

Green Hills Farm HOA

AERC Precedents

Version 1.2, Date Approved: October 12, 2008

Document Purpose

This document summarizes determinations made by the Green Hills Farm Homeowners' Association (HOA) Architectural and Environmental Review Committee (AERC), which serve as precedent for future decisions. The AERC prepared this document to assist homeowners in understanding the contemporary interpretations the HOA's architectural and environmental controls.

These precedents are *not* replacements for any of the By-Laws and Covenants. Instead, this document identifies specific items where the AERC has made a decision that effectively clarifies or extends these guiding documents. For example, in many cases the restrictions in the By-Laws or Covenants are followed with a phrase such as "unless otherwise approved by the Board of Directors or AERC" – this document lists the other approvals that have been made consistent with this allowance. While the HOA Board of Directors and AERC have reviewed this document carefully to ensure it complies with the By-Laws and Covenants, the By-Laws and Covenants shall be the governing documents in case of any conflicts.

Document References:

- [By-Laws] Green Hills Farm HOA By-Laws, dated October 26, 1989
- [Covenants] Declaration of Covenants, Conditions and Restrictions, Green Hills Farm HOA, dated November 20, 1989

These documents are available from the HOA Board of Directors or on the HOA website – www.greenhillsfarm.org.

1. Roofing Materials

References:

- [Covenants], Article VII, Section 8 Prohibited Uses and Nuisances, Item (x)
- Montgomery County HOA Commission ruling, Case No. 744-0, July 26, 2006, http://www.montgomerycountymd.gov/content/ocp/ccoc/Decisions/pdf_files/744.pdf.

In addition to cedar shake, homeowners may replace their existing roofing materials with an asphalt shingle with a class A fire rating that is designed to resemble cedar shake in shape, texture, size, and color. As manufacturers offer a wide variety of such shingles and change their product offerings often, it is impossible to create a comprehensive list of products that will always be current, accurate, and complete.

One example roofing material that the AERC has approved is the CertainTeed Landmark TL product line – see <http://www.certainteed.com/CertainTeed/Homeowner/Homeowner/Roofing/Southeast/ProductIndex/LandmarkTL-SE.htm>. For this particular product, the following colors are acceptable: Resawn Shake, Sunrise Cedar, and Weathered Wood.

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Specific Requirements:

Homeowners shall receive approval from the AERC prior to making any change to their roof including the installation of a roofing material other than cedar shake. Preference shall be given to materials that more closely resemble cedar shake. More common “three-tab” asphalt or fiberglass shingles shall not be approved. The color of any asphalt materials shall resemble cedar shake in one of its phases (e.g., freshly installed or fully weathered). In cases where a homeowner decides to use a different roofing material, the entire roof shall be replaced with the same material. This requirement shall also apply to any other structures with shingled roofs on the property such as sheds.

2. Satellite Dishes

References:

- [Covenants], Article VII, Section 8 Prohibited Uses and Nuisances, Item (o)
- [Covenants], Article VII, Section 8 Prohibited Uses and Nuisances, Introduction

Homeowners may attach a small satellite dish outside of their home such as those required for service from companies such as DirecTV or Dish Network. Homeowners should minimize the number of satellite dishes installed (e.g., remove dishes no longer in service) and avoid attaching dishes on the front of their houses where possible.

Specific Requirements:

Homeowners shall receive approval from the AERC prior to attaching or replacing a satellite dish on their property. The satellite dish shall be positioned to minimize any degradation to the appearance of the house from the street or from the neighbors’ houses. Neighbor approvals shall be obtained by the homeowner for requests to attach a satellite dish prior to AERC approval. All satellite dishes shall be 36 inches in diameter or less.

3. Driveway Lamps

References:

- [Covenants], Article XII, Section 1

Not all driveways include lamps as these were added optionally after many of the homes in the HOA were already constructed and occupied. Also, the lamps themselves vary in construction, with some operating on natural gas and some on electricity. Finally, the lamps are controlled differently throughout the community: some with timing devices, some by switches, and some by automatic light-detection devices.

Specific Requirements:

Homeowners whose driveways include lamps shall maintain them in good working condition at all times. The lamps shall always be in the same condition and state of operation (i.e., either all on or all off at the same time). Any cases where one lamp is non-functioning (e.g., a light bulb is burnt out) while the others are functioning shall be reported as a violation by the AERC in accordance with the Covenants and established practices.

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4. Sheds

References:

- [Covenants], Article VII, Section 8 Prohibited Uses and Nuisances, Item (k)

Many homeowners find sheds to be a useful addition to their property. Many sheds available today are of very high quality and appearance.

Specific Requirements:

Homeowners shall receive approval from the AERC prior to erecting or modifying a shed on their property. Sheds shall be positioned to minimize any degradation to the appearance of the house from the street or from the neighbors' houses. Neighbor approvals shall be obtained by the homeowner for requests to erect or tear-down a shed prior to AERC approval. All sheds shall be consistent with the appearance of the primary residence on the property where practical, including factors such as construction materials, roofing materials, and color.

5. Garage Additions

References:

- [Covenants], Article VII, Section 8 Prohibited Uses and Nuisances, Item (w)
- [Covenants], Article VII, Section 8 Residential Use

Some homes were built with two or three garages, and the dimensions of the lots and position of the house do not permit extending the existing garage in the current layout, which is limited to side-entry garages.

Specific Requirements:

Homeowners shall receive approval from the AERC prior to modifying, removing, or adding to their existing garage. Once any garage modifications are complete, the total garage size shall not exceed spaces for four vehicles as determined by common standards for garage sizes. Any garage additions shall be attached to the primary dwelling. If other than side-entry garage spaces are proposed in the modification, neighbor approvals shall be obtained by the homeowner for requests to modify, remove, or add to their existing garage prior to AERC approval. All garage modifications shall be consistent with the appearance of the primary residence on the property where practical, including factors such as roof lines, construction materials, roofing materials, and color.