitted and reviewed in order to consider the location and potential impact to surroundings.

D. AMENDMENTS TO THE DESIGN REVIEW AND MAINTENANCE GUIDELINES

These Guidelines may be amended. The AECC will conduct a yearly evaluation of the Guidelines and submit any recommended changes to the BOD for approval. The BOD will be responsible for notifying all Homeowners of any changes to the guidelines. Homeowners are encouraged to submit comments and requests for additions or changes to the Guidelines to the AECC.

II. APPLICATION PROCESS

A. GENERAL

All applications must be submitted in writing to the AECC for any exterior change(s). Each change must be specifically approved, even when a similar or substantially identical change has been previously approved.

A separate application must be submitted for each proposed project. Applicants should allow no less than 30 days for review.

Decisions about applications are reached jointly by the members of the AECC, require approval by a majority of AECC members, and must be signed by a minimum of three (3) members. Therefore, discussions with individual committee members concerning applications shall be limited to information required for proper review of application, clarifications, meeting schedules, etc. and not to determine its approvability. Homeowners having extraordinary circumstances are invited to attend the committee meetings to present their applications in person along with information they feel will help clarify their case.

In the event of an emergency or hazardous situation, the application procedure will be expedited to accommodate the Homeowner, as more fully discussed in Paragraph II(C) below.

B. APPLICATION PROCEDURE

1. A sample of a properly completed Application form (see Appendix D) and a blank multi-part Application (Appendix E) are included in these guidelines. The sample Application indicates the type of information and format which the AECC requires. The necessary information should be stated in a clear and concise manner to assist the AECC in interpreting the application as intended by the Homeowner and to expedite review by the AECC (see Section III Review Criteria).



2. Description of Proposed Project: A graphic description including a site plan, elevations, and detailed sketches if appropriate must be provided. A site plan is easily prepared by submitting a copy of the property plan with the proposed changes indicated with dimensions. Other written or graphic support materials may be submitted, such as manufacturer's literature or photographs of similar projects. A statement identifying proposed materials and colors must be included in the application as well as a proposed completion date.
3. Application Submittal: Both copies of the multi-part Application shall be submitted to the Homeowners' Association through the management agent. The agent will date stamp the application and forward the application to the AECC for review. In the case of an application received from a Homeowner delinquent in assessments, the application will be forwarded to the Board of Directors and disapproved as in 4. d. below.
4. Action Taken By the AECC: Following receipt of an application, the AECC will review it and respond to the Homeowner within thirty (30) days. Proposed projects shall not be started until an approved application is received by the Homeowner. Neither the Association nor the AECC assumes any responsibility for the design or safety of the construction of any structure, during or following completion. One of the following decisions will be included on the returned application:
  - a. "Approved"  
Applications marked "approved" shall be carried out without changes from the information submitted on the application.
  - b. "Approved With Conditions"  
Applications marked "Approved With Conditions" will stipulate certain written conditions from the AECC under which this project may be carried out. The AECC final inspection must confirm that the conditions stipulated on the application were adhered to before final approval is granted.
  - c. "No Approval Required"  
Applications marked "No Approval Required" do not require AECC approval, (e.g., the planting of a bush on a Homeowners property.) These applications will be reviewed as a courtesy. Any comments provided will not be binding but may contain important information the Homeowner shall consider.



d. "Disapproved"

Applications marked "Disapproved" do not meet design criteria as set forth in the Protective Covenants. The Homeowner will be informed of the disapproval by registered or certified mail. A copy of the disapproved application and disapproval letter will be sent to the Board of Directors for information and kept on file for reference. The Homeowner may file an appeal.

An application may also be disapproved if a homeowner is delinquent in payment to the Association or other fees.

5. Appeal: The applicant may request that the AECC reconsider its decision. These requests must be supported by new or additional information which might clarify the request or demonstrate its acceptability and compliance with Protective Covenants. A copy of the initial Application must accompany this information. Final appeal may be made to the Board of Directors if the AECC denies the first appeal.

6. Inspection Procedure: The AECC will conduct an inspection of the applied for change, within 30 days of the completion date specified on the Homeowner's application. At that time, the Homeowner will get a notification of the inspection results.

7. Certificate of Compliance: Once the project has been inspected, the AECC, at the request of the homeowner, shall issue a certificate of compliance pursuant to Article VII, Section 5 of the Declarations.

C. EMERGENCY OR HAZARDOUS SITUATION

In an emergency or in a situation which presents a hazard or threat to life, the AECC shall expedite the Application review process and respond to the Homeowner no later than Seventy-Two (72) hours of the receipt of the Application.

D. NON-COMPLIANCE

1. Declaration, Article VII, Section 10)

"In the event any violation or attempted violation of any of the covenants or restrictions contained in this Article shall occur or be maintained upon any lot, or in the event of any other conduct in violation of any of the provisions and requirements of this Article, then the same shall be considered to have been undertaken in violation of this Article and without the approval of the Architectural and Environmental Control Committee required herein, and, upon written notice from the Architectural and Environmental Control Committee, such violation shall be promptly removed or abated. In the event the same is not removed, or the

violation is not otherwise terminated or abated, within fifteen (15) days (or such shorter period as may be required in any such notice) after notice of such violation is delivered to the owner of the lot upon which such violation exists, or to the member responsible for such violation if the same shall be committed or attempted on premises other than the lot owned by such member, then the Association shall have the right, through its agents and employees (but only after a resolution of the Architectural and Environmental Control Committee) to enter upon such lot and to take such steps as may be necessary to remove or otherwise terminate or abate such violation and the cost thereof shall be rendered to the owner of said lot at which time the assessment shall become due and payable and a continuing lien upon such lot, and a binding personal obligation of the owner of such lot, in all respects (and subject to the same limitations) as provided in Article V of this Declaration."

2. Allegations of Non-compliance

Any allegations of non-compliance must be submitted in writing to the Association through the management agent. If a violation is confirmed, the Homeowner will be contacted and will be given the opportunity to correct the violation. If compliance is not achieved within 15 days or within some other time frame mutually agreed to by both the BOD and the Homeowner, the BOD will initiate enforcement procedures. The name of the complainant shall be kept confidential.

3. Fines

The following violations brought to the Board's attention may be subject to a fine per the fining schedule as set forth in Policy Resolution #GR 0190.

- a. Change Implemented Without an Approved Application: If an exterior change has been made without an approved application, the Homeowner is in violation of these Guidelines. An application must be filed, and the Homeowner will be subject to a fine for non-application and/or must have the change removed or abated.
- b. Change Approved But Not Executed in Accordance With the Approved Application: If a change has not been executed according to the approved application, the Homeowner must alter the change to conform with the approved application or have the change removed.
- c. Changes Made After Disapproval: If the Homeowner proceeds with any exterior change disapproved by the AECC, the BOD may initiate legal action by the

authority of the Declaration, Article VII, Section 11.

E. ENFORCEMENT

See Policy Resolution #GR 0290.

F. SCHEDULE OF FINES

The fining schedule is set forth in Policy Resolution #GR 0190.

III. REVIEW CRITERIA

A. APPLICATION

The AECC evaluates all applications on their individual merits. Considerations include the characteristics of the housing type and the individual site. Exterior changes to townhouses, due to their closeness to each other, usually are more noticeable and have more of an impact on adjoining properties than changes to detached houses.

Design decisions made by the AECC in reviewing applications are based on the following criteria which represent in more specific terms the general standards of the Audubon Square Declaration.

- a. Design Compatibility: The proposed change must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as being harmonious in architectural style, quality of workmanship, similar use of materials, color, and construction details.
- b. Location and Impact on Neighbors: The proposed change should relate favorably to the landscape, the existing structure, and the neighborhood. The primary concerns are access, drainage, view, sunlight, and ventilation. When a proposed change has possible impact on adjacent properties, the applicant should discuss the proposal with neighbors prior to making the application. When appropriate, submit neighbor comments along with the application. The AECC may require written comments from neighboring property owners.
- c. Scale: The size of the proposed alteration should harmonize with, and relate well to, adjacent structures and surroundings.
- d. Materials: Continuity is established by use of the same or compatible materials as were used in the original construction. For example, continuation of a fence must be of the same materials as the original

fence. Note: New materials will undoubtedly become available that will conform with these architectural and aesthetic values and will be considered if requested by the applicant. A detailed description or a sample of the proposed building material must accompany the Application.

- e. Workmanship: The quality of work should be equal to or better than the original construction. Poor workmanship, can create safety hazards, result in early deterioration, be visually objectionable, as well as cause the owner problems. The Homeowner will be required to correct poor workmanship.
- f. City of Gaithersburg Building Permits:
  - 1. Approval of any project does not waive the necessity of obtaining required City permits.
  - 2. Obtaining a City permit does not waive the need for AECC approval.
  - 3. The AECC and the BOD will not knowingly approve a project which is in violation of the City's Building or Zoning Codes.

The AECC will conduct annual inspections to evaluate the exterior maintenance of homes and property. Results of the survey will be sent to homeowners for information and/or action. (See Sample form in APPENDIX E.)

- 1. All Homeowner property including any previously approved architectural change must be maintained in "Good Sound Repair."
- 2. Workmanship: The quality of work should be equal to or better than the original construction. Poor workmanship, can create safety hazards, result in early deterioration, be visually objectionable, as well as cause the owner problems. The Homeowner will be required to correct poor workmanship.
- 3. Homeowners are advised that, at a minimum, maintenance of homes must meet the standards defined in the City of Gaithersburg Code. To protect property values, the Association may evaluate a property for maintenance and require a higher standard for appearance, quality, and safety than mandated by City law.
- 4. All maintenance to Homeowner property must be completed in a reasonable, timely manner as determined by the AECC.

Maintenance Criteria are described for items most commonly maintained in Section III, Paragraph D, "Specific Guidelines."

### C. SAFETY

The Association shall assume no responsibility for the design or safety of the construction of any structure during and following completion.

### D. SPECIFIC GUIDELINES

The following paragraphs provide Guidelines for making modifications or additions to specific exterior features of your residence at Audubon Square. All changes must have the approval of the AECC before installation is undertaken except as specifically noted. These changes may include but not be limited to the following:

#### 1. AIR CONDITIONING UNITS:

Air conditioning units mounted through walls or windows are prohibited.

#### 2. ANTENNAS:

Roof top television or radio aerial or antenna, or any other aerial, antenna, satellite dish, or similar device, for reception or transmission that are exterior to the dwelling are prohibited. Correction of interference due to transmission of broadcast devices such as HAM radio, CB's, etc. shall be required and the responsibility of the transmitter.

#### 3. ATTIC VENTILATORS:

Attic ventilators or other mechanical apparatus requiring penetration of the roof should be as small in size as is functionally possible. They may not have more than a 12" profile from roof penetration and must be situated on the least visible side of the roof. Color must be harmonious with the roof.

#### 4. AWNINGS:

Awnings over windows, doors, and decks are prohibited. Temporary coverings to be used for special occasions may be considered for approval by the AECC.

#### 5. BARBECUES:

- a. Design Review Criteria - Permanent barbecues must not be a dominant feature of the landscape and should be located so they will blend as much as possible with the natural background. Supplemental planting should be provided to soften the visual impact of the barbecue, particularly when little or no natural background or screening is available.

- b. Maintenance - Permanent barbecues should be kept in Good Sound Repair.
- 6. CHIMNEYS:
  - a. Design Review Criteria - Chimneys and flues should be constructed of the same type and color as the existing material.
  - b. Maintenance Repair - Repair is required when the chimney or any portion of the chimney is damaged. The chimney must be kept clean to prevent fire hazard, and must be kept in good sound repair.
- 7. CLOTHESLINES:

No clothesline of any kind shall be permitted on any property in the community.
- 8. COMMERCIAL VEHICLES AND TRUCKS:

Commercial vehicles and work trucks with any lettering or logos are prohibited. Trucks up to 3/4 ton capacity are acceptable without logo or lettering.
- 9. CONCRETE SURFACES:
  - a. Design Review Criteria - Concrete surfaces shall include but are not limited to the following:
    - i. Lead Sidewalks: The lead sidewalks are defined as the cement surfaces leading from the dwelling unit to the common walkways as depicted on the plat maps.
    - ii. Steps
    - iii. Porch
    - iv. Concrete heat pump/air conditioning slab
    - v. Any concrete appurtenant to the home.
  - b. Maintenance - Replacement and/or repair is required when the concrete or any portion of the concrete is cracked, discolored, flaking, sunken, upheaved. All materials used in replacement must conform to the original, and all concrete must be kept in good sound repair.
- 10. DECKS, GROUND LEVEL (see PATIOS)
- 11. DECKS, SECOND STORY:
  - a. Design Review Criteria
    - i. Must be located at the rear of the house.



- ii. Must be located within property lines.
- iii. Decks must proscribe to all zoning regulations as mandated by the City of Gaithersburg Code, especially regarding size and minimum clearance between property lines.
  - iv. All lumber must be pressure treated or natural redwood.
  - v. Style must be of the type constructed by the original builder.
- b. Maintenance - All second story decks must be kept in Good Sound Repair.

12. FENCES AND GATES:

- a. Design Review Criteria - Submit plot plan with location and dimensions of fence and gate.
  - i. Alternate Board (Board on Board) is the only type of fence which will be approved by the AECC. See Appendix A. This is a 6' high, natural finish Alternate Board (Board on Board) fence as follows:
    - Facing - 1 X 4 or 1 X 6
    - Posts - 4 X 4 X 8 with aluminum caps
    - Backer Rails - 2 X 4
    - Top Cap - 1 X 4
  - ii. Gate design must be submitted along with fence application.
  - iii. All lumber shall be pressure-treated or natural redwood.
  - iv. Stains or other treatment shall meet criteria set forth by the AECC.
- b. Maintenance - All fences and gates must be kept in Good Sound Repair. Repair or replacement will be required when a fence is leaning or post is considered unstable or not firmly placed. A lean is defined as 15 degrees or more.

13. FIREPLACE WOOD:

All fireplace wood shall be stacked neatly and may only be kept in the rear of the property.

14. GUTTERS AND FLASHING:

All gutters and flashing must be kept in Good Sound Repair.



15. HOUSE NUMBERS:

- a. Design Review Criteria - House numbers must be in the original the location, five (5) inches high, and in the original contrasting colors.
- b. Maintenance - House numbers must not be blocked by shrubs or trees and must be easily visible from the street.

16. LIGHTING, EXTERIOR:

- a. Design Review Criteria - Exterior lighting must not be altered without AECC approval. Applications for exterior lighting should state wattage, height of light fixture above ground, a complete description of the light fixture, and the proposed location on the property. Exterior lighting (i.e. flood lights, spotlights) shall not be directed away from the applicant's property. Light fixtures which are used to replace the original fixtures should be compatible in style and scale with the existing fixture and to the applicant's house.
- b. Maintenance - Replacement or repair is required when the lighting is inoperable, missing in whole or part. Lighting shall be kept clean, operable, and in Good Sound Repair.

17. PAINTING AND TRIM, EXTERIOR:

- a. Design Review Criteria
  - i. Any exterior painting must be approved by the AECC. A list of specific colors which may be considered for approval is available from the AECC.
  - ii. Exterior color changes may be considered provided they harmonize with the general aesthetics of the dwelling and surrounding structures and are chosen from the approved color combinations list.
- b. Maintenance - Generally the Homeowner should inspect the condition of exterior trim and painted surfaces on a yearly basis. Replacement is required when trim is missing or damaged beyond repair. All painting and trim must be kept in Good Sound Repair.

18. PATIOS AND GROUND LEVEL DECKS:

- a. Design Review Criteria

- i. Patios must be located at the rear of the house.
  - ii. Materials should be of natural weathering quality such as brick, wood, stone, or concrete.
  - iii. If changes in grade or other conditions which will affect drainage are anticipated, these must be indicated on the Application. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.
  - iv. Must be located within property lines.
  - v. Decks and Patios must proscribe to all zoning regulations as mandated by the City of Gaithersburg Code, especially regarding size and minimum clearance between property lines.
- b. Maintenance - All patios and ground level decks must be kept in Good Sound Repair.
19. RECYCLING CONTAINERS (see TRASH CONTAINERS)
20. RETAINING WALLS:
  - a. Design Review Criteria - Retaining walls may be used to preserve trees, improve draining patterns, and define areas. Walls should be kept as low as possible. Use of indigenous rock or wood in combination with appropriate landscaping is encouraged. Because retaining walls may alter existing land forms, the design of such walls should be carefully considered to avoid adversely affecting drainage patterns.
  - b. Maintenance - Retaining walls must be kept in Good Sound Repair.
21. ROOF:
  - a. Design Review Criteria - AECC approval shall be obtained before replacing roofs. A list of specific colors which may be considered for approval is available from the AECC.
  - b. Maintenance and Replacement - The roof shall be weather-tight and kept in Good Sound Repair. Any replacement must meet all applicable codes.
22. SHEDS:
  - a. Design Review Criteria - Only sheds which are built according to the same plans and are situated

in the same location as those constructed by the original builder are acceptable. See Appendix C.

- b. Sheds must proscribe to all zoning regulations as mandated by the City of Gaithersburg Code, especially regarding size and minimum clearance between property lines.
- c. Maintenance - Structure and exterior of shed shall be maintained in the same manner as described under Exterior Painting and Trim. All sheds must be kept in Good Sound Repair.

23. SHUTTERS:

- a. Design Review Criteria - Any changes to shutters must be submitted for AECC review and approval.
- b. Maintenance - Shutters shall be replaced when cracked or damaged and shall meet design review criteria set for the above. All shutters must be kept in Good Sound Repair.

24. SIDING, ALUMINUM:

- a. Design Review Criteria - All siding must be horizontal with non-glare finish and of the existing color scheme.
- b. Maintenance - Replacement will be required when siding is missing or damaged. All siding must be kept in Good Sound Repair.

25. STAINS:

- a. Design Review Criteria -
  - i. AECC approval must be obtained before staining or re-staining decks or fences.
  - ii. While no particular stain is automatically approved, the Homeowner should know that the following finishes may be considered for approval:
    - \* Natural - No treatment or finishes applied
    - \* Clear
    - \* Redwood
    - \* Salt Grey

NOTE: Information pertaining to wood preservatives and paint manufacturers, where identified, are not to be construed as recommendations, but are used as a basis for color identification. Please include manufacturers' printed literature with color selection identified, or an actual sample.

## IMPORTANT ACC INFORMATION

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October 21, 2002

Dear Audubon Residents:


Due to the hail damage many residents have had siding replacement done. There is only one style of siding that is approvable. The 4" straight siding and the color must be matched as close to the original as possible. Dutch style siding is not an approvable style. The Board has approved the use of the vinyl siding but again you must have the 4" straight siding. Enclosed is a copy of an ACC application. If you are planning on replacing your siding you must fill out the form and attach both a color sample and a sample of the type siding.

The same is true if you are replacing your roof. The color must match as closely as possible to the existing roof.

Any exterior changes to your home fall under the ACC Guidelines and you must fill out a form and send it in for approval.

If you have any questions feel free to call the office at 301-258-7711

Thank you,

  
Peggy Toland  
Agent for Audubon Square H.O.A.

- b. Maintenance - All stained surfaces must be kept in Good Sound Repair.

26. STORM DOORS:

- a. Design Review Criteria
  - i. Storm doors must be of an approved type without grillwork or ornamental design. See Appendix B for approved styles.
  - ii. Frame color must either match exterior door or be white with manufactured baked-on enamel finish.
- b. Maintenance - Damaged door panels and screens or broken glass must be replaced or repaired. All storm doors must be kept in Good Sound Repair.

27. STORM WINDOWS:

- a. Design Review Criteria
  - i. Storm windows that are of the same material as the existing window frames and that fit inside the existing window tracks do not need approval. Any exterior fitted storm windows must be submitted to the AECC for approval.
  - ii. Storm window frames must be compatible with the color of the existing window frames.
- b. Maintenance - Storm windows must be kept in Good Sound Repair.

28. SWING SETS:

- a. Design Review Criteria - Swing sets design and placement must be submitted for review and approved by the AECC before placement in the rear yard.
- b. Maintenance - Swing sets shall be kept clean, well painted, and in Good Sound Repair.

29. TRASH AND RECYCLING CONTAINERS:

Trash and recycling containers shall be kept inside or in the rear of the house and shall remain inconspicuous except on days of trash collection.

30. TRIM (see PAINTING)

31. TRUCKS (see COMMERCIAL VEHICLES)

32. WINDOWS:

- a. Design Review Criteria - Changing of window units must receive AECC approval. Only those windows with the same style as provided by the original builder are acceptable.
- b. Maintenance - Screens and windows shall be kept in Good Sound Repair.

E. LANDSCAPING AND ENVIRONMENT

Since landscaping is a design element, the same consideration should be given to the aesthetics of proposed landscaping as are applied to other exterior changes.

1. COMMON GROUND:

Removal or alterations to the common grounds require written approval of the Board of Directors.

2. ENVIRONMENT:

- a. Grass shall not exceed a height of eight (8) inches and lawns shall be swept clean of significant lawn clippings.
- b. Lawns, flower beds, shrubs, and other outside areas shall be free of significant weed growth.
- c. Property shall be kept clean and sanitary. If odor or debris becomes noticeable or unsanitary, the area must be cleaned.

3. PRIVATE PROPERTY:

No application is required, but consideration should be given to relationships to adjacent houses. The views of neighboring units and shade patterns of larger trees should always be considered.

4. YARD WASTE DISPOSAL

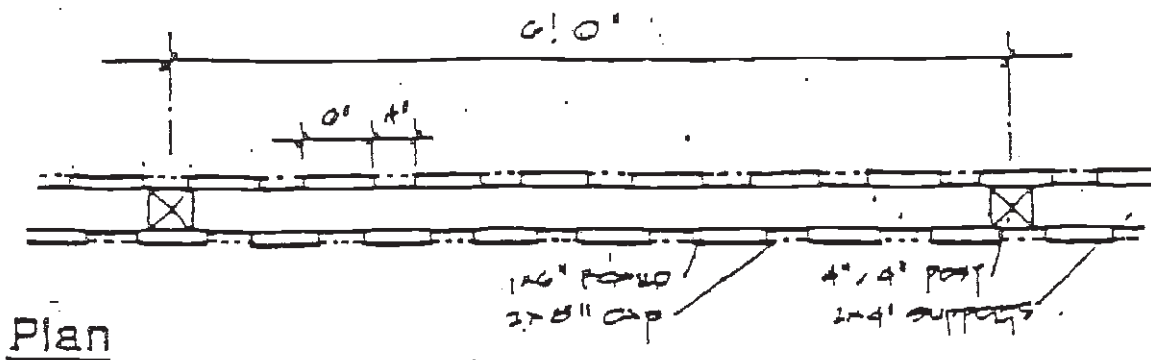
Yard waste must be properly disposed of and not placed in Association common ground.

ANY DESIGN ALTERATION THAT IS NOT COVERED IN THE ABOVE, BUT APPEARS AS A PERMANENT FIXTURE ON YOUR HOME MUST BE SUBMITTED FOR APPROVAL BY THE AECC.

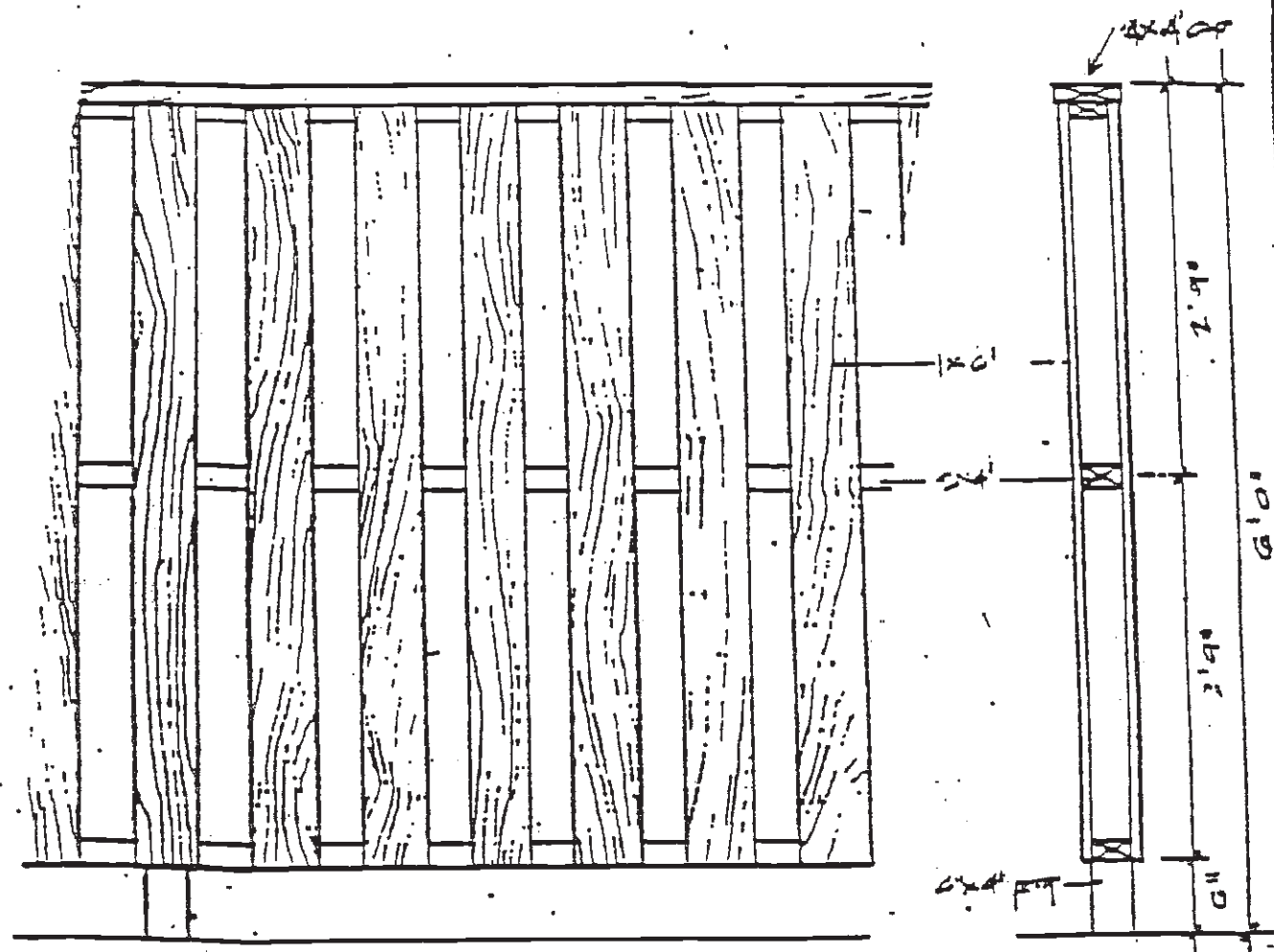
## **APPENDIX**



## APPENDIX A



Plan

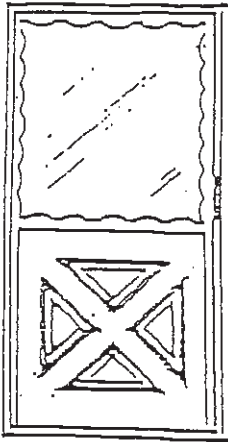
Elevation

Section

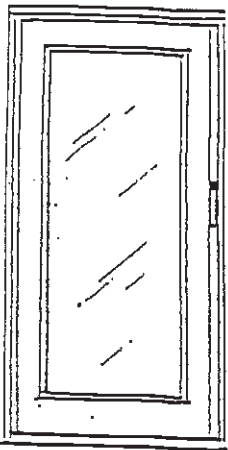
NOTE:  
1. 1X6 PARCHED 1/2 PINE  
2. ALL WOOD TO BE TREATED  
WITH WOOD PRESERVATIVE

BOARD ON BOARD FENCE

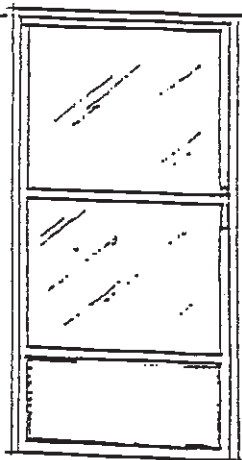
APPENDIX B



CROSSBUCK

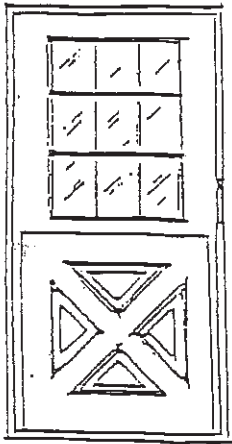


FULL VIEW

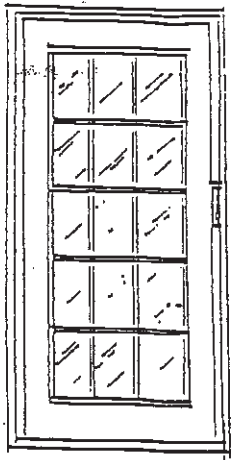


SELF STORING

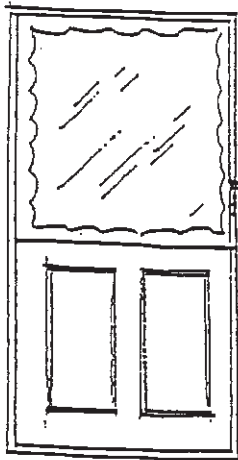
APPENDIX B



9 LITE  
CROSSBUCK



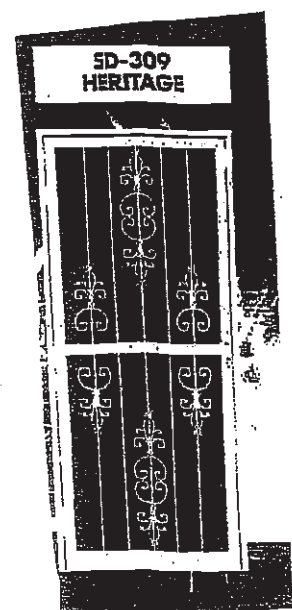
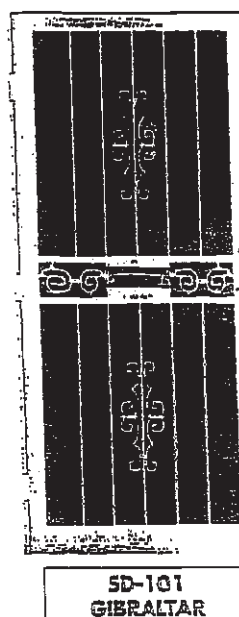
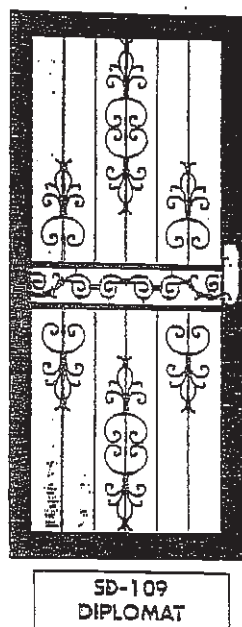
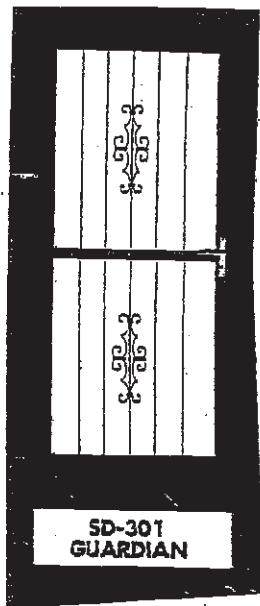
15 LITE  
FULLVIEW



APPENDIX B1

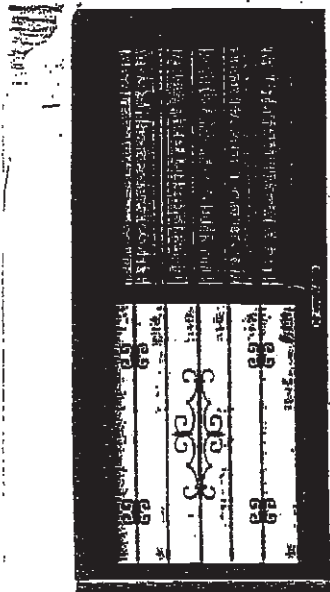
STEEL SECURITY STORM DOORS

Grisham Company



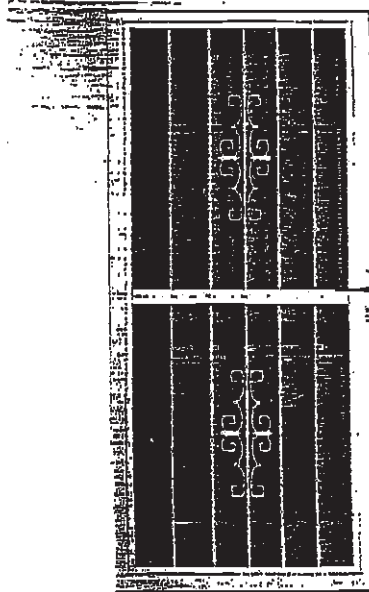
## APPENDIX B1

### ALUMINUM SECURITY STORM DOORS



#### 1 5/8" SECURITY

Full 1-5/8" x 3-1/2" foam-filled extruded aluminum frame with Weather-Lock® edge trim for extra security and energy savings. Tamper-resistant metal grille built into mainframe! Includes solid brass, mortised handle and lockset, four concealed hinges, anodized brass expander dual closers, and vinyl screw covers. Available in custom sizes!



#### 1 1/4" SECURITY

Full 1-1/4" thick extruded aluminum mainframe, tamper-resistant metal grille and solid brass, mortised hardware with keyed deadbolt and anti-pick plate. Available in custom sizes. Five-year warranty.

Sears Company

### Forever Company



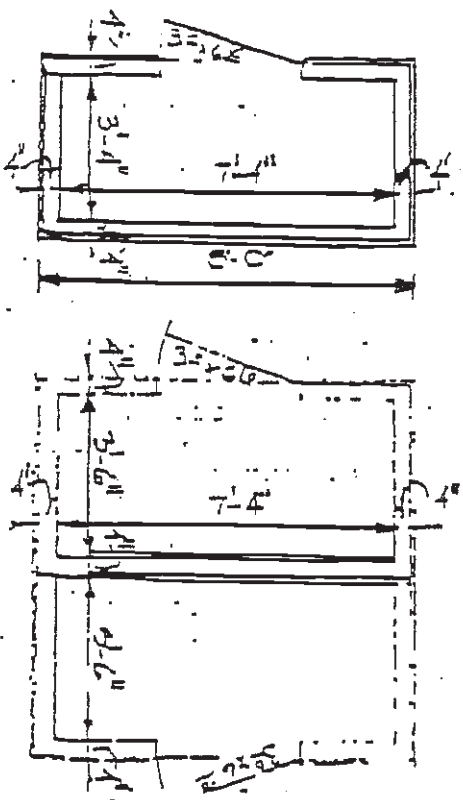
**Forever® Watchguard**  
Maximum protection with solid security bars and tamper-proof lock.

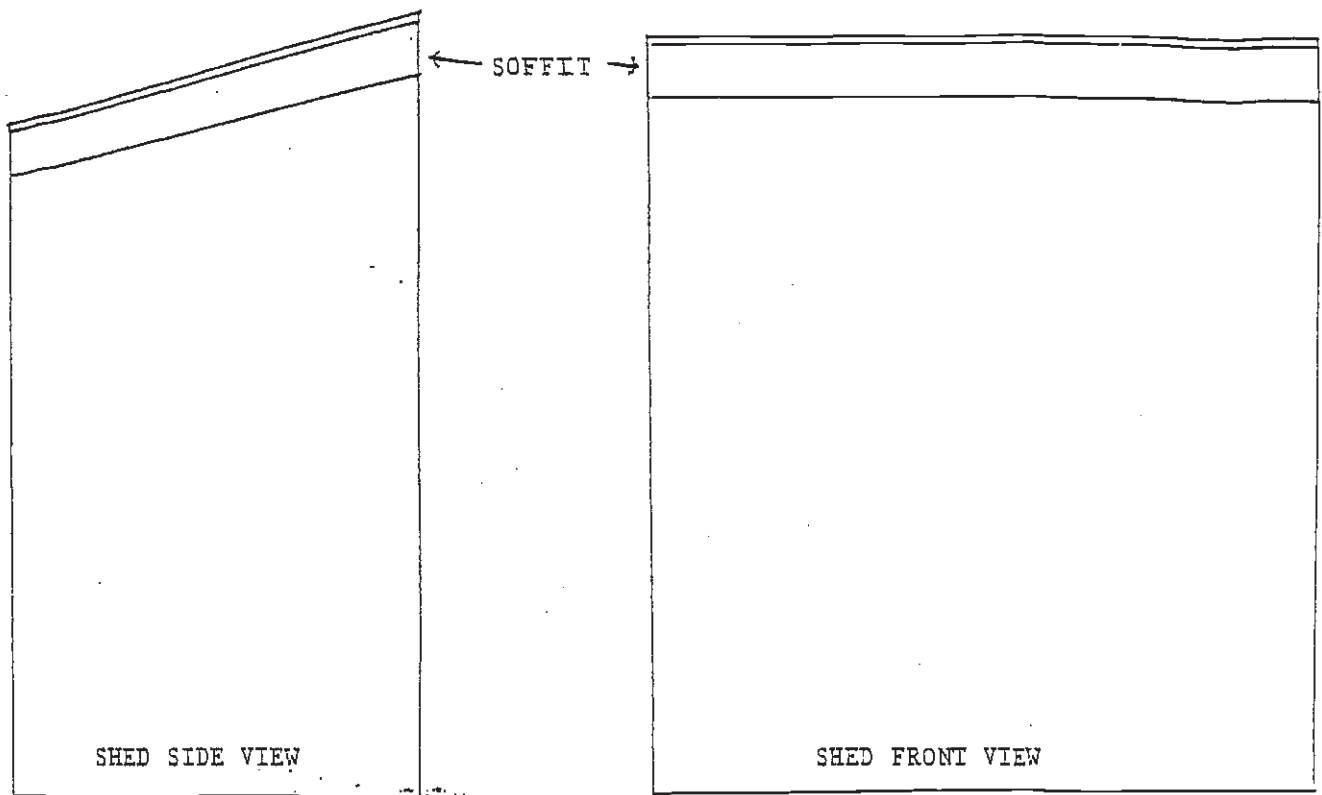
White - 32", 36"  
Black - 32", 36"  
(Optional solid-brass nameplate available at additional charge.)



**Forever® Guard**  
Tough heat-treated bars put security at your doorstep.

White - 32", 36"  
Black - 32", 36"  
(Optional solid-brass nameplate available at additional charge.)





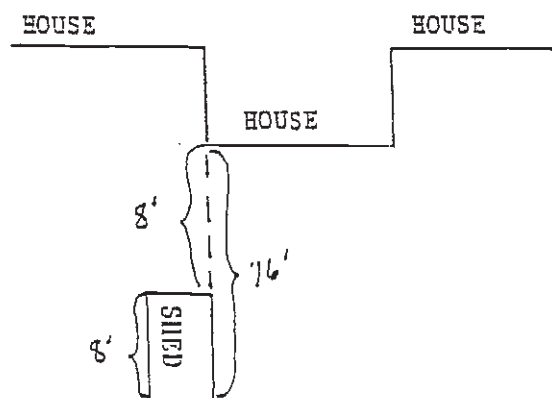
## STORAGE SHED COLORS

BODY OF SHED -- CAMEO CREAM (BY MCCORMICK PAINTS)

SOFFIT -- WHITE (B2)

ROOF SHINGLES -- EARTH BLEND (BY GEORGIA PACIFIC)

## SHED PLACEMENT



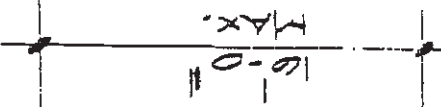
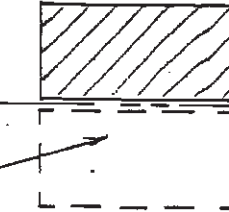
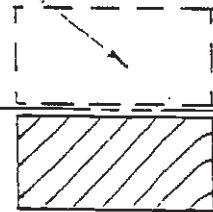
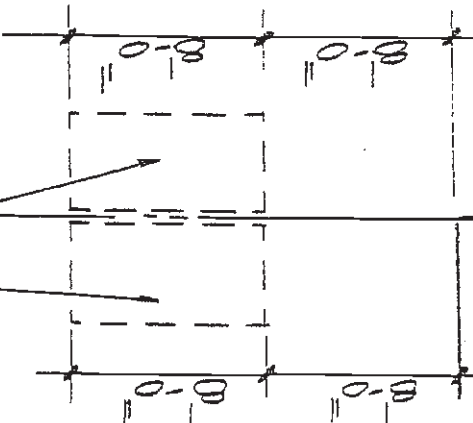
The shed may not extend more than 16 feet from the furthest exterior wall along the common property line.



PROPERTY LINE (TYP.)

THESE NEIGHBORS PUT UP SHEDS TOGETHER.

THIS HOMEOWNER HAS AN OPTION OF BACKING THE PROPOSED SHED UP TO THE EITHER NEIGHBORS EXIST. SHED.



EXTERIOR WALL OF HOUSE

OF TOWN HOUSES

TYPICAL ROW

LEGEND

EXIST. SHED



PROPOSED SHED



SHED LOCATIONS

SCALE: 1/8" = 1'-0"

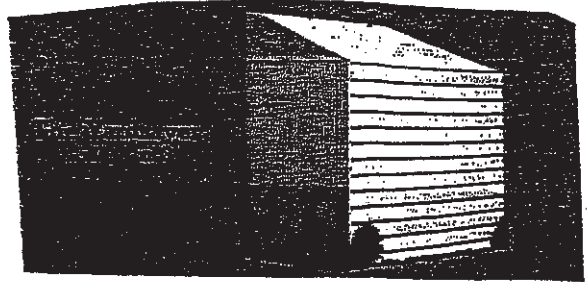
NOTE: ANY OTHER LOCATIONS SHALL BE BY SPECIAL

**ADDITIONAL SHEDS ACCEPTABLE TO AECC  
PLACE THIS PAGE WITH "SHEDS" IN THE  
GREEN GUIDELINES BOOK**

1. These are additions to the shed now listed in the Guidelines. They are pre-fab sheds, available at most local hardware stores. They may prove less expensive and more easily built.
2. An approved AECC application is needed before a shed is built.
3. These sheds must be painted the approved AECC colors.
4. The shed must be placed on a concrete slab as with any shed.
5. These sheds must be located in the same place in the yard as is stated in the AECC Guidelines.
6. These sheds must comply with all City of Gaithersburg Building Codes, and a Building Permit must be obtained before building.

**SHED DESIGNS**

**The "Yardsaver"** by the Arrow Company  
(either size 4' by 7' or 4' by 10' is acceptable)



**The "Franklin"** by the Handy Home Products Company  
(acceptable size 8' by 4' by 7')



**FRANKLIN**

APPENDIX D

**ADDITIONS TO THE AECC GUIDELINES**  
**PUT THESE IN YOUR GREEN AECC GUIDELINES NOTEBOOK**

**SATELLITE DISH ANTENNA**

1. An AECC application must be submitted and approval granted, before any such antenna is installed.
2. No "Satellite Dish" antenna shall exceed 36" in diameter or the specifications listed in the Federal Code.
3. The antenna shall not be situated so as to be offensive to the neighbors and/or the Community.
4. The antenna shall not be placed anywhere on the front of the House, or anywhere in the front yard.
5. The antenna shall not be placed on Common Ground.
6. No other type of antenna shall be acceptable as per our by-laws.

Maintenance: The "satellite dish antenna" shall be kept in "Good Sound Repair"

## AUDUBON SQUARE/FALLBROOK COLORS

- ♦ The common factor in color combinations for doors and shutters is the color of the siding on the house.
- ♦ Color names are all **DURON PAINT** colors unless otherwise indicated. If you prefer another brand of paint, most paint stores will mix the paint for you if you give them the Duron color and numbers.
- ♦ The **TRIM** on the original **AUDUBON SQUARE** courts (Sunburst & Sternwheeler Courts and 500-512 on Carousel Court) was painted **WHITE (B2)**. The trim on the **Fallbrook Court** (all other courts) was painted **ARIZONA WHITE (5830W)**.
- ♦ **ALL SHEDS** were painted **CAMEO CREAM** by McCormick Paints), with **WHITE (B2)** trim. See below for shingle colors.
- ♦ The basement **CEMENT WALLS** on the Audubon Square homes was painted **ALMOND (5731W)**.
- ♦ Fences and decks can be painted with any color of **SEMI-TRANSPARENT STAIN**. Solid color stains and paint are not permitted.
- ♦ Following are the shingle colors for the sheds:

**Tile Red Blend  
Rustic Redwood  
Tweed Blend  
Weathered Wood**

**PLEASE INCLUDE SIDING COLOR ON AECC APPLICATION FORMS**

SIDING COLOR	DOOR COLOR CHOICES	SHUTTERS COLOR CHOICES
CREAM	#Arizona White (5830W)	*Black
	*Chestnut Brown	Toffee Crunch (5223M)
	*Black	*Cardinal Red
	*Barn Red	*Chestnut Brown
	White (B2)	White (B2)
	Toffee Crunch (5223M)	
	Breakwater Blue (5482M)	
	*Forest Green	
WHITE	Catalina Green (4834D)	*Forest Green
	*Black	*Black
	White (B2)	Breakwater Blue (5482M)
	*Barn Red	India Ink Blue (6015B)
	*Forest Green	
BLUE	*Black	*Black
	*Barn Red	White (B2)
	White (B2)	
	#Arizona White	
GREY	*Black	*Black
	*Barn Red	*Cardinal Red
	#Arizona White (5830W)	White (B2)
	White (B2)	*Barn Red
	Toffee Crunch (5223M)	*Chestnut Brown
GREEN	#Arizona White (5830W)	White (B2)
	*Black	*Black
	*Chestnut Brown	
BEIGE	*Chestnut Brown	*Chestnut Brown
	White (B2)	White (B2)
	#Arizona White (5830W)	Toffee Crunch (5223M)
	*Forest Green	*Barn Red
	*Black	*Black

\*Means a standard paint color that does not need to be mixed, but will be found on shelf.

#Arizona White is a cream color

8/16/96

These are the AECC approved colors for any painting you do!

The paint colors listed are colors from Duron paint, but most paint stores can match the colors in other brands.

TRIM must be either white or Arizona White (#5830W) which is cream color!

Sheds must be painted Cameo Cream (McCormick Paints) with White trim.

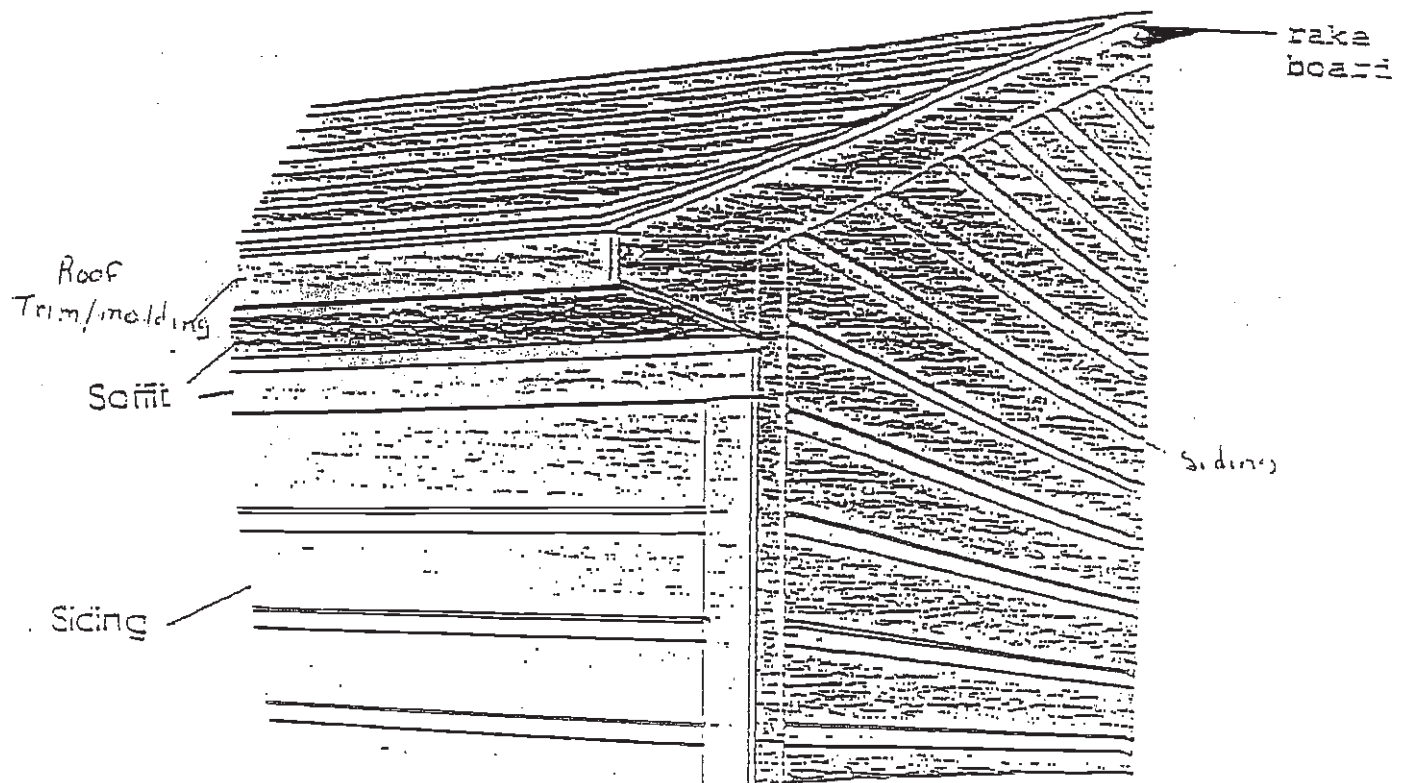
**Shutter color choices:**

- Barn Red
- Black
- Breakwater Blue #5482M
- Cardinal Red
- Chestnut Brown
- Forest Green
- India Ink Blue #6015B
- Toffee Crunch #5223M
- White

**Door color choices:**

- Arizona White #5830W
- Barn Red
- Black
- Breakwater Blue #5482M
- Catalina Green #4834D
- Chestnut Brown
- Forest Green
- Toffee Crunch #5223M
- White

The drawing below shows the parts of the house near the roof.



AUDUBON SQUARE COMMUNITY ASSOCIATION  
ARCHITECTURAL CHANGE APPLICATION

PLEASE PRINT OR TYPE

PROJECT# \_\_\_\_\_

Homeowner Name \_\_\_\_\_

Property Address \_\_\_\_\_

Homeowner's Address (if different from Property) \_\_\_\_\_

Phone Number Home \_\_\_\_\_ Work \_\_\_\_\_

Project Requested \_\_\_\_\_

Description of Project (include sketches, placement on lot, measurements, materials, and anything else will aid in a clear understanding of your proposal. (see sample in AECC Guidelines)

Proposed Completion Date \_\_\_\_\_

\* If my application is approved, I fully understand that the approval is only for what I have indicated above and is based upon the facts I have presented. I understand that approval does not relieve me of responsibility for obtaining the necessary building permits and observing local zoning ordinances. MY SIGNATURE ACKNOWLEDGES THAT I HAVE READ ALL THE INFORMATION ON THE FRONT AND BACK OF THIS FORM.

Homeowner's Signature \_\_\_\_\_ Date \_\_\_\_\_

FOR AECC USE:

COMMENTS:

☐ APPROVED

☐ APPROVED WITH CONDITIONS  
(see COMMENTS)

☐ DISAPPROVED  
(see COMMENTS)

AECC Signatures:



**AUDUBON SQUARE COMMUNITY ASSOCIATION  
ARCHITECTURAL CHANGE APPLICATION  
Additional Instructions (Page 1)**

This sheet serves as a checklist for filling out the Architectural Change Application for certain projects. You do not have to submit this checklist to the AECC. Remember:

- Fence, shed, and deck projects require City of Gaithersburg building permits (301-258-6330).
- Miss Utility must be called if any ground is broken (1-800-257-7777).

**FENCE**

- ☐ Indicate type of wood.
- ☐ Indicate stain color if stain is used.
- ☐ Include the fence design sketches from the AECC Guidelines, or your own sketches if the fence deviates from the Guidelines.
- ☐ Indicate gate height and width.
- ☐ Include a drawing of your lot showing fence and gate location.
- ☐ Include signed letters of consent from any homeowners whose fences your fence will attach to.

Note: All fences must be 6' high board-on-board and comply with AECC fence guidelines.

**SHED**

- ☐ For *prefabricated* shed, indicate brand and model of shed.

Approved prefabricated sheds are Arrow "Yardsaver" (4' x 7' or 4' x 10') and Handy Home "Franklin" (8' x 4', 7' high).

- ☐ For *custom-built* shed, refer to and follow the shed specifications in Appendix C of the AECC Guidelines.
- ☐ Include a drawing showing shed placement on your lot.

The farthest end of the shed can be no more than 16' from the end of the house. This conflicts with City of Gaithersburg requirements, but our community is allowed an exemption. Contact Tim Lynn of Community Associations if there is a problem.

- ☐ Indicate shed dimensions, including height.
- ☐ Indicate paint color of painted parts of the shed. The exterior must be painted per the AECC Guidelines.
- ☐ Indicate roof shingle color.
- ☐ State that a concrete base at least 4" thick will be used.

**AUDUBON SQUARE COMMUNITY ASSOCIATION  
ARCHITECTURAL CHANGE APPLICATION  
Additional Instructions (Page 2)**

**DECK**

- ☐ Indicate type of wood.
- ☐ Indicate stain color if stain is used.
- ☐ Include sketches showing the design and dimensions of the deck.

The sketches do not have to show every nail and connector, but should show major features such as flooring, supports, railing, etc.

- ☐ Include a drawing showing deck location on your lot.

**STORM DOOR**

- ☐ Indicate the appearance of the door. See AECC Guidelines Appendix B and B1.
- ☐ Indicate door color.

**PATIO**

- ☐ Describe materials used.
- ☐ Include a drawing showing patio placement on your lot.
- ☐ Indicate any unusual features, such as raised areas.

## IMPORTANT ACC INFORMATION

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October 21, 2002

Dear Audubon Residents:


Due to the hail damage many residents have had siding replacement done. There is only one style of siding that is approvable. The 4" straight siding and the color must be matched as close to the original as possible. Dutch style siding is not an approvable style. The Board has approved the use of the vinyl siding but again you must have the 4" straight siding. Enclosed is a copy of an ACC application. If you are planning on replacing your siding you must fill out the form and attach both a color sample and a sample of the type siding.

The same is true if you are replacing your roof. The color must match as closely as possible to the existing roof.

Any exterior changes to your home fall under the ACC Guidelines and you must fill out a form and send it in for approval.

If you have any questions feel free to call the office at 301-258-7711

Thank you,

  
Peggy Toland  
Agent for Audubon Square H.O.A.

Audubon Square HOA  
Spring Walk - Thru 2004

## Audubon Square HOA ACC Inspection Notice

Inspection Date \_\_\_\_\_

Re-inspection Date \_\_\_\_\_

Property Address \_\_\_\_\_

Dear Owners:

The items marked below were found during the spring walk through and will need to be taken care of before the scheduled reinspections occur. Items that are highlighted had been noted in the previous inspection and are subject to fines that will be added to your homeowners account until all work is completed.

**Painting front of home**

Soffit \_\_\_\_\_

Facia \_\_\_\_\_

Door \_\_\_\_\_

Window Trim/ shutters \_\_\_\_\_

**Repair/Replace**

Soffit \_\_\_\_\_

Facia \_\_\_\_\_

Windows/screens \_\_\_\_\_

Trim/House Numbers \_\_\_\_\_

Gutters \_\_\_\_\_

Roof \_\_\_\_\_

Brick \_\_\_\_\_

Concrete stoop/walkway \_\_\_\_\_

**Clean up/ prune**

Yard/ shrubs/ tree \_\_\_\_\_

NOTES: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_