



Residential Guidelines

**Magnolia
Springs**
Magnolia, TX



TABLE OF CONTENTS

1 ARCHITECTURAL GUIDELINES

▶ 1.1 Exterior Materials	4-5	▶ 1.7 Screening	16
▶ 1.2 Fences	6-7	▶ 1.8 Rooftop Antennae & Satellite Dish	16
▶ 1.3 Roofing	8	▶ 1.9 Roof Materials & Protrusions	17
▶ 1.4 Painting	9	▶ 1.10 Roof Gutters & Downspouts	18
▶ 1.5 Exterior Materials	10-13	▶ 1.11 A/C Equipment	18
▶ 1.6 Exterior Structures	14-15		

2 LANDSCAPE DESIGN GUIDELINES

▶ 2.1 General Landscape	20	▶ 2.6 Other Additions	25
▶ 2.2 Minimum Landscape Requirements	21	▶ 2.7 Grass	26
▶ 2.3 Corner Lot Landscape Requirements	22	▶ 2.8 Plant Materials – Trees	27
▶ 2.4 Trees	23	▶ 2.9 Plant Materials – Shrubs	27
▶ 2.5 Other Landscaping	24	▶ 2.10 Plant Materials – Ground Cover	28

3 ADD-ONS GUIDELINES

▶ 3.1 General Property Additions	30-31
▶ 3.2 Lighting	32
▶ 3.3 Signage	33
▶ 3.4 Other Add-Ons – General	34
▶ 3.5 Other Add-Ons – Temporary	35

1

Architectural Guidelines

1.1 Architecture Design Guidelines | Exterior Materials

Everything within this section **MUST** be approved by the ARC prior to construction. Additions should not interfere with established drainage/grading on each lot. Drainage per lot is engineered to flow with the master drainage plan of the community. Steps may be necessary to maintain said drainage if Addition causes interference.

General

Precedents

- ▶ While the ARC will make every reasonable attempt to be fair and equitable, the ARC will not necessarily be bound by past decisions. The ARC reserves the right to disapprove Applications for Improvements that require a variance from the established Covenants if it believes that such changes are not in the best interest of the future of The Community, even if a precedent was set by an earlier decision of the ARC. From time to time, the ARC will make a decision that, in retrospect, is not in the best interests of the community. The ARC and the Board reserve the right to recognize such a situation and no longer permit its use as a precedent. The same right applies if the ARC makes an error in allowing a change or addition to these Guidelines.

Quality of Repairs and Improvements

- ▶ Repairs and Improvements are required to be of equal or better quality than original construction. While there is no specific requirement for the Owner to apply to the ARC for such in-kind repairs, the quality of such work may come under the scope of the ARC's responsibilities if the repair is done in such a way as to detract from the appearance of the neighborhood.

Easement Encroachments

- ▶ It is not the responsibility of either the ARC or the Board to police encroachment into utility easement areas. If possible, the ARC will advise the Owner of a possible encroachment and recommend that the Owner seek approval or waiver from the appropriate utility company. However, the ARC will not be liable for any expense incurred by an Owner as a result of action by a utility company if such encroachment occurs, even if the ARC approved the change or addition without comment.

1.1 Architecture Design Guidelines | Exterior Materials

Everything within this section **MUST** be approved by the ARC prior to construction.

Building Materials

Brick, Stucco, Stone and Cultured Stone

- ▶ Brick, stucco, stone and cultured stone are the preferred building materials for siding the main residence or additions. The thickness, visible width, spacing and mortar of the brick, stone or cultured stone must be consistent with that of the original exterior and surrounding community. Each Application submitted to the ARC shall include a sample of the proposed material.

Exterior Siding

- ▶ When exterior siding is to be added or replaced on any existing structure or new improvement on the Lot, it must be of the same type, quality, size, and color as the existing siding on the main residence (unless all exterior siding is being replaced at one time). Only fiber-cement (*JamesHardie Hardiplank®* or equivalent) shall be used as exterior siding, and must be approved by the ARC. The following additional guidelines apply to replacement or additional exterior siding:
 - Minimum of a 20-year warranty from a reputable manufacturer (warranty information should be submitted with the application);
 - Thickness, visible width, and spacing of siding must be consistent with that of the original exterior siding; each application submitted to the ARC shall specify the thickness, width and spacing of the existing and proposed siding, and shall include a sample of the proposed siding material;
 - Color of all siding (including siding that is not painted) must comply with the Guidelines for Painting as set forth herein; each application must include at least two (2) color samples of the proposed siding color. Siding with impregnated permanent color (*JamesHardie ColorPlus®* or similar) must be approved for color in the same manner as paint samples.
 - Must be installed and maintained to avoid sagging, waving, warping or irregular coloration; the ARC may require the homeowner (at homeowner's sole responsibility and expense) to repair or replace siding that fails to adhere to these Guidelines.
 - Siding shall be installed over a high density polyethylene moisture barrier (*DuPont Tyvek®* or equivalent) to match original construction.

1.2 Architecture Design Guidelines | Fences

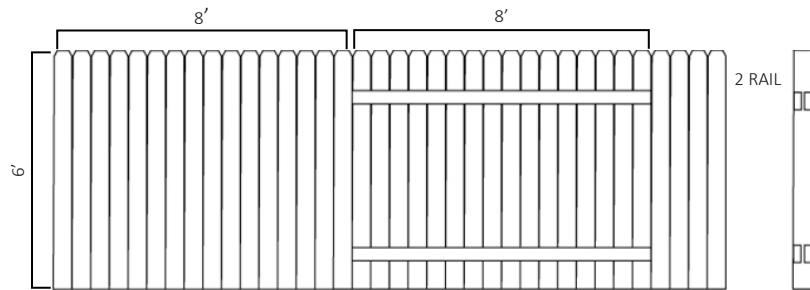
Fences

- ▶ Fences are only to be constructed of:
 - Wood
 - Cedar
 - Pine
- ▶ All wood fences are to be constructed with:
 - 1' x 6' cedar or pine.
 - #2 treated southern yellow pine posts and rails.
 - Pickets are to be attached with eight-penny (8) aluminum screw-shank nails on a string guide.
 - Maximum fence height of six feet (6')
- ▶ Prohibited
 - Fence staining
 - Diagonal and horizontal fencing
 - No used material is allowed.
 - Posts and rails are not to be visible from the street or common areas.
- ▶ All Fencing facing street or reserve must be installed with the smooth side out.
- ▶ Fence next to major collector must connect to developer installed fence.
- ▶ Front fence return to be setback a minimum of 15' from the front corner of house to no more than midpoint of house to screen HVAC but allowing access to public utility meters. HVAC less than 15' from the front corner is required to be screened with shrubs large enough to completely screen from public view on all sides.

1.2 Architecture Design Guidelines | Fences

- ▶ Wood fences on shared lot property lines shall be installed with an alternating “good neighbor” design. Eight-foot (8’) panels of solid pickets and exposed rails are intended to provide a uniform attractive fence to each abutting property. A “good neighbor” fence policy is required for all privately viewed conditions. Alternating sections are to occur at regular fence post intervals only, so that an entire panel is dedicated to one lot and the following panel is dedicated to the adjacent lot and so forth. In this manner, both lots receive approximately the same exposure to finished sides of a picket fence structure.
- ▶ Fences are to be kept in good repair at all times.

Any changes to the above descriptions or requirements must be submitted in writing to the ARC for review.



Good Neighbor Fencing

Hedges and Faux Hedges

- ▶ Cannot be taller than the height of the fence (6 ft). Edge rows cannot exceed the top of the fence.

1.3 Architecture Design Guidelines | Roofing

Everything within this section **MUST** be approved by the ARC prior to construction.

Roofing Shingles

- ▶ All roofing shingles must be dimensional (architectural) shingles having a minimum 20-year warranty and be equal in appearance and quality to the existing roofing. A sample of the proposed shingle to be placed on any existing roof, or any new improvement must be attached to each application submitted to the ARC. Corrugated metal, corrugated aluminum, acrylics and such materials are not approvable for roofing. Standing seam metal roofs can be considered pending review by the ARC.
- ▶ The ARC may maintain a chart depicting examples of the acceptable type, quality and color of roofing materials for homes and other Improvements within the Community. Each shingle shall be compared to the samples set forth on the roofing materials chart to assure that the proposed shingle is of an acceptable type and quality and that its color is harmonious with the color scheme established for the Community.
- ▶ The color of each roofing material must not only be an earthtone, but also an acceptable shade of an earthtone color. Green and blue shades of shingles are not considered acceptable earthtone colors. Underlayment material shall be minimum Type 30 felt for all composition roofs.

1.4 Architecture Design Guidelines | Painting

Everything within this section **MUST** be approved by the ARC prior to construction.

Painting

Approval

- ▶ No exterior surface of any house, garage, or other structure or Improvement on any Lot shall be painted or repainted without prior approval of the ARC. This applies to existing, as well as new construction, and whether the proposed colors are the same or different from the existing colors. Color samples or "paint chips" of the proposed exterior color(s) must be attached to each Application submitted to the ARC.

Harmonious Colors

- ▶ The proposed colors must be harmonious with each other and with the colors of exterior brick and roofing materials. The ARC may maintain a chart depicting examples of the acceptable shades of earthtone colors (i.e. shades of beige, brown, gray and white). The color samples or paint chips shall be compared to the colors and shades of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established for the community.

Trim

- ▶ Soffit, fascia board, window and door trim and rain gutters must also be an earthtone color; however, the shades of trim color may be deeper than the principal color of the dwelling or garage.

Accents

- ▶ Shutters, window hoods, the side panels of doors and windows and the exterior surfaces of doors may be painted any acceptable earthtone color, including trim colors and certain acceptable shades of dark green, black, blue-gray, rust or dark blue. Window hoods may also be painted in a coppertone metallic based paint. Only one accent color is permitted for any single residence. Exterior doors may be stained a natural wood color or may be painted to match the other accents, trim, or main house color.

1.5 Architecture Design Guidelines | Exterior Additions

Everything within this section **MUST** be approved by the ARC prior to construction.

Decks and Patios

- ▶ Decks are typically constructed from treated pine joists, beams and posts and decking planks of treated pine, cedar or synthetic wood material such as *Trex*®. The overall height of the deck, exclusive of railing, may not exceed two (2) feet in height, although the ARC may grant variances to this limitation on a case-by-case basis. Where railing is installed it must meet local codes and may not be greater than forty-two inches (42”) above the decking planks. Benches and tables may be incorporated into the deck itself. Patios may be constructed of slab-on-grade concrete, brick, stone, or other masonry material.
- ▶ While there is no maximum or minimum size for a deck or patio, no deck or patio shall impede drainage on the Lot or cause water to flow on an adjacent lot.

Patio Covers

- ▶ The proposed colors must be harmonious with each other and with the colors of exterior brick and roofing materials. The ARC may maintain a chart depicting examples of the acceptable shades of earthtone colors (i.e. shades of beige, brown, gray and white). The color samples or paint chips shall be compared to the colors and shades of colors set forth on the color chart to assure that each approved color is harmonious with the color scheme established for the community.
- ▶ The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence; provided, however, that corrugated roofs for patio covers and aluminum patio covers shall not be permitted under any circumstances. If siding is used on patio covers, it must be of the same type, quality, and color as the siding on the main residence. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in the Declaration and these Guidelines. Louvered or trellis-style patio cover roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained or painted provided the color shall conform to the provisions relating to painting set forth in these Guidelines. Any patio cover, which is not attached to the house, shall be subject to the Guidelines set forth for outbuildings and restricted to twelve (12) feet.
- ▶ The location of a patio cover must not encroach on any easement, nor shall it violate the building setback lines applicable to the residential dwelling on any Lot. Patio covers must not interfere with drainage or cause water to flow onto any adjacent lot.
- ▶ All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping. This also applies to any lattice attached to the sides of the structure.
- ▶ Patio covers which are attached to the house shall be securely attached at a height not less than seven (7) feet nor more than twelve (12) feet from the ground. Patio covers which are attached to a detached garage or breezeway must be securely attached at a height below the eaves of each structure at a height of not less than seven (7) feet nor more than nine (9) feet from the ground. The patio cover roof shall provide an attractive slope away from the house at an angle which does not exceed that of the roof on the house.
- ▶ The roof of all patio covers (other than arbor or trellis type) must be covered with shingles meeting the roofing Guidelines set forth herein. Where the patio cover is gabled, the roof pitch should match the roof pitch of the portion of the home where the cover is attached. If the patio cover is not gabled, it should have a 3:12 slope.

1.5 Architecture Design Guidelines | Exterior Additions

Everything within this section **MUST** be approved by the ARC prior to construction.

Patio Enclosures

- ▶ Soffit, fascia board, window and door trim and rain gutters must also be an earthtone color; however, the shades of trim color may be deeper than the principal color of the dwelling or garage.

Storm Doors

- ▶ Storm doors shall be permitted with the following guidelines:
 - Must be full view – all glass.
 - Screening or decorative scroll work is not permitted
 - Door trim must match the exterior colors of the homes.
 - Unfinished aluminum or wood screen doors are not permitted
 - Installation must be in accordance with the plans and specifications submitted with your appeal.

1.5 Architecture Design Guidelines | Exterior Additions

Everything within this section **MUST** be approved by the ARC prior to construction.

Sunrooms

- ▶ Decks are typically constructed from treated pine joists, beams and posts and decking planks of treated pine, cedar or synthetic wood material such as *Trex*®. The overall height of the deck, exclusive of railing, may not exceed two (2) feet in height, although the ARC may grant variances to this limitation on a case-by-case basis. Where railing is installed it must meet local codes and may not be greater than forty-two inches (42") above the decking planks. Benches and may be incorporated into the deck itself. Patios may be constructed of slab-on-grade concrete, brick, stone, or other masonry material.
- ▶ A "sunroom" is any room with glass-enclosed walls or a glass ceiling. The ARC may reject any Application to construct a sunroom on a Lot on the basis of its overall design and conformity with existing structures regardless of whether or not the proposed sunroom complies with the technical specifications set forth below.
- ▶ Applications must be accompanied by a detailed scale drawing or blueprint showing the three-dimensional relationship of the sunroom to the existing structure. Applications must also include a plot plan showing the location of the sunroom in relation to all lot boundary lines, the residence, the easements and the building setback lines. Applications must also include a detailed material list and include the name, address, and business phone number of the contractor or installer. Applications may be rejected for failure to provide any of these required items.
- ▶ A sunroom may be added to the rear of the residence only and may not be freestanding. Applications for sunrooms on corner lots or lots where the rear of the house faces a street or other community property will be considered on a case-by-case basis.
- ▶ Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residence. Glass must be tinted in a shade compatible with the exterior of the residence. No metallic or direct reflecting style shading/tinting of the glass will be permitted. Applicants may be required to submit actual samples of the glass with the proposed shading/tinting material applied for approval.
- ▶ The floor of the sunroom must be of reinforced concrete slab construction with 3" minimum thickness. No other flooring material will be permitted.

1.5 Architecture Design Guidelines | Exterior Additions

Everything within this section **MUST** be approved by the ARC prior to construction.

Sunrooms (cont'd.)

- ▶ Only safety glass will be permitted for the panes. No fiberglass, plexiglass, plastic, acrylic, mesh, or other materials will be allowed. Safety glass must be a minimum 3/16" thick if tempered glass or a minimum 1/4" thick if laminated glass. Maximum width of glass between support trusses will be 36" measured center-to-center.
- ▶ Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring/paint to withstand a minimum of 100 M.P.H. wind and 25 lbs. per square foot or as dictated by Harris County. No natural aluminum oxidation coloring will be allowed. No wood, composite, steel, fiberglass, or plastic trusses will be allowed. Trusses must be of structural box or I-beam construction. Round, oval, or "T" shaped trusses will not be allowed.
- ▶ The roof of a sunroom must have a minimum pitch of 1" per 12" of projection. The sunroom may not project more than twenty (20) feet measured from the rear facing plane of the residence. The sunroom may not project beyond either side-facing plane of the residence. A sunroom may not encroach on any existing setbacks or easements.
- ▶ Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either twelve (12) feet or the height of the eaves of the wall that the sunroom projects from, whichever is lower.
- ▶ All electrical installation (lights, ceiling fans and electrical outlets and low voltage speakers and controllers) shall be in accordance with the applicable version of the National Electric Code. If ceiling lighting is installed, it must be downward-directed, focused, low-wattage track lighting.
- ▶ Sunrooms may not have turbine-type or forced fan roof ventilators installed. Only natural draft/convection flow panels that open may be installed. Panels that open may not exceed 36" x 36" in size and must be at least 36" in any direction away from adjoining opening panels.
- ▶ Sunrooms may not have exposed air conditioning or heating ductwork installed on the exterior thereof. Vents must be attached to the main residence. No ductwork shall be visible.
- ▶ Window-coverings are not required. However, only interior coverings will be permitted; there shall be no exterior covering of the sunroom glass allowed. The side of the window-covering facing the exterior must be of a neutral, earth-tone color, which must also blend with the exterior color of the home. If there is covering on any one window, then all windows must be covered with the same treatment. Color and material samples of coverings may be required to be submitted for approval, at the discretion of the ARC. All temporary or disposable coverings not consistent with the aesthetics of the Subdivisions, such as reflective materials, sheets, newspaper, aluminum foil, plastic, cardboard, etc. are prohibited.

1.6 Architecture Design Guidelines | Exterior Structures

Everything within this section **MUST** be approved by the ARC prior to construction.

Gazebos

- ▶ A “gazebo” is a free-standing, open-framed structure. Gazebos are typically circular or octagonal-shaped structures, but may be irregularly shaped. Pergolas, arbors and similar freestanding structures are considered gazebos for all purposes in these Guidelines. The application for construction of a gazebo must include a plot plan showing the location of the structure in relation to the property lines, building lines, easements, existing structures and existing or proposed fences. The gazebo must be ten (10) feet from any other improvement in the back yard.
- ▶ Gazebos must be predominately open, but may have railing or half walls not to exceed forty two inches (42”) in height. Any open columns must be painted or stained. If the gazebo is painted it shall match or compliment the structure of the home. The ceiling of the gazebo may be open to the rafters or closed-in and finished. All materials must be consistent in quality and appearance to the structure of the home.
- ▶ The overall size of the gazebo shall not exceed one-hundred (100) square feet. The maximum overall height (including the flooring or decking) is limited to twelve (12) feet when measured from natural ground.
- ▶ Flooring may be concrete slab-on-grade or raised decking of wood or synthetic wood material such as *Trex*®. Flooring may be painted or stained, or tiled. If raised decking is used, it may not exceed eighteen inches (18”) in height.
- ▶ All gazebos must have a permanent roof, the quality and color of which shall match the home on the Lot. A double roof is permitted and encouraged.
- ▶ All pipes and cables must be underground. Any electrical installation (lights, ceiling fans and electrical outlets and low voltage speakers and controllers) shall be in accordance with the applicable version of the National Electric Code.
- ▶ Gazebos must be located in the rear or side yard and minimum of six (6) feet from any property lines. No gazebo shall be located on a utility easement, impede drainage on the Lot, or cause water to flow onto an adjacent Lot. Gazebo’s will not be approved if proposed to be installed in a location to limit the adjacent property owners view of amenities.

1.6 Architecture Design Guidelines | Exterior Structures

Everything within this section **MUST** be approved by the ARC prior to construction.

Swimming Pools and Spas

- ▶ A swimming pool is an in-ground structure which may or may not include a spa, diving board, slide, rock wall or water features. These Guidelines do not limit the size or layout of the pool. However, any above ground pool is prohibited and any such pool installation must be professionally designed and is subject to all permitting ordinances.
- ▶ The Application for the construction of a swimming pool or spa must include a plot plan showing the proposed location of the swimming pool or spa in relation to the property lines, building lines, easements, existing structures and existing or proposed fences. Any trees that are to be removed or relocated must be noted. The Application shall also include a timetable for the construction.
- ▶ The pool and pool decking may not extend past any platted building line. Minimum back lot setbacks shall be governed by the width of any back lot easements.
- ▶ The pool and pool decking may not encroach on any back lot or side lot easement including, without limitation, any easements on the subdivision plat, any easements granted by separate easement, or easements granted by deed.
- ▶ Construction of the pool and decking may not change the lot drainage in such a way as to direct water on to any other residential lot or open space.
- ▶ No swimming pool or spa shall be approved unless the area in which the pool is to be located is either enclosed by a barrier or fence that is compliant with local code.
- ▶ Swimming pools and spas must also have an adequate drainage system according to the requirements of any governmental agency having jurisdiction or, in the event there is no governmental agency having jurisdiction, as deemed appropriate of the ARC. Under no circumstances shall water from a swimming pool or spa be permitted to drain onto the surface of the Lot on which the swimming pool or spa is situated or onto any adjacent lot.
- ▶ During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. Further, no building materials shall be kept or stored in the street overnight. Any dirt in the streets generated by construction traffic shall be cleaned at the end of the day on a daily basis. Excavated material shall either be used on site or removed from the premises and legally disposed off-site by the pool contractor. Homeowner is responsible to the Association on this matter. A one thousand dollar (\$1000) fine will be imposed if the pool contractor has been discovered illegally dumping excess material within the development.
- ▶ The pool mechanical equipment may be placed within the side yard setback, but must be located within the fenced area of the home. The pool equipment may not be placed in such a way as to impede the three (3) foot wide side yard drainage easement.
- ▶ Features such as rock waterfalls shall not exceed eight feet (8') in height and all above-ground features like waterfalls or walls on lake lots must be finished on the back side and screened with landscaping from public view.
- ▶ A returnable deposit in an amount determined by the Board of Directors, shall be required for any pool construction in the development. A written notification of completion shall be submitted to the ARC for a final inspection of the construction areas in public view. The deposit will be returned after the inspection provided that all areas impacted by construction have been returned to their original condition.
- ▶ Any violation of these construction guidelines could result in forfeiture of deposit.

1.7 Architecture Design Guidelines | Screening

Screening

All meters, air conditioning units, etc. are to be placed away from public view, preferably in the rear or fenced side yards. In the absence of a completely fenced side yard: meters, air conditioners, etc. must be screened from view.

- ▶ Acceptable Screening Materials
 - Wood fences and/or shrubs: are acceptable screening materials.
 - Hedges: may be used for screens if plants are mature enough and spaced close enough to provide adequate screening.
 - Evergreen shrubs planted in a zigzag pattern, 24" on center. Must be width and height to completely screen from public view, all visible sides.

1.8 Architecture Design Guidelines | Rooftop Antennae & Satellite Dish

Rooftop Antennae and Satellite Dish

The roof, as a design element, should be kept as visually unobstructed as possible.

- ▶ Rooftop Antennae
 - No rooftop antennae will be permitted on the outside of a residence.
 - All antennae must be concealed within the attic or otherwise completely concealed.
- ▶ Satellite Dishes
 - No larger than eighteen (18) inches in diameter may be allowed or attached to the roof or chimney so long as the satellite dish cannot be seen from the public street right-of-way that fronts or sides the residential unit.
 - In the event it is impossible to receive a signal from these locations, the receiving device may be placed in a visible location as approved by the ARC.
 - The ARC may require screening of the satellite dish while not substantially interfering with reception.

1.9 Architecture Design Guidelines | Roof Materials & Protrusions

Roof Materials and Protrusions

All roofs are required to have minimum 3 tab architectural shingle.

Roofs

- ▶ Pitch:
 - Dwelling: 6:12 minimum.
 - Porches: 4:12 minimum.
 - A combination of roof pitches may be used if they are integrated to the design of the house.

Accessories

- ▶ Vent Stacks and Roof Protrusions:
 - Should be located to be away from view from the adjacent street.
 - All vent stacks and flashing are to be painted to match the color of the shingles.

Materials

- ▶ Shingles:
 - To be overlapped at valleys so that no valley flashing is exposed.

1.10 Architecture Design Guidelines | Roof Gutters & Downspouts

Roof Gutters and Downspouts

Gutters and downspouts are not required. If used, however, they should be integrated with the architectural design in color, shape, and location.

Rain Gutters

- ▶ Gutters:
 - Rain gutters may be plastic or aluminum items and must be painted a color compatible with the home on which they are installed. Application should be made showing the extent of guttering and location of downspouts. Downspouts may not be directed toward any adjacent Lot or open space.
 - If not used, positive drainage away from the house should be provided.

Downspouts

- ▶ Downspouts:
 - To be located to provide a clean, unobtrusive appearance, terminated by either splash blocks or drained underground to appropriate termination.
- ▶ Roof Drains:
 - Ultimately create erosion or run across pedestrian walks and paths and are not acceptable.
- ▶ Drainpipes:
 - Tied into rain gutter downspouts must be completely hidden from view. Plant shrubs or ground cover large enough and dense enough to hide drainpipes are required.

1.11 Architecture Design Guidelines | A/C Equipment

A/C Equipment

No window or rooftop HVAC equipment is permissible. Extreme care should be taken in location of condensers to avoid noise infiltration of adjoining bedrooms and other “quiet” zones.

2

Landscape Design Guidelines

2.1 Landscape Design Guidelines | General Landscape

General Landscape

Landscaping shall be installed by the builder prior to the conveyance of the home to a purchaser. Multiple layered flower beds in accordance with the “Minimum Landscape Requirements” contained in this section are required. A single row of foundation planting is not acceptable.

- ▶ Minimum planting bed width is five (5) feet from the house foundation.
- ▶ Planting beds are to be curvilinear with:
 - Varied widths
 - Shrub mass in tiers
 - Smaller shrubs and ground cover in the front
 - Larger shrubs in the rear of the beds
- ▶ All planting beds visible from the street shall be mulched using native hardwood mulch – no colored mulch will be permitted.
- ▶ Permitted: specimen boulders and rock borders.
- ▶ Not permitted: gravel of any size or color is not permitted for substitution of shrubs, ground cover or grass lawns.
- ▶ All front yards and side yards shall be planted with solid grass sod – recommended that all rear yards be planted with solid grass sod, but **not required** unless backyard borders a detention pond in which case rear yard should have grass established prior to lot closing. Bermuda or St. Augustine species are required to match common areas.
- ▶ Artificial Turf permitted in backyard within the fenced area.

2.2 Landscape Design Guidelines | Minimum Landscape Requirements

YARD TREE REQUIREMENTS

Lot Width	# Required	Type
40' Interior Lot	1 each – Front	3 inch/65-Gallon Shade Tree - Min 8' Height
	1 each – Front	15-Gallon Ornamental
40' Corner Lot	1 each – Front	4 inch/65-Gallon Shade Tree, Min 8' Height
	1 each – Front	15-Gallon Ornamental
	2 each – Side	3 inch/65-Gallon Shade Tree, Min 8' Height
45' Interior Lot	1 each – Front	3 inch/65-Gallon Shade Tree, Min 8' Height
	1 each – Front	15-Gallon Ornamental
45' Corner Lot	1 each – Front	3 inch/65-Gallon Shade Tree, Min 8' Height
	1 each – Front	15-Gallon Ornamental
	2 each – Side	3 inch/65-Gallon Shade Tree, Min 8' Height
50' Interior Lot	2 each – Front	3 inch/65-Gallon Shade Tree, Min 8' Height
	1 each – Front	15-Gallon Ornamental
50' Corner Lot	2 each – Front	3 inch/65-Gallon Shade Tree, Min 8' Height
	1 each – Front	15 Gallon Ornamental
	2 each – Side	3 inch/65-Gallon Shade Tree, Min 8' Height

SHRUB REQUIREMENTS

Lot Width	# Required	Type
40' Lot	10 each – Front	1-Gallon
	5 each – Front	3-Gallon
<i>*Same shrub requirements for 40' interior and corner lots. See following page for additional corner lot landscaping.</i>		
45' Lot	5 each – Front	3-Gallon
	2 each – Front	5-Gallon
	15 each – Front	1-Gallon
<i>*Same shrub requirements for 45' interior and corner lots. See following page for additional corner lot landscaping.</i>		
50' Lot Section	10 each – Front	3-Gallon
	2 each – Front	5-Gallon
	15 each – Front	1-Gallon

**Same shrub requirements for 50' interior and corner lots. See following page for additional corner lot landscaping.*

2.3 Landscape Design Guidelines | Corner Lot

Landscape Requirements

Corner Lot Landscaping Requirements

Corner lots that do not have landscape easements (by developer) will be required to soften long walls or fences with landscaping.

- ▶ Side fence lines will require a minimum of two (2):
 - 3-Gallon Vitex
 - Crepe Myrtle
 - Wax Myrtle
 - Fruitless Olive Plantings (spaced equidistant apart between the property line and the fence)

2.4 Landscape Design Guidelines | Trees

Tree Requirements

Yard Trees

- ▶ All lots and homes, by the Declaration and Recorded Builder Guidelines, shall require front yard trees, the number and location is outlined in the Declaration, Supplementary Declarations, or Recorded Builder Guidelines. If a tree dies, it shall be replaced by the Property owner. Yard trees are to be of an approved species (e.g. Live Oak, Red Oak, Mexican Sycamore) with trees having a minimum of three inches (3”) in caliper for hardwoods and twelve inches (12”) above grade. Additionally, trees must have a minimum height of ten (10) feet and a minimum spread of eight (8) to ten (10) feet.

Accent Trees

- ▶ The supplemental planting of additional trees in the front and back yards is encouraged. The supplemental or “Accent Trees” can include a wide variety of trees including conifers, palms, or other hardwoods. Accent Trees must be common nursery stock with a minimum of fifteen (15) gallon container. While the location of the Accent Trees is not specified, they may not be planted in such a way as to impose on an adjacent residence. The planting of trees within the side setback is discouraged. Accent trees may not be used to replace the required Yard Trees or Street Trees.

Palm Trees

- ▶ Palm trees are very common along the Texas gulf coast and a wide variety of indigenous and imported species are approvable for landscape in yards, subject to ARC approval. Queen Palms and Mexican Fan Palms are not approvable for front yards and are not recommended for back yards. Palm trees should be incorporated into landscaping as an accent to the overall landscape plan and should complement, rather than dominate the landscaping on the Lot. Palm trees must be kept trimmed and neat, and free from dead fronds and dried seed pods. Palm trees may not be used to replace the required Yard Trees or Street Trees.

Trash Trees

- ▶ The planting and/or propagation of “trash trees” is discouraged. Trash trees are trees that are weak wooded, weak branched, disease and insect prone and/or messy. Common trash trees are the Chinese tallow, Mimosa, Blackjack Willow, Cottonwood and Hackberry.

Tree Removal

- ▶ Removed trees must be replaced with the same or similar species, per HOA discretion

2.5 Landscape Design Guidelines | Other Landscaping

Other Landscape Additions

- ▶ The addition of shrubs, decorative grasses, ground cover and flowering plants is encouraged. In general, such plantings are acceptable without a formal review by the ARC. Exceptions are landscaping that is, or will, act as a non-compliant fence, items that obstruct access to a vital community service (such as a fire hydrant), items that obstruct visibility causing a hazard to vehicular or pedestrian traffic, items that create a hazardous condition or any item that generates a complaint from a resident of the community. These Guidelines apply both to items that create a non-acceptable condition upon installation and items that grow to become non-acceptable.

Irrigation Systems

- ▶ Any irrigation system (sprinkler system) that is connected to a public or private potable water supply must be connected through a backflow prevention method approved by the Texas Commission on Environmental Quality (“TCEQ”). Where required by local municipalities the design and installation of any irrigation system must be by licensed irrigator. Any installation must comply with Chapter 344 of the Texas Administrative Code. Irrigation systems must be placed entirely within the Lot and not encroach upon any community open area or neighboring Lot. Care must be taken to prevent overspray onto neighboring Lot. Location of any improvement within an easement or street right-of-way is at the owner’s risk and subject to removal.

Hardscape and Edging

- ▶ Landscape timbers or railroad ties are **not** permissible within the portion of the yard visible from any street. The use of rock, stone, colored concrete, *Windsor Stone*® as edging or retaining walls for planting beds is permissible, however the location and color of the edging is subject to ARC approval. Standard brick similar to what is used for home construction will **not** be allowed as edging for planter beds. No edging or retaining walls may exceed eighteen inches (18”) in height, unless in the case of replacing the retaining wall from the original construction. Tree wells and bed edging must match.

Back Yard Landscaping

- ▶ Back yard landscaping does not need to be submitted to the ARC for approval, provided each Homeowner follows the general guidelines set forth as follows. Decks, Patio Covers, Pools, Spas and other such back yard fixtures will still require ARC review and approval as provided elsewhere in this document.
 - No plantings may intrude into neighboring yards. An example would be trees planted on the property line that overhang adjacent properties or the installation of a plant species that may spread onto neighboring yards.
 - The back yard may not be graded or planted such way as to impede drainage on the Lot or cause water to flow on an adjacent lot

Mulch

- ▶ Only Brown or Black mulch will be allowed. All other colors are prohibited.

2.6 Landscape Design Guidelines | Other Additions

Other Lawn Additions

Benches; Furniture

- ▶ One (1) wood or wrought iron bench is permitted either on the front porch of the Residential Dwelling or within a front landscape bed; provided that the style and location of the bench must be approved in writing by the ARC prior to placement. Gliders with A frames are prohibited. Other types of furniture, such as a rocking chair, is permitted on the front porch or front yard of a Residential Dwelling, but only with the prior written approval of the ARC as to type, size and number. Plastic and stackable types of furniture are prohibited on the front porch and front yard or driveway of a Residential Dwelling.

Statuary

- ▶ Statuary, sculptures, birdbaths, bird houses, fountains (excluding home builder model homes) or any other decorative pieces of any kind unless such specific item has been approved in writing by the ARC as part of the landscaping plan in front landscaping beds is prohibited.

Planters, Clay Pots, Barrels, Etc.

- ▶ Planters, clay pots, barrels, etc. are allowed provided that the plants are well maintained and thriving. If the planters do not contain flowers, they must be removed. Colors must be compatible with the color of the house.

2.7 Landscape Design Guidelines | Grass

Grass

Grass Coverage

- ▶ All yard exposed to public view (public rights-of-way, lakes, greenbelt) shall be solid-sod with St. Augustine grass

Alternate Landscape Plans

- ▶ Any proposed deviation from the landscape requirements (on a lot-by-lot basis) must be submitted to the ARC for review.

Backyard Landscaping

- ▶ No specific requirements are set forth for backyard landscaping. However, Builder shall landscape the backyards of all lots with lake exposure to a level appropriate with the home.

2.8 Landscape Design Guidelines | Plant Material – Trees

Plant Materials – Trees

The following is a list of plant material considered to be acceptable. Other plant material may be used with approval from the developer. Bamboo is considered to be out of character with the desired landscape effect and will not be acceptable if seen from streets or common properties.

- ▶ Shade Trees
 - Mexican Sycamore
 - Lacebark Elm
 - Pecan
 - Chinese Pistache
 - Burr Oak
 - Chinkapin Oak
 - Live Oak
 - Golden Rain Tree
 - American Elm
 - Cedar Elm
 - Bald Cypress
 - Shumard Red Oak
 - Water Oak
 - Lacey Oak
 - Sweetgum
 - Red Maple
- ▶ Ornamental Trees
 - Crepe Myrtle - Min. 4 Trunks
 - Possumhaw
 - Sweet Olive - Tree Form
 - Wax Myrtle
 - Yaupon - Tree Form
 - River Birch
 - Mexican Plum
 - Holly-Nellie Stevens
 - Texas Sabal Palm
 - Japanese Blueberry
 - Vitex Tree
 - Fruitless Olive
 - Bottle Brush - Tree Form
 - Red Bud
 - Rusty Blackhaw
 - Parsley Hawthorne - Tree Form
 - Japanese Maple
 - Chinese Fringe Tree
 - Eastern Red Cedar
 - Magnolia Tree

2.9 Landscape Design Guidelines | Plant Material – Shrubs

Plant Materials – Shrubs

Shrubs shall be planted at spacing appropriate with the size of the plant and in accordance with acceptable industry standards. No Asparagus Fern, Nandina, or other nuisance species are permitted. The following are acceptable:

- ▶ Shrubs
 - Texas Sage
 - Salvia
 - Firebush
 - Barberry
 - Dwarf Yaupon
 - Dwarf Crepe Myrtle
 - Pennisetum
 - Feather Grass
 - Gardenia & Dwarf Variety
 - Flax Lily
 - Abelian
 - Juniper
 - Pyracanth
 - Fatsia
 - Wax Myrtle
 - Viburnum
 - Oleander
 - Pineapple Guava
 - Rosemary
 - Plumbago
 - Roses
 - Butterfly Bush
 - Loropetalum
 - Dwarf Pyracantha
 - Miscanthus
 - Muhly Grass
 - Iris
 - Duranta
 - Yellow Bells
 - Pittosporum & Dwarf Variety
 - Sweet Olive
 - Cleyera
 - Indian Hawthorn
 - Boxwoods
 - Italian Jasmine
 - Bottlebrush
 - Laurel Leaf Cactus
 - Yucca

2.10 Landscape Design Guidelines | Plant Material – Ground Cover

Plant Materials – Ground Cover

Shrubs shall be planted at spacing appropriate with the size of the plant and in accordance with acceptable industry standards. No Asparagus Fern, Nandina, or other nuisance species are permitted. The following are acceptable:

Annuals are not considered in the plant count.

- ▶ Ground Cover
 - Bulbine
 - “New Gold” Lantana
 - Purple Trailing Lantana
 - Sandy Leaf Fig Ivy
 - Japanese Star Jasmine
 - Climbing Fig
 - Monkey Grass
 - Honeysuckle
 - Sedum
 - Society Garlic
 - “Gold Mound” Lantana
 - Lantana “Dallas Red”
 - Creeping Juniper
 - Chinese Start Jasmine
 - Carolina Jasmine
 - Ajuga
 - Trumpet Creeper
 - Wood Fern

3

Add-Ons Guidelines

3.1 Add-Ons Guidelines | General Property Additions

General Property Additions

► Basketball Hoops

- **Type and Quality:** Basketball hoops must be free-standing units mounted on a rigid steel or aluminum pole. Hoops on the garage or home structure are not permitted. The backboard material must be fiberglass or safety glass. The color must be clear (safety glass), gray or white with the exception of the white, black, orange or red manufacturer's outline markings. The rim should be of heavy gauge steel and white, black or orange in color. The net must be maintained in good condition as determined by the ARC. The pole must have a manufacturer's weather resistant finish or be painted black or white.
- **Location:** Basketball hoops must be installed in the front yard adjacent to the driveway behind the 25' front building line, or in rear (back) yards subject to setback and easement restrictions. Care should be taken to minimize any effect on neighboring properties.
- **Restrictions:** A pole-mounted hoop may not be installed within ten (10) feet of an adjacent homeowner's amenities (air conditioning unit, shrubbery, gas meter, driveway, etc.) unless properly protected by fence or shrubbery. No pole-mounted hoops will be allowed along the neighbor's adjoining side of a driveway if a neighbor's first story house window(s) are exposed. Hoops installed near a lot boundary line must include with the Application a letter stating that the owner will remove the hoop if requested by the Board.
- **Revocation:** The Board may revoke its approval and require removal of any basketball hoop which it reasonably determines to be a nuisance to the neighbors. Applicant is encouraged to discuss the planned basketball hoop with their neighbor.
- **Portable Basketball Hoops:** All portable hoops must be approved by the HOA and the use of portable basketball hoops is discouraged by the ARC for aesthetic and practical reasons. Portable basketball hoops must be in the driveway.
- **Minimum construction specifications are as follows:**
 - Pole must be metal.
 - Backboard must be commercially manufactured out of materials that will not weather, warp or discolor.
 - Net must be well maintained at all times.

3.1 Add-Ons Guidelines | General Property Additions

General Property Additions

Flags

- ▶ These Guidelines apply to the display of ("Permitted Flags"):
 - The flag of the United States
 - The flag of the State of Texas
 - The official or replica flag of any branch of the United States armed forces
 - The flag of sports teams, colleges, etc.
- ▶ Permitted Flags may not contain language, graphics, or any display that is patently offensive to a passerby.
- ▶ Permitted Flags may be displayed subject to these Guidelines. Advance written approval of the Design Review Committee is required for any free-standing flagpole and any additional illumination associated with the display of Permitted Flags.
- ▶ Permitted Flags must be displayed in a respectful manner in accordance with the current relevant federal, state or military code.
- ▶ Permitted Flags must be displayed from a pole attached to a structure or to a freestanding 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.
- ▶ Permitted Flags shall be no larger than three foot (3') by five foot (5') in size.

Play Structures

- ▶ For the purpose of these Guidelines, a children's play structure shall mean any type of play set, climbing structure, play fort, slide, or swing set and shall be restricted to the fenced portion of the Lot.
- ▶ The play structure shall not exceed twelve (12) feet in height and shall not be located closer than five (5) feet to any property line. No play structure shall be located on a utility easement, impede the drainage on the Lot, or cause water to flow to any adjacent lot.
- ▶ Multi-color tarps, windsocks, or streamers attached to the play structure are not allowed.
- ▶ For play structures that are above ground, the floor of the play structure should not be more than twenty-four inches (24") above grade, so it cannot be seen over neighbors' fences.

Generators

- ▶ Must be screened from public view

Sheds

- ▶ Must be screened from public view

3.2 Add-Ons Guidelines | Lighting

Exterior Lighting

Changes to Existing Lighting

- ▶ Outside lighting which was installed at the time of original construction or which was installed after original construction with the approval of the ARC may be replaced with a new fixture provided that the wattage of the new fixture is comparable to the wattage of the existing fixture.

Security Lighting

- ▶ Security lighting shall be mounted behind the back plane of the home and below the eaves of the home. No pole mounted lights will be permitted. Mercury vapor/sodium vapor lights, which are considered incompatible with the neighborhood, are not permitted. Any security lighting must be shielded to cut-off light pollution from adjacent residences.

Low Voltage Lighting

- ▶ Low voltage Landscape lighting is permitted as long as the lighting fixtures are located in flower beds, shrubs, and similar landscaping. Tree mounted landscape lighting will be permitted as long as the fixture is not mounted higher than eight (8) feet above ground level. Flood lighting (except for seasonal decorations) is not allowed in landscape beds or trees.

Post Lamps

- ▶ No more than one (1) post lamp shall be permitted in any front yard, subject to ARC approval. The post lamp may be on a switch, timer or photocell and must be a minimum of five (5) feet behind the front property line. The lamps must have tops to prevent light pollution and must be dark bronze or black in color. The use of gas post lamps is permitted subject to these Guidelines.

Annoyances

- ▶ All new lighting which is approved by the ARC shall be subject to a 90 day trial period after installation to assure that the lighting is not objectionable to surrounding residents. The 90 day period will commence on the date of installation. If, at the end of the 90 day period, the ARC determines that the lighting is unreasonably offensive or an annoyance to surrounding neighbors, the lighting will be required to be modified or be removed in accordance with the ARC's decision.

Holiday Lighting

- ▶ Holiday Lighting of exterior of homes, yards, driveways, sidewalks and flowerbeds will be permitted December 1-January 15 inclusively. All holiday lighting must be removed from the exterior of homes, yard, driveways, sidewalks and flowerbeds outside of these dates and properly stored.

3.3 Add-Ons Guidelines | Signage

Yard Signs

There are certain, preapproved sign types that will be permitted on lawns

Home Security Signs

- ▶ No signs shall be permitted on any lot except for a limited number of small, inconspicuous, discretely placed signs for the purpose of warning of the presence of a home security system. Each sign shall be from a professional security company and should not exceed one (1) square foot in area. One (1) sign shall be allowed in the front yard and one (1) shall be allowed within the rear, fenced in portion of the lot. Each sign may be mounted on a stake or a wall of the house or garage. If stake mounted, the top of the sign shall not exceed two (2) feet from the ground level when installed and must be no further than three (3) feet away from the house or garage. Signs must be of an acceptable color which is harmonious with the surrounding structure and landscaping.

Open House

- ▶ One (1) temporary open house sign is allowed in front of the residence on the day of open house only. Size: no more than six (6) square feet overall.

School Organization

- ▶ One (1) temporary school activity sign is allowed in the planting beds of a residence not farther than three (3) feet from the outside wall of the house, unless otherwise noted and approved by the ARC. Maximum Size Allowed: 42" in height and 18" in width.

Yard of the Month

- ▶ One (1) yard of the month sign supplied by the Association is allowed in the planting bed of the residence not farther than three (3) feet from outside wall of house.

Election/Political

- ▶ During political elections, one (1) temporary election for each candidate supported may be placed in the front yard of each residence no more than 45 days before the election and must be removed within 48 hours after the election.

Address Treatments

- ▶ Each Lot shall have a house number identifying its address made of materials and a color compatible with the construction of the dwelling. House numbers shall be kept free and clear from all trees, shrubbery, etc. House numbers may need to be painted or maintained from time to time and shall be visible from the street at all times. No peel and stick numbers.

3.4 Add-Ons Guidelines | Other Add-Ons – General

Birdhouses

- ▶ Birdhouses shall be permitted subject to the prior approval of the ARC. No birdhouse shall be situated higher than four (4) feet above the ground and no more than one (1) birdhouses shall be permitted on a lot. The materials used in the construction of each birdhouse and the color of each birdhouse must be harmonious with the home and other improvements on the Lot. Any birdhouse must be within the fenced area of the Lot.

Awnings

- ▶ Awnings visible from the front street or side street shall not be permitted. Awnings on the rear portion of a Lot must be approved by the ARC.

Solar Screens

- ▶ All solar screens must be approved by the ARC.
- ▶ Solar screens are restricted to black, dark brown, or dark gray and must be constructed and installed to professional standards.
- ▶ Solar screens may be permitted in the front of the home if they are constructed with grids that match the window-lites of the windows being covered, so as to not distract from the architectural harmony of the home. If solar screens are installed on the front of the home, all windows on the front must have solar screens. Screens on the front of the home are required to have upgraded frames to simulate window panes.

Solar Panels

- ▶ Automatically approved for on the roof.

Trash Cans

- ▶ Must be screened from public view.

Burglar Bars

- ▶ The use of burglar bars on the exterior of any window or doors is prohibited.

3.5 Add-Ons Guidelines | Other Add-Ons – Temporary

Emergency and Disaster Reaction

- ▶ Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs or structures (those that are present for no longer than 6 months during reconstruction) will be acceptable under such a condition. Reconstruction in the form that existed before the disaster will be acceptable without approval by the ARC.
- ▶ Temporary protective action in the event of certain weather conditions, such as hurricane warnings, will not require approval of the ARC. All such installations must be completely removed and the property restored to its original condition within 15 days of the passing of the emergency. This rule specifically applies to, but is not limited to, the boarding of windows and doors during a hurricane threat.

Holiday Decorations

- ▶ Holiday decorations are permitted and will not require approval. Decorations may be installed no sooner than 30 days prior to the holiday and must be removed within 15 days after the holiday for which they are intended. The ARC reserves the right to require the removal of decorations that either generate complaints or are deemed offensive.

Temporary Pods

- ▶ Temporary moving pods are allowed but must fit completely in the homeowner driveway and not impede sidewalk traffic. Pods must be delivered and removed within (30) thirty days.