

Preface

Welcome to the Swan Point Community. Before you begin any plans for your new home at Swan Point or exterior addition or alteration to your existing home, please read the following Design Standards and Construction Procedures. If you have any questions or need clarification on an issue please contact the Architectural Review Committee (ARC) at: 11732 B Wollaston Circle; Swan Point, MD 20645 or phone: (301) 259-2100 (email sppoa@comcast.net).

The Association's Amended and Restated Declaration of Protective Covenants ("Declaration") are recorded among the Land Records of Charles County, Maryland, in the County Court House at 200 E. Charles Street in LaPlata, MD and they run with the title to each lot within Swan Point. According to Section 11B-106 of the Maryland Code, Real Property, a contract for resale of a lot within a homeowners association is not enforceable unless the purchaser is provided with copies of all of the Association's Articles of Incorporation, Declaration, Bylaws, Rules and Regulations and any amendments thereto (hereinafter collectively referred to as the Association's "Governing Documents").

The Association's Governing Documents, which include these Design Standards and Procedures, limit the manner in which owners may use their lot within the Association and they require every owner to obtain the prior written approval of the Association prior to commencing any construction, alteration or improvement made to their property.

To assist it in enforcing the Governing Documents, the Board of Directors of the Swan Point Property Owners Association has delegated certain duties and powers to the Architectural Review Committee (ARC). ARC is made up of both a Developer representative and volunteer property owners. ARC meets on a regular basis but is available to answer individual questions, if necessary. A majority of ARC members must be in attendance at any ARC meeting to rule on any pending applications or otherwise conduct the business of ARC.

The principal purposes of ARC are to endeavor to ensure consistency and harmony in the quality, design and appearance of all developed and undeveloped properties within Swan Point, to assist the Board in enforcing the Association's Governing Documents and to help ensure compliance with the Chesapeake Bay Critical Area Program adopted by Charles County and the State of Maryland. All approvals or disapprovals are based upon a majority vote of the members of ARC in attendance at any meeting at which a quorum is present. All construction must comply with terms of any approval issued by ARC.

To maintain and enhance the aesthetic and visual harmony of properties within the Swan Point community are at the root of ARC's purpose. Since issues related to the visual harmony and aesthetic of the community are sometimes difficult to describe, one of the key purposes of these Design Standards and Procedures is to generally outline the alterations, improvements and maintenance standards that, in the opinion of the Board and ARC, are consistent with the quality of design and visual harmony of Swan Point.

The regular schedule of ARC meetings is designed, at least in part, for the purpose of discussing questions of aesthetics, building character and the means of affirming the Swan Point community vision. The Association's Governing Documents grant ARC and the Board with authority to establish and foster aesthetic and design objectives that are consistent with the Swan Point community scheme and character and both the Board and ARC endeavor to work with each owner to ensure that their lot is maintained, altered or improved in accordance with the Association's Governing Documents.

ADDITIONS TO THE DESIGN STANDARDS AND CONSTRUCTION PROCEDURES FOR
SWAN POINT

Approved by the Swan Point Board of Directors

Policy Resolution No. 2 - A

Policy Governing Enforcement of Covenants, Rules and Regulations Standards

Approved March 20, 2008

Effective March 20, 2008

WHEREAS, each member (as defined in Article 1 Sec. 1.3(b)) of the Declaration is required to adhere to all covenants, rules and regulations as set forth by the Association (as defined in Article 2 Section 1.1 (5)) as stipulated in The Swan Point Amended and Restated Bylaws; Articles of Incorporation and Declaration of Protective Covenants and the Design Standards and Construction Procedures for the Swan Point Community.

WHEREAS, if a member fails to comply with the Declaration and Design Standards, the Declaration empowers the Board or its Committees to initiate enforcement action, including, but not limited to the imposition of monetary charges provided that notice and an opportunity to request a hearing are provided seven days in advance of the effective date of the monetary charges;

WHEREAS, the Board of Directors previously adopted Policy Resolution Article 12 ; Section 12.1 (g) in order to establish the procedures for enforcement of this process; and

WHEREAS, upon advice of the employment staff and counsel, the Board of Directors has decided to establish a more expeditious enforcement process for the adherence to the rules, regulations and covenants set forth in the Declaration and Design Standards.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD ADOPTS THE FOLLOWING POLICY:

1. This policy supersedes the enforcement procedures set forth in the Association Design Standards a/k/a the Green book for violations of the standards set forth in The Swan Point Amended and Restated Bylaws; Articles of Incorporation and Declaration of Protective Covenants and the Design Standards and Construction Procedures for the Swan Point Community.

2. For First-Time Offenders: Upon its own detection or confirmation of a complaint that a Non-compliance within the community requires some form of remedial measure to address the problem. The Association shall issue a citation by first class mail or via to the Owner at his/her address listed in the Association's records, and to the address for the property, if the Owner's address of record differs from the address of the property. The initial citation should advise the Owner of the required action to bring him/her/them into compliance with the requirements set forth in Article 7 of the Declaration and should specify that the Owner must undertake the required remedial action within seven (7) days of the date of the citation.

If the Owner fails to comply before the deadline cited in the citation, the Association shall send the Owner a second notice of citation, this time by certified mail, return receipt requested which shall advise the Owner that if he/she/they do not: (a) provide written notice to the Association that they have been brought into compliance with the Association's governing documents within seven (7) days of the date of the Association's notice, or (b) request a hearing to contest the citation within seven (7) days of the date of the Association's notice, the Association will impose a monetary charge against the property owner in the amount of \$500.00 per violation. The Board of Directors will deem notification to be effective if any Owner fails or refuses to sign for any registered or certified mailing from the Association.

3. For Repeat Offenders: If any Owner has received written citation from the Association for any matter relating to the same or similar covenant, regulation or rule violation during the prior twenty-four months, the Association reserves the right to dispense with the initial 7 day notice in order to issue the 7 day notice mentioned in subsection (a) above.

4. Nothing herein is meant to preclude the Board from the use of other remedies or sanctions available to the Association in order to obtain compliance with the requirements. The Association reserves the right to exercise all other powers and remedies provided by the Association's Governing Documents or the laws of Maryland, including, but not limited to, obtaining injunctive relief or initiating self-help.

RESOLUTION: NEW TREE REMOVAL/TREE TRIMMING PROCEDURES:

Approved on October 15, 2009

Effective October 15, 2009 _

The Charles County Department of Planning and Growth Management ("Charles County") requires that members of the Swan Point Property Owners Association apply directly to Charles County for permission to remove any tree located within the Chesapeake Bay Critical Area. If you obtain approval for tree removal from the County, you must provide ARC with a copy of that approval letter for their records.

If your property is located in a non-critical area, you are still required to obtain approval from ARC prior to any tree removal, irrespective of an obligation to obtain approval from Charles County. ARC approval process is described in the Site and Site Plan Requirements. To determine whether your property is located within a Critical Area, please refer to the map attached hereto as Exhibit 2T.

Owners may remove trees that pose an imminent danger to life or property only after the owners have documented via date stamped photograph the condition of the tree and its imminent danger to persons or property. A copy of the County approval letter for emergency tree removals must be provided to ARC for their records.

If these procedures are not adhered to in all respects, ARC may pursue enforcement action against the responsible owners for a violation of the Association's tree removal policies.

TREE TRIMMING REQUIREMENTS:

Effective removal of a tree is defined as trimming a tree in such a manner that: a) would significantly impair future vegetative growth on the tree; b) was so extensive that it may result in the death of the tree; or c) results in such damage that it may necessitate the removal of the tree.

Owners are encouraged and permitted to trim and prune trees and other vegetation on their property to avoid overgrowth, protect sight lines for driveways and roadways, and to enhance the appearance of their property. ARC's overall concerns are that properties in Swan Point meet established aesthetic community standards and that existing vegetation/ trees are protected from damage, death or unauthorized removal. The species of the vegetation/ tree, dictate proper and appropriate trimming and pruning procedures. Other factors such as, environment, region of the county, and season of the year, also dictate when and how vegetation should be trimmed and pruned. There are several sources to find this information, including books, magazines, Internet, local nurseries or by contacting an arborist.

It is the owner's responsibility to do the research as well as follow the correct procedures when trimming or pruning vegetation on their property. ARC will take enforcement action against an owner as described in the Design Standards and Construction Procedures if an owner effectively kills a tree through excessive pruning and/or trimming, removes a tree without approval, or the action constitutes an unapproved change to the property aesthetics.

ARC reserves the right to review and act upon any complaint about the appropriateness of a particular tree trimming on an individual case by case basis. In the event that ARC determines that an owner may have violated the tree trimming criteria outlined above, ARC may impose the \$500.00 removal sanction detailed in the Association's Declaration for each tree that ARC determines to have been effectively removed due to excessive trimming or pruning.

SUMMARY OF NEW TREE REMOVAL PROCEDURES

No.	Action	Property Within Chesapeake Critical Area	Property Outside Chesapeake Critical Area
1	Obtain Charles County approval for removal of any tree (dead or alive, no minimum size) For tree emergencies see Item 1a	Yes	No
1a	In case of a true dangerous tree emergency (e.g. a tree which is in imminent danger of falling on a home, street or driveway), take pictures and e-mail them with a request to Ms. Aimee Dailey @ daileya@charlescounty.org . Tree may then be removed immediately	Yes	No
2	Obtain SPPOA approval for removal of any tree (dead or alive, no minimum size) - For tree emergencies see Item 2a	N/A	Yes
2a	In case of a true dangerous tree emergency (e.g. a tree which is in imminent danger of falling on a home, street or driveway), take pictures and e-mail them with a request to SPPOA@comcast.net . Once sent the tree may be immediately removed	N/A	Yes
3	Property owner must mitigate for any tree removed	Case By Case per County	Case By Case per ARC
4	Provide SPPOA a copy of Charles County's approval before removing any tree (dead or alive, no minimum size) - The only exception is in the case of a true dangerous tree emergency. See item 1a	Yes	N/A
5	SPPOA/ARC require a dead tree be removed	Case By Case	Case By Case
6	SPPOA/ARC require that a tree posing an imminent danger be removed	Yes	Yes
7	Charles County and/or SPPOA may impose violation letters and/or fines as appropriate	Yes	Yes

NOTE: EXCEPTION TO ABOVE RULES: QUALIFYING WIDESPREAD STORM (Next Page)

POLICY / RULE AND COVENANT CLARIFICATIONS

I. Qualifying Widespread Storm Emergency Tree Removal Policy Agreement between SPPOA and Charles County Department of Planning and Growth Management

Approved by the Architectural Review Committee (ARC) and Swan Point Board of Directors
6/25/09

If a widespread storm event occurs, with many properties affected, the SPPOA will contact the Charles County Department of Planning and Growth Management and request permission to implement emergency storm procedures. If permission is granted, below are the steps to follow for downed and dangerous trees.

1. A mass group email will be sent out to participating Swan Point property owners. If in doubt, it is your obligation to call the SPPOA office at: (301) 259-2100 for confirmation and updated information
2. Steps to follow if a Swan Point property owner has a tree or trees which have either fallen, become uprooted, developed a significant lean and are in imminent danger of falling or require emergency attention for any reason :
 - a. Take a picture of the tree/trees
 - b. Send an email or call the SPPOA and Charles County Department of Planning and Growth Management (currently: Aimee Dailey) daileya@charlescounty.org ; Phone: (301)645-0540
 - b. Provide name, address, number of affected trees, location/s of the tree/s and description of emergency
 - c. Remove the tree/s;
 - d. Provide a picture to the SPPOA office ASAP
3. A list of affected properties will be compiled for SPPOA records and we will provide a copy of the list and photos to the County.
4. Owners will not be required to fill out any forms and mitigation is encouraged but not mandatory.
5. County inspectors will be sent down at a later date to verify that only documented emergency tree removals have occurred.
6. Emergency procedures will elapse within a week of the event.

SWAN POINT PROPERTY OWNER'S ASSOCIATION, INC.

**POLICY RESOLUTION NO. 12- 1003_
(Rules Regarding Grass Cutting and Lawn Maintenance**

Effective date of resolution June 21, 2012

RECITALS:

WHEREAS, Section 7.2 of the Amended and Restated Declaration of Protective Covenants for Swan Point ("Declaration") requires each Owner to maintain his or her Lot in good order, condition and repair and in a clean and sanitary condition, including performing "all necessary grounds maintenance", such as conducting appropriate raking, seeding, watering and mowing and the reasonable pruning of trees and shrubbery;

WHEREAS, Section VI of the Design Standards and Construction Procedures for the Swan Point Community ("Design Standards") permits the Association to utilize expedited enforcement procedures, pursuant to a duly authorized resolution, in order to bring a Lot into compliance with the Association's governing documents when an Owner fails to take corrective action within 15 days of notice thereof, to include self-help measures with the costs thereof charged to the Owner;

WHEREAS, the Board of Directors deems it to be an immediate health and safety hazard when Owners fail to perform grounds maintenance in accordance with the requirements of Section 7.2 of the Declaration and the Code of Charles County; and

NOW THEREFORE, the Board of Directors adopts the following regulations, which shall be binding upon all Owners, who bear legal responsibility for their family members, tenants, or occupants in connection with this policy.

A. Owners shall be required to mow the grass within their Lot on a regular basis during the normal grass mowing season (generally April through October) in order to maintain a proper and consistent appearance and a height of grass of no more than 6 inches.

B. Owners shall be required to keep Lots free from debris, excessive growth and accumulation of leaves, and shall perform all appropriate grounds maintenance in a timely manner.

C. In the event an Owner fails to keep such Owner's Lot in good condition, the Association shall notify the Owner of the violation and the corrective action to be taken. If the Owner fails to remediate the condition within 15 days (or any other time period specified in the notice), the Association may proceed immediately to self-help remedies, to include entering the Lot, without further notice to the Owner, and curing the violating condition with the costs of remediation charged to such Owner as an assessment in accordance with Section 12.1(a) of the Declaration. The initial notice shall reference the Association's right of entry for the purpose of bringing the Lot into compliance in the event the violation is not cured.

D. The notice referenced above shall be sent via certified mail, return receipt requested, or hand delivery, to the Owner.

E. In the event of a subsequent violation of the same nature, the Association retains the right, if necessary, to enter the Lot and cure the corrective condition on any subsequent occasion within the next 24 months of the date of the aforementioned certified mailing without further notice.

F. The Association shall assess the Owner with all of its costs and fees for the performance of corrective action by Section 7.2 of the Declaration. The amount of the assessment shall vary based upon lot size and condition; however, the minimum average assessment is \$50, but may be substantially higher based upon actual conditions at the time that action is taken on the lot.

G. Owners who wish to contest any citation or charge may request a hearing before the Board in writing. Upon receipt of such a request, the Board will schedule the hearing and notify the Owner in writing of the hearing date, time and location.

The effective date of this Resolution shall be June 21, 2012.

II. Objects in County right-of-way

County regulations and County Road Ordinance prohibit the placement of any privately owned permanent or semi-permanent structures within the road right-of-way such as fences, basketball hoops and or/sports goals, skateboard ramps and signs. The only exceptions are U.S. mail boxes and newspaper boxes. The regulation is outside the jurisdiction of SPPOA. Residents must lodge complaints directly to Charles County Department of Public Facilities at : (301) 932-3440.

III. Clarifying Amendments to Parking Covenant

Excerpt from Declaration of Protective Covenants for the Swan Point Community

Article 8 RESTRICTIONS ON USE OF LOTS AND COMMON AREA: RULES AND REGULATIONS

Section 8.2 Restrictions on Use :

(q) Parking : Except in connection with ongoing construction activities in the property, trucks, trailers, campers, recreational vehicles , boats and other large vehicles may be parked on the property only if expressly permitted by the Board of Directors..... Notwithstanding the foregoing, two axle trucks may be parked in the Property with the prior written approval of the Board of Directors. No **junk vehicle**, **derelict vehicle** or other vehicle, on which current registration plates and current, county and state inspection permits are not displayed, shall be kept upon any portion of the property.... All vehicles belonging to an Owner or a member of such Owner's household shall be parked on such Owner's **Lot**, each Owner shall also provide sufficient space for vehicle parking for such Owner's guests on the **Lot**...."

a. The word "**Lot**" referenced in the covenant above is defined as: paved driveway or garage.

b. **Junk/Derelict Vehicles** -ARC will take action to cite an owner or resident for maintaining a vehicle(s) defined as "junk or derelict". Junk or derelict vehicles include, but are not limited to, vehicles which may have tags that expired for more than 180 days, flat tires, broken head lights or visible missing parts.

c. **Vehicle Signage** – May not be visible from the road.

d. **Objects in Driveways** - Driveways are restricted only to the parking of registered motor vehicles. For aesthetic reasons, other items, including, but not limited to: trash cans, grills, lawn furniture etc. may not remain in driveways overnight.

IV. Clarification of "No Signs"

Although Swan Point is officially a "No Signs" community (Refer to Declaration of Protective Covenants for the Swan Point pg. 38 Section 8.2 Restrictions (i) Signs) there are a few exceptions.

a. **For Sale/Rent" signs** - Only the official, approved "For Sale" sign may be displayed on both developed and undeveloped properties. Signs may be obtained at the SPPOA office. A refundable deposit is required.

b. **Political signage** – The MD Homeowners Association Act requires that, even in communities with a "No Signs" covenant, property owners may display candidate signs "(i)30 days before the primary, general election ... (ii)7 days after the primary...." Therefore, owners may display one sign per candidate on developed lots. Extension of the timeframe for display is at Board discretion. Only bumper size stickers are permitted on vehicles.

c. **"Open House" or yard sale signs** – To be displayed on the individual property only. Signs may be put up 24 hours prior to event and removed immediately afterward.

d. **Contractor signs** - One County required sign to be displayed on a new home construction, no additional contractor signage is permitted on existing homes or those under construction.

e. **Security Signs** – one company issued security sign may be posted on the property. Sign not to exceed a total of 6”x 6” and not to exceed one foot in height if placed in the ground.

f. **Health and/or Safety Signs** - Must be submitted to ARC for approval. Requests will be reviewed on a case by case basis.

V. Clarifying Amendment to Covenant re: Drainage Pipes

Excerpt from Declaration of Protective Covenants for the Swan Point Community
Section 8.2(k) pg. 39; “...no water pipe, sewer pipe, gas pipe, **drainage pipe**, television cable or other similar transmission line shall be installed or maintained upon any lot above the surface of the ground.”

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Excerpt from Declaration of Protective Covenants for the Swan Point Community
Section 8.2(k) pg. 39; “...no water pipe, sewer pipe, gas pipe, drainage pipe, television cable or other similar transmission line shall be installed or maintained upon any lot above the surface of the ground.

Gutter extenders for the function of landscape maintenance, to avoid the ponding of water are allowable if the following criterion are met:

a. Color of the pipes coordinate to the location. Examples: Pipes not extending beyond the foundation planting bed and are camouflaged to match the color of the surrounding mulch (black, brown or clear). Pipes are placed in decorative rocks match the color of the rocks. Pipes located in the lawn must be clear or dark green, narrow and not extend above the height of grass.

b. Removable pipes are removed within 2 to 3 days after a heavy rain storm passes.

c. In extenuating circumstances, where no other solution is workable, case by case review.

VI. Clarification of “Trash Containers”

Excerpt from Declaration of Protective Covenants for the Swan Point Community
Article 8; section 8.2(j), “**Trash containers** shall not be permitted to remain in public view from the Common Area or another Lot except on days of trash collection...”

a. The words “**trash containers**” referenced in the covenant above is defined as: Receptacles containing garbage, recyclables and/or yard waste.

VII. Solar Panels – Solar panels must be of low profile style. Panels must be mounted flat on the roof. The size and number of panels must be in proportion to the area where they are to be installed. Every effort must be made to conceal all piping, wires and control devices. All framing must be the color of the roof or black. Panels in any location other than the roof are not permitted. Rear roofs are the preferred location for mounted panels. An application must be submitted to the ARC and approved prior to installation. A diagram of the panels including number, color, dimensions (size, height, width, etc) must accompany application upon submittal for the review process. Any potential changes to landscaping, including but not limited to tree and shrubbery removals, must be pre-approved by ARC. All Charles County zoning and critical area permit requirements and regulations must be met.

PRELIMINARY APPLICATION PACKAGE

EVEN THOUGH ALL APPLICATIONS ARE PRELIMINARY UNTIL APPROVED BY THE ARCHITECTURAL REVIEW COMMITTEE, THIS SECTION STRONGLY ENCOURAGES AN OWNER TO PRESENT ELEVATIONS OF THE HOME BEING CONSIDERED, BEFORE SIGNING A CONTRACT WITH A BUILDER.

TO FULFILL THESE PURPOSES, THE ARC, IN ACCORDANCE WITH THESE DESIGN STANDARDS AND CONSTRUCTION PROCEDURES AND THE ASSOCIATION'S GOVERNING DOCUMENTS WILL:

- (a) Approve/disapprove any application based on aesthetics.
- (b) Approve/disapprove any application based on compliance with the Design Standards and Procedures.
- (c) Review all new construction.
- (d) Review all exterior changes or other alterations to existing homes.
- (e) Ensure that the placement and appearance of the home and landscape design blends with the existing homes in the neighborhood, e.g., exterior wall colors, exterior materials and roof shingle color.
- (f) Safeguard against excessive lot clearing, thus allowing undisturbed tree areas to remain to preserve a natural surrounding.
- (g) Conduct inspections of construction site throughout the construction process.
- (h) Approve/disapprove changes to plans during construction.
- (i) Assure the degree of similarity between the existing homes in Swan Point is minimized while striving to promote a consistent overall scheme. Home styles and revisions to existing homes are anticipated to make a positive aesthetic contribution to Swan Point.
- (j) Review and take appropriate action regarding violations of covenants and design standards and procedures.

PLEASE READ THE DESIGN STANDARDS AND PROCEDURES BEFORE STARTING THE PROCESS OF DESIGNING YOUR HOME. BE SURE THAT YOUR BUILDER IS AWARE OF THE STANDARDS AND PROCEDURES AS WELL.

SECTION I ARCHITECTURAL REVIEW COMMITTEE APPROVAL PROCESS

The ARC Committee is currently scheduled to meet the 2nd and 4th Thursday of every month. The meeting schedule can change without notice – therefore be sure to call the Swan Point Site Office for the meeting details at (301) 259-2100. Application Packages, as described below, should be submitted no later than noon of the Thursday one week prior to ARC's meeting date.

It is recommended that all builders, property owners (along with builders working for owners) attend the initial meeting at which their Application Package will be considered. Such attendance will likely assist in a more thorough understanding of the Application Package and provide an opportunity to have questions answered and, hopefully, lead to a faster decision by ARC.

Application Packages for both New Home Construction or Exterior Additions or Alterations may be dropped off at the Swan Point Site Office at any time during business hours, or can be mailed via certified mail, return receipt requested to:

Swan Point Property Owners Association
Architecture Review Committee
11732 B Wollaston Circle
Swan Point, MD 20645-2301

A New Home Construction Application Package should include: three (3) complete sets of all plans (elevations, construction drawings, site topographical survey, and landscape), material and color samples, calculation of disturbed area, completed forms and deposit/application check(s).

An Exterior Addition or Alteration Application Package should include: all relevant plans, material and color samples required, completed forms, deposit/application check(s).

No site clearing beyond clearing of underbrush sufficient for lot survey and stake out of site, material deliveries, or any construction, shall begin without first obtaining both the written approval issued by ARC and all required permits issued by Charles County. A copy of all permits or pending applications for permits submitted to or issued by Charles County must be provided to ARC in the Application Package, if available.

The Association staff will review any Application Package delivered to ARC to confirm that the package includes all necessary documents, plans, permits, etc. Incomplete Application Packages will be returned to the applicant along with a written statement listing the information that is necessary to complete the Application Package. Once the Association staff has determined that an Application Package includes all the necessary materials, it will be logged in as "received" and forwarded to ARC for review. Within thirty (30) days of a complete Application Package, ARC will issue written decision on the Application Package.

Each Application Package is reviewed on an individual basis. There are no "automatic" approvals, unless provided for specifically in these Design Standards and Procedures. For

example, a homeowner who wishes to construct a deck identical to one already approved by ARC is still required to submit an application. Unique situations due to lot configuration or other circumstances may impact whether a proposed alteration will be approved. Consequently, all applications must stand on their own independent merit and are not automatically approved due to previous actions by ARC or Board of Directors.

Homeowners and their agents are not to begin any construction until ARC has issued its written decision on any Application Package. If an owner, builder, or their agents or contractors, engages in construction or lot alteration without the prior written approval of ARC, the owner will be responsible for all damages and expenses incurred by the Association, including, but not limited to, costs and legal fees incurred by the Association to remove the unapproved construction or restore the lot to the condition which existed before such construction or alterations.

New Home Construction must commence within six months from the date of ARC approval. Construction must be completed within twelve months from commencement of construction. Exterior Additions or Alterations must be completed within six months from the date ARC approval was granted. If for any reason construction will extend beyond twelve months, the ARC must be notified in writing and approval for an extension must be obtained from ARC.

Applicants are responsible for submitting an updated Application Package to ARC that reflects any changes to any approved Application Package.

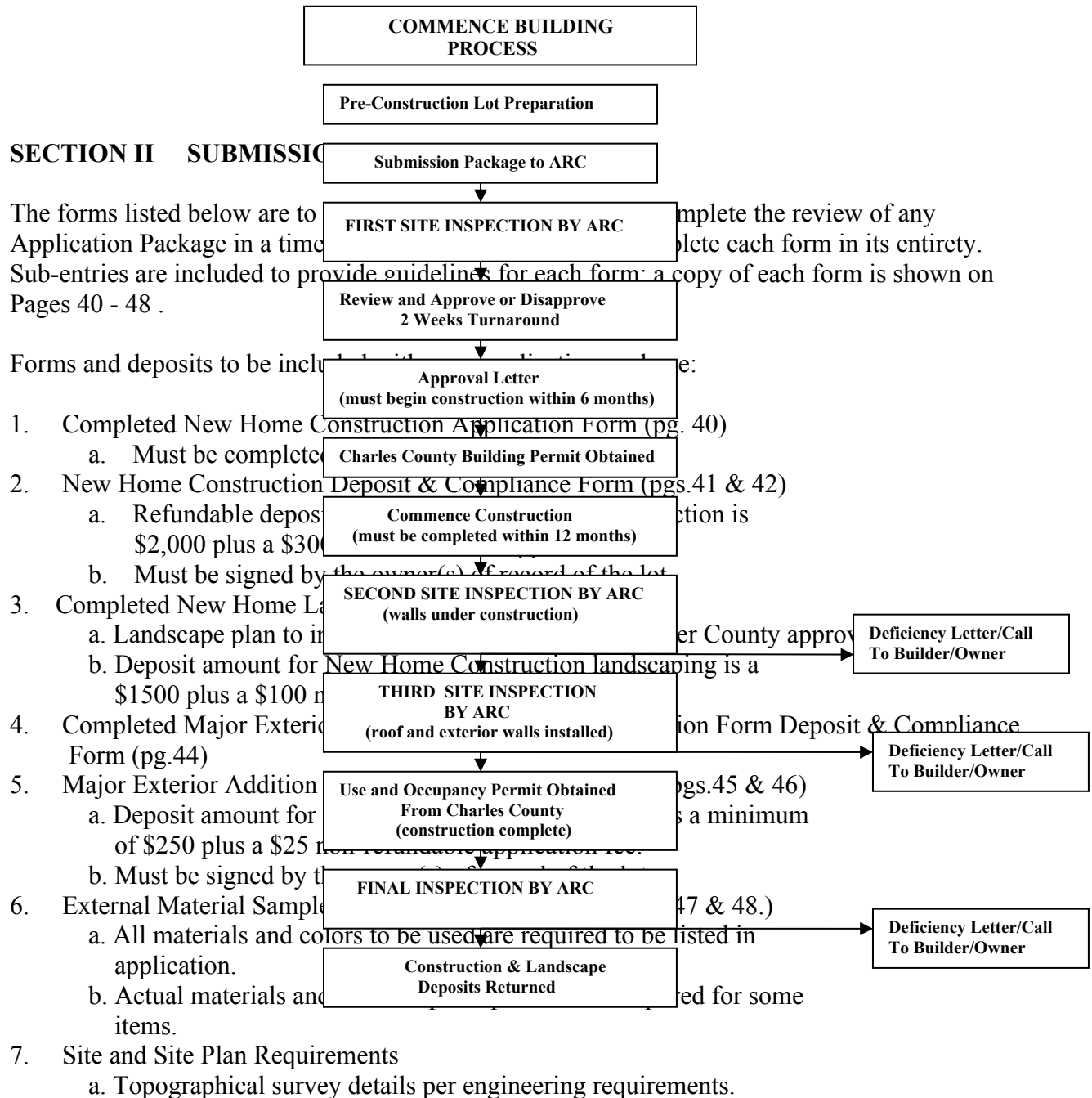
Charles County has informed ARC that it will not accept any applications for permits that do not include an approval letter from ARC indicating that the Application Package has been deemed acceptable by the Association.

Once construction commences, it is required that notice be given to ARC as designated on inspection forms. See Second and Third Inspection Forms on pages 50 and 51. During construction, if changes to approved plans are desired, ARC approval is required, however, ARC will use its best efforts to expedite its review to limit delays. When construction is complete, ARC must be notified. For any new construction, the dwelling may not be occupied until a Use and Occupancy permit has been issued by Charles County. Copies of any final or temporary Use and Occupancy permit (hereinafter referred to as "U&O") issued by Charles County should be submitted to ARC as soon as they are available. A final inspection will be performed, and upon a final approval by ARC, the Construction and Landscaping deposits will be processed for return to the original depositor less any amounts withheld for violations or for any other cause as specified in more detail below. A copy of the U&O Permit issued by Charles County must be submitted to ARC before ARC conducts the final inspection.

If the house being constructed is “For Sale”, no “For Sale” sign other than the SPPOA issued “For Sale” sign is permitted. A sign request form and deposit is required. The deposit will be returned when the sign is no longer needed. These may be obtained by request and upon payment of the fee. Please contact the Swan Point Site Office for further details on the process to obtain a SPPOA “For Sale” sign.

A flowchart of ARC approval and construction inspection process is shown on the following page.

FLOW CHART



NOTE: The following is the non-refundable application fee structure:

New Home Construction	\$300
New Home Landscape	\$100
Major Addition /Alteration	\$0
Exterior Modifications	\$0

This fee is in addition to the construction and landscaping deposit currently required. The construction and landscaping deposits are refunded upon the completion and approval of the project. The application fees will help defray administrative charges to process the application and may be changed by ARC from time to time with approval of the Board.

Guideline for Forms

The New Home Construction Form states that the lot owner will be responsible for following all guidelines and covenants throughout the duration of construction and that construction shall be completed within the time allocated. It also indicates the deposit amount needed for the type of construction being requested for approval.

A. For New Home Construction, three (3) complete sets of Construction drawings, site plan and Landscaping plans are to be submitted with the above form, using 1/4" scale, to include:

1. Elevation Views

Elevations must accurately represent the view of all sides of the house and indicate all windows, skylights, chimneys, flues, solar collector panels, vents, porches, stairs, decks and railings as they appear or extend beyond the profile of the house.

2. Overhang Detail

- a. Eaves, excluding gutters, must overhang at least one foot.
- b. Gable ends must overhang at least one foot.

3. Roof detail

- a. Roofs must have a minimum pitch of 8/12.
- b. Variations in roof lines are encouraged for both the front and back elevations to enhance visual appeal.

4. Garage(s)

- a. A minimum of a two-car garage is required.
- b. Side entry garages are required except where prohibited by lot size.
- c. Detached garages are not permitted.

5. Height of construction

- a. Must be calculated and shown on the front elevation.
- b. Finished construction shall not exceed 40' in height, measured from the sill of the garage to the highest ridge of the roof.
- c. As adopted by the Water Resources Administration and Charles County, attention must be given to the first floor elevation when building in the flood plain, the applicable flood plain elevation established at Swan Point is 7.0 feet (National Geodetic Vertical Datum). The flood plain elevation is to be in accordance with FEMA requirements.

6. Square footage minimum requirements (livable, heated space) – 2,400 total, unless a single story dwelling is prohibited by lot size.

7. The building area of every lot must be delineated to designate the portion of the lot upon which the house may be constructed. This area is controlled by the easements and setbacks as recorded on the legal description of the lot and the building setbacks that are generally specified as follows:

No residence, structure or building shall be constructed or placed within:

- a. 30 feet of the front street line;
- b. 10 feet of any side lot line; and in addition, for corner lots, 30 feet of the side lot line on street side;
- c. 10 feet of any rear lot line for interior lots;
- d. 20 feet of any rear lot line for golf course lots;
- e. For waterfront lots created prior to 1985 see “Swan Point Alternative for Buffer Exemption Areas” (pg. 34)

B. Additions and Alterations that change the exterior appearance of a lot must be submitted to ARC for approval. The Application Package should include all relevant plans, disturbed area calculations, material and color samples as required, plus completed forms and deposit checks.

Examples of Exterior Addition or Alterations requiring a \$250 deposit, plus a \$25 non-refundable application fee, include, but are not limited to:

1. Deck/Patio
2. Room Addition
3. Screened In Porch or Sunroom
4. New Roof Color/Material
5. Built in Swimming Pool
6. Garage
7. Change in Exterior Wall Material
8. Hot Tub/Spa
9. Repainting or re-staining a new house color
10. Adding or deleting windows from a wall
11. Driveway Changes

Examples of other Exterior Additions or Alterations needing ARC approval requiring application only, no deposit or fee:

1. Changing the color of the front door
2. Adding shutters
3. Sidewalks

4. Play structures/Trampoline
5. Landscape Changes

Any removal of trees, living or dead, require either approval (in the non-critical area) or notification (in the critical area) but there is no application fee.

C. Repairs and Replacements — All repairs and replacements shall be similar to the original construction and installation but may be constructed with contemporary materials.

The Material Submission Form asks for the material name and color for specific items. The list below provides guidelines for accepted materials

1. Foundation walls and pilings
 - a. Foundation walls exposed to view must be concrete or concrete block, parged and painted to complement the home, stone or brick.
 - b. Exposed foundation pilings must be concrete or concrete block parged and painted to complement the home, steel (painted) or timber (stained or painted) to complement the home.
 - c. Elevated pilings must be timber (painted or stained), reinforced concrete or steel (painted).
 - d. Foundation vents should be uniform (painted) on all sides of the home.
2. Exterior Walls
 - a. Cedar
 - b. Other composition wood products on a case by case review
 - c. Brick
 - d. Stone
 - e. Composition cement product
 - f. Stucco
 - g. On the material submission form you should specify the color of the mortar used for brick or stone.
3. Exterior trim (minimum of 1" by 4") must be used to add detail and interest to the elevations. All door and window penetrations as well as corners and horizontal joints in siding must be trimmed and detailed.
 - a. Fypon or like material on a case by case review
 - b. Wood
 - c. Other processed wood on a case by case review
4. Window units
 - a. Wood
 - b. Vinyl
 - c. Vinyl clad
 - d. Colored aluminum clad

5. Front doors
 - a. Wood
 - b. Steel
 - c. Fiberglass
6. Front storm/screen door must be full view
 - a. Wood
 - b. Colored aluminum
 - c. Other materials as approved
7. Shutters
 - a. Wood or Composite
 - b. Vinyl
8. Roof Shingle
 - a. Architectural style
 - b. Cedar
 - c. Other materials on a case-by-case review
9. Other roof details
 - a. Ridge vents must be covered with matching roof shingle.
 - b. Plumbing vents are to be on the rear roof slopes when possible and painted to match the color of the roof.
 - c. Venting should be done through soffits or roof sections that are not exposed to public view.
10. Soffit and Facia
 - a. Wood
 - b. Painted Aluminum
 - c. Vinyl
11. Gutters and Downspouts
 - a. Painted Aluminum
 - b. Copper
12. Chimney(s)/Flue(s) must have appropriate black fire spark arrestors
 - a. Masonry
 - b. Boxed to match exterior wall material
 - c. Boxed with a material to complement exterior wall material
13. Furnace Flue(s)
 - a. Masonry
 - b. Boxed to match exterior wall material

- c. Boxed with a material to complement exterior wall material
- 14. Gas fireplace wall vent(s) must be colored to blend with exterior wall material
- 15. Garage door(s)
 - a. Wood
 - b. Metal with a wood grain texture
 - c. Other materials as approved
 - d. Glass enhancement may be required
- 16. Driveway
 - a. Asphalt
 - b. Decorative stamped concrete
 - c. Paver brick
 - d. Concrete
 - e. Gravel (only when required by County/State regulations)
- 17. Walks and Patios
 - a. Concrete
 - b. Paver brick
 - c. Decorative stamped concrete
 - d. Tile
 - e. Flagstone
- 18. Fuel tanks
 - a. Oil tanks must be buried. If the State or County recommends an above ground tank, a letter stating the reason(s) should be detailed on State or County letterhead to ARC. If an above ground tank is approved, it must be fully concealed from view. All tanks over 100 gallons must be buried.
 - b. Propane tanks — above ground tanks must be screened with framed lattice and planted with evergreens and lattice per Landscaping Guidelines. Evergreens must be a minimum of 3' high surrounding HVAC and 4' high when surrounding propane tanks. Lattice color to compliment the home
- 19. Decks and railings must be constructed of decay resistant materials such as trex, pressure-treated lumber or acceptable equivalent. The material must be sealed, painted or stained to complement the home.
- 20. Fencing (only when required by County or State regulations)
 - a. Material(s) and design will be reviewed on a case by case basis
 - b. Chain link fences are not acceptable

21. Mailbox – All new and replacement mailboxes must follow Standard Design Mailbox style as set forth in Design Standards (detailed plans on page 55).
 - a. No coverings/decorations allowed on mailbox.
 - b. Mailboxes and posts must be kept in good repair
23. Exterior stair railings & posts
 - a. Wood, painted or stained
 - b. Wrought Iron
 - c. Aluminum
 - d. Steel
 - e. Vinyl wrapped
 - f. Composition material
24. Columns (must be a minimum of 6” and in proportion and to the design of home)
 - a. Wood
 - b. Aluminum or other approved material
 - c. Vinyl wrapped
25. Screening
 - a. For utilities, propane tanks and trash storage only — evergreen plantings per Landscaping Guidelines and lattice screening framed with 2” by 2” or other approved screening style to screen on all three sides and any side that may be seen from the road. Materials and colors to compliment the home. Evergreens must be a minimum of 3’ high, when planted for HVAC screening. Evergreen shrubs must be a minimum of 4’ high, when planted in front of propane tanks.
 - b. Exposed pilings
 1. Evergreen plantings per Landscaping Guidelines
 2. Materials to compliment the home
 - c. Swimming pool filter, heater, etc., should be appropriately screened
 - d. Lattice enclosure requests will be looked at on a case by case basis, no automatically pre-approved dimensions.
26. Sewer Vents
 - a. Painted dark green or brown
27. House Numbers
 - a. House numbers must be at least 3 inches high, and placed within 5 feet from the entrance and easily seen from the street.
28. Piers, bulkheads, stone revetment
 - a. All necessary County and State permits must be obtained.
 - b. Copy of permits for SPPOA files are required.
29. Construction entrance

Any temporary construction entrance placed on an unimproved lot

for work necessary for the maintenance of the lot, installation of a pier, bulkhead or stone revetment or repair or replacement of such items must be removed upon completion of such projects.

30. Easements — where easements have been defined on subdivision plats within the Swan Point Community and where the responsibility for the maintenance of such easement areas does not fall under the jurisdiction of a public entity, the following procedure must be adhered to in instances where an owner desires to use the easement area for construction purposes or for the transport of equipment:
- a. Permission to utilize the easement must be obtained from ARC and from the entity that has maintenance obligations to the specific easement;
 - b. Such permission is subject to the submittal of an opinion by a registered Professional Engineer that would indicate that the proposed use of the easement area would not damage the systems that are associated with the easement;
 - c. Following the approval of such a request and the completion of the specified work or use, a field inspection by the Engineer who offered the opinion stipulated above will be required to confirm that no damage has occurred; and
 - d. As part of the permission process, the applicant must agree to repair any damage that would be caused by the subsequent use of the easement site.

Site and Site Plan Requirements

- A. Site markings must be in place and remain in place at least until the second inspection, before submitting a new construction or improvement application package for review. They are as follows:
1. Lot corners must be visible using stakes at least 2' tall with a string defining all property lines except the street frontage
 2. The house corners must be located using stakes at least 2' tall with a string connecting all stakes outlining the shape of the house.
 3. Please follow County guidelines for indicating area of disturbance
 4. Any tree(s) not marked to be removed that is removed without ARC approval must be replaced with a tree of the size and type to be approved by the ARC, in the approximate location of the original tree(s). You will also be assessed \$500 in monetary charges for each tree that is removed without ARC approval.
- B. Topographical Survey using a scale of not less than 1"=20' should indicate:
1. Elevations
 2. Drainage of lot
 3. Easements
 4. Setbacks
 5. Contour lines and other prominent natural features
 6. North arrow

7. Seal of Licensed Surveyor or registered Professional Engineer
 8. County approved storm management plan must be submitted
- C. Site plan using a scale of not less than 1"= 20' should indicate:
1. County guidelines for area of disturbance must be followed.
 2. Any adjoining house(s), driveway(s), common property, easements, water or golf course property must be indicated.
 3. House
 4. Driveway should accommodate off street parking for no less than two (2) vehicles.
 5. Culvert where applicable with inverts and end flares shown and sized to suit drainage requirements, as per county requirements.
 6. Walks
 7. Patios
 8. Decks
 9. Pool/Pond/Spa/Hot Tub
 10. North arrow
 11. Seal of licensed Land Surveyor or registered Professional Engineer.
- D. Additional Site Plan Markings - Once the surveyor completes the site plan, the location of the following must be added freehand before submittal:
1. HVAC
 2. Fuel tanks
 3. Electric meter
 4. Trash storage
 5. All exterior lighting
 - a. Front pole lamp
 - b. Landscape lighting
 6. Sewer vent
 7. Screening of propane and HVAC
 8. Job toilet, dumpster and contractor's sign
- E. Chesapeake Bay Critical Area Program – Per County Requirements
1. With the exception of lots in Section 3A (Carriage Place), all lots are subject to the criteria of the Chesapeake Bay Critical Area Program as adopted by Charles County and the State of Maryland. However, these criteria will be applied to lots in Section 3A in order to maintain consistent design standards in the subdivision. The primary critical area controls are:
 2. A maximum of 25% impervious surface on any given lot. Impervious surfaces generally include, but may not be limited to, hard surfaces that do not absorb rainfall. Such as roofs, concrete walks and patios and bituminous concrete blacktop driveways. Additional impervious surface (not to exceed an additional 25%) may be

granted in special circumstances on lots not on the waterfront.

3. Setbacks

- a. Front yard setbacks are 30 feet from the edge of the property line, as recoded on the subdivision plats.
- b. Rear yard setbacks from the water are determined by average depth of the lot. Where depth on one side of the property differs from the depth on the other side, an average of the two distances will determine rear yard setbacks (from mean high water or the edge of the bulkhead if one exists).
 1. Lots with an average depth of up to 150 feet will have a strict disturbance setback of 50 feet.
 2. Lots with an average depth of 150 to 180 feet will have a strict disturbance setback of 60 feet.
 3. Lots with an average of 180 to 210 feet will have a strict disturbance setback of 70 feet.
 4. Lots with an average depth of over 210 feet are subject to the usual 100 foot Buffer.

The Landscaping Form requires the name of landscape designers and owners signature. Use of native plants is encouraged

A. Landscape Plan using a minimum scale of 1"=20' should indicate:

1. Foundation Plantings

- a. Plants are required around the perimeter of the home
- b. Must be a minimum of 3 gallon in size when planted.
- c. A majority must be evergreen.

2. Trees

- a. Trees must be a minimum of 2" in diameter measured 12" upwards from the base when planted.

3. Plants used as screening

- a. Evergreens must be a minimum of 3' high, when planted, for HVAC, propane and trash storage screening.

4. Areas of yard to be covered by:

- a. Sod
- b. Seeded
- c. Remain natural
- d. Landscape berms
- e. Patio(s)
- f. Decks
- g. Pool
- h. Ponds
- i. Walkways

- j. Landscape lighting
 - k. Yard/garden structures and statues (as approved by ARC)
 - l. Gazebos are considered to be outbuildings and as such, are not allowed unless attached to the home
5. All above landscape requirements also apply to existing homes.
- A. To enhance the effect of landscaping you are encouraged to place plantings in raised or contoured beds rather than flush with the grade.
 - B. Any changes to an approved landscape plan must be submitted to ARC for approval.
 - C. All landscaping must be completed within 6 months of issuance of a U&O.
 - D. Bags/piles of mulch, soil, sand etc must be distributed within 1 month of delivery or stored out of view.
 - E. Rain barrels must be applied for prior to installation. ARC approval will be on a case by case basis. Requests to include: pictures, size, placement, screening dimensions. No application fee is required.
 - F. Fire Pits – Removable fire pits must be stored out of view when not in use.
 - G. Decorative Flags (ie. sports, holiday, seasonal etc.) are not to exceed two in total. Flags must not measure more than 4' x 6'. They must be displayed on a flag pole, affixed to the home. Flags must be kept in good repair.
 - H. Garden Flags (ie sports, holiday and seasonal, etc) are not to exceed two in total. Garden flags must not measure more than 12"x 18". They must be kept in good repair.
 - I. Clotheslines – Only portable clothes drying racks are permitted. They must be located close to the rear of the home and must be stored out of view when not in use. Other types of lines must be submitted for approval by ARC, case by case basis.

SECTION III JOBSITE REQUIREMENTS (Both New and Existing Home Sites)

AT TIMES CHANGES WILL COME UP DURING THE CONSTRUCTION PROCESS. ANY CHANGE TO THE ORIGINAL SUBMISSION MUST BE RESUBMITTED TO THE ARC AND APPROVAL MUST BE ISSUED IN WRITING BY THE ARC BEFORE ANY SUCH CHANGES ARE MADE.

New construction must be completed within one year of commencement.

Exterior Additions or Alterations must be complete within six months of commencement.

Jobsite Requirements and Builders Checklist:

1. Contractor's Sign Requirements: New Homes Only
 - a. Placed in temporary location prior to work commencing on lot.
 - b. Sign shall be placed no closer than 15' to the property line.
 - c. No sign (or permit) shall be nailed or attached to a tree.
 - d. Use of sign: The front of sign must indicate contractor's name (if self-Contractor, then "owner" or proper name) and lot (section, block and lot #) and 5 digit street address. The rear of sign must have all necessary permits. The size of the sign must be no larger than 3' by 6' and no smaller than 2' x 4' and must conform with ARC's sign standards. (pg.53)
 - e. Sign must be taken down when U&O is received.
 - f. No additional signs allowed on new or existing homes
2. Job Site Conditions:
 - a. All construction activity shall be contained on the lot for which a building permit has been issued.
 - b. Access to the lot shall be only from the construction entrance, which must be a minimum of 10' wide and 25' long using either washed gravel, blue stone or a crushed concrete product as per county standard.
 - c. Any common ground, adjacent lots or roads damaged during construction shall be promptly restored to their original condition to the satisfaction of ARC.
 - d. Soil erosion must be controlled during construction by a silt fence that remains in place until soil is stabilized as per county standards.
 - e. All sites shall be maintained in a clean and tidy manner at all times with waste and trash deposited at the end of each day.
 - f. Contractor is responsible for keeping dirt and mud off the street in

- the subdivision, and is responsible for cleaning, washing or sweeping them promptly.
- g. A commercial dumpster (30 yard minimum) must be placed on the lot, not on county right of way, no later than when framing begins and must remain until lot is ready for grading.
 - h. Sanitary (port-o-potty) must be placed as inconspicuously as possible on the lot after initial clearing has been completed. The sanitary facility must remain on the job site until construction is completed. The door must face the construction site and away from public view to the extent possible
 - i. Construction vehicles must be parked near the vicinity of the site, not infringe on any neighboring lot(s) or common areas, obstruct any street lanes or view of motorists.
 - j. Material/construction equipment must be kept within the property lines and should be always kept in a neat and orderly manner.
 - k. Concrete mixers and related equipment must not be washed out into the public ditches or neighboring lots.
 - l. Before any digging begins on the lot, be sure to call Miss Utility so the mistake of cutting any existing utility line will be avoided. Miss Utility can be contacted toll free at 1-800-257-7777.
3. Construction work hours for weekends and holidays are limited to 8 am until 6 pm. No construction work crews shall initiate work or set-up prior to 7 am Monday through Friday.

SECTION IV MISCELLANEOUS DESIGN FEATURES, APPURTENANCES OR INTENDED LOT USE

1. Outdoor Equipment

- A. Permanent Play Equipment - Including, but not limited to, recreation, swing/play sets and trampolines

Applications for installation of any permanent play equipment must be submitted prior to construction and will be approved on a case-by-case basis. Location, style, height, materials and color will be considered. Recreation and swing/play sets must be made of natural color wood or plastic construction, or some combination thereof. Applications must include a site plan showing location of play equipment in regards to property lines. All equipment must be located in the rear yard only and behind the rear plane of the house (a zone formed by the projection of planes from the side walls of the house to the boundary of the property). Evergreen screening may be required based on the lot location and other variables.

- B. Removable Play Equipment - Including, but not limited to, tether ball sets, bikes, skateboards, ramps, tyke vehicles and pools

All removable play equipment must be stored out of sight when not in use.

- C. Sports/Play Equipment – Including, but not limited to, freestanding, removable basketball hoops, sports nets, sand tables and playhouses

No more than two pieces of equipment may remain outside at the same time. For example: one basketball goal and one soccer net or two soccer nets or one playhouse and one soccer net or similar combinations. Two pieces of equipment may remain outside continuously throughout the year. They are not allowed on or near the public or private streets and must be kept in compliance with the Charles County zoning ordinances. Backboards cannot be attached to the house or garage. Sports/Play Equipment may be used only during the hours of 8:00 a.m. to 9:00 p.m.

- D. Tree swings are not allowed.
- E. Zip lines are not permitted.
- F. All play and sports equipment must be kept in good repair.

- G. Golf safety screens - Any mesh screens installed on a lot require an application to be submitted and approved by ARC. Certain mesh screens may be approved if an increased hazard results from the realignment, relocation of tees or other changes to the Golf Course. Should this occur, ARC will consider proposals for the discreet placement of a safety screen.
2. Sheds and outbuildings are not permitted. If additional storage is needed, consideration should be given to incorporating additional storage space into your house plans. Gazebos are considered to be outbuildings and not allowed unless attached to the home. On a case by case basis, and with prior approval only, ARC may permit existing HVAC lattice enclosures to be extended, or additional lattice enclosures built to accommodate extra storage needs. Evergreen plantings, at least 3 gallon in size when planted, may be required for screening.
 3. Window air conditioners are not permitted.
 4. Above ground pools are not permitted.
 5. Special Considerations: Houses to be built on the water, golf course or corner lots require special attention because of the additional elevation visibility. While special architectural designs are not required, the additional elevations must show the same level of detail as the front elevation, and landscaping should be supplemented to enhance the home site.
 6. Firewood: No more than two cords of wood should be stored on a lot without the review and approval of the ARC. The dimensions of a cord are: 4'x 8'x 4'. Firewood and kindling must be neatly and compactly stacked and should be located to minimize its visibility from the street and neighboring lots. Bright colored tarpaulins are not permitted to cover the woodpile. Camouflage tarps are available and should be considered if planning to cover the woodpile.
 7. Rain barrels: Requests must be submitted to ARC prior to installation. Specifications and placement information must be included in the request.
 8. Satellite Dishes: To minimize visibility, evergreen screening may be required.
 9. Home Businesses: Requests must be submitted to the Board of Directors for approval on a case by case basis and must comply with applicable zoning laws and ordinances.
 10. Tents and Canopies are not permitted. Retractable awnings which are permanently attached to the home are permitted. Prior approval by ARC is required.
 11. Holiday decorations are defined as: any yard/home decorations that are consistent with the holiday season or that express a holiday sentiment. All holiday decorations may be displayed 30 days prior to a holiday and must be removed within 30 days of the holiday.

SECTION V UTILITIES AND SERVICES

1. Water – the subdivision as a whole is served by a central water supply system, which consists of two wells, water treatment facilities, one elevated storage tank, and a central distribution system. The water supply has been dedicated to Charles County. The Developer has an agreement with the County Commissioners of Charles County, which obligates the Charles County Department of Public Works, LaPlata, Maryland to operate and maintain the water supply system. Each lot must be connected to the central water system. You may not install an individual water system to your lot at any time.
2. Sewer — the subdivision is currently served by an on-site central sewage treatment system. An agreement is in place with the County Commissioners of Charles County, which obligates the Charles County Department of Public Works, LaPlata, Maryland, to operate and maintain the sewage system. You may not install or use an individual sewage system on your lot.
3. Electric — Southern Maryland Electric Co-Operative, Inc. (SMECO) supplies electrical service to the lots in the subdivision. Primary electric service lines have been extended in front of, or adjacent to, the lots in the subdivision. Developer is not responsible for providing electricity to the subdivision. Phone (301) 934-2201.
4. Telephone — A variety of companies provide service to the lots in the subdivision. They will extend telephone service to any lot on request once telephone cables have been extended thereto. You will not be responsible for any of the construction costs incurred to extend telephone service within the public right of way adjacent to your lot. Developer is not responsible for providing telephone service to the subdivision. For information regarding telephone service please refer to the Yellow Pages under Telephone Service.
5. Fuel or Other Energy Source — Electricity, propane gas and oil are the only energy sources in the subdivision. Propane gas and fuel oil may be purchased from numerous local sources.
6. Satellite and Cable TV — Local providers service the community. You may call to have these services provided to your home

7. Miss Utility – before any digging begins, call Miss Utility so the mistake of cutting any existing utility line will be avoided, 1-800- 257-7777.
8. Trash Removal services may be scheduled through local haulers.
9. A “Recycling Center” is located at Breeze Farm on Rt. 254 just past the Swan Point, MD Post Office. In addition to recycling, trash is also accepted at this site providing that bags are tagged in the proper manner. Tags can be purchased at a number of local businesses. Charles County Public Works – Recycling. Call: (301) 932-5656.
10. U.S. Postal Service delivery for Swan Point is provided by the Issue Post Office, zip 20645, which is located 5 miles from Swan Point. Post Office Boxes are also available, call (301) 259-2532 . Residents are encouraged to use Swan Point, MD 20645 as their mailing address.
11. Police Service is provided by the Charles County Sheriff’s Department . A Sheriff’s office is located in LaPlata, MD. Non emergency number : (301) 932-2222, the emergency number is 911.
12. Maryland State Police, (301) 645-1500.
13. Fire and Ambulance service is available from a number of stations. The closest is Cobb Island Volunteer & Fire Rescue. Newburg provides backup service, 911.
14. Hospital services are provided by Civista Medical Center located in LaPlata, MD. (301) 609-4000.
15. Maryland Marine Police, 1-800-628-9944.
16. U.S. Coast Guard Search and Rescue, (410) 576-2520.

SECTION VI VIOLATION ENFORCEMENT

1. In the event a alleged violation of the Design Standards and Construction Procedures or other portions of the Governing Documents which the Board has permitted ARC to enforce, ARC may proceed to address the violation in a number of different ways:
 - a. Attempt to resolve the violation by letter or letters
 - b. Referral of the matter to the Board of Directors for instruction or action;
 - c. Imposition of monetary charges.
 - i. First Notice: Prior to imposing charges, ARC shall send the property owner a written notice specifying the violation, the action required to correct the breach and the specified timeframe for conformance.
 - ii. Second Notice: If the infraction is not corrected, a second notice will be

sent to the owner via certified mail, return receipt requested. Such notice should advise the owner: a) the date by which the owner must request a hearing before the Board to contest the violation which date shall be at least 10 days from the date of the letter; b) monetary charges may be imposed if the cited violation is not corrected by the specified date. c) if the owner fails to request, in writing, an appeal on or before the confirmation date, they will be deemed to have waived that right. d) Fines may be held in abeyance until after hearing date.

iii. Hearing: If the property owner requests an appeal before the Board on or before the deadline set forth in the second certified letter, they shall be provided with written notice of the date, time and place of the hearing at least seven (7) calendar days in advance.

iv. If a hearing is convened by the Board and the Board votes to impose monetary charges against the property owner found to be in violation of the Association's Governing Documents, they shall be provided with written notice of the Board's decision within a reasonable time frame following the date of the hearing. All such notices shall be sent by certified mail to the owner's lot address, or to the owner's address of record, if provided to the Association.

v. ARC is empowered to impose monetary charges in the amount of up to \$500.00 for each violation of a non-recurring nature and up to \$10 per day for any violation of a continuing nature or such other amounts as may be permitted by the Association's Amended and Restated Declaration. For instance, monetary charges in the amount of \$500 may be imposed for removal of certain trees without the prior approval of ARC and a \$10 per day charge may apply where maintenance violations or unapproved alterations are not corrected by a date certain. The Board of Directors may uphold, modify or reverse any ruling of ARC.

- d. The enforcement procedures set forth in these Design Standards and Procedures shall not be construed to alter, limit or amend Article 7, Operation of Property, of the Declaration of Protective Covenants page 28. For instance, the Board may, pursuant to a duly authorized resolution, give notice to any owner cited with a first notice of violation that the Association will enter the owner's lot for the purpose of bringing the lot into compliance with the Association's Governing Documents at the owner's expense. If the owner fails to take the corrective action specified in the notice within 15 days of the date of the notice issued by the Association, representatives of the Association shall have the right in addition to other rights and remedies, to take the corrective action specified in the notice with the costs incurred by the Association will be assessed against the responsible owner. In certain cases, expedited action may be necessary to address a violation which could threaten safety or property and the Board reserves the right to undertake such expedited action.
- e. The Board of Directors and ARC shall have such other enforcement powers as are set forth in the Association's Declaration and the procedures set forth herein shall not be constructed to constitute an election of remedies or to otherwise limit the Association's authority to enforce the terms of the Governing Documents.

SECTION VII EXCEPTIONS

ARC is authorized to review requests for exceptions or variances to the standards and procedures under unusual or peculiar circumstances, provided that such exceptions are reasonably within the intent and purposes of the requirements. Adjoining property owners must be informed by ARC, in writing, of an applicant's request for any exception. The Board of Directors may request that ARC present a feasibility report, prior to voting on any variance or exception to the Design Standards and Procedures.

RELEVANT SECTIONS OF SPPOA AMENDED AND RESTATED DECLARATION OF COVENANTS.

PART TWO ARTICLE 9, Covenants pages 42 – 44, as follows:

ARCHITECTURAL REVIEW Section 9.1 Architectural Review Committee

Purpose. The Declarant shall initially appoint, and when the Declarant ceases to do so, the Board of Directors shall appoint, an Architectural Review Committee, consisting of at least seven persons, each to serve for a term as may be determined upon their appointment, in order to assure that the Property shall always be maintained in a manner; (i) providing for visual harmony and soundness of construction; (ii) avoiding activities deleterious to the aesthetic or property values of the Property; (iii) consistent with the requirements of this Declaration and any Rules and Regulation; and (iv) ensure compliance with all applicable law, including the Maryland Critical Area Law and implementing criteria and program. If the Declarant or the Board of Directors fails to appoint a Committee, then the Board of Directors shall perform the duties of the Committee.

Powers

1. The Committee shall regulate the amount of impervious surface, external design, signage, appearance, use and maintenance of the Lots (including any improvements thereon) and the Common Area; provided, however, that the Committee shall not have the power to regulate the activities of the Association or the Declarant on the common area or any lot owned by the Declarant. In addition, if the Board of Directors so determines, the Architectural Review Committee, Board of Directors or similar body of any owners association or condominium unit owners association also governing a portion of the Property with respect to any sub association or condominium located on the Property shall review applications made by owners of lots subject to the jurisdiction of such owners associations or condominium unit owners association of be half of the Committee.
2. The Committee may from time to time establish requirement regarding the form and content of plans and specification to be submitted for approval. The Committee shall have the power to impose reasonable application fees as well as the costs of reports, analysis or consultations required in connection with improvements or changes proposed by an owner. Such fees and costs shall be assessed against the owner.

3. The Committee shall have the power pursuant to Subsection 12.1 (g) hereof upon petition of any owner or upon its own motion to impose reasonable charges upon, and issue a cease and desist request to an owner, such owners tenants and such owner's (or tenants) household or guests, employees, customers, agents and invitees whose actions are in violation of the provisions of the Association Documents
4. The Committee shall adopt all initial design guidelines for the property. The committee shall propose changes or additions to the Design Guidelines for approval of the Board of Directors. Such Design Guidelines approved by the Board of Directors are hereby incorporated by this reference and shall be enforceable as if set forth herein in fall. The Committee shall also review the architectural guidelines proposed by the Board of Directors, Architectural Review Committee or similar committee of any owners association or condominium unit owners association operating within the Property and shall determine whether such guidelines are in keeping with the overall architectural character of the Property. Any such guidelines or standards established by any owners association or condominium unit owners association located within the Property are subordinate to any Design Guidelines established by the Board of Directors and are void to the extent inconsistent with these Design Guidelines.

Section 7.5 Additions, Alterations or Improvements by the Owners, Covenants page 32

Approval

1. Without the prior written approval of the Architectural Review Committee no person shall
 - a. Create any structure, addition, alteration or improvement in or to any Lot (other than for normal upkeep and not including areas within a building visible from the exterior only because of the transparency of glass doors, walls, or windows) which is visible from the exterior of the Lot:
 - b. Decorate, paint or affix a sign not permitted by the Rules and Regulations or alter the exterior of any improvement located upon any Lot, including the doors and windows, if such exterior is visible from another Lot or the common area
 - c. Grade, excavate, landscape or plant; provided, however, that normal and customary gardening and maintenance of lawns shall be permitted without consent unless prohibited by the terms of each Owner's Landscaping Plan (approved by the Committee) or by law.

Limitations, Covenants page 33

1. Any person obtaining approval of the Committee shall commence construction or alteration in accordance with approved plans and specifications within one year after the date of

approval and shall substantially complete any construction or alteration within six (6) months after the date of commencement of construction, or within such other period as specified in the approval. If any such person does not commence work within one year after approval or such other time period as approved by the Committee, then in addition to the foregoing, the appeal shall lapse.

SWAN POINT ALTERNATIVES FOR BUFFER EXEMPTION AREAS

****** Contact Charles County for Updated Regulations******

The following information applies to sections of Swan Point with waterfront lots, which were created prior to 1985. The conditions apply to the clearing and development of lots directly on the water. Waterfront lots and other lots plated after 1985 are subject to the zoning Indenture recorded for this property in November 1986, and the provisions of the applicable Zoning Ordinance under which they were recorded.

Justification for set Buffer Widths, as provided by Charles County.

1. The Commission's policy on BEAS states that no development or redevelopment shall minimize the shoreward extent of intrusion into the Buffer. Charles County Zoning Ordinance, at Section 131 (b)iii(c) reads "new development in the Buffer Exemption Area shall minimize the extent to which impervious surfaces extend toward open water or wetlands..." Minimization can be handled on a case by case basis; however, in developing a general program what will streamline implementation, every effort must be made to ensure that the purpose and intent of "minimization" is met.
2. Although some of the developed lots currently exceed the proposed setbacks in the draft BEAS program, many of these lots were developed prior to the implementation of the Program, which prohibits all development in the Buffer, and it seems reasonable that stricter standards must now apply.
3. The Commission's policy states that structures on adjacent properties may not be used to determine the setback line. This language is included to reinforce the concept that the disturbance to the Buffer should be the least intrusive necessary. Ideally, this could be interpreted as a requirement to locate all new development as close to the front road setback line as possible. In a site visit to Swan Point, it appeared that this interpretation could create implementation problems because of be irregular shape of some of the lots.
4. The establishment of a relatively consistent setback (varying from 50 feet to 70 feet) set according to lot depth generally addresses the concept of minimization and coupled with the more specific mitigation requirements should result in a situation where water quality and wildlife habitat is protected to the greatest extent possible.
5. This draft BEAS program for Swan Point will assist the developer, potential

property owners, and the County by providing a clarified and consistent rule, which will streamline the development process.

6. The Buffer widths outlined in the draft program still allow for a generous building envelope, enabling the property owner to build a large dwelling, consistent with existing development at Swan Point. If many lots are less than 125 feet deep, another width, perhaps 40 feet, could be added at the low end of the Buffer scale.

Swan Point Alternative for Buffer Exemption Areas

The following information applies to sections of Swan Point with waterfront lots, which were created prior to 1985. The conditions apply to the clearing and development of lots directly on the water. Waterfront lots and other lots platted after 1985 are subject to the Zoning Indenture recorded for this property in November, 1986, and the provisions of the applicable Zoning Ordinance under which they were recorded.

Background — Purpose of Buffer Exemption Areas

Chesapeake Bay Critical Area regulations require the establishment of a 100-foot buffer landward from the mean high water line of tidal waters, tributary streams, and tidal wetlands. These regulations also provide that counties may exempt certain portions of the Critical Area from the Buffer requirements where it can be sufficiently demonstrated that the existing pattern of residential, industrial commercial or recreational development prevents the Buffer from fulfilling its function. These are called Buffer Exemption Areas (BEAS). BEAS allow reasonable expansion of existing structures or new development to occur within the Buffer without the property owner having to obtain a variance. Only the grandfathered Section ___ of Swan Point is designated as a BEAS due to the number, density and size of platted, grandfathered, waterfront lots within the Critical Area.

Requirements for Buffer Exemption Areas

In BEAS, the Charles County Critical Area Program requires that while reasonable development may occur within the Buffer, the applicant must demonstrate that the distance between the new development and the mean high water line has been maximized. Additionally, within BEAS, expansion or redevelopment of existing structures may not occur any closer to the water than the existing structure. Accessory structures (pools, sheds, gazebos, etc.) may not be located water ward of the primary structure. Attached decks and porches are considered to be part of the principle structure. New development in BEAS must minimize the extent to which impervious surfaces extend toward open water or wetlands taking into consideration existing County yard setback requirements of the underlying zones and other such factors. BEAS are also subject to impervious surface limitations as described in the Charles County Critical Area program.

Impacts to the Buffer within BEAS are offset through mitigation requirements including:

1) the extent of the lot or parcel shoreward of the new development or redevelopment must remain, or shall be established and maintained, in native vegetation; and 2) native vegetation of an area twice the extent of the impervious surface created in the BEA shall be planted on the site or on a Buffer Exemption Offset location as may be approved by the County.

Setback Alternatives for BEAS portion of Swan Point

To clarify the regulations and to provide consistency to property owners in the existing, platted, BEA portion of Swan Point, new waterfront development shall be subject to the following setback requirements based upon the depth of each individual lot. Front yard set backs are 30 feet from the edge of the property line, as recorded on the subdivision plats. Rear yard set backs from the water are determined by average depth of the lot. Where depth on one side of the property differs from the depth on the other side, an average of the two distances will determine rear yard set backs from mean high water or the edge of the bulkhead, if one exists. Rear yard setbacks shall be set according to lot depth below:

- A. Lots with an average depth of up to 150 feet will have a strict disturbance setback of 50 feet.
- B. Lots with an average depth of 150 to 180 feet will have a strict disturbance setback of 60 feet.
- C. Lots with an average depth of 180 to 210 feet will have a strict disturbance setback of 70 feet.
- D. Lots with an average depth over 210 feet are subject to the usual 100-foot Buffer.

Mitigation

Swan Point property owners must comply with a two-phase mitigation requirement for any development within the BEAS. First, the extent of the lot shoreward of the new development shall be required to remain, or to be established and maintained, in woody vegetation. Second, native vegetation of an area twice the impervious surface created in the 100-foot Buffer shall be planted on the site. There are three recommended preapproved planting schemes (see attached illustrations) or the property owner may submit their own plan based upon “Landscaping Requirements in the Critical Area – Helpful Hints for Meeting Charles County’s Requirements.” Plantings for Buffer establishment and 2:1 planting for impervious surface encroachment into the 100 foot Buffer may both be located within the required Buffer establishment area 2:1 impervious surface planting may count towards total required Buffer establishment area if planted within the required Buffer establishment area between the house and the water. When 2:1 planting requirements are greater than the Buffer establishment area, the remainder of the plantings may be done beside the house if still within the 100-foot Buffer or used to further enhance the Buffer establishment area.

Examples:

Lot Type “A” (50 foot BEA setback/strict limit of disturbance) on a 100-foot wide lot Buffer Establishment:

50 feet (required Buffer) x 100 feet (width of lot) = 5000 sq. ft. of woody vegetation to be planted between the structure and the water.

8 large trees @ 400 sq. ft. credit = 3200 sq. ft.
10 small trees @ 100 sq. ft. credit = 1000 sq. ft.
10 large shrubs @ 36 sq. ft. credit = 360 sq. ft.
20 small shrubs @ 16 sq. ft. credit = 320 sq. ft.
120 ground cover @ 1 sq. ft. credit = 120 sq. ft.

TOTAL 5000 sq. ft.

Impervious Surface 2:1 Mitigation —

2700 sq. ft of impervious surface within the 100 foot Buffer x 2 = 5400 sq. ft. of woody vegetation to be established on the site.

(Please refer to the attached illustration on page 39)

Lot Type “B” (60 foot BEA setback/strict limit of disturbance) on a 100-foot wide lot

Buffer Establishment=

60 feet (required Buffer) x 100 feet (width of lot) = 6000 sq. ft. of woody vegetation to be planted between the structure and the water.

10 large trees @ 400 sq. ft. credit = 4000 sq. ft.
12 small trees @ 100 sq. ft. credit = 1200 sq. ft.
12 large shrubs @ 36 sq. ft. credit = 432 sq. ft.
20 small shrubs @ 16 sq. ft. credit = 320 sq. ft.
48 ground cover @ 1 sq. ft. credit = 48 sq. ft.

TOTAL 6000 sq. ft.

Impervious Surface 2:1 Mitigation

1500 sq. ft. of impervious surface within the 100 foot Buffer x 2 = 3000 sq. ft. of woody vegetation to be established on the site.

(Please refer to the attached illustration on page 39)

Lot Type “C” (70 foot BEA setback/strict limit of disturbance) on a 100-foot wide lot

Buffer Establishment —

70 feet (required Buffer) x 100 feet (width of lot) = 7000 sq. ft. of woody vegetation to be planted between the structure and the water.

12 large trees @ 400 sq. ft. credit	=	4800 sq. ft.
4 small trees @ 100 sq. ft. credit	=	1200 sq. ft.
12 large shrubs @ 36 sq. ft. credit	=	432 sq. ft.
20 small shrubs @ 16 sq. ft. credit	=	320 sq. ft.
48 ground cover @ 1 sq. ft. credit	=	48 sq. ft.
TOTAL 7000 sq. ft.		

Impervious Surface 2:1 Mitigation —

1600 sq. ft. of impervious surface within the 100 foot Buffer x 2 = 3200 sq. ft. of woody vegetation to be established on the site.

Financial Guarantees

As per the Charles County Zoning Ordinance, the owner must provide a bond or other financial guarantee that all plants will be installed and carded for appropriately for two full growing seasons. Plants will be inspected at the time of planting, at a one-year interval a courtesy inspection to identify any potential problems, and at the end of two years. Dead or diseased plants are to be replaced, and must survive for two growing seasons before the County can release bonds, in accordance with Countywide planting and reforestation policies.

Impervious Surface Limits

All properties in the Critical Area are subject to current restrictions on impervious surfaces on any given property. For all lots less than ½ acre in size in Buffer Exemption Areas, impervious surface shall not exceed 25%; for all other lots, impervious surface shall not exceed 15% impervious surface. It is recommended that all applicants show the dimensions of all man-made impervious and semi-pervious surfaces on a lot, and that all calculations also are shown. This will help speed the County's review process, particularly if the amount of impervious surface is nearing the legal limits.

Variances

These requirements are meant to clarify the regulation and to provide consistency to property owners in the existing, platted, BEAS portion of Swan Point. If a property owner wishes to develop outside of these conditions (i.e., closer to the water than the BEA set back allowed), he or she may seek a variance from County regulation under Article XIX, Section 416 of the Charles County Zoning Ordinance. The ARC has no power to allow or permit anything contrary to the County Ordinance regarding BEAS or otherwise.

LANDSCAPING REQUIREMENTS IN THE CRITICAL AREA

******Contact Charles County for Updated Regulations******

HELPFUL HINTS FOR MEETING CHARLES COUNTY'S REQUIREMENTS

When calculating how many plants are necessary when offsetting or other landscaping is required in the Critical Area, Charles County uses the following square footages per plant:

Large species of trees (oak, maple, other large hardwoods) that
tend to develop large canopies 400 sq. ft. each

Small species of trees (e.g., dogwood, small ornamentals) that are
typically under story species or develop small canopies) 100 sq. ft. each

Large species of shrubs (e.g., mountain laurel, rhododendron)
36 sq. ft. each

Small species of shrubs (e.g., juniper, inkberry) 16 sq. ft. each

Groundcover species (e.g., vinca, pachysandra) 1 sq. ft. each

How to calculate what planting is necessary — an example:

The project: a 20 x 20 cottage (400 sq. ft.) constructed within 100 feet of the water in a Buffer Exemption Area. For simplicity, there are no sidewalks, driveways, or other impervious surfaces proposed on the site.

The necessary mitigation: 800 sq. ft. (2 x 400 sq. ft.) and establishing the Buffer shoreward of the cottage in woody vegetation

Three options for 800 sq. ft. using container or balled and burlapped stock:

1. 2 large trees (2 x 400 = 800)
2. 1 large tree, 4 small trees (1 x 400) + (4 x 100) = 800 sq. ft.
3. 1 large tree (1 x 400 = 400 sq. ft.), 2 small trees (2 x 100 = 200 sq. ft.), 3 large shrubs (3 x 36 = 108 sq. ft.), 5 small shrubs (5 x 16 = 80 sq. ft.), 12 groundcover plants (12 x 1 = 12 sq. ft.)
Thus, 400 + 200 + 108 + 80 + 12 = 800 sq. ft.

The 800 sq. ft. may be used toward meeting the requirement to establish the Buffer in woody vegetation if the owner chooses. If the Buffer is larger than 800 sq. ft., additional planting in the Buffer may be necessary to fully comply. Conversely, if the Buffer already contains a high percentage of woody plants, then the 800 sq. ft. may need to be placed elsewhere on the property, offsite, or the owner may pay a fee-in-lieu of \$1.20 per

sq. ft. for any portion that cannot be met on site.

Please note that other situations may have different replacement requirements and that checking the Zoning Ordinance for specific information is highly recommended. Contact the County, as information is changed and updated from time to time.

NEW HOME CONSTRUCTION APPLICATION, DEPOSIT AND COMPLIANCE FORM

The Architectural Review Committee (ARC) will not review your submission package unless all items below are completed:

1. Construction Submission, Deposit/Compliance Form
2. Three Complete Sets of Construction Drawings
3. Three Sets of the Site Plan
4. Exterior Material and Color Samples
5. Three Copies of Landscaping Plan
6. Landscape Deposit Form
7. 2 Checks Made Out to SPPOA: 1) \$2,300 (\$2,000 Refundable New Construction Deposit & \$300 Application Fee) & 2) \$1,600 (\$1,500 Refundable New Landscape Deposit & \$100 Application Fee)

Street Address _____

Property Owner Name(s) _____

Currently Resides at _____ ST _____ Zip _____

Home Phone _____ Work/Cell Phone _____

Email _____

Builder/Contact Name _____

Office Address _____ ST _____ Zip _____

Home Phone _____ Work/ Cell Phone _____

Email _____ ; _____

Total Livable Heated Space _____ sq. ft.

Height (from sill of garage to highest ridge) _____ ft.

1. As Property Owner(s) of the referenced Lot and applicant for the described construction project it is understood that the required deposit shall be held by the SPPOA in order to insure that all improvements will be constructed in accordance with plans and specifications which have been approved by ARC; I will fully comply with the requirements listed below and ensure compliance by anyone (e.g. any contractor or builder) acting by or through me or with my authorization. I acknowledge that failure to follow ARC-approved plans or to comply with the following requirements will result in a violation charge of \$500 per non-compliant event, and if not corrected could result in violation charges of up to \$10.00 per day. Such charges may, in ARC's sole discretion, be deducted from the deposits on hand or otherwise be assessed against me. I also acknowledge that the SPPOA may enter the referenced Lot to correct any violation of the Association's Governing Documents and the expense of any such action may, at ARC's sole discretion, be deducted from the deposits on hand or otherwise be assessed against me. If any monetary charges are imposed or corrective action taken in accordance with this deposit agreement and the Association's Governing Documents, I may appeal those costs or charges by requesting a hearing pursuant to Article 12 of the SPPOA Declaration.

I/we the owner(s) of the above-referenced lot further acknowledge for myself and my successors and assigns that:

2. I have read and understand the Swan Point Covenants and Restrictions applicable to the property and the Design Standards and Construction Procedures and will follow and comply with the terms of those documents and any written directive issued by ARC.

3. No site clearing, material deliveries, or any construction may begin without first obtaining an approval letter issued by ARC.

4. Charles County will accept a submission package for review only if it includes above mentioned approval letter from ARC reporting that ARC has fully reviewed and approved the enclosed plan.

5. Any proposed changes to the plans, before and during construction, will be submitted to ARC for approval **prior to implementation**.

6. I will maintain a clean construction site at all times and install a job sign, commercial dumpster (30 yard min.) and job toilet as noted on site plan.

7. I am responsible for the conduct of all workers performing services on this project at all times while they are on the site. Work hours: M-F 7am – dusk; Sat & Sun 8am - dusk

8. I will notify ARC for all mandatory inspections.

9. I will provide ARC with a copy of my U&O within 10 days of issuance by the County and prior to occupancy.

Property Owner Signature: _____ Date: _____

NEW HOME LANDSCAPING DEPOSIT FORM

Street Address _____

Property Owner Name(s) _____

Landscape Designer(s) _____

The New Home Landscaping Deposit is a minimum of \$1,500.00.
Refundable Deposit \$ 1, 500 ; Non-Refundable Application Fee \$ 100.

The deposit shall be held until landscaping has been planted per the landscaping plan approved by ARC. If changes to the original plan are desired prior to any landscaping being planted, please notify ARC in advance. Plantings must be completed within 6 months of issuance of U & O.

Make check payable to: Swan Point Property Owner's Association, Inc. (SPPOA)

As Property Owner(s) of the referenced Lot and applicant for the described project it is understood that the required deposit shall be held by the SPPOA in order to insure that all improvements will be constructed in accordance with plans and specifications which have been approved by ARC; and I will fully comply with the requirements set forth in the Association's Governing Documents and ensure compliance by anyone (e.g. any contractor or builder) acting by or through me or with my authorization. I acknowledge that failure to follow ARC approved plans or to comply with the following requirements will result in a violation charge of \$500 per noncompliant event, and if not corrected could result in violation charges of up to \$10.00 per day. Such charges may, in ARC's sole discretion, be deducted from the deposits on hand or otherwise be assessed against me. I also acknowledge that the SPPOA may enter the referenced Lot to correct any violation of the Association's Governing Documents and the expense of any such action may, in ARC's sole discretion, be deducted from the deposits on hand or otherwise be assessed against me. If any monetary charges are imposed or corrective action taken in accordance with this deposit agreement and the Association's Governing Documents, I may appeal those costs or charges by requesting a hearing pursuant to Article 12 of the SPPOA Declaration.

Property Owner Signature: _____ Date: _____

MAJOR EXTERIOR ADDITION OR ALTERATION APPLICATION FORM DEPOSIT AND COMPLIANCE FORM

The Architectural Review Committee will not review your submission package unless all items below are completed

- | | |
|---|--|
| 1. Construction Submission, Deposit/Compliance Form | 5. Landscaping Plan (if applicable) |
| 2. Two complete sets of Construction Drawings | 6. Refundable Deposit (\$250) payable to SPPOA |
| 3. Site Plan | |
| 4. Exterior Material and Color Samples | |

Completed Submission Packet to be dropped off or mailed to: SPPOA; 11732B Wollaston Circle; Swan Point, MD 20645

Street Address: _____

Property Owner Name(s): _____

Home Phone _____ Work Phone _____

Cell Phone _____ Email _____

Ground Floor Living Space _____ sq. ft.

Height (from sill of garage to highest ridge) ____ ft.

Please provide a brief written description of the Major Exterior or Addition or Alteration being proposed.

As Property Owner(s) of the referenced Lot and applicant for the described project it is understood that the required deposit shall be held by the SPPOA in order to insure that all improvements or alterations will be constructed in accordance with plans and specifications which have been approved by ARC, that I will fully comply with the requirements listed below and ensure compliance by anyone (e.g. any contractor or builder) acting by or through me or with my authorization. I acknowledge that failure to follow ARC-approved plans or to comply with the following requirements will result in a violation charge of \$500 per non-compliant event, and if not corrected could result in violation charges of up to \$10.00 per day. Such charges may, in ARC's sole discretion, be deducted from the deposits on hand or otherwise be assessed against me. I also acknowledge that the SPPOA may enter the referenced Lot to

correct any violation of the Association's Governing Documents and the expense of any such action may, in ARC's sole discretion, be deducted from the deposits on hand or otherwise be assessed against

me. If any monetary charges are imposed or corrective action taken in accordance with this deposit agreement and the Association's Governing Documents, I may appeal those costs or charges by requesting a hearing pursuant to Article 12 of the SPPOA Declaration. I, the owner(s) of the above-referenced Lot, further acknowledge for myself and my successors and assigns that:

1. I have read and understand the Swan Point Covenants and Restrictions applicable to the property and the Design Standards and Construction Procedures and will follow and comply with the terms of those documents and any written directive issued by ARC.
2. No site clearing, material deliveries, or any construction may begin without first obtaining written approval issued by ARC.
3. Charles County will accept a submission package for review only if it includes an approval letter from ARC reporting that ARC has fully reviewed and approved the enclosed plan.
4. Any proposed changes to the plans will be submitted to ARC for approval prior to implementation.
5. I will maintain a clean construction site at all times and install a job sign, commercial dumpster (30 yard min.) and job toilet as required.
6. I am responsible for the conduct of all workers performing services on this project at all times while they are on the site.
7. I will notify ARC for all mandatory inspections.
8. Once ARC has approved final inspection, the processing of the return of your deposit will begin.
9. Any expense paid by the SPPOA for the correction of work not approved by ARC or not in conformance with the Final Plans and Permit, or for work performed by SPPOA to correct violation of the Association's Governing Documents may be deducted from the deposit. If the costs of bringing the lot into compliance with the Association's Governing Documents exceed the amount held in deposit, the Association shall specially assess the owner for the difference.

Property Owner Signature: _____ Date: _____

EXTERIOR MATERIAL SAMPLE AND COLOR SELECTION FORM

_____New Const. _____Addition/Alteration

Owner: _____ Address: _____

	MATERIAL	SAMPLE/BROCHURE REQUIRED	COLOR
1. Foundation Walls		N/A	
2. Exterior Wall Surfaces (ie. siding, brick, stone)			
4. Trim			
5. Mortar	N/A	N/A	
6. Window Units	N/A	N/A	
7. Front Door			
8. Front Storm/ Screen Door (Full View)			
9. Shutters	N/A		
10. Roofing			
11. Soffit & Facia	N/A	N/A	
12. Gutters&Downspouts	N/A	N/A	
13. Chimney (Flues)	N./A		
14. Garage Door(s)			
15. Driveway			

	MATERIAL	SAMPLE/BROCHURE REQUIRED	COLOR
16. Construction Entrance		N/A	N/A
17. Walks & Patios			
18. Deck (s)			
19. Deck Railing			
20. Porch			
21. Lamppost	N/A		
22. Porch Railing			
23. Stair Railings/Posts			
24. Columns			
25. Service Screening			

FIRST SITE INSPECTION FORM

Date _____

Owner _____

Address _____

The following items must be completed before the submission package is presented to the Architectural Review Committee:

	Complete	Not Complete
1. Lot corners must be visible using stakes at least 2' tall with a string defining all property lines except for street frontage.	_____	_____
2. House corners are to be marked using stakes at least 2' tall.	_____	_____
3. Driveway entrance should be indicated with stakes.	_____	_____
4. Erosion control in place (silt fence)	_____	_____

Please notify ARC when items have been completed: (301) 259-2100 or sppoa@comcast.net

Comments:

Inspected by _____
(Signatures)

SECOND SITE INSPECTION FORM

Date _____

Owner _____

Street Address _____

These items are inspected once the walls are under construction. Please notify ARC at this time

	Complete	Not Complete
1. Construction entrance in and being utilized	_____	_____
2. Culvert installed	_____	_____
3. Porto-potty placed as inconspicuously as possible on property, with door facing construction	_____	_____
4. Job sign with permit in visible location.	_____	_____
5. Condition of site _____		
6. A dumpster of a minimum of 30 cubic yards must be provided when framing starts	_____	_____

Please notify ARC when items have been completed: (301) 259-2100 or sppoa@comcast.net

Comments

Inspected by _____

THIRD SITE INSPECTION FORM

Date_____

Owner_____

Street Address_____

	Complete	Not Complete
1. Conformance to approved plans:	_____	_____
_____ Approved materials being used on exterior		
_____ Window placement		
_____ Doors placed per plans		
2. Temporary utilities hooked up (not using neighboring property utilities)	_____	_____
3. Condition of site		

Please notify ARC when items have been completed: (301) 259-2100 or sppoa@comcast.net

Comments:

Inspected by_____

FINAL SITE INSPECTION FORM

Date _____

Owner _____

Street Address _____

These items are inspected upon notification to ARC that construction has been completed and the U & O has been received by the SPPOA office. Upon ARC's final inspection approval, the Construction & Landscape Deposits will be processed for return.

Complete	Not Complete
_____	_____ 1. Overall conformance to approved plans
_____	_____ 2. Construction debris removed
_____	_____ 3. Temporary utilities removed
_____	_____ 4. Job sign removed
_____	_____ 5. Dumpster removed
_____	_____ 6. Porto-potty removed
_____	_____ 7. Driveway
_____	_____ 8. Walkway(s)
_____	_____ 9. Patio/Deck
_____	_____ 10. Pole Lamp
_____	_____ 11. Service screening – a) HVAC b) Propane c) Electric meter
_____	_____ 12. Oil tank
_____	_____ 13. House number
_____	_____ 14. Approved Mail Box
_____	_____ 15. Chimney(s)/flues
_____	_____ 16. Landscaping done per plan

Meets all requirements and is approved for:

Return of Construction Deposit _____

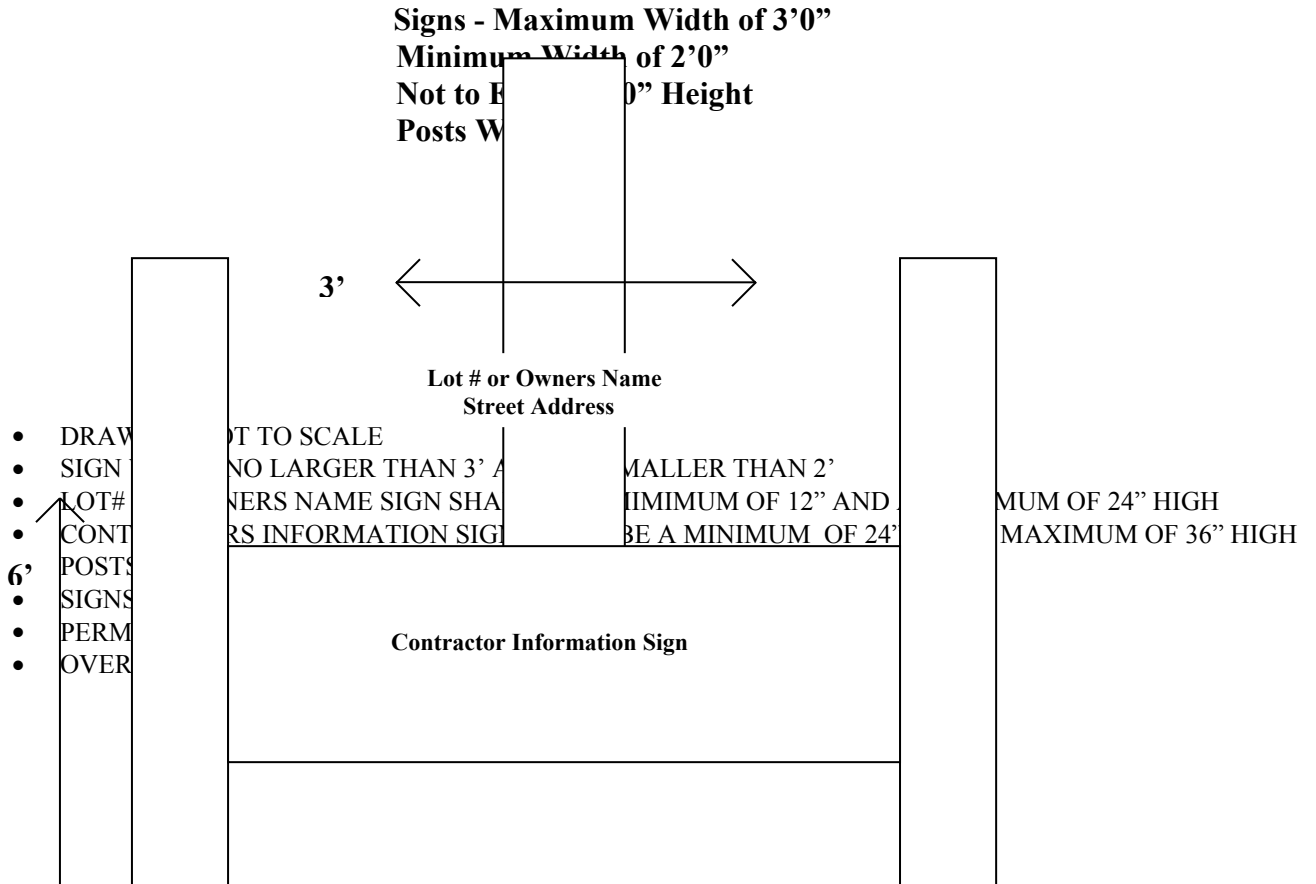
Return of Landscape Deposit _____

Please notify ARC when items have been completed: (301) 259-2100 or sppoa@comcast.net

Comments

Inspected by _____

SWAN POINT RESIDENTIAL CONSTRUCTION JOB SITE SIGN SPECIFICATION FORM



OFFICIAL SWAN POINT MAIL/NEWSPAPER BOX

