



WEST HAVEN HOMEOWNER'S ASSOCIATION  
STEWART'S LANDING

ARCHITECTURAL CONTROL COMMITTEE GUIDELINES  
(REVISED November 10, 2014)

Articles V and VII of the Declaration of Covenants, Conditions AND Restrictions ("Covenants") of the West Haven Homeowner's Association state that "No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three or more representatives appointed by the Board". Article V of the Covenants also states that "In the event said Board, or its designated committee, fails to approve or disapprove such design and location within thirty days after said plans and specifications have been submitted to it, approval will not be required."

All approvals granted by the Architectural Committee are contingent upon the project complying with all applicable County laws and regulations. Approval from the Architectural Committee in no way exempts a homeowner from complying with applicable County laws and regulations. The homeowner is responsible for obtaining any required building permits, and the Committee reserves the right to request a copy of said permits at any time.

The following Guidelines have been approved by the Board of Directors for use by the Architectural Committee when reviewing architectural applications:

A. Building Additions, Alterations, and Appearance Changes

1. All additions, including garages and sun rooms, shall be attached to the building and approved by the Committee.
2. Exterior Painting, Staining and Siding Replacement
  - a. Any exterior painting, staining or siding replacement matching the existing color, shade and sheen does not require approval by the Committee.
  - b. Any exterior color, shade or sheen changes (including changes to the siding, trim, shutters and doors) shall be approved by the Committee. Wood siding homes may be stained only natural wood colors approved by the Committee.
3. Roofing material used for repairs, replacement and additions shall be the same color and materials as original construction or a color and material approved by the Committee.
4. Chimneys and/or flues are permitted. Metal chimneys shall be painted black. Location of chimneys shall be approved by the Committee.

5. Attic fans shall be mounted on the rear side of the dwelling and shall be mounted in accordance with the manufacturer's specifications. Window air conditioning units are not permitted.
6. All porch railing additions or changes shall be approved by the Committee. All replacement railings shall equal the height of the existing railing. If there is no existing railing, new railing shall be thirty-six (36) inches in height. Railings shall be a color approved by the Committee. All railing additions or changes shall coordinate with the home.
7. Any new, permanent decorative trim added to the house, deck, porch, or windows must be approved by the Committee.
8. No building or alteration to same shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded plat of Stewart's Landing or any amendment to or re-subdivision thereof.
9. Screen/storm door style and color shall harmonize with the exterior of the home and be approved by the Committee. A seventy-five percent (75%) open (glass/screen) style door is preferred.
10. Entrance door and garage door replacements shall be approved by the Committee.
11. Driveway modifications or enlargements shall be approved by the Committee and are permitted only to a maximum of a two-car width. Driveways shall be concrete and meet all County setback requirements. Stamped concrete driveways are permitted and shall be approved by the Committee. Concrete driveways shall not be painted or resurfaced a different color.
12. Solar panels shall be approved by the Committee. They shall be mounted on the rear side of the dwelling and mounted in accordance with the manufacturer's specifications. No approval shall be given to install freestanding solar panels.

#### B. Decks and Patios

1. All decks and patios must be approved by the Committee.
2. Decks, including deck railings, may be constructed of natural wood, pressure-treated wood, composite materials or other materials approved by the Committee.
3. Decks may be finished with a clear wood preservative or a harmonizing natural wood color stain approved by the Committee.
4. Privacy screens may be attached to the side of a deck provided that they harmonize with the deck, are at least 50% open, and less than eight feet in height from the floor of the deck.
5. Decks and patios shall be maintained in good condition with respect to both appearance and safety.

6. Decks and patios enclosed by screen or other materials are considered to be a building addition and shall comply with the "Building Additions, Alterations, and Appearance Changes" section of these Guidelines.
7. Patios of brick, concrete, concrete products or flagstone construction shall be approved by the Committee. Patios constructed of wood are considered to be decks.
8. Sun Rooms enclosed by glass should have a knee wall at least 18" in height. Exterior finish of knee wall shall match exterior of dwelling. Floor to ceiling glass walls shall not be approved by the committee. Sun rooms shall be treated as a building addition and comply with the "Building Additions, Alterations, and Appearance Changes" section of these guidelines.
9. Temporary decks are not permitted.

#### C. Swimming Pools, Hot Tubs, Ponds, Fountains, etc.

1. Pools and hot tubs shall be located within the setback lines recorded on the plat of Stewart's Landing or any amendment to or re-subdivision thereof and approved by the Committee.
2. No above ground pools are permitted.
3. Ponds, fountains and similar structures shall harmonize with the surroundings and be approved by the Committee.
4. Committee approval for portable children's wading pools is not required; however, such pools shall not be more than two (2) feet in height or sixty (60) inches in width on the longest side of a rectangular pool or sixty (60) inches in diameter for a circular pool. Portable pools shall be kept behind the rear of the house out of street view.

#### D. Fences

1. No fence or hedge shall be erected, maintained, placed or altered on any lot nearer to any street than the minimum building setback lines as shown on the recorded plat of Stewart's Landing or any amendment to or re-subdivision thereof. It is recommended that each homeowner have his/her property lines staked by a surveyor prior to the installation of a fence or hedge so as to assure proper placement.
2. Fences shall be no more than forty-eight (48) inches in height (except for pool enclosure). Height shall be measured from the ground to the top of the fence.
3. Fences shall be open, such as in western rail, spilt rail, ranch rail, post and rail, picket fence and board-on-board styles where at least 50% of the surface area is open.
4. Stockade fencing (i.e., fencing where less than 50% of the surface area is open) shall be permitted only with in-ground pools and shall not exceed six (6) feet in height.

5. Fences may be constructed of natural wood, pressure-treated wood, or composite materials as approved by the Committee/Board. The color of all fences should blend in with the natural environment.
6. Fences may be finished with a clear wood preservative. No staining or painting of fences is permitted.
7. A mesh material attached to a split rail or other open fence for retaining pets or children shall be protected material (e.g. galvanized aluminum, plastic coated) and attached on the inner side of the fence. Attaching mesh material to the exterior of the fence shall be permitted only with in-ground pools.
8. No fence shall be closer to the street than the rear corner of the house as stated in Article VII, Section 5 of the Covenants, unless otherwise approved by the Committee/Board. Impact of fence lines on adjacent properties shall be considered in the review process.
9. Fences shall be maintained in good condition.

#### E. Walls

1. A wall is defined as any construction rising more than twelve (12) inches off the normal ground level which is intended to act as a baffle or a retaining structure.
2. Walls shall not exceed forty-two (42) inches in height and shall not be located within ten (10) feet of any homeowner's property line. (This restriction does not apply to retaining walls required by topography.) No privacy walls shall be constructed on any lot. A privacy wall is one constructed to act primarily as a human barrier.
3. Concrete blocks shall not be approved as wall material.
4. The Committee reserves the right to limit the number, size and location of such structures.

#### F. Freestanding Structures

1. All freestanding structures are subject to the maintenance requirements of Article VII, Section 15 of the Covenants.
2. Play apparatus such as swings, slides, etc. shall be approved by the Committee and placed on the rear portion of the lot. Such apparatus shall be set back from adjacent property lines as required by Anne Arundel County Code. As of 01 Nov 2014, the Anne Arundel County set back requirement is five (5) feet from the rear and side property lines and fifty (50) feet from the front property line. On corner lots, the minimum county setback requirements are (15) feet from the street side property line.

Children's play apparatus shall be maintained in good condition with respect to both appearance and safety. Metal swing sets are not approved. Play apparatus with enclosed forts, playhouses, etc. shall not exceed 24 square feet.

3. No permanent type of exterior clothes apparatus shall be erected, installed or maintained on any lot as stated in Article VII, Section 11 of the Covenants.
4. No awnings shall be installed or maintained on the property. Blinds, shades, or other screening devices installed on the exterior of the house must be approved by the Committee.
5. Small detached storage buildings for the purpose of storing lawn equipment or pool equipment may be constructed with the approval of the Committee and shall meet these requirements:
  - a. Maximum size shall be one hundred (100) square feet in area (length x width) and eight (8) feet in height. Minimum size shall be sixty four (64) square feet.
  - b. Only one storage building of any kind will be allowed per lot.
  - c. Shall be constructed from natural or pressure-treated wood. Vinyl and vinyl covered wood products are permitted with Committee approval. Metal structures are not permitted.
  - d. Wooden storage buildings shall be stained or painted a color to harmonize with the house and surrounding property. Proposed color(s) shall be approved by the Committee.
  - e. Roof of wooden storage buildings shall be shingled to match the color and material used in the construction of the home.
  - f. Shall be located behind the rear corners of the dwelling unit and shall be set back from adjacent property lines as required by Anne Arundel County Code. As of 01 Nov 2014, the Anne Arundel County set back requirement is five (5) feet from the rear and side property lines and fifty (50) feet from the front property line. On corner lots, the minimum county setback requirements are (15) feet from the street side property line.
6. No approval shall be given to construct or maintain any greenhouses, tree houses, animal houses or cages, carports or any other detached temporary or permanent structures.
7. Containers designed for the temporary storage of private property while moving, and trash dumpsters for home renovations are permitted. They shall be located only in the driveway. The containers/dumpster shall be allowed for no more than thirty (30) consecutive days, unless otherwise approved by the Committee/Board.
8. Trash cans, storage bins and racks, outdoor equipment, lawn mowers, and other freestanding structures/equipment shall be stored in the garage or behind the rear of the house when not in use.
9. All building material(s) not being used in active construction shall be stored in the garage and/or behind the rear of the house out of street view. Any

material(s) from demolition/construction shall be removed from the property within one month following completion.

10. Permanent basketball apparatus (i.e., backboards, hoops, poles) may only be installed subject to the following requirements:

- a. Requests shall include a scale drawing showing the exact size, height, location and materials of the proposed installation.
- b. If installed on the street side of the home, the installation shall be securely mounted on a single freestanding pole on the side of the driveway closest to the nearest property line. The pole shall be mounted in a sleeve that is flush with the ground to allow for easy removal and maintenance.
- c. The installation shall be placed with regard to the specific conditions of the lot so as to harmonize with the surrounding property.
- d. It shall be installed no further from the house than twenty-five (25) feet and no closer to the street than fifteen (15) feet.
- e. Materials and colors shall be chosen to harmonize with the property and location.
- f. All components shall be maintained in good repair. Failure to maintain the installation in good repair shall be cause for the Board of Directors to revoke approval and take appropriate action to have the installation removed at the homeowner's expense.
- g. Use shall be limited to daylight hours (i.e., sunrise to sunset).

Portable basketball hoops may be kept on the property in the location described above. They may not be placed in other locations in front of the house such as the sidewalk or street except during actual use.

11. No freestanding flagpoles shall be permitted. Flags shall be flown from a flag bracket attached to the house. No commercial flags shall be permitted. Flags shall be no larger than three (3) feet by five (5) feet.

12. "Standard" mailboxes (i.e., metal, plastic or wooden, standard shape and size) mounted on four (4)-inch-by-four (4) inch wooden posts do not require approval by the Committee. Decorative or non-standard mailboxes and posts must be approved by the Committee. Mailbox posts must be a natural wood color, a neutral color (i.e., white, beige or gray) or match the color of the house or trim.

13. No boats, trailers, campers, motor homes or other types of recreational vehicles (e.g., jet skis, kayaks, etc.) shall be parked or stored on any street or driveway as stated in Article VII, Section 16 of the Covenants. These recreational vehicles and other similar vehicles/equipment shall be stored in the garage or behind the rear of the house out of sight from street view. Cars,

trucks and motorcycles must be parked in the garage, driveway or street. Cars, trucks and motorcycles parked on streets must have current tags and registration.

14. Decorative landscape structures (as described below) shall be approved by the Committee and must meet the following requirements:

- a. Shall be constructed of natural or pressure-treated wood.
- b. Shall be split rail or similar style.
- c. Shall be no more than thirty-six (36) inches in height.
- d. Rails shall go from the post to the ground (i.e., rails shall not be connected to two posts).
- e. The Committee reserves the right to limit the number, size and location of such structures.
- f. Decorative Landscape Structures must be natural wood color or a wood stain approved by the Committee.

15. The Federal Communications Commission ("the FCC") adopted a rule effective October 14, 1996, (47 C.F.R. Sections 1.4000 and 25.104), preempting certain restrictions in the Covenants concerning the installation, maintenance, and use of direct broadcast satellite, television broadcast and multipoint distribution services antennas ("antennas"). The Association desires and intends to adopt reasonable restrictions governing installation, maintenance, and use of antennas in the best interest of the Community and consistent with the FCC rules. Therefore, the Association adopts the following restrictions and regulations for the Community which shall be binding and shall supersede any previously adopted rules on the same subject matter.

#### Antenna Size and Type

- a. DBS and MMiDS antennas that are one meter or less in diameter may be installed. Antennas larger than one meter are prohibited.
- b. Antennas designed to receive television broadcast signals, regardless of size, may be installed.
- c. Installation of transmission-only antennas is prohibited.
- d. All antennas not covered by the FCC rule are prohibited.

#### Location

- a. Antennas shall be installed solely on individually-owned property as designated on the recorded deed. Antennas shall not encroach upon common areas or any other owner's property.

- b. If acceptable quality signals may be received by placing the antennas inside a dwelling, without unreasonable delay or unreasonable cost increase, then outdoor installation may be prohibited.
- c. Antennas shall be located in a place shielded from view from the street or from other lots to the maximum extent possible; provided, however, that nothing in this rule would require installation in a location from which an acceptable quality signal may not be received. Installation in the back yard in a location which cannot be seen from the street is preferable. This section does not permit installation on common property, even if an acceptable quality signal may not be received from an individually-owned lot.

### Installation

- a. To the extent possible, antennas shall be no larger nor installed higher than is necessary for reception of an acceptable-quality signal.
- b. Antennas must be secured so that they do not jeopardize the soundness or safety of any other owner's structure or the safety of any person at or near antennas, including damage from wind velocity based upon a unique location.

### Maintenance

- a. Owners shall not permit their antennas to fall into disrepair or to become safety hazards.
- b. Owners shall be responsible for antenna maintenance and repair including repainting or replacement if the exterior surface of the antenna deteriorates.

### Antenna Camouflaging

- a. Antennas or masts may not extend beyond a railing or fence unless no acceptable quality signal may be received from this location.
- b. Antennas situated on the ground and visible from the street or from other lots must be camouflaged by existing landscaping or fencing, if an acceptable quality signal may be received from such placement. If no such existing landscaping or screening exists, the Association may require antennas to be screened by new landscaping or screening at reasonable cost.
- c. Antennas, masts, and any visible wiring must be painted to match the color of the structure to which it is installed. (Some manufacturers assert that painting may prevent the receipt of an acceptable quality signal. Association residents are advised to make sure that paint will not degrade the signal.)



- d. Antennas may not obstruct a driver's view of an intersection or street.

#### Number of Antennas

- a. No more than one antenna of each provider may be installed by an owner.

#### Mast Installation

- a. Mast height may be no higher than absolutely necessary to receive acceptable quality signals.
- b. Masts must be painted to match their surroundings.

#### Notification Process

- a. Any owner desiring to install an antenna must complete a notification form and submit it to the Architectural Committee. If the installation conforms to all of the above rules and restrictions, the installation may begin immediately.
- b. If the installation is other than routine for any reason, owners should contact the Architectural Committee to establish a mutually convenient time to meet to discuss the installation.

16. All freestanding structures shall be maintained in good, safe and operating condition at all times.

17. No major repair work or maintenance may be performed on gasoline-powered or natural gas-powered motorized vehicles and equipment to include cars, trucks, jet skis, motorcycles, lawn mowers, snow blowers, leaf blowers, etc. for an extended period of time outside the garage. This repair/maintenance shall conform to all Federal, State and County environmental regulations.

All construction related to building additions, alterations, and/or appearance changes shall not exceed the time approved, unless otherwise approved by the Committee/Board.

These Guidelines are approved for use by the Architectural Control Committee as the basis for performing its duties. However, the Committee may use its discretion regarding these Guidelines on a case-by-case basis. All application approvals and denials shall be submitted to the Board of Directors of the West Haven Homeowner's Association for final review and approval.