

**(j) Streets, Sidewalks, Strips Between the Sidewalk and the Streets, and Parking**

All streets and sidewalks in the neighborhood are the property of the County, and State and County laws/ordinances apply to their use and are regularly enforced by the County police. The county is responsible for infrastructure maintenance of streets and sidewalks, for tree trimming in the strips between sidewalks and streets, and for plowing the roads of snow. However, individual homeowners with sidewalks on any border of their property between their property and the street are responsible for both the prompt snow/ice removal from the sidewalks and the mowing of and leaf removal from the strip between the street and the sidewalk.

**(k) Exterior Maintenance**

Montgomery County's numerous ordinances regarding many aspects of exterior maintenance apply to individual property owners within our community and can be enforced by actions of County officials.

However, having each homeowner aware of and working within the community norms has been a central element in the success of our neighborhood. Those norms include:

- Regular mowing and edging lawns ... almost weekly during the peak growing seasons; homeowners with sidewalks in front of their property are responsible for grass mowing and edging of county-easement area;
- Properly disposing of raked leaves; remember:
  - There is no County-provided leaf pick-up in our neighborhood unless properly bagged or contained as yard waste for weekly trash/recycling pickup.
  - Placing leaves into the street (or the strip between sidewalk and street) simply means they blow onto someone else's lawn and clog storm drains!
- Cleaning dirt and trash from the street side gutters and storm drains in front of private property (The County does street sweep once or twice a year, but individual efforts are required to keep up "curb appeal.")
- Quickly removing snow and ice from sidewalks adjacent to private property to allow walkers, including small children going to and from school buses, the safe use of these sidewalks;
- Maintaining their property's "curb view" in such a manner that potential buyers of a nearby property would find unobjectionable;
- Considering that one's back yard can also provide the "window or deck view" of several neighbors when choosing where to place a compost pile, stack garden equipment, or store other items.
- Removing seasonal lighting once the season has passed.
- Disposing of inoperable, unregistered junk cars.
- Placing trash containers out of sight when not scheduled for trash pickup.

**NOTE: Owners of corner lots have these obligations to both "views" of their property.**

**(I) Modifications and Improvements – Making External Modifications to Your Property**

Montgomery County's numerous building code requirements apply to homes in this neighborhood; these are quite complex and routinely enforced. Therefore, for other than minor repairs, each owner will be wise to check with the appropriate County agency before installing fences, placing sheds, making structural alterations, etc. to their property and, if required, to obtain Building Permits and display them as the County requires.

Additionally, the original builder placed covenants on the individual properties intended to preclude some dramatic change in a property that offended the community and/or seemed to degrade property values.

Therefore, in addition to each and any County requirements, our Community has in place a very successful program of registering external modifications to individual properties. Essentially this program has the individual homeowner provide the Association with a description of their proposed changes and signatures of the abutting neighbors indicating their awareness of the nature of the planned changes (**NOTE: These signatures indicate awareness ... not approval... of the proposed changes**). Forms for this notification (see below) are also available from the Management Group. and can be submitted by mail or email for review by the Association's Architecture Review Committee.

The Association then rapidly reviews and responds to the proposed changes; this response may include suggestions for alterations to the proposal intended to retain the neighborhood's "character and ambiance."

For the 30+ years that this process has been in place, it has well-served the community both by allowing changes to reflect the needs and desires of individuals and to balance those needs with the esthetic tastes of their neighbors. There have been no "big legal feuds" over these issues in this entire time; we all want to keep it that way.

The "Notice of Intent to Make Modification" application. Below, should be used by homeowners to provide the details of their planned modifications and be submitted for review by the Architectural Review Committee.

**INSTRUCTIONS:**

1. Complete the request form providing dimensions, plot plans, paint samples, fencing styles, materials, etc. as indicated on the form.
2. Obtain initials from the “abutting” homeowners (i.e. “next door,” “across the street” and “across the backyard” indicating that they have been notified of the proposed modification. Initials must be from the homeowner of record and not tenants. Addresses of non-resident owners can be obtained from the Association manager.

Initialing of the request form does not indicate approval; abutters may express their concerns to the ARC directly.

3. Submit the original and one copy of both the request form and all supporting materials to the DHBader property manager Chris Prescott at email [CPrescott@DHBader.com](mailto:CPrescott@DHBader.com) and [Info@DHBader.com](mailto:Info@DHBader.com).

**PLEASE ALSO NOTE THE FOLLOWING:**

- The Architectural Review Committee (ARC) is appointed by the Board of Directors (BOD) and advises the BOD as to whether it is their opinion that planned modifications to property in the community balance the needs and desires of individuals with the esthetic tastes of their neighbors.
  - The ARC will review the application, and if the ARC has no concerns regarding the application, they will so notify the applicant and the BOD.
  - If the ARC has concerns, they will bring those concerns to the attention of both the applicant and the Board of Directors;
    - In such cases, the applicant can provide the Board of Directors with any additional information or intended modifications prior to Board action;
    - No later than at its next monthly meeting, the Board will determine whether it has any concerns regarding the application and so notify the applicant.
  - It is the applicant’s responsibility to ensure that all required Montgomery County Permits are approved and meet Montgomery County building codes and covenants setback requirements. The ARC does not provide a review of engineering, water flow, or any other areas requiring professional or technical advice.
  - A lack of expressed concern by the ARC or by the BOD does not constitute authorization to use Association common property for access to homeowner’s property by vehicles during construction. Authorization to do so must be secured separately from the Association’s Board of Directors.
  - A lack of expressed concern by the ARC or by the BOD is unrelated to the process described in the Declaration of Covenants filed by the original developer with the Montgomery County Clerk on 31 March 1982.
  - If the homeowner has a portal account, the homeowner should use the “New Request” button on the portal Dashboard, select “ARC Request” and fill in the information fields on the form, then upload the application along with other appropriate data and then submit the request.
  - If the homeowner does not have a portal account, the homeowner should edit or print the application and email it or mail it to D.H. Bader Management at [Info@DHBader.com](mailto:Info@DHBader.com) along with other descriptive samples. Bader staff will create an ARC Request in the homeowner’s name on the portal and forward it to the Architectural Review Committee chairperson for disposition.
  - In both cases, Bader staff will communicate with the requesting homeowner by portal online status updates and by email or US Mail.
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| <b>DERWOOD STATION HOMEOWNERS ASSOCIATION, NO. 2, INC.</b><br><b>NOTICE OF INTENT TO MAKE MODIFICATIONS (02/18/2025)</b>   |                 |          |                      |
|--|-----------------|----------|----------------------|
| NAME:  |                 | DATE:    |                      |
| ADDRESS:   | LOT NO.         | PHONE    |                      |
| <b>DESCRIPTION OF MODIFICATION:</b> Describe all materials and colors or finish; where appropriate, attach drawings indicating design, dimensions and elevation detail, include plot plan indicating location.   |                 |          |                      |
|  |                 |          |                      |
|  |                 |          |                      |
|  |                 |          |                      |
| Estimated Completion Date:   |                 |          |                      |
| <b>NEIGHBOR NOTIFICATION:</b> Initialing this request form indicates notification only, not approval. Comments or objections may be attached to this application or mailed to D.H. Bader Management at 10480 Little Patuxent Parkway, 10 <sup>th</sup> Floor, Suite 1000, Columbia, MD 21044 |                 |          |                      |
| Homeowner Name   | Address / Lot # | Initials | How & When Delivered |
|  |                 |          |                      |
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|--|-------------------------|
| <b>PLEASE NOTE THAT:</b>   |                         |
| Montgomery County requires permits and inspections for many modifications; all such permits and inspections are homeowner responsibilities |                         |
| Comments from nearby homeowners are encouraged and may be attached to this form;   |                         |
| See back of form for further detailed instructions   |                         |
|  | Signature of Homeowner: |
|  | Date:                   |

|            |                               |       |
|------------|-------------------------------|-------|
| ARC ACTION | ARC Chairperson Signature:    | Date: |
|            | No Concerns noted:            |       |
|            | Concerns noted; Specifically: |       |

**(m) Links to Useful Externally Maintained Websites**

- County Trash Pick-up/Recycling Information:  
<https://www.montgomerycountymd.gov/sws/dropoff/>
- Shady Grove Sector Plan:  
<https://montgomeryplanning.org/planning/communities/midcounty/shady-grove/>
- Montgomery-National Capital Parks and Planning Commission:  
<https://www.mncppc.org>
- Gude Land Fill Planning:  
<https://www.montgomerycountymd.gov/DEP/trash-recycling/facilities/gude-landfill/index.html>
- Montgomery County Animal Services:  
<https://www.montgomerycountymd.gov/animalservices/about/contact.html>
- Montgomery County Building Codes:  
<https://www.montgomerycountymd.gov/DPS/Codes/residential-const-codes.html>