

FRONT YARD POLICY /EFFECTIVE 7/1/2019

Last summer at the August 2018 Board meeting the Tanterra Board of Directors and the Architectural Committee heard from many homeowners who shared their views on how they would like their community to look. Numerous homeowners spoke and we heard a wide range of opinions, ranging from nothing in the front yards to an unlimited amount. A key point was whether furniture should be allowed in the front yard, porch or patio, or whether it should be limited to the backyard. The general consensus was that furniture should be allowed, but it should be limited in scope. A petition that was signed by over 130 homeowners last year even referenced the word "limited" in it. It read, in part:

"We will not support any rule that imposes unwanted restrictions limiting our right to responsibility enjoy socializing with family, friends and neighbors in our front yard. Furniture in one's front yard should be permitted so long as it is well maintained limited in nature consistent with neighborhood aesthetics, does not constitute clutter and does not promote or contribute to nuisance behaviors."

Since last year's August 2018 meeting the Architectural Committee has done a great deal of research into other HOA's in and around Olney and Montgomery County regarding policies affecting homeowners' use of their yards. Our task was to better understand the guidelines other communities have implemented. We also drove through many communities governed by HOA's to see what is allowed, and find our new policy is more lenient than most other neighborhoods.

One of the main responsibilities of the Architectural Review Committee is to oversee and regulate the external design, appearance/maintenance and locations of the improvements made to each property, in order to preserve and enhance our community and maintain a consistent schematic throughout. The enforcement of design standards not only improves the appearance of a community but increases property values. Our homes' values have been on the rise since the Architectural Committee became more active in the late 1990's, when a new set of Bylaws and Covenants were implemented. In the 90s, because of the declining appearance of Tanterra, Realtors actually avoided our community when showing homes to prospective buyers, so as not to negatively reflect on the greater Olney community as a whole. Typically, communities governed by HOAs that enforce design covenants protect homeowners from actions of neighbors that can detract from the appearance of the community and, in some cases, diminish property values.

Today we are now a community that is competitive with other neighborhoods, with our homes selling as quickly as others, and values continuing to increase. And it's not just a strong housing market that is contributing to this uptick in prices, but the improved condition of the homes, upgrades that have been made throughout our community (pool, tennis courts, etc.) which has brought this about.

One of our major goals is for homeowners to enjoy our community, avail themselves of the amenities that Tanterra offers its homeowners, and be confident that the appearance of their community will continue to improve as homeowners seek to protect their investments. Thus, after a great deal of work, research, etc., we are pleased to announce the new Front Yard Policy, which we believe will further sustain our community's values and overall appearance.

If you have any questions please don't hesitate to contact the Architectural Chairman.

TANTERRA FRONT YARD POLICY

One of the main responsibilities of the Architectural Committee is to oversee and regulate the external design, appearance and locations of improvements made to each property in order to preserve and enhance our community's property values and maintain a consistent schematic throughout.

Furniture in a homeowner's front yard will be permitted so long as it is well maintained, limited in nature, consistent with neighborhood aesthetics, does not constitute clutter and does not promote or contribute to nuisance behaviors. **A front yard is considered** anything from the front corners of the house extending to the side property line and forward to the street, including the driveway. On the driveway side of the home, the front would begin with the end closest to the street of the carport or garage. If you have any questions or doubts how to proceed, please check with the Architectural Committee before beginning any work. **An Architectural Request Form must be filled out showing the location of outdoor furniture, type, size, color etc., and whether it will be placed on grass or mulch.**

Limited in nature: **seating for four individuals AND not to exceed (4) items.** While umbrellas can be used in your back yard, no umbrellas of any type or size are permitted in the front yard. An example of the four (4) items would be any combination that seats no more than four individuals:

- Chairs
- A bench that seats two (2)
- A small table
- Glider seat (can be a chair or a bench that seats 2)

Any other combination must be approved by the Architectural Committee and an Architectural Request Form submitted. Any of these items must be placed at least 5 feet away from the edge of a homeowner's property line. None of these items are permitted in the County Right of Way, which is normally 20 feet in from the edge of the street.

Lawn furniture must be arranged in an orderly fashion, with the preferred location on a patio by the front of the house, but is allowed on the lawn or a mulched area within the front yard that accommodates said furniture. Furniture should be placed close together so the overall area is kept to a minimum. Furniture should be kept close to the front of the home. The

homeowner is responsible for keeping grassy areas with lawn furniture neat and the lawn manicured.

Furniture placed outside shall be specifically manufactured and designed for outdoor use and maintained in good order, condition and repair. Rusted, broken, poorly maintained furniture must be removed or repaired/restored to a "like-new" condition. Colors must conform to the earth tone colors consistent with HOA color schemes. Hammocks tied to trees or stands are not permitted in the front yard but can be placed in the rear of the house.

Should an occasion arise where additional seating is needed for an event or brief socializing, portable outdoor furniture such as stadium, camping and folding chairs can be used temporarily. All items must be put away immediately after use and cannot be left out overnight, left unattended for any length of time, or carried over from one day to the next.

Play equipment, including but not limited to play houses, swings, trampolines, climbing equipment, children's wading pools, etc., must be placed in rear yards in such a location where it has a minimal impact on adjoining homeowners or their lots. The only exception would be basketball nets and they must be approved by the Architectural Committee that shows location, size, color etc.

Any outdoor fireplaces, fire pits and barbeques of any kind may not be placed in front yards or in front of the home.

Landscape Accessory Features – landscape decorations are to be limited to a total of seven (7) separate pieces, must harmonize with the aesthetics of the community, and do not require review or approval when not permanently installed or affixed to the dwelling. They include, but are not limited to, seasonal garden flags affixed to a stake in the ground (max. 18" x 24"), birdbaths, birdhouses, pottery, statues, sculptures, driftwood, free standing poles of any type and various other types of lawn art. These accessories in the front yard are limited in height to 30" and 24" wide and must be placed at least five feet (5') away from a neighboring property line. An application must be submitted to and approved by the Architectural Committee prior to the installation of any oversized exterior decorative objects beyond these dimensions, natural or man-made. Oversized decorative objects will be considered based on their size, color, scale, location, compatibility with architectural and environmental design qualities and their visual impact upon adjoining lots and the neighborhood. Items reported by neighbors as offensive or as a visual nuisance shall be subject to review and approval by the Architectural Committee. All of the Landscape Accessory Features must remain in good condition and repair. Any deviation from the above standards will require prior approval by the Architectural Committee.

Failure to adhere to this policy will result in an Architectural Violation and the homeowner will be issued a Notice. Upon receipt of such Notice, the homeowner will be given two weeks to correct the problem. Failure to do so will result in fines being issued. Like parking and lawn cutting rules, these fines will be issued weekly as long as the violation continues. Lastly, once a homeowner receives an Architectural Violation notice for these items, if the violation repeats itself at a future date, a fine will be issued without another letter being sent. In addition, use of Tanterra facilities will be restricted if monies are owed for these violations.

The above rules are not exclusive. See Sections VII and VIII of the Tanterra Re-Stated Declaration of Covenants Conditions and Restrictions for additional rules.

Where existing rules do not cover a specific proposal by a homeowner, all homeowners are required to submit an Architectural Request Form prior to beginning any work on the outside of the house. The Architectural Committee has the right to apply its own judgment and its own interpretation of the rules and overall plan of the architectural appearance so long as they are reasonable and consistent with the overall design plan.

Reference is hereby made to the
Common Ownership Community Manual & Resource Guide by Montgomery County Commission on Common Ownership Communities, page 14 as follows:

Architectural control ranks with the power to impose assessments, as one of the most important parts of governing documents. The power to control the appearance of the community, including the appearance of privately-owned lots and buildings, is usually generally found in the Declaration of Covenants and in the Bylaws. Many communities, especially HOAs, have adopted detailed rules on the subject. A core provision of these plans is the requirement that every owner first obtain permission for any proposed change to their home or lot before making the change. Where the existing rules do not cover a specific proposal, Maryland courts have ruled that the board of directors or the architectural control committee has the right to apply its own judgment and its own interpretation of the rules and overall plan of architectural appearance, and the courts will not second-guess the association's interpretations so long as they are reasonable and consistent with the overall design plan.