

O'DONNELL SQUARE HOMEOWNERS ASSOCIATION  
ARCHITECTURAL GUIDELINES

Adopted by the Board of Directors:                    **JUNE 6<sup>TH</sup>, 2017**

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Dear Homeowner,

The O'Donnell Square HOA Board of Directors and the Architectural Control Committee (hereafter known as the ACC) are pleased to present the community with these Architectural Guidelines, which provide a detailed guide to the policies and process of submitting an Architectural Change Application. The Guidelines are a result of considerable thought, deliberation, and debate among members of the Board and the ACC. Common design changes and prevailing opinions and misconceptions among our community were given thoughtful consideration as the Guidelines were developed.

The overall goal of these Guidelines is to keep O'Donnell Square an attractive and desirable place to live, while allowing for reasonable changes and alterations to the exterior of a property. Maintaining homes that are neat, attractive, and orderly will help preserve home values and prevent homes from turning into eyesores.

Prior to the adoption of this policy, Article 6 of the O'Donnell Square Declaration of Covenants, Conditions, and Restrictions requires ACC approval of all changes, additions, and alterations to the exterior of a home. We believe that there are many exterior changes that can be considered categorically reasonable, and as such should not require ACC approval. The majority of these Guidelines address these kinds of changes that are now considered "pre-approved."

While we hope that the Guidelines prove to be comprehensive, we realize that changes will almost certainly be required over time. We encourage constructive discussion and recommendations from homeowners to improve the Guidelines and O'Donnell Square as a whole.

Any questions regarding the content of these Guidelines can be addressed to the appropriate Managing Agent or to the ACC directly via e-mail at [architecture@odonnellsquare.com](mailto:architecture@odonnellsquare.com).

Sincerely,

The O'Donnell Square Architectural Control Committee  
The O'Donnell Square HOA Board of Directors

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### **Why do we have Architectural Guidelines?**

The goal of these Guidelines is to keep our community a place that is a neat, attractive, and desirable place to live, in addition to maintaining robust property values. Because we live in rowhomes, any changes made to a home will invariably be noticed by our neighbors and passers-by on a daily basis. For that reason, special consideration must be given to changes and additions in O'Donnell Square to achieve this goal. We hope that these Guidelines and their implementation prove to be a reliable, practical means of accomplishing it, while allowing for reasonable exterior alterations. While the Guidelines do not have the full force and effect of the O'Donnell Square CCRs, they are meant to serve as a guide that homeowners can refer to if they have a question about whether or not a particular change is allowed, or requires ACC approval.

Before these Guidelines were adopted, **all changes** to the exterior of a home or property had to receive ACC approval, in accordance with Article 6 of the O'Donnell Square Declaration of Covenants, Conditions, and Restrictions (CCRs). The result of the adoption of these Guidelines is that there are now **some changes** that are allowed without having to request ACC approval. Those changes are specified throughout the document.

### **Who oversees the Architectural Review Process?**

The process is managed by the O'Donnell Square Architectural Control Committee (ACC). As specified by Article 6 of the O'Donnell Square CCRs, the ACC is composed of three (3) or more representatives appointed by the Board of Directors. The ACC manages the process with assistance from the Board of Directors and the Managing Agent when needed. In the event that an ACC decision is appealed by a homeowner, the Board of Directors is the deciding authority.

The Architectural Control Committee membership may consist of any interested neighbor who makes an application. Although it is imagined that the membership will consist of individuals who are Registered Architects, licensed Professional Engineers, Structural Engineers, Professional Land Surveyors, or other professionals it is important to note that approval by the committee of an application does not constitute a professional review or endorsement of a proposed project.

### **What steps must residents take?**

When contemplating making a change to the exterior of the property, the homeowner should first consult these Guidelines in depth. The guidelines will help the homeowner to decide what changes are permitted, and help to guide them in choices of materials, colors, etc. along with accurately estimating a project timeline. If an application is required, the homeowner should complete the application enclosed with these Guidelines.

Regardless of whether making a small cosmetic change or a structural addition like the extension of a deck, it is the responsibility of the homeowner to ensure that the installation of the change is

done in a way that is efficient, and the resulting addition to the property is neat, clean, and is a high-quality addition to the property.

Additionally, prior to submitting an application, the homeowner should review Baltimore City Code, property records, and plats to make sure that the change will not violate public law or interfere with any public utility easement. The latter is of particular concern for end units. Many structural changes require building permits, which are the responsibility of the homeowner. The homeowner may wish to engage the services of a Registered Architect or licensed Professional Engineer to assist with these items.

After the Committee has approved an application, installation or construction of the approved change(s) must begin within six (6) months and be completed within twelve (12) months, unless a longer period is approved by the Committee.

### **The change or addition I want to make isn't listed in these Guidelines. What do I do?**

If the change or addition is not addressed in these Guidelines, please contact the ACC or the Managing Agent; it is likely that an Application is required. If you make an unapproved change to the property without completing an application, you risk the assessment of covenant violations and fines.

***DO NOT ASSUME THAT A CHANGE IS ALLOWED IF IT IS NOT ADDRESSED!***

### **What about Temporary Items?**

Temporary items are generally not subject to these Guidelines. Temporary items would be things like flowerpots, small decorations and ornaments, etc. If an item can be easily picked up and moved, it is most likely a temporary item. The ACC reserves the right to determine if a particular item is temporary, and if an Application should be required for its use.

### **What do I need to do to complete my Application?**

The O'Donnell Square Architectural Change Application is enclosed as Appendix A to these Guidelines. The homeowner should review the Application well in advance to ensure that there is sufficient time to gather all required information. Ensure that all applicable fields of the application have been completed. If the application is missing required information, the ACC may need to reject it.

**Personal Information:** Complete all fields. The homeowner should be the one to complete the application, but a tenant may serve as the applicant, provided that it includes a signed statement from the homeowner that allows the tenant to submit on his/her behalf. This does not relieve the homeowner from ultimate responsibility to adhere to these Guidelines or the CCRs.

**Description of Proposed Change(s) / Improvement(s):** Describe in detail the change you would

like to make to the exterior of the home or property. Be sure to include information about materials, color, location, and anything else that will help to convey the property's appearance after the change is completed. It is strongly encouraged to include photos of the materials, online screenshots of materials, manufacturer's catalog or specification sheets, etc. See examples of descriptions below:

*"Installation of a storm door."* -- This does not include important information and would likely result in the delay or rejection of the application.

*"Installation of a white storm door in the front of the home. The storm door is the same dimensions as the builder-installed front door and is full glass. The storm door handle finish matches that of the existing door. Please see the attached photo of the storm door from the Home Depot website."* -- This includes important information about color, appearance, and adds supporting photos to help the ACC process the application quickly.

**Neighbor Acknowledgement:** Because we live in rowhomes, it is likely that almost any change made to the exterior of your home will be seen by your neighbors every single day. The appearance of a home can affect the day-to-day quality of life of the homeowner's neighbors, along with their resale value.

It is for this reason that we ask that you speak with any neighbors who would be exposed to the change you wish to make, describing to them what you plan to do, and when. In most situations, this would be the two homes to the left and right of your property. However, if your home happens to be an end unit, it might be prudent to speak with the owners of the homes whose decks face your home. When speaking with the neighbors, they do not need to "approve" or "deny" the request, but simply acknowledge that you have informed them of the proposed changes to your property.

While the Committee's decision to approve or deny an application does not rely completely on the neighbor acknowledgement, if the Committee sees that the applicant has taken the time to speak with his/her neighbors, that would speed up the process and likely help the chances of approval.

**Submit:** Email the completed application to [architecture@odonnellsquare.com](mailto:architecture@odonnellsquare.com). Again, we **strongly suggest** that you include photos or screenshots that might be helpful in supporting your application.

### **What happens once my Application is submitted?**

It is the Committee's goal to begin reviewing each application as quickly as possible, so the homeowner will not be unduly delayed in making the changes to the home. Ideally, this review will begin no later than 3-4 days after the application is submitted.

In its review, the Committee will look at all submitted information, including photos, plans, and other documents that support the application. The review will consider whether or not the proposed change has been thoughtfully planned by the homeowner, if its installation will be

burdensome to the neighborhood, and most importantly, if the new appearance of the home will truly be an “improvement,” as opposed to an eyesore to passers-by. Under no circumstances will the Committee approve an application that would result in a substantial change to the appearance or character of a property.

In order to make a fully-informed decision, members of the Committee may visit your property to help to visualize your proposed change(s). At no point will a Committee member enter your property; it would be surveyed from the exterior.

After having reviewed the application and supporting information, members of the Committee will discuss whether to approve or deny the proposed change. If at this point additional information is required, the Committee may reach back out to the homeowner with questions. For more complex applications like deck extensions, the Committee may elect to forward the application to the Managing Agent for assistance.

***IMPORTANT:*** Per Section 6.1 of the CCRs, if the Committee fails to approve or deny an application within 30 days, the homeowner will be deemed to be in compliance. However, if the Committee requires additional information to process the application, that 30 day period will be reset.

### **Can I appeal if my Application is rejected?**

Yes. Per Section 6.4 of the CCRs, “...any Member who is aggrieved by any action or forbearance from action by the Architectural Control Committee may appeal the decision of the Architectural Control Committee to the Board of Directors and upon the request of such Member shall be entitled to a hearing before the Board of Directors. A majority of the Board of Directors shall be required to reverse the decision of the Architectural Control Committee.”

Note that the ability to appeal a decision is not limited to the applicant, but rather any Member (of the HOA). This could be one of your neighbors, which is all the more reason to talk to them in advance.

## **Specific Guidelines**

### **Awnings**

*An application is required* for the installation of an awning on the exterior of a home.

### **Basketball Backboards**

In accordance with 7.2(j) of the CCRs, basketball backboards and basketball hoops may not be installed on any property or attached to the exterior of any home.

### **Bird Feeders**

Due to the close proximity of homes and decks, *an application is required* for the installation of bird feeders.

### **Cameras**

*An application is required* for the installation of any camera on a property, without exception. Prior to submission of an application, the homeowner should consider the following guidelines:

- Cameras must be aimed on the area that constitutes the homeowner's property
- Outward-facing cameras mounted in the front of the home like the Ring® present privacy concerns and are likely to result in application disapproval
- Under no circumstances may cameras capture an HOA greenspace
- Applications for cameras that do not include neighbor acknowledgement are likely to result in disapproval

### **Clotheslines**

*Do not require approval* if the clothesline is mounted on the deck and both the line and any mounting pole or equipment are taken down when not in use.

### **Color Changes**

*An application is required* for any changes to original colors or finishes.

### **Compost Bins**

Compost bins may not be placed on the ground level. A single small (less than 30 gallon), sealed, odorless bin may be kept on the deck and *does not require approval*.



## **Decks**

*An application is required* for any changes to the structure, appearance, or material composition of a deck.

Changes to the structure of the deck, particularly extensions, require the submission of plans or drawings that clearly show the scope of the proposed change.

## **Deck Furniture**

Typical deck furniture like lounges, chairs, and tables are considered temporary items and *do not require approval*.

## **Deck Privacy Screening / Walls**

*An application is required* for the construction of any screening or walls on decks that are in addition to what was originally installed by the Builder.

## **Decorative Objects**

Decorative objects that are considered “temporary items” are generally permitted and do not require approval, provided that they are tasteful in nature and improve the appearance of the property.

*An application is required* for any decorative object that is not temporary in nature. The ACC may determine that certain decorative items are not permitted, either altogether or on a case-by-case basis. Homeowners are strongly encouraged to consult the ACC prior to displaying non-typical decorative items.

## **Dog Houses**

Dog houses may not be placed or constructed anywhere outside the home.

## **Doors**

### **Color Changes**

An application is required for any change to the color of an exterior door. This applies to all doors, whether they be in the front or rear of the home.

### **Replacement**

Replacement of an exterior door does not require approval if the new door is the same color and substantially the same style and design as the original.

## Hardware and Peepholes

*An application is required*, with the exception of the following changes, which *do not require approval*:

- Doorknobs may be replaced with another knob- or lever-style opener, provided that the finish of the replacement is aged bronze, or similar.
- Deadbolts may be replaced with a numbered keypad or electronic deadbolt, provided that the finish of the replacement is aged bronze (or similar) and does not exceed four (4") high by three (3") wide
- Peepholes less than 1.5" in diameter may be installed on the longitudinal center of the door, at a height between 60 and 75 inches from the bottom.
- Door knockers may be installed within the same location parameters as a peephole, provided that the knocker is no greater than six (6") in width or height, does not protrude more than four (4") from the door in a resting position, and is not overly bright or reflective (e.g. gold or chrome finish)

## Storm Doors

*An application is required* for the installation of storm doors. In order to be approved, storm doors must:

- Consist of a full-glass front. Doors with glass that can be swapped out with a screen are not permitted.
- Be either white (Phase 1) or almond (Phase 2). Alternately, the door may be a color that matches the existing exterior door.

## Electric Vehicle Charging Ports

*An application is required* for the installation of electric vehicle charging ports on the exterior of the property. The application should include plans or drawings.

Installation of charging ports inside the garage *does not require approval*.

## Electronic Insect Traps

Electronic insect traps ("bug zappers") *do not require approval* if they are used strictly on a temporary basis and taken down when not in use. *An application is required* for the permanent use and installation of any trap or device.

## Fences

Fences may not be installed or erected upon a property under any circumstances.

## Flags and Flagpoles

Flags and flagpoles *do not require approval* under the following conditions:

- Up to three (3) flags / flagpoles may be displayed
- Each flagpole may not exceed 72”
- Flagpoles may be mounted to either:
  - The outermost rear-facing deck facade
  - The outermost deck columns under the railing
  - The deck support columns below the deck
- Flags must be displayed in proper condition, i.e. no tears, rips, fraying, or faded colors

*An application is required* if any of these conditions are not met.

### **Garage Doors**

*An application is required* to replace a garage door. The replacement door should be substantially the same as the builder-installed version, and must maintain the same color and finish.

### **Gardens**

Small potted gardens may be planted on decks and *do not require approval*, provided that they are well-maintained and that vines and branches do not extend beyond the homeowner’s property line, or fall below the decking facade. This also includes flowers and plants in hanging baskets mounted on the deck railings.

*An application is required* for any garden planted in a location other than the deck.

### **Generators**

Emergency generators *do not require approval* provided that they are used solely in times of electricity loss, and are kept indoors when not in use.

*An application is required* for permanently-installed generators.

### **Gutters and Downspouts**

Gutter and downspout replacements must remain substantially the same style and same color as the builder-installed versions. Short downspout extensions to prevent erosion *do not require approval* so long as they do not extend over the homeowner’s property line.

*An application is required* for all other changes to the original gutters and downspouts.

### **Hot Tubs**

*An application is required* for the installation of a hot tub, spa, Jacuzzi®, etc. outside of a home.

## **Heating, Ventilation, and Air Conditioning (HVAC) Units**

Replacement of an HVAC unit *does not require approval* so long as the new unit is substantially the same size, shape, and color as the original unit installed by the Builder.

*An application is required* if the new unit is substantially different from the original.

## **House Numbers**

### Front

House numbers on the front of the home may not be altered from the builder-installed version.

### Rear

House numbers may be installed in the rear of the home and *do not require approval* under the following conditions:

- Each number does not exceed five (5") inches in height
- Numbers are black, aged bronze, or a similar dark color
- Numbers are made of metal or a durable composite material
- Numbers are uniform in size, shape, and color
- Numbers are mounted either on the outermost rear-facing façade of a deck support, or on the garage door frame

*An application is required* for house numbers that deviate from any of the above conditions.

Note: "stick-on," stenciled, or spray-painted numbers are not permitted.

## **Landscaping**

The following landscaping changes *do not require approval*, provided that they are completed in a way that does not substantially alter the appearance of the home:

- Addition of small plants or flowers to the front flowerbed
- Installation of metal, composite, or stone landscape edging around the front flowerbed that does not protrude more than five (5") inches above ground level.
- Replacement of builder-installed plants with identical ones

*An application is required* for any other changes. Crawling vines and other landscaping changes that substantially alter the appearance of the home are not permitted.

## **Lighting**

Temporary decorative lighting may be displayed on the exterior of a property between November 30<sup>th</sup> and January 10<sup>th</sup> of the succeeding year, per Paragraph 7.2(v) of the CCRs and does not require approval.

An application is required for the installation of any new lighting or lighting fixtures. When submitting an application, the homeowner should consider the following:

- No exterior lighting shall be directed outside the boundaries of the Lot
- All exterior lighting must be colorless
- Electrical wires and cables must be concealed from view

## **Mailboxes**

Centralized mailbox units are provided by the Developer and serviced by the United States Postal Service. Mailboxes may not be installed at individual residences.

## **Pergolas / Other Large Structures**

An application is required for the erection of a pergola or any other large structure on a property.

## **Privacy Barriers / Screening**

Small barriers or screens designed to screen an HVAC unit on a deck do not require approval provided that they do not exceed the height of the HVAC unit.

An application is required for any other walls, screens, or barriers erected on the deck.

Privacy walls or barriers may not be installed in the front of the property or underneath a deck under any circumstance.

## **Ramps and Railings**

An application is required for the installation of any ramps and railings on the exterior of the home.

## **Roof Replacement**

Partial or full replacement of a roof does not require approval if the new roof is of the same color, material, and style as the original roof.

An application is required for all other changes to the roof appearance.

## **Satellite Dishes and Antennas**

An antenna or satellite dish designed to receive television or internet services or programming *does not require approval*, if all the following conditions are met:

- Maximum of one (1) per home
- Neither the diameter nor total height exceeds one (1) meter
- All servicing cables are discreetly concealed and not visible from outside the property
- The antenna / dish is mounted on a rear-facing roof of the home

*An application is required* if any of these conditions are not met. If the homeowner wishes to mount an antenna or dish anywhere other than a rear-facing roof, the homeowner must provide documentation that proves that the antenna / dish signal would be impaired by installing on the rear-facing roof.

## **Sheds**

Sheds are not permitted under any circumstances. Small storage containers or cabinets may be kept on the deck and *do not require approval* provided that they do not exceed the deck railing in height.

## **Signage**

The following types of signs *do not require approval*:

- Signs in support of or against a political candidate or public referendum that are displayed no earlier than 30 days before and no later than 7 days after the primary election, general election, or vote on the referendum (per the Maryland Homeowners Association Act)
- One (1) temporary real estate sign not exceeding three (3) square feet in area may be placed outside the home, provided that it is removed promptly after the sale or rental of the home.
- A sign not exceeding one (1) foot in height and one (1) square foot in area may be placed in both the front and rear of the home for the purpose of advertising a home security system.

*An application is required* for any other signage.

## **Skylights**

*An application is required* for skylight installation.

## **Swings**

*An application is required* for under-deck mounting of a child's swing

### **Walkways, Stoops, Sidewalks**

Changes to the appearance of walkways, sidewalks, front stoops, driveways, etc. are not permitted.

### **Windows**

Window replacement *does not require approval* provided that the new window's exterior style and appearance is substantially the same as the original.

*An application is required* for any changes to window appearance.

### **Wires and Cables**

Wires and cables may be run on the exterior of a property and *do not require approval*, provided that they are concealed from public view.