



## **POLICY AND PROTOCOL** **FOR APPROVING BUILDING PLANS FOR MANOR PARK**

### **I. Purpose and Scope.**

The purpose of this Policy and Protocol is to establish a process for Manor Park homeowners to submit building plans, and for the Manor Country Club Board of Governors to review and act on them in an organized and timely fashion.

### **II. Legal Authority.**

The Deed and legal agreements creating Manor Country Club and the Manor Park residential community contain covenants requiring that all building (i.e., structures) erected within the Manor Park community must be approved by the Manor Country Club Board of Governors. These covenants run with the land and apply to every property within Manor Park, whether or not the owners thereof are members of Manor Country Club.

Specifically, Paragraph Five (5) of the Deed of February 9, 1937, requires that:

“5. No building of any description shall be erected by the party of the first part or any grantee from it upon any part of Manor Park until plans and specifications have been submitted to and approved in writing by the Board of Directors of the party of the second part (Manor Country Club).”

This covenant was reaffirmed in the agreement of February 15, 1952, Paragraph Eight (8), and in the agreement of January 7, 1959, Paragraph Nine (9). (See also: Paragraph 22 of the Deed of February 9, 1937; Paragraph Five (5) of the agreement of February 15, 1952; and Paragraph Six (6) of the agreement of January 7, 1959.)

In addition, the 1952 and 1959 covenants further defined the approval process. The 1952 provisions states in relevant part:

“8. No building” (i.e., structures) “of any description shall be erected upon any part of Manor Park until plans and specifications

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therefore have been submitted to and approved by the Board of Governors following consideration by the Home Plan Approval Committee...”

The 1959 covenant substantially mirrors the 1952 provision.

**III. Administration and Oversight.**

The responsibility for administering this building approval process and reviewing the proposed building plans is delegated by the Board of Governors to the House Approvals Committee (the successor to the “Home Plan Approval Committee” referenced above), the members of which are appointed by the President of the Club. The committee is charged with reviewing all building plans to ensure that they meet the established criteria cited below and with making recommendations to the Board of Governors for appropriate action.

**IV. Review Process and Criteria.**

A. Homeowners Submission. Before any construction is commenced in Manor Park, homeowners must first submit their proposed building plans to and obtain the approval of the Board of Governors of Manor Country Club.

The process is initiated by the homeowner sending a written letter to the Board of Governors containing:

1. The homeowner(s) name, home address, telephone numbers and e-mail address;
2. A summary description of the proposed project;
3. A copy of the plat showing where the expanded or new structure will be placed; and
4. A complete set of architectural plans including elevations.

B. House Approvals Committee Review. The proposed plans and documentation will be forwarded to the House Approvals Committee within five (5) business days of receipt by the Board of Governors. The committee will review the proposed plans to determine if there is any reason to believe that they fail to comply with:

1. Local building permit;

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2. Relevant covenants contained in the 1937, 1952 and 1959 agreements; and
3. Other policies or requirements of Manor Country Club, if any.

If there are any questions, concerns, or if additional information is required, the committee chair may contact the homeowner(s) who submitted the plans.

*C. Notification of Neighbors.* Within a period of 21 business days following its receipt of the homeowner's letter and documents, the committee will determine if the plans comply with the above criteria. If so determined, the committee will then notify the adjacent neighbors and the Community Association about the proposed building plan being considered and give them no more than 10 business days from the date of notification to view the plans and submit comments to the Board, which will be shared with the builder. The neighbors notified will include those to either side of, directly behind and in front of the proposed building site as well as any other neighbors designated by the committee.

**V. Recommendations and Approval.**

*A. House Approvals Committee Recommendation.* Following its review of the proposed building plans, and the opportunity for the neighbors to view the plans and comment, the committee will submit its recommendations for appropriate action to the Board of Governors.

*B. Board Consideration and Action.* The Board will then consider the committee's recommendations at its next regularly scheduled meeting and render a decision. The homeowner and any affected neighbor submitting written comments will be notified of the Board's meeting and decision.

When it considers proposed building plans, the Board seeks to respect the legal property rights of individual homeowners and their architectural preferences – within governmentally defined limits – to build on and use their property for residential purposes as they see fit. In doing so, the Board's focus is essentially whether the plans comply with the covenants and with the Montgomery County Building Permit as evidenced by approved building plans.

**VI. Construction.**

Prior to the commencement of the construction of any building approved by the Board, the homeowner must submit a copy of the building permit to the Board.

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