

THE VILLAGES AT SLEEPY HOLLOW

HOMEOWNERS ASSOCIATION, INC. | Salisbury, Maryland

Architectural Review Board Guidelines

Resident Edition: how to prepare an application for exterior changes

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The short version

Every exterior change needs written ARB approval before work starts. These Guidelines help you prepare a strong application. They do not replace the application, they do not guarantee approval, and they do not change the Declaration, the Bylaws, or the authority of the ARB.

The Guidelines follow the City of Salisbury and Wicomico County rules, whichever is stricter. The Association cannot lessen either set of rules. It can only be stricter. If a government rule and an Association approval ever conflict, the government rule controls.

You are responsible for following every local law and code. Call the City or the County if you are not sure.

Contents

- Part 1. Purpose and status of these Guidelines
- Part 2. Hierarchy of rules and your responsibilities
- Part 3. Requirements for every application
- Part 4. Topic guidelines (4.1 Fences through 4.12 Other items)
- Part 5. Key measurements at a glance
- Part 6. Contacts and sources

Part 1. Purpose and Status of These Guidelines

The Architectural Review Board (ARB) reviews exterior improvements under the Declaration and the Bylaws. These Guidelines are posted so residents can see, in one place, the rules that apply to common projects and the information the ARB needs to review them. Following them improves the quality of your application. It does not guarantee that the ARB will approve it.

What these Guidelines do not do

- **They do not remove the requirement to ask for approval.** You must still submit a request to the ARB and receive approval (or deemed approval under Section 3.8) before you begin work.
- **They do not remove any requirement of the Bylaws or the Declaration.** Where those documents are stricter than these Guidelines, those documents apply. If the Declaration and the Bylaws differ, the Declaration controls (Bylaws, Article XIV, Section 2).
- **They do not change the authority of the ARB** as stated in the Declaration and Bylaws, including its authority over all improvements and its right to approve or disapprove a request.
- **They are not legal advice.** Codes change. Confirm current requirements with the City and County before you build.

These Guidelines apply from the effective date forward. They are not retroactive. They do not require removal or change of any improvement that the ARB approved in writing before the effective date, or that was approved by operation of the 60-day deemed-approval rule before that date.

Part 2. Hierarchy of Rules and Your Responsibilities

Order of authority, from highest to lowest

1. **Federal law and Maryland state law**, including the Maryland Homeowners Association Act (Real Property Article, Title 11B) and the statutes that protect specific resident rights described in Part 4.
2. **City of Salisbury and Wicomico County codes** (zoning, building, health, and permit rules). Where the two differ, the stricter rule applies.
3. **The recorded Declaration** (the Association's covenants).
4. **The Bylaws.**
5. **These ARB Guidelines.**

How the hierarchy works

- **Stricter rule wins.** These Guidelines apply whichever of the City of Salisbury or Wicomico County rule is stricter for each topic. The Association has no ability to lessen either one. It can only make them more strict.
- **The Association yields where the law conflicts.** If enforcing an Association rule would conflict with federal, State, City, or County law, the Association follows the law.
- **ARB approval does not override the government.** If the ARB approves something that the City, the State, or the County prohibits, the City, State, or County rule controls. An ARB approval gives you no right to build something the law does not allow.
- **A government permit does not replace ARB approval.** You need both: the ARB approval and every required City or County permit.
- **Rules in the Declaration and Bylaws stay in force.** Nothing in these Guidelines relaxes them.

Your responsibility

It is the individual resident's responsibility to make sure every project follows all federal, State, City, and County laws and codes, including zoning, setbacks, permits, inspections, and contractor licensing. The ARB is not responsible for checking your compliance, and ARB approval is not a

statement that your project meets code. Consult Wicomico County and the City of Salisbury as needed before you apply, and again before you build.

Which government regulates your lot depends on whether it lies inside City limits. Because these Guidelines apply the stricter of the two, you can use them to see the minimum standard either way, but you must still obtain permits from the correct authority. Ask the City if you are unsure.

Part 3. Requirements for Every Application

3.1 What needs ARB approval

Under the Bylaws (Article XI, Section 2), ARB approval is required before you construct, install, erect, or change any building, porch, deck, fence, driveway, walkway, landscaping, exterior lighting, well, or other structure, and before any change to the exterior, including repainting. The Declaration (Article VIII) adds signs, pools, outbuildings, fencing, dog runs, fuel tanks, and basketball hoops. Part 4 covers each topic.

3.2 What to submit

The Bylaws require plans and specifications to be submitted **in triplicate** (three complete copies). Show the nature, kind, shape, height, colors, materials, and location of the work, and its approximate cost. A complete application includes:

- A written description of the project and its purpose.
- A **lot survey** with the improvement drawn to scale (Section 3.3).
- Drawings or plans with dimensions, height, and materials. Include manufacturer name, product, and model for fences, doors, sheds, and similar items.
- Colors and samples: color name and number, product photo, or sample.
- The **contractor's name and Maryland license number**, when a contractor is used (Section 3.5).
- Your signed acknowledgment that you will complete a Miss Utility (811) request and consult the Association's irrigation contractor before any digging (Section 3.4).
- The estimated start and completion dates, and the approximate cost.
- A copy of each City or County permit, as soon as it is issued. The ARB may approve a project on the condition that you obtain required permits.

You are encouraged to tell adjoining neighbors about a fence, shed, or similar project before you apply.

3.3 Lot survey

A lot survey is required whenever a fence, shed, patio, concrete pad, or other permanent structure is involved. The survey must show your property lines, recorded easements, the plat setback lines and Individual Building Restriction Lines, existing structures, and the exact location and dimensions of the proposed improvement. A survey or plat from your settlement is acceptable if it is legible and the proposed work is drawn on it to scale. The ARB may require a new or updated survey by a Maryland licensed surveyor if property corners cannot be verified. The City also requires a site plan prepared by a Maryland licensed surveyor for new buildings, additions, and pools.

3.4 Miss Utility (811) and irrigation consultation

Any time the earth will be disturbed, including landscaping, a Miss Utility consultation with utility marking is required, regardless of how deep you will dig. This includes planting a shrub, setting a fence post, installing a lamp post, and grading.

- Contact Miss Utility by dialing **811** (or 1-800-257-7777, or at missutility.net). Maryland law requires the request at least 3 business days, and no more than 12 business days, before digging. Do not dig until all utilities have marked the site.
- **Also consult the company the Association currently uses for the irrigation system** before any digging, so that irrigation lines, wiring, and valve boxes are not damaged. Private irrigation lines may not be marked by 811.
- Keep your Miss Utility ticket number and give it to the ARB before work starts. Residents and contractors may be held responsible for damage to utilities and to Association irrigation caused by their work.

3.5 Licensed Maryland contractor

When a contractor performs the work, the contractor must be in good standing in Maryland and hold the Maryland license the work requires. **Provide the contractor's name and license number with your request.** Most residential exterior work (fences, decks, patios, sheds installed on a permanent foundation, driveways, painting, and landscape construction) is "home improvement" that requires a Maryland Home Improvement Commission (MHIC) license. Trade work needs the trade license (for example, electrician, plumber, or licensed well driller), and tree work for hire needs a Maryland Licensed Tree Expert. Verify a license before you hire through the Maryland Department of Labor. If you do the work yourself, say so in your application. You are still responsible for permits and code compliance, and you accept responsibility for the work.

3.6 City and County permits

Obtain every permit the City or County requires before you start. Permits and inspections are separate from ARB approval. Permit expiration dates are set by the government: for example, a City permit expires if work does not begin within 180 days. Contacts are in Part 6.

3.7 How to submit

You may submit your request in either of two ways. Both are recognized for the 60-day deemed-approval rule in Section 3.8, on the terms stated below.

Option 1: email. Residents may instead email the complete request, as a single electronic copy, to the ARB at sleepyhollowmd@outlook.com. The ARB will send a written reply confirming receipt, normally within 5 business days. **The 60-day period starts on the date of the ARB's confirming reply.** If you do not receive a confirming reply, your email has not started the 60 days, and you may resend it or submit by certified mail.

Option 2: Certified mail. Send three complete copies by USPS Certified Mail, return receipt requested, to:

Architectural Review Board, The Villages at Sleepy Hollow Homeowners Association, Inc., P.O.
Box 5004, Salisbury, MD 21802

Keep the certified-mail receipt and the return receipt (green card or electronic delivery record).

A resident who chooses neither certified mail nor an ARB-confirmed email submission opts out of the 60-day deemed-approval rule. The ARB will still review the request.

3.8 The 60-day deemed-approval rule

Under the Bylaws (Article XI, Section 2), if the ARB does not approve or disapprove a complete set of plans and specifications within **60 days** after they are submitted, approval is conclusively presumed. For purposes of these Guidelines:

- For a certified-mail submission, the 60 days run from the date the Association receives your complete package, as shown by the delivery record.
- For an email submission, the 60 days run from the date of the ARB's written confirming reply (Section 3.7).
- If a required item is missing, the ARB will tell you what is missing. A submission without the required items has not submitted plans and specifications for this purpose.
- Deemed approval is approval by the ARB only. It does not authorize work that violates the Declaration, a plat setback line, an easement, or any federal, State, City, or County law. Those still control, and you remain responsible for permits.
- Where State law sets its own approval timeline, State law applies. For example, an application for electric vehicle charging equipment is deemed approved if it is not denied in writing within 60 days after the Association receives it (Real Property § 11B-111.8).

3.9 After approval

- Obtain permits, complete the Miss Utility request, and confirm irrigation locations before digging.
- Build what was approved. Material changes (size, location, materials, or color) need new ARB approval.
- Casualty rebuilding in substantial accordance with the original plans does not need ARB approval (Bylaws, Article XI, Section 3). City and County permits are still required.

Part 4. Topic Guidelines

Each topic lists the Association's standard and the City and County rules that apply. Where a topic is not changed by the Association, the stricter of the City and County rule applies as written below. Measurements assume a single-family lot. Your recorded plat setback lines also apply (Declaration, Article VIII, Section 2), and the greater distance controls.

4.1 Fences

Association standard

- **Material and color: white vinyl only.**
- **Backyard:** 4-foot or 6-foot white vinyl, picket or privacy.
- **Front yard:** 4-foot white vinyl picket only.
- **Front yard** means the area between the front property line and the front wall of the house, extended to the side lot lines. **Backyard** means the area behind the front wall of the house, including side yards behind that line. Side-yard fences begin at or behind the front corner of the house.

- **Corner lots:** the yard facing the side street is treated as a front yard under the City and County rules below (4-foot maximum within 25 feet of the side-street lot line, set back 5 feet). The ARB reviews any fence in that yard individually.

Setbacks and height (stricter of City and County)

- **Street side:** no closer than **5 feet** to any property line adjacent to a street, and not in an easement or reservation area (County Code § 225-70(F)(2)(c)). The City limits fences within the 25-foot front yard setback to **4 feet** and allows up to **6 feet** behind it.
- **Side and rear lines:** both the City and County allow a fence on the line. The County suggests a 1-foot setback for maintenance, and the City recommends enough room to avoid encroaching on a neighbor. The ARB strongly recommends an offset. Placing a fence on the line makes the lot survey essential.
- **Corner visibility triangle:** at a street intersection, nothing may exceed **2.5 feet** in height within the triangle formed by measuring 25 feet back along each street line from the corner (County Code § 225-71(E)). The Declaration (Article VIII, Section 13) also bars any fence, wall, hedge, or shrub that creates a traffic or sight problem.
- **Height:** the City cap is 6 feet behind the front yard setback and the County cap is 8 feet. The Association's limit of 6 feet is stricter than both.
- **Construction:** posts, rails, and bracing face the use to be screened (City rule), which on a residential lot means the structural side faces your own yard and the finished side faces out.
- **Perimeter fences and pool fences** follow the same standard. No other heights, materials, or colors are allowed.
- **Historic district:** a fence in a historic district must also be approved by the Salisbury Historic District Commission.

Permits and submittal

- The County does not require a fence permit. The City requires a site plan showing the fence height and exact location. Because the stricter rule applies, send the City your site plan and obtain any City approval before installation.
- Submit: lot survey, fence drawing with height and style, manufacturer and model, contractor name and license number, Miss Utility and irrigation acknowledgment. A fence around a pool must also meet Section 4.7.

4.2 Decks and Patios

Association standard

- **Decks:** wood, vinyl, and composite are allowed for decking, framing, railings, and stairs. Other materials are reviewed individually.
- **Patios:** wood and vinyl are allowed for raised patios and platforms. Ground-level patios in concrete, pavers, brick, or stone are reviewed individually for appearance and drainage. All patios require a lot survey.

Rules that apply (stricter of City and County)

- **Permit:** the City requires a building permit for a deck, and the County requires one for any deck more than 30 inches above grade. Obtain a permit for every deck.
- **Attached decks and porches** are part of the house and must meet the principal-building setbacks (County Code § 225-59(C)(2)). The City allows an unenclosed deck or porch to project no more than **10 feet** into the required rear yard. For City single-family districts the

required yards are front 25 feet, rear 30 feet, and side 10 feet on each side (City Code § 17.164.060). Entrance steps may project into side and rear yards (City). Plat setback lines under the Declaration also apply.

- **Detached decks and platforms** follow the accessory structure rules in Section 4.3.
- **Construction (City):** posts or piers at least 24 inches deep; stairs at least 36 inches wide; stair treads at least 10 inches deep and risers no more than 7¾ inches; guardrails at least 36 inches tall when the deck is 30 inches or more above grade; no guardrail opening that passes a 4-inch sphere. The City inspects footings before concrete is poured.
- **Patios and concrete pads:** confirm with the City or County whether your patio is treated as a structure. Until confirmed, stay at least 5 feet from side and rear lot lines (25 feet from the curbline on a corner lot) and outside easements. A County paved terrace may extend into the required front yard up to 10 feet but must stay within 5 feet of the front lot line, whichever is more restrictive (County Code § 225-70(C)(3)).
- If total disturbance exceeds 5,000 square feet, a sediment and erosion control permit is required from the Wicomico County Soil Conservation District (City permit procedures).
- Lot survey, Miss Utility, irrigation consultation, and a licensed contractor are required (Part 3).

4.3 Sheds and Accessory Structures

This section covers sheds, detached garages, carports, gazebos, greenhouses, and similar structures.

- **Permit:** a building permit is required for a shed of any size, whether on a foundation or skids (County). The City also requires a permit for sheds, garages, and carports. The County requires plan review for construction over 120 square feet.
- **Location:** rear yard only. No part may be closer than **5 feet** to a rear or side property line. On a corner lot, no closer than **25 feet** to the curbline of an abutting street. Not in a required front or side setback or in any easement (City Code § 17.164.060(F); County Code §§ 225-59(C)(1), 225-70(F)(1)(a)).
- **Sheds, maximum size:** a shed may not exceed **10 feet by 16 feet** in dimension or **12 feet** in height.
- **Height of other accessory structures:** no more than 20 feet (City Code § 17.164.060(C)(2)).
- **Building restriction lines:** the Individual Building Restriction Lines shown on your survey are a location limitation. No part of the structure may extend beyond them.
- **Coverage:** all accessory structures together may not occupy more than **35%** of the rear yard (County § 225-59(C)(3)) or more than **50%** of the required rear or side yard area (City § 17.164.060(F)(2)). Meet both.
- **Not allowed as accessory structures:** utility trailers, truck bodies, manufactured homes, travel trailers, and shipping or storage containers (County § 225-59(C)(4)-(5)). A temporary structure may not be used as a residence (Declaration, Article VIII, Section 5).
- **Footings (City):** at least 12 inches below grade for accessory buildings under 600 square feet, and 24 inches for larger buildings, or as approved by the City.
- A principal dwelling must already exist or have an approved building permit.
- **Submit:** lot survey with the structure located and dimensioned, elevation drawing with height, size, siding and roof materials and colors, manufacturer information, and contractor name and license number (a Maryland license is required if a contractor permanently installs the shed).

4.4 Exterior Doors (Garage, Front, Rear)

- ARB approval is required for any change to an exterior door, including replacement, because the Bylaws cover any change to the exterior.
- Neither the City nor the County sets door style or color standards for single-family homes. The ARB reviews the style, material, and color against the existing house and community.
- A City or County permit is required if the work alters the size or location of the opening or involves structural members. Confirm with the City before replacing a door in a new opening. Building code requirements for exits and for doors between a garage and the house apply to all work.
- **Submit:** manufacturer, model, material, color name and number, photo or drawing, location, and contractor name and license number.

4.5 Landscaping (Plants, Trees, Shrubs)

- ARB approval is required for landscaping changes (Bylaws, Article XI, Section 2). Miss Utility marking and the irrigation consultation are required for any digging, however small (Section 3.4).
- **Lawn height:** lawn growth may not exceed 6 inches (Declaration, Article VIII, Section 15).
- **Sight lines:** no plant may create a traffic or sight problem (Declaration, Article VIII, Section 13). On corner lots, nothing may be allowed to grow so as to obstruct vision between 2.5 feet and 8 feet above street grade within the 25-foot triangle (County Code § 225-71(E)).
- **Low-impact landscaping:** Maryland law (Real Property § 2-125) bars restrictions that unreasonably limit low-impact landscaping, such as pollinator gardens, rain gardens, bio-habitat gardens, and xeriscaping, if you maintain and regularly tend them. The Association may not require that cultivated vegetation be turf grass or impose limits that significantly raise cost or lower efficiency. The ARB may apply reasonable design and aesthetic guidelines on the type, number, and location of features, and you must still apply.
- **Common Areas, easements, and ponds:** do not plant, dig, or build in Common Areas or easements. No landscaping on storm water pond slopes or pond areas without Board approval.
- **Trees:** tree work for hire must be performed by a Maryland Licensed Tree Expert. A tree that grows in whole or part in a public road right-of-way is a roadside tree, and pruning, removal, or planting requires a permit from the Maryland Department of Natural Resources Forest Service. The City may require abatement of unsafe tree or plant growth (City Code Chapter 8.09).
- **Retaining walls, berms, and grading:** need ARB approval and may need a City or County permit. A sediment and erosion control permit is required if total disturbance exceeds 5,000 square feet.
- **Submit:** a plan showing bed locations, plant list and sizes, mature tree and shrub height, any hardscape, and the lot survey if a wall or other permanent structure is included.

4.6 Signs, Flags, and Displays

Association sign policy (Declaration, Article VIII, Section 6)

No sign may be displayed unless authorized by the Board or ARB. Under the Association's posted sign policy:

- No signs are allowed in Clock Tower Circle.

- Rental signs are not allowed. (The City alone would allow limited rental signs in some districts. The Association is stricter.)
- Yard sale signs are allowed from 24 hours before the sale and must be removed afterward.
- For-sale signs are allowed, with an optional literature box.
- Open house and directional signs are allowed from 48 hours before the event.

City sign rules (Salisbury City Code Chapter 17.216) that apply

- For-sale signs: no larger than **8 square feet** and not illuminated. Name and address sign: one per house, no larger than **2 square feet**. Instructional signs: no larger than **2 square feet** or **3 feet** high.
- Never allowed: signs that make noise or emit smoke, flashing or animated signs in residential districts, signs that obstruct a driver's view of traffic devices or intersections, signs attached to trees or utility poles, signs on permanently parked vehicles, and signs that imitate traffic signs.
- Signs that are not exempt need a City sign permit.

Political signs (State and City law)

Maryland law (Real Property § 11B-111.2) does not allow the Association to restrict or prohibit candidate signs or signs for or against a ballot question on your lot. The Association may restrict them in Common Areas and as federal, State, or local law provides. The City limits political campaign signs on a private lot to a total of **32 square feet**, set back at least **15 feet** from the curbline (or the lesser of 15 feet and the distance to the building). The City has removed its time limits on political signs, so the Association sets none.

Flags

- **United States flag.** Federal law (Freedom to Display the American Flag Act of 2005) and Maryland law (Real Property § 14-128) protect your right to display **one portable, removable United States flag** in a respectful manner consistent with 4 U.S.C. §§ 4-10 on the premises where you are entitled to reside. The Association may adopt reasonable rules on the **placement and manner of display, and on flagpoles**, including size and location.
- **Size and location rules:** the flag may be mounted on the house by a bracket, with a flag no larger than 3 feet by 5 feet. One freestanding flagpole is allowed with ARB approval, no taller than 20 feet, at least 5 feet from side and rear lot lines, and outside easements and Common Areas.
- The City also permits national flags and flags of political subdivisions in any district (City Code § 17.216.050(H)).

Permanent decorative items such as statuary, fountains, and arbors are structures or landscaping and need ARB approval.

4.7 Swimming Pools

- ARB approval is required (Declaration, Article VIII, Section 8), along with a City or County building permit. Pools are accessory structures under both codes.
- **Location:** rear yard (or, on a corner lot only, a side or front yard) and no closer than **25 feet** to any curbline (City § 17.164.060(F)(3)). Pools and concrete aprons must be at least **5 feet** from any side or rear lot line (County § 225-70(F)(2)(a)).
- **Coverage:** a pool and all other accessory structures together may not occupy more than **75%** of the required rear or side yard (City), and accessory structures may not exceed **35%** of the rear yard (County).

- **Barrier (City):** a barrier at least **48 inches** above finish grade must entirely surround the pool, with no opening that passes a 4-inch sphere. Gates must open outward away from the pool, be self-closing, and self-latching, with the latch on the inside. A fence used as the barrier must meet Section 4.1.
- **Electrical and inspections:** outlets and fixtures must meet the National Electrical Code and be inspected by a licensed electrical inspector. The City requires a final inspection and final electrical inspection with all barriers in place.
- **Submit:** lot survey and site plan with pool, apron, equipment pad, and barrier located; pool type and size; fence details; contractor name and license number.

4.8 Exterior Paint and Finishes

- ARB approval is required before any change in exterior appearance, including repainting (Bylaws, Article XI, Section 2). This covers paint, stain, siding, shutters, trim, and roofing.
- No City or County zoning standard sets exterior colors for single-family homes. The Association's color standard follows.
- **Colors:** no bright or fluorescent colors. No pink, purple or orange. Color schemes are limited to red, blue, green, brown, or gray, or coordinating colors already pre-approved. White, beige, tan, and black, and other neutrals, are allowed.
- **Changes from current colors** are at the discretion of the ARB, to ensure matching within the community.
- A City permit is required for roof replacement. Painting and other finish work by a contractor is home improvement that requires an MHIC license.
- **Submit:** manufacturer, color name and number, color sample, the areas to be painted or replaced, and contractor name and license number. A house in a historic district needs Historic District Commission review as well.

4.9 Driveways and Walkways

- ARB approval is required for driveways and walkways (Bylaws, Article XI, Section 2). Driveways, including gravel driveways, are home improvement work that requires an MHIC licensed contractor.
- Work on the curb, gutter, sidewalk, or driveway apron in the public right-of-way within the City requires a City **Break Permit** from the Department of Infrastructure and Development, an approved contractor, 24 hours' notice before work starts, and compliance with City standards. The owner is responsible for the work.
- Driveways and walkways must stay on your lot, and may not obstruct the corner visibility triangle (Section 4.1) or sidewalks. Do not redirect storm water onto neighbors or Common Areas.
- Lot survey (for any concrete pad or flatwork), Miss Utility, irrigation consultation, and a sediment and erosion control permit for disturbance over 5,000 square feet are required.
- **Submit:** survey showing width, length, location, and material; contractor name and license number.

4.10 Exterior Lighting

- ARB approval is required for exterior lighting (Bylaws, Article XI, Section 2), including post lamps, wall fixtures, flood lights, and landscape lighting.

- Hardwired lighting requires any electrical permit and inspection the City or County requires, and installation by a licensed electrician where Maryland law requires one.
- Neither the City nor the County sets a separate residential lighting standard. The ARB will consider glare onto neighboring homes, flashing or color-changing fixtures, brightness, and fixture style.
- Trenching for wiring or setting a post is excavation: Miss Utility and the irrigation consultation are required.
- **Submit:** fixture photo and specifications, location on a plan, bulb type and brightness, whether it uses a sensor or timer, and who will install it.

4.11 Wells, Porches, and Home Additions

Wells

- ARB approval is required (Bylaws, Article XI, Section 2). A well construction permit must be issued before a well is drilled, and Maryland issues it only for a well constructed by a State-licensed well driller (COMAR 26.04.04.05). Apply through the Wicomico County Health Department. Submit the driller's name and license number.
- The Association's Common Area wells and irrigation system are Association property. Do not alter or connect to them.

Porches

- Eaves, steps, open porches, bay windows, and chimneys count as structures. None may extend closer to a front or side lot line than the plat's minimum building setback line unless the governmental authorities and the ARB approve (Declaration, Article VIII, Section 2).
- Where the plat line does not control, the County allows an open, unenclosed porch to project into the required front yard up to 10 feet but within 5 feet of the front lot line, whichever is more restrictive (County Code § 225-70(C)(3)), and the City allows an unenclosed porch to project no more than 10 feet into the required rear yard.

Enclosed porches and additions

- An addition or enclosed porch is part of the principal building and must meet the full setbacks: City single-family districts front 25 feet, rear 30 feet, side 10 feet each; County setbacks under its district schedule (§ 225-74). The greater distance controls.
- A building permit is required. The City requires a site plan prepared by a Maryland licensed surveyor and a construction plan, and inspects footings and foundations before concrete is poured. A Maryland licensed contractor is required.

4.12 Other Items

Clotheslines

Maryland law (Real Property § 14-130) does not allow the Association to prohibit a clothesline on single-family property. Under the Bylaws (Article XI, Sections 2a and 2b), clotheslines need ARB approval, and the 60-day rule applies. The law allows reasonable restrictions on dimensions, placement, and appearance to protect aesthetic values, and on placement to protect persons and property from fire or other emergencies. Clotheslines must be taken down when not in use for drying clothes. Outdoor clothes poles and wooden drying racks are addressed in the Bylaws.

Portable basketball hoops

The Declaration (Article VIII, Section 11) requires ARB approval. Maryland law (Real Property § 2-124) bars unreasonable limits on the location and use of a portable basketball apparatus on property you own or have exclusive use of. The ARB may regulate location reasonably. A hoop may not be placed in or extend into a street, sidewalk, or Common Area.

Solar panels

Maryland law (Real Property § 2-119) bars unreasonable limits on a solar collector system on a roof or exterior wall you own or have exclusive use of. A limit is unreasonable if it raises installation cost by at least 5% or reduces projected energy generation by at least 10%. You must provide documentation satisfactory to the Association from an independent solar design specialist who is NABCEP-certified or has attested by affidavit to designing at least 30 systems in the prior 3 years. Submit an application, and obtain the required permits and licensed installer.

Electric vehicle charging

Maryland law (Real Property § 11B-111.8) protects installation in your deeded or designated parking space. The Association processes the application as it does an architectural modification, and an application not denied in writing within 60 days after receipt is deemed approved, unless the delay results from a reasonable request for information. You must comply with building codes and architectural standards, use a licensed contractor, pay for the electricity, obtain required government permits, and provide a certificate of insurance naming the Association as additional insured or reimburse any premium increase.

Satellite dishes and antennas

The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000) protects direct broadcast satellite dishes one meter (39.37 inches) or less in diameter and antennas for local television signals and certain fixed wireless service on property you own or exclusively use. The Association may not prohibit them or impose rules that unreasonably delay or increase their cost. Place the device where you can receive an acceptable signal, and tell the ARB the location.

Composting

Maryland law (Real Property § 11B-111.9) bars the Association from prohibiting or unreasonably restricting composting for personal or household use on an area you own or exclusively use, if you follow all State and local laws, or from restricting your right to contract with a private organic-waste collector.

Accessibility modifications

The federal Fair Housing Act requires the Association to permit reasonable modifications to a dwelling that a person with a disability needs for full enjoyment of the home, at the resident's expense, and to make reasonable accommodations in its rules. Describe the need in your application. The ARB will work with you on design and placement.

Fuel tanks, dog runs, temporary structures, boats and recreational vehicles

- Fuel tanks require ARB approval (Declaration, Article VIII, Section 10). Dog runs and kennels are fencing and require approval (Section 8).
- Temporary structures may not be used as residences (Section 5).
- **No storage of recreational vehicles, boats, or utility trailers outside of the resident's garage.** (The City would allow up to two recreational vehicles and boats in any combination behind the front building setback line, City Code § 17.164.050. The Association is stricter.)

Part 5. Key Measurements at a Glance

This table summarizes the stricter City and County measurements used in Part 4. It is a convenience. The text in Part 4 and the codes themselves control. Plat setback lines and the Declaration may be stricter.

Item	Measurement	Source
Fence material	White vinyl only	Association
Fence height, backyard	4 ft or 6 ft (picket or privacy)	Association; City cap 6 ft, County cap 8 ft
Fence height, front yard	4 ft, picket only	Association; City 4 ft within 25 ft front setback
Fence from street-side lot line	At least 5 ft	County § 225-70(F)(2)(c)
Corner visibility triangle	25 ft legs; 2.5 ft maximum height	County § 225-71(E)
Shed and accessory structure	Rear yard; 5 ft from rear and side lines; 25 ft from curblane on corner lot; within Individual Building Restriction Lines; shed maximum 10 ft x 16 ft and 12 ft high (other accessory structures 20 ft)	City § 17.164.060; County § 225-70(F)
Accessory coverage	35% of rear yard (County) and 50% of required rear/side yard (City)	County § 225-59(C)(3); City § 17.164.060(F)(2)
Single-family required yards	Front 25 ft; rear 30 ft; side 10 ft each	City § 17.164.060(B); County § 225-74
Deck or porch projection	Up to 10 ft into required rear yard (City)	City accessory permit rules
Pool barrier	48 in minimum; 4-in sphere; self-closing, self-latching gate opening outward	City
Pool location	5 ft from side and rear lines; 25 ft from curblane (corner lot)	County § 225-70(F)(2)(a); City § 17.164.060(F)(3)
Excavation notice	Dial 811, 3 to 12 business days before digging	Maryland Public Utilities § 12-124

Part 6. Contacts and Sources

Contacts

Office	Contact
City of Salisbury, Department of Building, Permits and Inspections	125 N. Division St., Salisbury, MD 21801; 410-548-3130
City of Salisbury, Department of Infrastructure and Development (curb, sidewalk, break permits)	125 N. Division St., Room 202; 410-548-3170
Wicomico County, Permits and Inspections	125 N. Division St., Room 201; 410-548-4810
Wicomico County, Planning and Zoning (zoning questions and enforcement)	410-548-4860

Office	Contact
Wicomico County Health Department, Environmental Health (wells and plumbing permits)	410-546-4446
Wicomico County Soil Conservation District	410-546-4777
Miss Utility	811 or 1-800-257-7777; missutility.net
Maryland Home Improvement Commission license lookup	labor.maryland.gov/license/mhic
Architectural Review Board	P.O. Box 5004, Salisbury, MD 21802; sleepyhollowmd@outlook.com

Sources reviewed

- Wicomico County Fence Requirements: <https://www.wicomicocounty.org/DocumentCenter/View/14852>
- City of Salisbury Fence Requirements: <https://salisbury.md/wp-content/uploads/2022/04/FENCE-SITE-PLAN-INTERIOR-LOT.pdf>
- Wicomico County Zoning Code, §§ 225-59, 225-70, 225-71: https://www.zoneomics.com/code/wicomico-county-unincorporated-MD/chapter_7
- Wicomico County Zoning Code (full text): <https://www.wicomicocounty.org/DocumentCenter/View/1190>
- Salisbury City Code § 17.164, R-S districts: https://www.zoneomics.com/code/salisbury-MD/chapter_51
- Salisbury City Code Chapter 17.216, Sign Standards: https://library.municode.com/md/salisbury/codes/municipal_code?nodeId=TIT17ZO_CH17.216SIST_17.216.120SIWHMABEERLIBUINDI
- City of Salisbury Building Permit Guidelines: <https://salisbury.md/departments/infrastructure-development/permitting-construction-info/building-permit-guidelines-procedures>
- City of Salisbury Accessory Building Permit Application: <https://salisbury.md/wp-content/uploads/2017/04/ACCESSORY-PERMIT-APPLICATION.pdf>
- City of Salisbury Sidewalks, Curbs and Concrete: <https://salisbury.md/departments/infrastructure-development/sidewalks-curbs>
- Wicomico County Residential Permits FAQs: <https://www.wicomicocounty.org/DocumentCenter/View/3888/Residential-Permits-FAQs>
- Wicomico County Residential Permit Plan Review: <http://www.wicomicocounty.org/documentcenter/view/1187>
- Maryland Homeowners Association Act (Real Property Title 11B), §§ 11B-111.2, 11B-111.8, 11B-111.9, 11B-112: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=grp§ion=11B-111.2>
- Real Property § 2-119, solar: <https://mgaleg.maryland.gov/mgawebsite/laws/StatuteText?article=grp§ion=2-119&enactments=false>
- Real Property § 2-124, basketball: <https://mgaleg.maryland.gov/mgawebsite/laws/StatuteText?article=grp§ion=2-124&enactments=false>
- Real Property § 2-125, low-impact landscaping: <https://mgaleg.maryland.gov/mgawebsite/laws/StatuteText?article=grp§ion=2-125&enactments=false>
- Real Property § 14-128, flags: <https://mgaleg.maryland.gov/mgawebsite/laws/StatuteText?article=grp§ion=14-128&enactments=false>
- Real Property § 14-130, clotheslines: <https://mgaleg.maryland.gov/mgawebsite/laws/StatuteText?article=grp§ion=14-130&enactments=false>
- Maryland Public Utilities § 12-124, notice to one-call system: <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gpu§ion=12-124&enactments=False&archived=False>
- Miss Utility homeowner guidance: <https://www.missutility.net/homeowner/>
- Maryland Home Improvement Commission FAQs: <https://labor.maryland.gov/license/mhic/mhicfaq.shtml>

- COMAR 26.04.04.05, well construction permits: <https://regs.maryland.gov/us/md/exec/comar/26.04.04.05>
- Freedom to Display the American Flag Act of 2005: <https://www.congress.gov/bill/109th-congress/house-bill/42/text/eh>
- FCC Over-the-Air Reception Devices Rule: <https://www.fcc.gov/media/over-air-reception-devices-rule>
- Association Bylaws and Declaration (posted): <https://www.sleepyhollowmd.com/bylaws.aspx>