

**ARCHITECTURAL CONTROL GUIDELINES FOR THE  
WESTBRIDGE COMMUNITY ASSOCIATION  
ARCHITECTURAL CONTROL COMMITTEE  
("ACC")**

**Rev 4**

**\*\*THESE GUIDELINES ARE SUBJECT TO CHANGE AT ANY TIME**

# ARCHITECTURAL CONTROL GUIDELINES

## OVERVIEW

### The Declaration

A system of Architectural Control is created by the Declaration of Covenants, Conditions and Restrictions for Westbridge, Sections One and Two, (collectively the “Declaration”) which has been duly recorded under the Official Public Records of Real Property for Harris County, Texas.

### Purpose and Objectives

The purpose of architectural standards is set forth in the Declaration as follows:

Whereas, it is the desire of Declarant to place certain restrictions, covenants, conditions, stipulations and reservations upon and against **Westbridge, Sections One and Two** in order to establish a uniform plan for the development, improvement and sale of such property, and to insure the preservation of such uniform plan for the benefit of both the present and future owners in said subdivision.

Now therefore, Declarant hereby adopts, establishes and imposes upon those certain lots in **Westbridge, Sections One and Two** the following reservations, easements, restrictions, covenants and conditions applicable thereto, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the property which reservations shall run with the said property and shall be binding upon all parties having or acquiring any right, title or interest therein, or any part thereof, and shall inure to the benefit of each owner thereof.

The **Westbridge Community Association** Architectural Control Committee (hereafter the “ACC”) has exclusive jurisdiction over all original and new construction, including alterations to existing improvements and residences.

These Guidelines are intended to function as a summary of the Declaration and to set out minimum constructed standards pursuant to Article IV, Section 4 of the Declaration. These construction standards are the basis for the ACC which has exclusive jurisdiction over all modifications, additions, or alterations made to structures, improvements and residences.

The ACC consists of a Committee of three (2) individuals as established by the Westbridge Community Association, Inc. (the “Association”).

## **Application Procedure**

Applications should explain the proposed improvement(s) and include a copy of a detailed site plan. It is recommended that a copy of the survey received at closing be used so that relative distances and dimensions can be reviewed. Make sure to include all pertinent information and specifications along with a mailing address and phone number. All applications must be in writing. The ACC cannot respond to verbal requests.

Applications must be delivered or mailed to the Association's Management Company as shown in the most recently filed Management Certificate in the Official Public Records of Real Property for Harris County, Texas. It is the responsibility of the applicant to make sure he or she has the most current guidelines before proceeding with any improvement. Check with any ACC or Board member to see if the guidelines have been reissued or amended.

The ACC reserves the right to charge an application fee on a case by case basis, depending on the complexity of the requested improvement.

## **Approvals/Disapprovals/Processing Period**

The ACC will respond in writing to all applications.

Please note that the ACC has twenty (20) days from date of receipt of a complete application within which to respond. If additional information is required by the ACC, the twenty (20) day processing period will commence upon receipt of the additional information. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process. However, every effort will be made to respond promptly.

In the event the ACC fails to respond within 20 days after receipt of a complete application, the application will be deemed disapproved.

If an application is not approved, the ACC will state in its letter why such approval was denied. If an applicant wishes to discuss or appeal a decision made by the ACC, the chairman of the committee should be contacted for an appointment.

Please note that the ACC approval is required prior to the installation or construction of any improvement or change. If an improvement is made without ACC approval, the Board of Directors of the Association has the legal right to force removal of the improvement.

## **Easements**

The ACC cannot approve any application if there is an encroachment on an easement until the homeowner provides a Consent for Encroachment, or resubmits revised plans. Any non-portable structure on an easement is considered permanent, and thus an encroachment. Homeowners must secure a Consent to Encroachment or Release of Easement from all affected utility companies. If proposed plans show an encroachment, a Consent for Encroachment must be obtained before applying to the ACC, or the application will be rejected. If there is an aerial easement on the lot, the utility company may permit placement of a permanent structure in the easement, as long as the structure is not higher than the aerial easement. To be on the safe side, this should be discussed with them first.

Approval by the ACC of an encroachment of an easement shall not serve as an amendment or change of that easement and shall not create liability through the ACC. Any encroachment upon such easement shall be at the sole risk and expense of the Owner.

### **Variances**

Each application is considered on its own merit and the ACC may grant a variance from these guidelines or the Declaration if, in the sole and absolute discretion of the ACC, the circumstances warrant. Variances will be granted in writing only, and when given, will become part of these guidelines to the extent of the particular lot(s) involved. Because a variance may have been granted in one instance does not mean that improvements of a similar nature need not be applied for.

### **Inspection**

All improvements are subject to inspection by the ACC.

### **Compliance/Non Compliance**

As stated earlier, these guidelines include all relevant stipulations from the Declaration, but also include many more supplementary details and restrictions that have been approved by the Board of Directors and ACC.

The Declaration for Westbridge Section One and Two was recorded in the Official Public Records of Real Property for Harris County, Texas, record prior to the sale of the first Lot; therefore, every Owner bought his/her Lot subject to the terms of the Declaration and is required to comply with the restrictions and requirements specified in that document. This includes the requirement to file an application for approval to the ACC for all proposed construction or modification of improvements as specified in the Declaration.

Home improvements built prior to the approval and adoption of these guidelines must, as stated above, comply with the restrictions of the Declaration.

Homeowners shall comply with all applicable restrictions and shall observe the filing requirements for any improvements. A homeowner is not in compliance if: 1) an improvement was made that is/was prohibited at the time of the improvement; or, 2) an improvement was made and an application was not filed with the ACC.

Prohibited improvements are subject to removal or modification at the homeowners' expense, unless a variance is granted. Homeowners shall apply to the ACC for any outstanding unapproved improvements.

### **Enforcement**

Upon any violation or attempt to violate any of the covenants, it shall be lawful for the Association or any other Lot Owner to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from doing so or to recover damages or other dues for such violations. Failure by any Owner to enforce a covenant or restriction shall in no event be deemed a waiver of the right to do so thereafter.

### **Complaints**

Homeowners are encouraged to help maintain the beauty of the **Westbridge Community**. To this end, all have an obligation to conform to the Declaration and architectural guidelines, and to ensure non-complying improvements are corrected. Should you have a complaint regarding a violation, write to the ACC. All complaints will be handled in the same manner discussed under the Application Procedure.

### **Controlling Documents**

In the event of a conflict between the Guidelines and the Declaration, the Declaration shall control.

## GUIDELINES

### **1.0 Buildings**

- 1.1 A “**building**” is defined as the main residence situated on a Lot and includes any legitimate additions such as a garage. It does not include any structure not attached such as a storage shed, gazebo, or playhouse/fort.
- 1.2 No improvements shall be constructed on the Lots except a single-family residence and attendant improvements.
- 1.3 **Location of Buildings.** Pursuant to the Declaration, no residence shall be located nearer than five (5’) feet to any side property Lot line except in the case of corner lots where the residence or garage shall be no closer than ten (10’) feet to the side Lot line adjacent to the corner.
- 1.4 **Height.** No residence shall exceed a reasonable height required for two and one-half (2 ½) stories of living space (above finish grade).
- 1.5 **Wall Fences.** Any fence, wall or hedgerow intended for the purposes of privacy and/or security shall not be greater than eight (8’) feet in height and shall be no nearer to the front property line of the Lot which it serves than the building line which is closest to that property line, subject to the following exceptions:
- 1.5.1 A fence or wall may vary in height for aesthetic reasons at a corner, gate, or connection to a building, or at the locations of pilasters or major fence posts;
  - 1.5.2 A fence, wall or hedgerow intended to serve as aesthetic purpose may be located outside the limits defined by building lines on any street frontage of any Lot, provided that it does not exceed three (3’) feet in height.
  - 1.5.3 Fences must be maintained.
- 1.6 **Garages.** Except as otherwise approved in writing by the ACC, or as otherwise specifically set forth in the Declaration, each residence shall be served by an enclosed garage large enough to provide parking for a minimum of two (2) cars, but no more than three (3) cars. Garages may be attached or detached from the residence.
- 1.7 **Masonry requirements.** The exterior finish of each residence shall be at least seventy-five (75%) percent brick, stone or other masonry around the outside perimeter of the ground floor of the building. However, in computing such percentage, the garage shall be excluded. All residences shall be roofed with tile roof, composition shingles, or built-up roof and no roof shall be composed of wooden shingles. The acceptable colors are Earth tone (i.e. black, brown, tan or gray, no blues, reds or yellows).

## 1.8 Roof requirements.

- 1.8.1 All buildings shall be roofed with composition shingles unless otherwise approved in writing by the Architectural Control Committee. Wood shingles are specifically prohibited for safety reasons.
- 1.8.2 Composition shingles must weigh at least 230 pounds per square and have a stated warranty of at least 30 years. Shingles must have a laminated design. Three-tab shingles are specifically prohibited except for use as a starter and cap rows.
- 1.8.3 Roof shingles must be dark brown or dark gray tones. Light brown, light gray, blue, green, red and white colors are not allowed.
- 1.8.4 Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
- 1.8.5 Ridge vents are encouraged, to improve ventilation, reduce attic temperature and reduce cooling costs, but are not required.
- 1.8.6 All roof protrusions, such as vents, roof jacks, must be painted to match the shingles.
- 1.8.7 Subject to the below and with advance written approval from the Architectural Control Committee, an Owner may install shingles (“Alternative Shingles”) which are designed primarily to:
  - a. be wind and hail resistant; or
  - b. provide heating or cooling efficiencies greater than traditional composition shingles; or
  - c. provide solar energy capture capabilities.
- 1.8.9 Once installed, any such Alternative Shingles must:
  - a. resemble the shingles used or authorized to be used on other structures within the Association; and
  - b. be more durable than and of equal or superior quality to the shingles used or authorized to be used on other structures within the Association; and
  - c. match the aesthetics of properties surrounding the owner’s property.

## 2.0 Outbuildings

- 2.1 An “**outbuilding**” is defined as any structure which is not attached to the main structure. This definition does not include legitimate additions to the main residence or garages, but does include storage sheds, gazebos, and playhouse/forts.

- 2.2 The colors should match or blend with the predominant exterior colors of the main residence.
- 2.3 Materials should match those of the main residence in both size and color, however, the ACC will consider small prefabricated metal storage buildings providing the color blends with the main residence or is unobtrusive.
- 2.4 Storage sheds should have a roof no higher than 12' feet from the ground to the highest point. The maximum floor space is 100 square feet. The structure must be kept a minimum of five (5') feet off any property line and the distance from a side fence will be determined based on visibility from the street in the front of the Lot. Location must also be far enough away from the fence to allow for drainage to occur entirely on the Owner's Lot.
- 2.5 Any storage building placed on a concrete slab on top of a utility easement will require a letter of Consent to Encroach as it will not be considered portable. If a storage building is on a utility easement, but is not on a slab and can be moved, the ACC will consider it portable.
- 2.6 If the storage building is under six (6') feet, it may be placed in the side yard pursuant to Sec. 2.4.
- 2.7 A playhouse/fort must not be higher than twelve (12') feet and cannot be visible from the street.
- 2.8 A freestanding gazebo must be at least six (6') feet away from the house. Approval will be granted on a case-by-case basis. The gazebo, at the peak of the structure, must not be higher than eight (8') feet and must be five (5') feet away from any property line. If the roof is shingled it must match the residence shingles.

### **3.0 Basketball Goals**

- 3.1 Must be mounted on garage or placed on the side of the driveway.
- 3.2 If the backboard is mounted onto the roof by use of a mounting structure, the mounting structure must be painted to match the roof shingle color.
- 3.3 The basketball goal backboard, net and post must be maintained in usable condition and kept in acceptable appearance.
- 3.4 Basketball goals not maintained, will be required to be removed.
- 3.5 Only one basketball goal per Lot will be permitted.



#### **4.0 Patio Covers, Room Additions, and Balconies**

- 4.1 Should be constructed of materials which complement the residence.
- 4.2 Prefab covers made of aluminum may be approved providing they are of a color that substantially matches the residence trim color. Unfinished aluminum will not receive ACC approval. All metal must be painted. Certain structures using wood framing may be allowed to go unpainted provided treated or insect resistant wood be used.
- 4.3 If attached to the residence, the patio cover must be integrated into existing roof line (flush with eaves) and if it is to be shingled, shingles must match roof of the residence. Patio covers and posts should be trimmed out to match the residence. Supports must be brick, painted wood, or metal columns. No pipe is allowed.
- 4.4 At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of the residence or compliment it, whether treated or untreated wood is used.
- 4.5 Patio construction materials are as follows:
- 4.5.1 Painted aluminum (to match trim of house).
  - 4.5.2 Painted wood (to match trim of house).
  - 4.5.3 Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be used. Staining or painting is not required. All other woods must be painted or stained to match trim of residence.
- General note: All patio cover material, i.e., corrugated aluminum, metal, wood, lattice, must be completely framed in so that no raw edges of material are visible.
- 4.5.4 If canvas is used as roofing material on a patio cover, the structure must be located where it is not visible from the street. Also, the canvas must be kept in quality condition or its removal will be requested by the ACC. The color of the canvas cover must be an Earth tone (i.e. black, brown, tan beige or gray, no primary colors such as blues, reds, greens or yellows).
- 4.6 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 4.7 Patio covers must be situated on the Lot to provide drainage solely onto the Owner's Lot. If a proposed patio cover location is less than five (5') feet away from a side Lot line, the ACC will require that it be guttered with down spouts if it is to be a solid cover.

4.8 Maximum height at the peak of the roof is twelve (12') feet.

#### Room Additions and Balconies

4.9 Exterior materials and colors should match the residence as much as possible.

4.10 Detailed plans must be submitted to the ACC.

4.11 Room additions may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

4.12 On individual basis, size and shape will depend on the architectural style and layout of the residence, size of Lot, and how well the room addition will integrate with the existing residence. Plans for room additions must show room size in proportion to room dimensions of the residence. Roof of addition must integrate with existing roof line so as to appear to have been part of the original house.

4.13 Building permits as required by the municipalities (city, county, etc.) must be submitted with the application. In some instances, the ACC will grant approval with the provision that a copy of the permit must be received by the ACC within thirty (30) days of the approval letter and prior to construction beginning.

4.14 Balconies must also be approved prior to construction.

#### **5.0 Exterior Painting**

5.1 If an Owner intends to paint in accordance with an original color scheme, change the paint color, or to rebuild in accordance with original plans and specifications, an application must be submitted and no work begun until approved by the ACC.

5.2 Exterior paints and stains for each residence shall be selected to complement or harmonize with the colors of the other materials with which they are used.

5.3 Wood siding and trim should generally stay within the Earth tone color family (i.e. black, brown, tan, beige or gray, no primary colors such as blues, reds, greens or yellows). Soft and muted Earth tone pastel colors are acceptable. The use of white is also permitted.

5.4 Extremely bold colors, primary colors, yellow, blue or green pastels are prohibited.

5.5 Front doors must be maintained. They may be stained, a natural wood color, or painted the same color as the house trim. Other paint colors may be approved on a case by case basis.

## **6.0 Storm Windows and Storm Doors**

6.1 The frames of storm windows and storm doors must be a color compatible with the exterior residence colors and/or general use and appearance of the residence. All storm doors must be a full glass door. No screen doors are allowed.

## **7.0 Decks**

7.1 If wood is used, see Section 4.5.

7.2 Decks may not encroach into a utility easement unless the utility companies involved have granted their written consent to such encroachment.

7.3 Decks should not be situated on a Lot if they pose a problem to the effective drainage of the Lot or a neighboring Lot.

7.4 Decks cannot be higher than eighteen (18”) inches.

## **8.0 Swimming Pools and Spas**

8.1 No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Decking encroachment also requires a consent agreement. Consents must be received prior to approval.

8.2 Ideally, any pool or spa should be located at least five (5') feet from a side and rear Lot lined to maintain proper drainage on the Lot. However, a minimum of the three (3') feet will be allowed in certain instances. The pool must meet all building line and easement restrictions on the recorded plat.

8.3 All private swimming pools and spas shall be completely enclosed by a fence enclosure pursuant to local regulations.

8.4 Pools are to be drained to the street and into the storm drain system. They are not to be connected to, or drain into, the community's sewage drain system. Minimum white schedule – 40 PVC pipe is to be used for pool drain.

8.5 All new pools are required to be inspected for proper water connections and drains.

8.6 Yard drains must also be of white schedule – 40 PVC pipe.

## **9.0 Solar Panels, Screens, and Film and Solar Energy Devices**

- 9.1 The ACC will only approve solar panels which are unobtrusive and which blend in with the roof shingle color.
- 9.2 Parabolic solar collectors are not allowed.
- 9.3 Solar panel frames should be bronze, grey, or black in color in order to best blend in with the shingles. All unfinished aluminum must be painted the color of the roof shingles. Alternative colors can be requested for approval but should stay in the earth tone color family.
- 9.4 Solar screens are allowed on windows only if they blend with the brick and roof color.
- 9.5 Colors and manufacturers must be acceptable to ACC for other screens and panels.
- 9.6 Solar window film must be non-reflective type
- 9.7 Samples of window film must accompany each application.

#### Solar Energy Devices

- 9.8 Solar energy devices (“Devices”) are defined in Section 171.107(a) of the Texas Tax Code. A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.
- 9.9 Such Devices may only be installed with advance written approval of the Architectural Control Committee subject to the below.
- 9.9.1 Any such Device must be installed on land or structures owned by the owner. No portion of the Devices may encroach on adjacent properties or common areas.
- 9.9.2 Such Devices may only be installed in the following locations:
- a. on the roof of the main residence; or
  - b. on the roof of any other approved structure; or
  - c. within a fenced yard or patio.
- 9.9.3 For Devices mounted on a roof, the Device must:
- a. have no portion of the Device higher than the roof section to which it is attached; and
  - b. have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and

- c. conform to the slope of the roof; and
- d. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and
- e. have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and
- f. be located in a position on the roof which is least visible from any street or common area, so long as such location does not reduce estimated annual energy production more than 10% over alternative roof locations (as determined by a publically available modeling tool provided by the National Renewable Energy Laboratory [[www.nrel.gov](http://www.nrel.gov)] or equivalent entity).

9.9.4 For Devices located in a fenced yard or patio, no portion of the Device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the Device, the Association may require the Device be placed in a location behind a structure or otherwise require visual screening. The Association may consider installation of Devices on properties without a fenced yard if there is adequate screening from public view from any street or common area.

9.9.5 All Devices must be installed in compliance with manufacturer's instruction and in a manner which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.

9.9.6 Installed Devices may not:

- a. threaten public health or safety; or
- b. violate any law; or
- c. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.

9.9.7 All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

## **10.0 Antennas/Satellite Dish**

10.1 Satellite dishes covered by the Over-the-Air Reception Devices Rule are the only dishes allowed to be installed at Westbridge. These are used for fixed wireless signals. All others are prohibited, including, but not limited to, satellite dishes over one meter (39.37") in diameter.

10.2 No freestanding antennas shall extend more than ten (10') feet above the roof of the residential structure and must be located behind the rear wall of the structure.

10.3 An antenna or satellite dish should be located to the rear one-half (1/2) of the Lot and to the extent feasible, an antenna or satellite dish, including its base and anchoring structure, should not extend above the roof line of the residence located on the Lot and should not be visible from the frontage street or any adjoining street. An antenna or satellite dish must be securely mounted to a base, so as to be able to withstand the effect of high winds or other extraordinary weather conditions; however, no guy wires or similar mounting apparatus will be allowed.

10.4 No advertising slogans, logos, banner, signs or any other printing or illustration whatsoever shall be permitted upon or be attached to an antenna or satellite dish. All antennas and satellite dishes must be white, black, brown or gray in color.

#### **11.0 Fences, Fence Extensions, Wall and Hedges**

11.1 All proposed fences must be approved by the ACC. See also Section 1.7.

11.2 Any painting, staining, or varnishing of fence must be approved by the ACC.

11.3 Fence, wall or hedge extension requests should be submitted by both neighbors sharing the side lot line and fence, wall or hedge except in the case of a corner Lot.

11.4 No fence, wall or hedge may extend so as to encroach across the recorded front building line, or the recorded front building line of an adjacent house and may never extend beyond the actual front building line.

11.5 If both neighbors do not concur as to a proposed fence, wall or hedge extension, the ACC will examine the effect the extension will have on both properties. If one party will suffer detrimentally from the extension (e.g., an existing sight line will be blocked), the ACC will reject the application.

11.6 All corner fences and fences which face a restricted reserve must be installed picket side out.

11.7 Replacement or repairs of fences, walls or hedges must be made with similar materials and construction details as used in original fence, wall or hedge. Replacement with any other material must be approved by the ACC.

11.8 No chain link fence type construction will be permitted on any Lot.

11.9 Fences must be maintained in good condition.

## **12.0 Decorations**

12.1 Decorative appurtenances can be placed on front lawns with ACC approval. Examples of common appurtenances are birdbaths, birdhouses, fountains, or other decorative embellishments. Appurtenances that fall into disrepair will be considered a violation and must be removed at any time by request of the ACC.

12.2 Benches will be allowed with prior approval by the ACC and must be kept in like new condition.

12.3 Decorative appurtenances will be allowed on the front porch. Christmas, holiday or other festive decorations of a temporary nature are exceptions. Decorations must be removed within four (4) weeks after the calendar date of the holiday.

12.4 House numbers may be placed on the house or the curb in front of the house, but not on any type of freestanding structure in the front yard.

## **13.0 Exterior Lighting**

13.1 Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.

13.2 Exterior floodlights must be aimed so as not to shine onto a neighboring property.

13.3 Low voltage landscape lighting must receive ACC approval prior to installation.

13.4 Security, mercury vapor, or fluorescent lights, must be attached to the back of the residence or the garage, so long as the light fixture is not visible from the street. Mercury vapor, fluorescent, and sodium halite are not permitted in back or side yard if there are neighboring houses. If not, a variance may be granted, or if affected neighbors approve.

13.5 Exterior lights must be clear and not affect overall aesthetic appeal.

## **14.0 Wind Turbines**

14.1 Wind turbine vents must be mounted in the rear portion of the roof so that they are not visible from the front, or space above the roof line.

14.2 The wind turbine vents must be a color which will blend with the shingle color, or be painted to match the shingle color, or be painted to match the shingle color.

## **15.0 Gates & Gate Covers**

15.1 Full wooden panel to match trim of house or existing fence.

15.2 No chicken wire, chain link or lattice.

15.3 Wrought iron and simulated iron gates are permitted, but shall be painted black or the same color as the residence trim.

**16.0 Burglar Bars and Gates**

16.1 Acceptable provided if installed inside windows and door frame, unless otherwise approved.

16.2 Painted to match exterior trim.

**17.0 Birdhouses**

17.1 Birdhouses placed in front yard must be placed on a tree.

17.2 If mounted on a pole, must be situated in the rear of the house and shall be unobtrusive.

17.3 Must be placed not closer than five (5') feet to any property line.

17.4 Birdhouse and mounting structure must be maintained.

**18.0 Landscaping**

18.1 General: Landscaping (defined as living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth, e.g., bark, mulch, etc.) is generally not subject to ACC review and approval except in circumstances wherein such landscaping is intended to accomplish a structural objective, such as a hedge or a visual barrier, or is visually objectionable, not in harmony with the surrounding neighborhood, or is specifically referenced in the Declaration.

18.2 Trellises, window boxes, arbors, and permanent brick borders, must have ACC approval.

**19.0 Swing Sets**

19.1 Maximum height of eight (8') feet.

19.2 Location will be considered for neighbors' privacy, but not closer than five (5') feet to any property line and must be located to rear of house.



19.3 Single swings are allowed in the front yard and must be hung on a tree branch. Free standing swing sets are not allowed to be placed in the front yard. Swings that fall into disrepair must be removed at any time by request of the ACC.

## **20.0 Driveway Extensions/Sidewalks**

20.1 An application must be submitted for any driveway removal, addition or modification.

20.2 Width of driveway between the front building line and the street shall not exceed twelve (12') feet. Exceptions will be made for corner lots with side-out garages.

20.3 Driveways must be maintained.

20.4 Painting a topcoat on driveways and sidewalks is not permitted.

20.5 Sidewalks must be four (4') in width.

## **21.0 Garage Conversions**

21.1 Conversion of a garage to a living area is not permitted.

21.2 Aluminum, sheet metal or fiberglass carports are not permitted.

21.3 An application must be submitted for lean-to sheds, potting sheds or any other attachments to a garage. These attachments must meet the structural guidelines set forth in other sections of these Guidelines.

## **22.0 Awning/Window Shades**

22.1 In all cases, colors must match or complement the primary color of the residence. The color selections of awning must be in accordance with the Section 5 of these Guidelines. Once installed, awnings are to be maintained in excellent condition at all times.

22.2 Metal and wooden slat-type exterior shades are not permitted on the front of the house. All exterior shades must be approved by the ACC prior to installation. The color selections of exterior shades must be in accordance with the Section 5 of these Guidelines. After installation, they must be kept in excellent condition at all times.

## **23.0 Signs, Advertisements, Billboards**

23.1 No signs, billboards, posters or advertising devices of any character shall be erected or displayed to the public view on any Lot except for one (1) sign of not more than five (5') square feet advertising the property is for sale.

23.2 Signs which give notice of a home security system are permitted if placed at or near the front entrance and are no larger than 144 square inches. Window stickers which give notice of a home security system are also permitted.

23.3 Political signs are permitted as provided by law.

## **24.0 Garage Sales**

24.1 Garage sales are allowed, but highly discouraged because of aesthetic and security reasons.

24.2 If you put signs up throughout the neighborhood, the signs are to be placed in Harris County street right of way only. Signs are not allowed in any state highway median or right of way.

24.3 No cardboard boxes are allowed.

24.4 No signs are permitted to be attached to any utility poles or city sign poles.

24.5 Yard sales may not be longer than two days in duration.

24.6 A maximum of two sales per location are permitted in any calendar year.

## **25.0 Pet Maintenance**

25.1 Pet owners are expected to pick up after their pets, especially if they defecate on another Owner's property.

25.2 For the safety of our neighbors and other neighborhood pets, leashes are required.

25.3 Owners are expected to provide their neighbors with a noise free environment at night and will minimize noise from animals that are outside between the hours of 10:00 PM and 7:00 AM.

25.4 Owners must not allow their animals to make continued noise throughout the day so as to not disturb the peacefulness of the neighborhood.

25.5 Owners should try to interact with neighbors before reporting animal noise to the Association. If face to face interactions do not fix the problem, the Association may issue a warning and pursue the violation.

## 26.0 Display of Flags

- 26.1 The below applies to the display of “Permitted Flags” which are defined as:
- 26.1.1 the flag of the United States; and
  - 26.1.2 the flag of the State of Texas; and
  - 26.1.3 the official flag of any branch of the United States armed forces.
- 26.2 These Guidelines do not apply to any flags other than the Permitted Flags listed above including, but not limited to:
- 26.2.1 flags for schools, sports teams, businesses or foreign countries; or
  - 26.2.2 flags with marketing, seasonal, historical, commemorative, nautical, political or religious themes; or
  - 26.2.3 historical versions of flags permitted above.
- 26.3 Permitted Flags may be displayed subject to the guidelines below. Advance written approval of the Architectural Control Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
- 26.4 Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
- 26.5 Permitted Flags must be displayed from a pole attached to a structure or to a free-standing pole. Permitted Flags may not be draped over or directly attached to structures. For example, a Permitted Flag may not be laid across a fence or stapled to a garage door.
- 26.6 Permitted Flags shall be no larger than three foot (3’) by five foot (5’) in size.
- 26.7 Only one Permitted Flag may be displayed on a flagpole attached to a structure. Up to two Permitted Flags may be displayed on an approved free-standing flagpole that is at least fourteen feet (14’) tall.
- 26.8 Flagpoles must be constructed of permanent, long-lasting materials with an appropriate finish that is harmonious with the dwelling.
- 26.9 A flagpole attached to a structure may be up to six feet (6’) long and must be securely attached with a bracket with an angle of 30 to 45 degrees down from vertical. The flagpole must be attached in such a manner as to not damage the structure. One attached flagpole is allowed on any portion of a structure facing a street and one attached flagpole is allowed on the rear or backyard portion of a structure. Brackets which accommodate multiple flagpoles are not allowed.
- 26.10 Free-standing flagpoles may be up to twenty feet (20’) tall, including any ornamental caps. Free-standing flagpoles must be permanently installed in the ground according to manufacturer’s instructions. One free-standing flagpole is allowed in the rear or backyard portion of a property or in the front yard portion of a property. Note: A front yard is defined as a yard within a lot having a front building setback line with a setback of not less than 15 feet extending the full width

of the lot between the front lot line and the front building set back line. Free-standing flagpoles may not be installed in any location described below:

- 26.10.1 in any location other than the Owner's property; or
- 26.10.2 within a ground utility easement or encroaching into an aerial easement; or
- 26.10.3 beyond the side or rear setback lines (for example, on a Lot with a 10' side setback line, a flagpole may not be installed closer than 10' from the side property line); or
- 26.10.4 in the portion of the owner's property between the curb at the street and the sidewalk; or
- 26.10.5 closer to a dwelling on an adjacent lot than the height of the flagpole (for example, a 20' flagpole cannot be installed closer than 20' from an adjacent house).

26.11 Lighting may be installed to illuminate Permitted Flags if they will be displayed at night and if existing ambient lighting does not provide proper illumination. Flag lighting must:

- 26.11.1 be ground mounted in the vicinity of the flag; and
- 26.11.2 utilize a fixture that screens the bulb and directs light in the intended direction with minimal spillover; and
- 26.11.3 point towards the flag and face the main structure on the property or to the center of the property if there is no structure; and
- 26.11.4 provide illumination not to exceed the equivalent of a 60 watt incandescent bulb.

26.12 Flagpoles must not generate unreasonable noise levels which would disturb the quiet enjoyment of other residents. Each flagpole owner should take steps to reduce noise levels by using vinyl or plastic snap hooks, installing snap hook covers or securing a loose halyard (rope) around the flagpole with a flagpole clasp.

26.13 Flagpoles are allowed solely for the purpose of displaying Permitted Flags. If a flagpole is no longer used on a daily basis, it must be removed.

## **27.0 Architectural Committee Requirements**

27.1 ACC members cannot be present for -or- vote on any request pertaining to his/her own Lot. In the event the Board finds a conflict exists, an ACC member shall also be prohibited from voting on applications pertaining said member's neighbor. There shall be no attempt to influence the other ACC members.

27.2 The ACC must report all ACC requests to the Board and the status of each request, including all approvals, denials and requests for additional information.