

Rule and Regulation No. 2006 - 002

**Architectural Review and
Building Construction Process for
Lot Numbers 1 through 167**

of the

Ridgeview Valley Master Homeowners Association, Inc.

RVMHA, Inc
912 Gravelly Run Road
McHenry, MD 21541

November 2006

(RV09)

Architectural Review and Building Construction Process for Lot Numbers 1 through 167

The following procedure is in accordance with Article V Section 2 of the Articles of Incorporation of Ridgeview Valley Master Homeowners Association, Inc. which grant the Association the power to adopt and enforce rules and regulations applicable within the Ridgeview Valley Development.

Ridgeview Valley Master Homeowners Association, Inc.

Rule and Regulation No. 2006 - 002

Architectural Review and Building Construction Process for Lot Numbers 1 through 167

These Rules, Regulations and Standards, promulgated by the Ridgeview Valley Architectural Review Committee ("RVARC"), apply to all single family lots within the Ridgeview Valley development.

1. DEFINITIONS

1.1. Declaration

Declaration means the Declaration of Covenants, Conditions and Restrictions (CC&Rs) of the Ridgeview Valley Master Homeowners Association, Inc., Garrett County, MD, Dated September 15, 2006, and recorded in the Land Records of Garrett County, in Liber 1250, Folio 0116.

1.2. RVARC

RVARC means the Ridgeview Valley Architectural Review Committee described in Section 6.1 of the Declaration.

1.3. Change

Change the Condition of Property means installation, erection, construction, placement, alteration, modification or amendment of any building, structure or improvement within, upon, under or above the owner's property, including:

- i) The construction of all new buildings;
- ii) The renovation, expansion, or refinishing of the exterior of an existing building;
- iii) Major site improvements (including driveways, and culverts);
- iv) Construction of, or additions to, fences, enclosures or landscaping;
- v) Installation of swimming pools, play equipment, basketball hoops etc.
- vi) New landscaping and major changes in existing landscaping

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1.4. The definitions of “Declarant”, “Board”, “Guidelines”, and “Owner” can be found in Article I of the above referenced Declaration.

2. ARCHITECTURAL DESIGN REVIEW

2.1. Approval of Change Requirement

No Change shall be made or permitted, unless authorized by the RVARC, acting on behalf of the Declarant and the Board.

2.2. Objectives of Architectural Review

Decisions approving or disapproving any application required herein shall be made for the mutual benefit and protection of owners of lots in the subdivision, upon consideration of the Objectives of Architectural Review, including:

- i) To carry out the purposes and objectives of the Declaration;
- ii) To prevent violation of any specific provision of the Declaration;
- iii) To protect property values;
- iv) To prevent any change which would be unsafe or hazardous to any person or property;
- v) To minimize obstruction or diminution of the view of others;
- vi) To preserve natural appearance and vegetation to the extent possible;
- vii) To assure good and attractive design in any change to the condition of property;
- viii) To assure any change in condition of the property is compatible with other features of the development;
- ix) To assure any change in condition of property is in harmony with the natural setting of Ridgeview Valley;
- x) To assure the quality of materials and workmanship;
- xi) To assure maintenance of property, including selection of materials appropriate to the conditions of the area;
- xii) To promote water conservation;
- xiii) To encourage use of natural vegetation in landscaping;

xiv) To assure compatibility between adjacent or neighboring lots.

3. APPLICATION

3.1. Application Required

Prior to any Change, the person proposing to make such Change (the "Applicant") shall submit such information as reasonably necessary for review of the Change, including but not limited to surveys, plot plans, drainage plans, elevation drawings, construction plans, specifications and samples of materials and colors showing the nature, kind, shape, height, width, color, materials, and location of the proposed change.

3.2. Contents of the Application

A complete application shall include, at minimum:

1. A written request, stating:
 - i) Name of applicant;
 - ii) Current address, phone and, where applicable, email address and fax number of applicant;
 - iii) Identification, where applicable, of architect, engineer, project manager, builder and contractor;
 - iv) Identification, by lot number and street address, of the property subject of the Change;
 - v) Brief description of project to be reviewed.
2. Site Plan
The site plan must be at an appropriate scale (1" = 10') and must show location of building, building envelope, setback dimensions, other structures, if any, driveway and parking area.
3. Engineered Foundation Design,
The foundation location shall be prepared by a qualified registered professional engineer.
4. Grading Plan and Drainage Plan
The grading and drainage plan shall include:
 - i) A sketch showing final contours, flow and manner of subsurface and surface drainage;

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- ii) The location of driveway culvert so as to maintain drainage adjacent roadways;
- iii) Plans and specifications for treatment of drainage from garage floor drain, if any.

5. Architectural Drawings, Plans, Specifications.

The architectural drawings, plans and specifications shall including, at minimum:

- i) Finish and natural grade elevations
- ii) Floor plans showing overall dimensions, at a scale of no less than 1/4" = 1'.
- iii) Roof plans showing pitch, at a scale of no less than 1/4" = 1'.
- iv) Location indicating the highest ridge of the roof.
- v) Exterior elevations showing doors and windows

6. Exterior Materials Description,

The exterior materials description shall include at minimum:

- i) Exterior materials and colors;
- ii) Roof materials and color.
- iii) Samples of all exterior materials, colors, and finishes.

7. Landscaping Plan.

A perspective sketch of the various structures and plants.

8. Other

Such other information as the RVARC shall reasonably require to evaluate the Application. Such request for additional information shall be in writing and shall specify the information requested.

3.3. Number of Copies

The Application shall include three (3) complete sets of plans and specifications, signed by the owner and architect, if any. One approved set shall be maintained at the site during construction.

3.4. Fees

- i) The fee for processing the initial application is \$175
- ii) The fee for each reprocessing of an lapsed application is \$125
- iii) The impact fee for the general repair of construction impact to common areas is \$400

4. REVIEW, APPROVAL, DISAPPROVAL OR PARTIAL APPROVAL OF APPLICATION

4.1. RVARC Meetings

The RVARC shall meet, as necessary and in a timely manner, to review, approve or disapprove applications for Change.

4.2. Applicant/RVARC Meeting

The Applicant shall be given the opportunity to meet with the RVARC at a time of mutual convenience to discuss the Application.

4.3. Preliminary Review

Prior to submission of a complete Application, a prospective Applicant may request a preliminary review by the RVARC, and may request an informal meeting with the RVARC to review preliminary drawings, sketches, conceptual designs or ideas. The RVARC may provide informal and non-binding guidance and opinion(s) as to any matter so reviewed.

4.4. Written Approval, Disapproval or Partial Approval

A decision to Approve, Disapprove, or Partially Approve an Application shall be in writing, and shall specify the effective date of the decision. Such written decision shall be mailed to the Applicant at the address provided in the Application. A decision to Disapprove or to Partially Approve an Application shall specify the reasons for the decision.

4.5. Time for Required Decision

Such written decision to Approve, Disapprove or Partially Approve an Application shall be made within 60 days, and shall be mailed to the Applicant in an expedient manner after receipt by the RVARC of a Complete Application containing all information reasonably requested by the RVARC.

4.6. Resubmittal of Plans

In the event that final submittals are not approved by the RVARC, the owner must resubmit only those changes made in response to the issues raised by the RVARC.

5. EXPERT, ADVISORY OPINION(S)

The RVARC may seek advisory opinions, and may employ experts, including but not limited to architects and engineers, where reasonably necessary, to assist in the review of an Application. If the RVARC determines such expert assistance is necessary or de-

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irable, the RVARC shall inform Applicant in advance and shall explain the reason for such decision. Reasonable costs of such review may be charged to the Applicant.

6. COMPLETION OF WORK

After having secured final design approval from the RVARC the following is required:

- i) Construction shall start within six (6) months from obtaining final approval.
- ii) Work shall be substantially completed within one (1) year of the date of start of construction, unless an exception is granted in writing by the RVARC.
- iii) In the event construction is not started within the aforesaid period, then approval of the plans and specifications shall be deemed to have lapsed and new approval from the RVARC must be required.
- iv) If work on an improvement is initiated and then abandoned for more than 90 days or if construction is not completed within the required one year period, the RVARC may impose a fine of \$100 per day (or such other reasonable amount as the RVARC may determine) to be charged against the owner of the lot until construction is resumed or completed, as applicable, unless the owner can prove to the satisfaction of the RVARC that such abandonment is for circumstances beyond the owner's control.
- v) Improvements shall be completed in conformance with plans, specifications and other materials presented with the Application.
- vi) Approval of any particular plans and specifications or design shall not be construed as a waiver of the right of the RVARC to disapprove such plans and specifications, or any elements or features thereof, when such plans and specifications are subsequently submitted for use in any other instance.
- vii) The owner shall apply for all applicable building permits from Garrett County and the State of Maryland, as well as any other agencies, after receiving design approval from the RVARC.
- viii) Plans submitted to Garrett County authorities must be consistent with plans approved by the RVARC. If the plans submitted to Garrett County authorities differ from plans approved by the RVARC, the RVARC approval shall be deemed automatically revoked.

7. STANDARDS, REQUIREMENTS

7.1. Structures Newly Constructed.

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All construction shall be new construction and no previously erected building, structure or improvement shall be moved and set upon any lot from any other location, unless approved by the RVARC.

7.2. Structures Constructed On Site

- i) The structure shall be built on site. Prefabricated component parts may be used in construction with RVARC approval. Trailers and mobile homes are prohibited.
- ii) No structure shall be placed or erected which is, or ever has been, or could be made the subject of a specific ownership tax, nor shall structures constructed in the fashion and manner as trailers be allowed.
- iii) Dog houses must be approved by the RVARC.

7.3. Minimum Living Space

- i) Each single-family unit shall have a minimum conditioned living space of 1,800 sq. ft.
- ii) All measurements shall be on outside foundation walls, not including open porches, garages or common elements.

7.4. Building Materials, Exterior Finish

- i) All structures shall be constructed of either stone, lumber or a combination thereof. Use of composite exterior materials will be considered and may be approved by the RVARC. The use of cinder blocks shall not be allowed unless faced with another material approved by the RVARC.
- ii) The use of fire retardant and fire resistant materials, including exterior finish materials, is strongly encouraged.
- iii) Exterior finishes shall be of natural earth tones or native exterior materials, or such color or combination of colors as shall be approved by the Architectural Control Committee.

7.5. Placement and Orientation of Structure

Structures and improvements shall be placed and oriented to maximize compatibility with adjacent or neighboring homes, including preservation of privacy, views, drainage and the utility of each lot.

7.6. Drainage

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- i) No structures shall be placed or located on any Lot in such manner that will obstruct, divert or otherwise alter the natural water drainage courses and patterns, unless approved by the RVARC. Likewise, no landscaping or changes to the existing terrain shall be made which shall obstruct, divert or otherwise alter such drainage unless approved by the RVARC.
- ii) Roadside drainage channels shall be preserved so that flows within the channels are unimpeded. Each lot owner shall place a properly sized culvert in the roadside drainage channel at the point or points of access to the lot. The culvert shall consist of ADS N12 pipe (High Density Polyethylene) with headwalls or flared end sections installed on the upstream and downstream ends. Each lot owner is responsible for maintaining the culvert, to ensure proper drainage.
- iii) No floor drain shall be connected to the municipal sewer system. Treatment of drainage from any such garage floor drain is subject to approval of RVARC, or no such drain shall be constructed.
- iv) No drainage system may be constructed to convey surface drainage to the municipal sewer system, including drainage from roofs, gutters, foundations or yard area(s).
- v) Private wells and individual septic systems are prohibited.

8. SETBACK AND HEIGHT REQUIREMENTS

8.1. Structures shall be within allowable setbacks, as provided by the chart below.

Front setback	40 feet minimum from property line to buildable area
Rear Setback	40 feet minimum from property line to buildable area
Side Setbacks	15 feet minimum from property line to buildable area
Street access	15 feet maximum width
Buildable area 1. Garage zone 2. Porch zone 3. Terraces and decks	<ol style="list-style-type: none"> 1. Garages shall be within the set backs outlined above. 2. Attached porches must be within the set backs described above. 3. The remaining areas left within the set backs after construction of the main mass, porches and garages is left for terraces and decks.
Outbuildings	Allowed by special exception only

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Site considerations	Special consideration must be given to the placement of buildings for significant trees and root structure.
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8.2. Building Height.

- i) The maximum building height shall not exceed 50 feet from grade.
- ii) The building height shall be that distance measured vertically, from the undisturbed or natural ground surface at the mid-point between the front and rear walls of a building to the top of a flat roof or mansard roof or to the mid-point between the eave line and the peak of a gable, hip, shed or similar pitched roof.

9. **LIGHTING**

- i) All exterior lighting shall be the minimum necessary and prevent glare on adjacent properties.
- ii) All such exterior lighting shall be shielded so the lighting element is not visible from the property boundary.
- iii) Christmas lights (temporary or permanent) must be white in color and non-flashing.

10. **WILDLIFE PROTECTION**

- i) Pets shall be confined within the owner's property boundaries, unless on a leash and under control by the owner.
- ii) All trash and recycling containers must be stored within the individual homes in covered enclosures prior to being taken to the onsite trash compactor locations nearby. No trash containers may be left outside overnight.

11. **FIREPLACES**

- i) No open or closed hearth, solid fuel fireplaces are allowed.
- ii) All units shall be allowed an unrestricted number of gas burning stoves and appliances.

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12. WATER/SEWER CONNECTIONS

- i) Water and sewer lines shall be properly connected to the services provided by the Garrett County Department of Public Utilities.
- ii) Each household shall have a water meter which shall be provided by the Garrett County Department of Public Utilities.
- iii) Each household shall install a pressure reducing valve in accordance to the rules and regulations specified by the the Garrett County Department of Public Utilities.

13. LANDSCAPING

- i) Landscaping shall be designed to blend with and complement the natural vegetation of the adjacent commons area. Use of natural vegetation is encouraged.
- ii) Landscaping of each lot shall be designed to encourage water conservation and minimize water consumption.
- iii) Irrigated lawns shall be minimized.

14. VARIANCES

- i) As provided in Section 6.01 of the Declaration, the RVARC may grant variances from the strict application of Articles VI (Architectural Control) and VII (Use Restrictions) upon determination that no nuisance, impairment of view or adverse effect results to any other property owner.
- ii) As provided in Section 6.01 of the Declaration, the RVARC may grant a variance to setback requirements where necessary or desirable, based on consideration of lot size, terrain, drainage, view plane and design features, and local zoning laws.
- iii) The RVARC may grant variances from compliance with these regulations and standards where the RVARC determines that site conditions such as natural obstructions, hardship, aesthetic or environmental considerations warrant such a variance.
- iv) Request for such variance shall be made by the Applicant in writing, and such request shall specify the variance requested and the grounds therefor.

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- v) No such variance shall be granted unless all owners within a radius of 200 feet from the site of the proposed variance shall either consent in writing, or shall be given an opportunity for hearing before the RVARC of not less than ten days written notice delivered to said owners or to their premises, or mailed to their last known address by Certified Mail.
- vi) The RVARC may require submittal of such additional information and supporting documentation as it deems necessary.
- vii) A decision to approve or deny a variance shall be written, shall specify the variance, if approved, and may include such terms and conditions as the RVARC deems necessary and desirable.

15. MONITORING AND ENFORCEMENT

15.1. Inspection

The RVARC, or representative designated by the RVARC, may inspect work in progress and to ensure compliance with approved design documents. If changes or alterations are found that have not been approved, the RVARC will issue a "Notice of Non-Compliance".

15.2. Notice to Comply

When, as a result of a construction observation, the RVARC finds changes and/or alterations that have not been approved, the RVARC will issue a "Stop Work Order" and a notice to comply in a timely manner. The RVARC will describe the specific instances of non-compliance and will require the owner to comply or resolve the discrepancies before work continues.

15.3. Notice of Compliance

The owner will provide the RVARC with a written statement of "Construction Completion" upon completion of all work on any improvements that were given design approval by the RVARC. The RVARC will make a final inspection of the property and will issue a written "Notice of Compliance" in a timely manner. If it is found that the work was not done in compliance with the approved design documents, the RVARC will issue a Notice to Comply.

15.4. Inspections Not Performed

Absence of inspection and notification during the construction period does not constitute either approval by RVARC of work in progress or a determination that the project is in compliance with the Guidelines.

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15.5. Garrett County, State of Maryland, and other Agencies Approvals

The owner shall apply for all applicable building permits from Garrett County and the State of Maryland, as well as any other agencies, after receiving design approval from the RVARC. Any adjustments to RVARC-approved plans required by Garrett County must be resubmitted to the RVARC for review (at no fee) and approval prior to the start of construction. The issuance of any approvals by the RVARC implies no corresponding compliance with the legally required demands of other agencies.

15.6. Enforcement and Remedies.

Rights of enforcement and remedies for noncompliance shall be as provided in the Declaration, Section 6.02, and in accordance with all other rights and remedies provided by law.

15.7. Right of Waiver

The RVARC recognizes that each lot has its own characteristics and that each owner has their own individual needs and desires. For this reason, the RVARC has the authority to approve deviations from any of the Guidelines. It should be understood, however, that any request to deviate from these Guidelines will be evaluated at the sole discretion of the RVARC, and that the approval of deviations will be limited to only the most creative design solutions to unique situations. Prior to the RVARC approving any deviation from the Guidelines, it must be demonstrated that the proposal is consistent with the overall objectives of the Guidelines and that the deviation will not adversely affect adjoining parcels or the Ridgeview Valley community as a whole.

The RVARC also reserves the right to waive any of the procedural steps outlined in this document, provided that the owner demonstrates there is good cause.

16. CONSTRUCTION PERIOD

16.1. General Requirements

During construction of any structure or improvement, the lot owner and contractor are responsible for conducting work so as to minimize hazards, offsite impacts and inconvenience to other residents of the subdivision.

16.2. Construction and Builder Regulations

All builders, contractors, and sub-contractors shall be duly licensed by the State of Maryland and Garrett County for the work that they are to perform.

16.3. Storage of Materials and Equipment

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All construction materials, equipment, and vehicles should be stored within the boundaries of the construction area. Equipment and machinery should be stored on-site only while necessary.

16.4. Construction Activity Times

The time of construction will be limited to the period from 6:30 AM until 6:00 PM, Monday through Friday, and 7:00 AM until 5:00 PM on Saturday. No construction operations are permitted on Sundays or major holidays. Essentially quiet activities that do not involve heavy equipment or machinery may occur at other times.

16.5. Construction Trailers and Temporary Structures

Any owner or builder may bring a construction trailer or the like to Ridgeview Valley. The trailer must be placed in the best possible location to minimize impact to the site and adjacent parcel owners. All trailers must be removed upon the issuance of the "Use and Occupancy" permit. Temporary living quarters for the owner, builder, or their employees on the lot will not be permitted.

16.6. Sanitary Facilities

Sanitary facilities must be provided for construction personnel on-site in a location within the construction area. Such facilities must be cleaned and maintained weekly.

16.7. Trash and Debris

Contractors must clean up all trash and debris on the construction site. Trash and debris needs to be picked up and disposed of in a proper container. When container is full, contents are to be taken to an authorized disposal site. Lightweight material, packaging, and other items must be covered or weighted down to prevent wind from blowing such materials off the construction site. Contractors are prohibited from dumping, burying, or burning trash anywhere on the lot or at Ridgeview Valley except in areas, if any, expressly designated by the RVARC. During the construction period, each construction site must be kept clean and neat to prevent it from becoming a public eyesore or affecting adjacent lots. Any clean up costs incurred by the RVARC in enforcing these requirements will be billed to the lot owner.

16.8. Hazardous Waste Management

The owner and/or builder shall be responsible for complying with all laws and regulations regarding the handling and disposal of hazardous waste material.

16.9. Culvert Installation

Culverts, or other temporary measures approved by the RVARC, shall be installed prior to commencement of construction activity to protect drainage and wetland areas. These

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may be temporary culverts, with permanent culverts, as required by Section 7.6.2, to be installed prior to driveway construction.

16.10. Vehicles, Trailers, Equipment

Vehicles, trailers and construction equipment, shall be parked, operated, maintained or otherwise situated to prevent hazards, obstruction of traffic, and damage to offsite areas, including roadways and drainage swales.

16.11. Damage Repair and Restoration

Damage and scarring to other property, including open space, adjacent parcels, roads, driveways, and other improvements will not be permitted. If any damage does occur, it must be repaired and/or restored promptly at the expense of the person causing the damage or the owner of the parcel.

Upon completion of construction, each owner and builder is responsible for clearing up the construction site and for the repair of all property that was damaged, including but not limited to restoring grades, planting shrubs and trees as approved or required by the RVARC, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting, and fencing.

If the Contractor crosses into protected areas, such as designed open space or wetlands, the contractor shall to the RVARC's satisfaction:

- i) Revegetate the area disturbed immediately and maintain said vegetation
- ii) Pay any fines imposed by any governmental agency, including but not limited to the State of Maryland, Garrett County, or the Army Corps of Engineers.

Any property repair costs incurred by the RVARC will be billed to the owner

16.12. Construction Signs

Temporary construction signage will be limited to one sign per home site. The sign must be the approved signage for Ridgeview Valley and will be installed at the builder's expense and removed within three days of the issuance of the occupancy permit.

16.13. Noise, Dust, Trash, Unsightliness

Noise, dust, accumulation of trash and unsightliness shall be minimized.

16.14. Builder Etiquette

16.14.1. Job Sites

- i) Job Sites are to be kept clean and organized in a professional manner.

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- ii) Construction debris needs to be picked up and disposed of in accordance to Section 16.7.
- iii) No burning or burying of any construction debris will be allowed.
- iv) Special care should be taken with any food debris to make sure it is disposed of properly as to not attract wild animals to the site.
- v) All construction materials need to be stored in a neat and orderly fashion.
- vi) Construction equipment including trailers are to be stored on site in a fashion as to not infringe or disrupt neighboring properties.
- vii) All equipment and trailers must be parked on the job site and not in the street or common right-of-ways.
- viii) Job site parking areas shall be maintained with gravel so that no mud or debris accumulates on paved streets or right-of-ways.

16.14.2. Workman Conduct

- i) Workmen are to conduct themselves in a manner that is not offensive to the neighboring community. Vulgar acts and language will not be tolerated. Loud music will not be tolerated.
- ii) Workers are not to arrive on the job site any earlier than one-half hour before their starting time and leave the job site no later than one-half hour after the completion of their shift.
- iii) No alcoholic beverages, drugs, or firearms in any form will be tolerated in the Ridgeview Valley Community by any workers.
- iv) Vehicles normally used for daily transportation are not allowed to stay on job site overnight, other than vehicles that would normally be used to store supplies.
- v) Upon entering or leaving the Ridgeview Valley property, workman must obey all local speed limits. The speed limit on the main roads is 35 mph, while on side roads its 25 mph.

16.14.3. Site Conditions

- i) Contractor is responsible for snow removal from site. No snow is to be pushed along or into streets.
- ii) Materials and supplies need to be delivered and unloaded as to not block roadways, common areas and right-of-ways.

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- iii) All work must be performed in accordance with MOSHA and OSHA rules and regulations.

Any workman conduct violations that require correction by the RVARC will be performed at the expenses of the lot owner.

17. DECLARATION CONTROLLING

In the event of any conflict between these rules and regulations and the provisions of the Declaration, the Declaration shall control.

The above Regulation was read and approved as amended by the Board of Directors of the Ridgeview Valley Masters Homeowners Association, Inc.

Date of Adoption: _____

Date Signed: _____

Signature: _____
(President, Ridgeview Valley Master Homeowners Association, Inc.)

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