

BRITTANY LAKES HOMEOWNERS' ASSOCIATION, INC.

ARCHITECTURAL REVIEW COMMITTEE

GUIDELINES

APRIL 1, 2012

ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

The Architectural Review Committee ("ARC") was created in an attempt to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. Article VI, Section B of the Declaration of Covenants, Conditions and Restrictions Applicable to Brittany Lakes ("CC&Rs") provide that "No buildings, additions, modifications or improvements shall be erected, placed or performed on any lot until the construction plans and specifications including, but not limited to, the site plan, design development plan, exterior plan, signage plan, landscaping plan, and lighting plan have been submitted in triplicate to and approved in writing by the ARC."

It is the general purpose of the ARC to approve or disapprove applications made to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lot itself. Landscaping does not require ARC approval unless the configuration of the ground changes (i.e., berms, fill dirt, etc.). See Section 22 of these guidelines for front yard planting bed requirements.

Procedure

A "Request for Home Improvement Approval Form" must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, locations of the proposed improvements must be indicated on a copy of the survey, etc. and all of these items should be included with the application. The survey, which must be prepared and signed by a registered surveyor, engineer or other qualified professional (in the ARC's reasonable judgment) must show (by way of distances described in feet and inches) the actual location of the proposed building or improvement on the lot in relation to other buildings and improvements and to all set-back lines, building lines and utility easements on the lot.

Request for Home Improvement Approval forms are available from your management company. The ARC cannot respond to verbal requests for approval – all applications must be made in writing.

The ARC has thirty (30) days from the date of receipt of a Request for Home Improvement Approval form in which to respond. In the event the ARC fails to approve an application within thirty (30) days from the date of receipt, the application shall be deemed to be disapproved. If additional information is required by the ARC, the review process will be extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time

required to complete the review process. Additionally, should your application be submitted after the construction, the ARC is not required to provide approval, and the unapproved change may be deemed to be a violation of the CC&Rs. No construction should begin prior to the approval. You may be required to remove unapproved improvements.

If an application is not approved, the ARC will state in their letter why such approval was denied and what type of application changes, if any, would alter that decision. If an applicant wishes to discuss or appeal a decision made by the ARC, the designated representative for the ARC should be contacted in writing.

Guidelines

The following are guidelines adopted by the ARC to specify their standards, requirements and thought processes used in evaluating an application. The guidelines may be amended from time to time as the circumstances, conditions or opinions of the ARC dictate. It should be noted that each application is considered on its own merit and that the ARC may grant a variance from these guidelines and/or from certain provisions of the CC&Rs by written instrument of the ARC. The ARC has the right to deny approval for a similar improvement based on the proximity of a property to a main boulevard or the visual relativity of the site to the overall development. As an example, a home located on the perimeter of the development may be permitted to have a certain styled storage building (with different height), whereas on a main entry boulevard and depending on the configuration of the lot, this same item may not be approved. The intent being to maintain overall integrity within areas of higher visual impact.

It should also be noted that ARC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ARC approval, the Board of Directors has the legal right to enforce its removal.

1. Patio/Decks:

- a. Location: Ground level decks may not exceed twelve (12) inches in height above natural grade and may not encroach on any easement (unless the utility companies involved have granted there written consent to such encroachment nor extend beyond the building line. Raised portions of ground level decking shall not exceed an additional 24 inches above the ground level decking. If a deck is constructed over a portion of the lot that has a natural grade, the 12 inch height limitation shall be measured from the high point elevation relative to the deck structure. Decks shall not be situated on the lot so that they pose a problem to the effective drainage of the lot or neighboring lots. Upper level decks may receive approval on a case by case basis. Patios and decks must be permitted by League City.

- b. **Materials:** All above ground structures shall be made of either weather resistant wood, wood composite/engineered wood or of masonry; metal or vinyl are not permissible for decks. If wood is used on the improvement, it must be weather-resistant such as cedar or pressure treated pine. It may be painted to match the house colors, stained a natural wood color or treated with a substantially clear wood preservative. Wood decking *may not be* left raw to weather naturally. If masonry is used, only bricks that match the house or concrete may be used. In all cases, the design and materials must complement the house design. On upper level decks, both the stairway and deck should have railings for safety. On upper level decks, engineering drawings must be submitted with the original ARC application.
- c. **Maintenance:** All decks shall be maintained in such a fashion as to not detract from the neighborhood.

2. **Pergolas/Gazebos/Arbors and Palapas:**

"Pergolas, gazebos, arbors and palapas" include attached or free standing, open framed structures for the purpose of providing shade. These structures may not be used for any type of open storage.

- a. **Location:** These structures must be located in the rear yard and must be a minimum of five (5) feet from side fence lines and eight (8) feet from the rear fence line. Corner lots however must maintain a minimum of eight (8) feet from the side and rear fence line. The structures may not encroach on any utility or drainage easement (unless the utility companies involved have granted their written consent to such encroachment) and may not interfere with drainage or cause water to flow onto any adjacent lot. Any lights attached to the structure must be positioned so that light does not encroach upon adjacent lots. These structures must be maintained in good condition.
- b. **Material:** Supporting structural members must be constructed of materials resistant to decay, such as redwood, cedar and/or treated wood. Wood embossed architectural aluminum must be painted a color and shade similar to and harmonious with the exterior of the residence. Additional landscape screening may be required.
- c. **Dimensions:** The maximum height of a pergola may not exceed ten (10) feet measured from the natural ground. The maximum height of the walking area (deck) shall be no greater than twelve (12) inches measured from the natural ground. Roofing materials and pitch must be Acceptable to the ARC. The total size of these structures may not exceed 10% of the rear yard.

3. Patio Enclosures:

A "patio enclosure" is any patio cover that has exterior walls (other than "sunrooms"). Building permits from League City are required prior to ARC approval.

- a. Location: Patio enclosures may not encroach on any utility or drainage easement nor may they violate the building setback lines applicable to the residential dwelling on any lot. Patio enclosures may not interfere with drainage or cause water to flow onto any adjacent lot. Patio enclosures must be located in the rear yard and must be a minimum of five (5) feet from side fence lines and eight (8) feet from the rear fence line.
- b. Material: The standard, type, quality and color of the materials used in the construction of patio enclosures must be harmonious with the standard, type, quality and color of the materials used in construction of the main residence (i.e. brick enclosure must be made to match the brick indigenous to the home). The roof must be shingled to match the existing roof in color, type, and quality. **Corrugated roofs for patio enclosures may not be permitted under any circumstances.** The exterior color of the walls, doors, windowsills, beams, frames or other visible supports must match the exterior color of the residence. Covered patio enclosures must be maintained in good condition at all times. Additional landscape screening may be required.
- c. Dimensions: The lowest point of the patio cover may not exceed nine (9) feet from ground level (typical first floor plate height). The patio enclosure roof shall provide an attractive slope with a minimum 4/12 roof pitch away from the house, at an angle that does not exceed that of the roof of the residence. Flat roof patio enclosures are not permitted. No patio cover shall protrude from the sides of the residence. Patio covers may not encroach the building line.

4. Sunrooms:

A "sunroom" is a patio enclosure constructed with glass walls. Glass roofing is not permitted for sunrooms. Building permits from League City are required prior to ARC approval.

- a. Location: Sunrooms may not encroach on any utility or drainage easement (unless the utility companies involved have granted their written consent to such encroachment), nor may it violate the building setback lines applicable to the residential dwelling on any lot. Sunrooms must not interfere with drainage or cause water to flow onto any adjacent lot. Sunrooms must be located in the rear yard and must be a minimum of five (5) feet from side fence lines and eight (8') feet from the rear fence line.

- b. Material: Supporting structural members must be of a color and shade similar to and harmonious with the exterior 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. Additional landscape screening may be required.*
- c. Prohibited Accessories: No sunroom shall have exposed air conditioning or heating duct work installed on the exterior thereof. HVAC vents must be attached to the main residence. No ductwork shall be visible. Window coverings are not required; however, only interior covering will be permitted; there shall be no exterior coverings of the sun room glass permitted.
- d. Dimensions: The lowest point of the sunroom may not exceed nine (9) feet from ground level (typical first floor plate height). The sunroom roof shall provide an attractive slope with a minimum 4/12 roof pitch away from the house, at an angle that does not exceed that of the roof of the residence. Flat roof sunrooms are not permitted. The sunroom shall not protrude from the sides of the residence. Sunrooms may not encroach the building line.
- e. Modifications: If a patio is modified as a part of a sunroom project, the patio modification shall abide by the Patio ARC Guideline.

5. Covered Patio Structures:

"Covered patio structures" are considered to be additions to the rear of the residence that have no enclosure walls. Attached patio structures must be painted to match the primary color of the home. Building permits from the City are required prior to ARC approval.

- a. Location: Covered patio structures must not encroach on any utility or drainage easement (unless the utility companies involved have granted their written consent to such encroachment). nor may it violate the building setback lines applicable to the residential dwelling on any lot. Covered patio structures must not interfere with drainage or cause water to flow onto any adjacent lot. Patio structures must be located in the rear yard and must be located a minimum of five (5) feet from side fence lines and eight (8) feet from the rear fence line. Covered patio structures may not be used for any type of storage. Covered patio structure must be maintained at all times.
- b. Material: 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 construction of the main residence (wood and/or brick) and if attached to the house, must be integrated into the existing roofing (flush with eaves). The roof of all patio covers, other than arbor or open trellis types, must be sloped and covered with shingles meeting

the roofing guidelines set forth herein. **Corrugated roofs for patio covers may not be permitted under any circumstances.** All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping. Additional landscape screening may be required. Supports must be painted wood or treated wood. No pipe is allowed.

- c. Dimensions: The top of the patio cover at its lowest point shall not be higher than ten (10) feet from ground level (typical first floor plate height). The patio cover roof shall provide an attractive slope with a minimum 4/12 roof pitch away from the home, at an angle that does not exceed that of the roof of the residence. Flat roof patio covers are not permitted. No patio cover shall protrude from the sides of the residence. Patio covers may not encroach the building line.

6. Outbuildings:

An "outbuilding" is a structure which is not attached to the main structure and that is not covered by another section herein.

- a. Location: Outbuildings shall be located in the rear yard, behind the primary dwelling, so they are screened from public and private view to the maximum extent possible by land or permanent structures (such as the house, garage or wood fences). Outbuildings must be located in the rear yard and must be a minimum of five (5) feet from side fence lines and eight (8) feet from the rear fence line. Corner lots however must maintain a minimum of eight (8) feet from the side and rear fence line. No outbuildings shall be approved for construction on easements, or may impede the drainage on the lot or cause water to flow to an adjacent lot. An outbuilding placed on a concrete slab over of a utility easement will not be considered portable and will require the written consent of the utility companies involved. If an outbuilding is not on the utility easement, but on a slab, and can be moved, the ARC will consider it as portable. No outbuilding can be built up against any side or rear wall of a home unless its maximum height is less than six feet (6') and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size and location. **All structures** must be maintained at all times.
- b. Material: The standard, type, quality and color of the materials used in the construction of an outbuilding must be harmonious with the standard, type, quality and color of the materials used in construction of the main residence. The roof must be peaked and have a minimum 4/12 roof pitch match and not exceed the pitch of the roof on the home. The structure must be constructed of composition shingles closely matching the existing shingle color on the home. Plastic and/or metal out-buildings shall not be permitted under any circumstances. Additional landscape screening may be required.

- c. Dimension: Outbuildings shall not exceed eight (8) feet six (6) inches in height when measured from the natural ground to roof peak (this includes any blocks or decking) and must not exceed one hundred fifty (150) square feet of floor space. Outbuildings must meet windstorm requirements of the city and county, and must be permitted, as required.

7. Rear Yard Recreational Equipment:

For the purpose hereof, rear yard recreational equipment shall include, but is not limited to any type of children's play houses, play sets, climbing structures, slides, raised play forts, swing sets, trampolines, etc. Such structures are not totally enclosed. Enclosed structures are to follow the Outbuilding guidelines herein.

- a. Location: Recreational equipment shall be located in the rear yard so it is screened from public and private view to the maximum extent possible by permanent structures (such as the house, garage or wood fences) or landscaping. All rear yard recreational equipment must be a minimum of five (5) feet from the side fence lines and eight (8) feet from the rear fence line. Corner lots however must maintain a minimum of eight (8) feet from the side and rear fence line. Additional landscape screening may be required.
- b. Size: Play structures and swing sets must not exceed 10% of the backyard area. The maximum allowable height for playground equipment is twelve (12) feet including flags, etc. No portion of any piece of rear yard equipment shall exceed this height limit. Standing platforms shall not exceed six (6) feet above natural ground.
- c. Enclosed playhouses must not exceed eight (8) feet in height when measured from the natural ground and one hundred fifty (150) square feet in footprint size. Enclosed play houses must follow the guidelines for outbuildings. No more than one playhouse per lot.
- d. Materials: Playhouses and play structures must be constructed of materials resistant to decay. The following material is acceptable: pressure-treated yellow pine, redwood, cedar or painted treated wood, to be in harmony with the existing residence. Swing sets, trampolines, etc. may be constructed of metal. Tarp roofs, awnings, or covers must be earth tone colors. Safety netting on trampolines must be black, white or neutral in color.
- e. Maintenance: All playhouses, play structures, swing sets and trampolines, etc. shall be maintained in such a fashion as to not detract from the neighborhood, such as, but not limited to: for playhouses and play structures, replacement of torn or discolored tarps or covers; for swing sets, painting of any rusted or discolored parts, replacement of torn or detached safety nets on trampolines.

- f. Permanent skateboard ramp type structures are not allowed. Portable skateboard ramps must be stored from public view when not in use.

8. Basketball Goals:

Applications are required for permanent basketball goals. Basketball and sports courts are not permitted. Be advised that only one (single pole) basketball goal per family/residence is permitted.

Portable basketball goals do not require an ARC application.

- a. Driveway Location: Goals must be located along the driveway, but may not violate the side building lines. Basketball goals are not permitted on public streets. Goals may not be mounted to the house or the garage.
- b. Goal Construction: Pole – all poles must be metal. Backboards –must be standard size backboard. Material must be plexiglas, graphite or fiberglass. The color may not be altered from the original manufacturer's specifications. Nets are required on all rims.
- c. Maintenance: All goal supports, backboards, rims and nets must be well maintained at all times.
- d. However, portable goals shall be stored inconspicuously when not in use. Portable basketball goals must be maintained in an upright position when in use.
- e. Rear yard basketball goals or sports goals are not allowed.
- f. Height: Basketball goal (rim) must not exceed ten (10) feet in height when measured from the natural ground. Backboards must not exceed regulation size.
- g. Lighting specifically for a basketball goal is not allowed. All lighting must remain attached to the home or garage.

9. Swimming Pools, Spas, Hot Tubs, and Ponds (Water Gardens):

Swimming pools, spas, ponds, hot tubs, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines. Bathhouses structures (that house spas) must follow the Outbuilding guidelines herein. Pool enclosures are not allowed.

- a. Location: No portion of the pool structure may encroach onto the utility easement without written consent from the utility companies involved. Subject to above mentioned approval, decking may encroach onto the easement with homeowner awareness that utility company policy may require access to that

area; the homeowner could be responsible for removal and/or will be responsible for replacement of the deck located in the easement. Pool decks may extend beyond the established side setback lines so long as an adequate area (minimum two (2) feet) remains between decking and rear and/or side fence lines to ensure proper drainage and to provide a greenbelt.

- b. Height: Swimming pool appurtenances, such as rock waterfalls and slides must not exceed six (6) feet in height when measured from the natural ground. Pool decking floor may not exceed twelve (12) inches in height above natural grade. **No portion of swimming pool accessories (slides, diving boards, waterfalls, raised beams, etc.) may exceed six (6) feet in height from natural ground or be visible above the top of the fence and must be screened with landscaping.** Above ground spas must not exceed four (4) feet in height and any decking surrounding the structure must not exceed that height. Additional landscape screening may be required.
- c. Fencing/Screening: All private swimming pools and spas shall be completely enclosed by a six (6) foot high wood yard fence, five (5) feet for yards with wrought iron, and a self-closing, self-latching gate. The gate must be constructed of the same material as the fence, per the Guidelines. Pool equipment must be immediately screened from the street in the front by the rear yard fence (wood) or solid landscaping and from visible common areas by landscaping. Maintain a twenty four (24) inch greenbelt between pool equipment and/or pool deck and fence and/or property line.
- d. Construction Access: Pool construction access routes are on either side of the home (within the lot fence lines) via homeowner's property only. Access routes must be clearly defined from the street to the pool excavation site. **Access through any Association property is prohibited.** The Association will not approve access through non-association rights of way *such as* MUD easements and Gas Pipeline areas. Access must be granted by the appropriate entity and a written authorization and policies must be supplied to the Association prior to pool installation.
- e. Maintenance: All swimming pools and spas must be properly maintained year-round to comply with all County and State regulations. Pool backwash lines are to be tied into the sanitary sewer per the MUD district requirements, as applicable. Proper area drainage to the front of the property must be maintained and pool run off/drainage must not affect neighboring properties. If area drains are routed to the street, the sidewalk and/or curb must be saw cut, broken out and properly replaced. If tunneling under common sidewalks, properly compacted backfill must be installed to avoid future settlement of sidewalks crossed. Equipment must be maintained as to not cause a noise disturbance to adjacent neighbors.

- f. Prohibited Structures: Portable or permanent above ground swimming pools are strictly prohibited pursuant to Article V, Section O of the CC&Rs.
- g. Required Submittal Information: Along with the completed application and copies of approved permits from applicable permitting authorities, a copy of the lot survey by a professional land surveyor is required (the survey received at closing). A second survey (same as above) is required with the pool imaged onto the survey. In addition, the pool plan sketch/detail, the location of the pool equipment, the filter type, drainage, access route information, detailed scope of work to be performed and contractor's name/phone number must be included.
- h. Ponds: Are intended for decorative purposes only and must not exceed 20% of the backyard area.

10. Metal, Wrought Iron Fencing:

For those lots where such fencing is required the fencing height is to be consistent with the original height before replacement and must be painted black.

- a. Construction: The metal pickets must be four (4) inches on center. No decorative elements are permitted unless specifically approved by the ARC. Gates must adhere to the above standard.
- b. Permit Requirements: If metal fencing is used to enclose a pool, all applicable city/county laws must be followed.

11. Wood Fence Guidelines:

Total fence height not to exceed 6 feet

Materials: Nails: All a.q.c. shanked nails – 3 inch framers – 2 7/8 inch picket nails, 6 nails/ picket

Pickets 1x6 Cedar, Lumber Grade #1 or #2 (no wane, rot, holes, spike or soft knots)

Posts 4x4 Treated Yellow Pine, Lumber Grade #2, treated Grade

2x4 rails Treated Yellow Pine, Lumber Grade #2

- a. Posts: 4X4 -8 foot treated pine
 Rails: 2X4 – 8 foot treated pine (3 rails/section)
 Pickets: 1X6 inch **cedar #2** or better. No #3 grade accepted
 Crete: Each post must have 80 lbs per hole. Must have a p.s.i. of 3500
 Rot board: 1X6 treated pine
- b. Fencing that borders Common Area: Top cap is to be constructed of double stacked 2x6 treated pine. Top boards must be staggered from bottom boards by 3-4 feet to insure stability. All cuts must have a 33 degree angle at joint (to

mitigate joint warping). Bottom board joints must meet at the center of the 4X4 post and be secured with 3 inch exterior screws. Beside the top cap, there should be 2 more rails; one rail at the center and the second rail near the bottom of the fence. Must be stained with a color acceptable to the ARC.

- c. Fencing that borders the Neighbors Yard: Pickets should have the scalloped edges at the top. There should be a minimum of two rails. The top rail should be attached to the top of the upright posts, no higher than 5'8". The second rail should be attached between the posts at a height of approximately 2'6". Each section should be built facing the opposite direction of the adjacent section. (*i.e.*, "good neighbor" type fencing).
- d. Fencing along Common Area with brick pillars: The fence height must remain consistent from brick pillar to brick pillar. All tops to match on wood fencing. Existing height of fence to be maintained, not to exceed 6 feet. Wood portions must be stained with a color acceptable to the ARC.
- e. Wooden Fence: Fence sides visible to the public must be the "finished" side. Maximum height of any fence, regardless of construction material will be six (6) feet. **Lattice fencing is not permitted.** All internal privacy fences shall be two rails. Posts shall be a maximum of eight (8) feet apart. No front yard fencing is allowed. Side yard neighboring fences should align with each other and be no closer than twenty (20) feet set back from the front building line (house façade). All cedar fencing visible from the street or common area shall have all pickets nailed on the street side or common area side of the fence so that no rails or posts show when viewed from the street or common area; unless "good neighbor" fencing is permitted. Additional or replacement fencing should conform to existing type of fencing on street/neighborhoods.
- f. Aesthetic: Wood fences may not be altered in any form or fashion to incorporate any artistic design, cutouts, wagon wheels, etc. No painting or varnishing of wood will be permitted. Wood fences must be stained with a color acceptable to ARC.
- g. Perimeter Fence Gate: Wooden gates may not exceed forty two (42) inches in width. No double gates will be allowed.
- h. Good Neighbor Fence Policy: Fences must be of a "good neighbor" type. For homes that border common areas, the "clean" side (pickets out) of the fence must face the common area.
- i. Fence Sealant, Paints or Stains: In order to prevent inconsistent color matches with the fences throughout the community, the application of any paint on fences is prohibited. Sealants and stains must be approved by the ARC. A sample must be provided with the ARC application.

Breezeway Gates/Fencing:

Breezeway gates/fences must not exceed six (6) feet in height. Gates/fences must be maintained at all times.

- a. Wrought iron fences/gates must be painted black unless otherwise approved by the ARC.
- b. Wood fences may not be altered in any form or fashion to incorporate any artistic design, cutouts, wagon wheels, etc. If the fence is to be painted, it must match the primary color of the home.
- c. Brick fences must not exceed six (6) feet in height and must match the existing brick of the home.
- d. Lattice may be used for the top portion of a breezeway fence. Lattice must be structurally sound with framed perimeter. Lattice must be a minimum of two (2) inches in width and ¼ inch in thickness. A maximum of two (2) feet of lattice can be used to top a brick or wood fence. Lattice must be painted to match the primary color of the home when used with brick.

12. Driveway Gates:

Driveway gates are only permitted on homes with detached garages.

- a. Gate Location: Placement of the gate will be approved on a case-by-case basis. In any case, the gate must not be set in front of the front building line (preferably behind).
- b. Construction: All gate equipment must be located inside the gate and screened from view. Gates must open into the property and cannot swing out toward the street. No initials, symbols or decorative elements may be incorporated into the fence or gate without specific approval. Wooden driveway gates are not permitted. Gates must be wrought iron. Gates must be painted black unless otherwise approved by the ARC.
- c. Height: The height limit is equivalent to the perimeter fence height limit of six (6) feet, as measured from the top of the fence.
- d. Aesthetic: Gates must be maintained to keep the pleasing aesthetics of the neighborhood.

13. Driveways:

Under no circumstances will painted or stained driveways be permitted.

- a. Driveway Extensions: Driveway extensions may not extend beyond the front elevation of the home or behind the front of the garage. A minimum of a two (2) foot greenbelt must be maintained between the extension and the fence line.
- b. The replacement of concrete driveways is to be a minimum four (4) inches thick over a sand base. County specifications regarding driveway cuts and curb returns at driveway openings shall be followed.
- c. Driveways may be a material consistent with the architectural character of the entire neighborhood. ***Asphalt paving and gravel driveways are prohibited.***

14. Walkways:

Walkways should be a complimentary component and should not compete visually with the house and/or landscape.

- a. A walkway must be at least three (3) feet in width and no more than five (5) feet in width.
- b. Walkways should be constructed of unit masonry, quarried stone or concrete. **Asphalt walkways are strictly prohibited.**
- c. Where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two (2) feet in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover. A minimum of two (2) feet in width must be maintained between the walkway and property line.
- d. Required Submittal Information: Along with the completed application, a copy of the lot survey by a professional land surveyor is required (the survey received at closing). A second survey (same as above) is required with the walkway imaged onto the survey.
- e. Public sidewalks may not be visually or physically broken by crossing walkways.

15. Garage Conversions:

Pursuant to Article VI, Section D of the CC&Rs, conversions of two car garages are not permitted. No garage shall be enclosed, modified or otherwise used so as to reduce its capacity for parking vehicles.

16. Solar Screens, Storm Doors, Window Films and Storm Shutters:

- a. Solar Screens: Solar screens may be installed on all windows on the front, side or back of the house. No solar screens may be installed unless 20x30 mesh or a maximum 80% UV rated screens are used. An acceptable material for solar screening is a heavy gauge vinyl mesh that is available in brown, dark gray or black. The mesh must be enclosed and framed in aluminum that is compatible with the overall color scheme of the contiguous surface of the window on which it is installed. The mounting of the solar screen should not detract from the overall appearance of the house.
- b. Storm Doors: Only full view storm doors may be installed and must be harmonious to the home. Door visibility should not be substantively screened except for the frame. The suggested material for storm doors is aluminum. The frame must match the door or the door trim on which it is installed. The mounting of the storm doors should not detract from the overall appearance of the house. Window film placed on storm doors must follow the window film guidelines
- c. Window Tint: Window film may be installed on the front, side, or back of the home's windows. No window film is allowed unless the visible light reflected is 20% or less. The only acceptable colors for window film are gray, charcoal or crystal/light silver clear film. **Absolutely no mirrored, fully reflective bronze or any other colored film is allowed on any windows.**
- d. Storm Windows/Shutters (including rolling shutters): must be architecturally consistent with the architecture of the house. All storm window frames must match the window trim of the house.
- e. Storm shutters may be installed up to one week prior to an anticipated hurricane is forecast to potentially strike the general area. Storm shutters must be removed within two weeks after a hurricane or threat of a hurricane has passed the area.
- f. Maintenance: All solar screens, window film, storm doors and storm windows must be maintained in such fashion that they do not detract from the neighborhood.

17. Outdoor Lighting:

Outdoor lighting shall be installed in such a way to shield or minimize the amount of spill light on adjacent properties, homes or streets. All lights must be installed at the rear of the home or garage no higher than the first story plate line. The only exceptions are low voltage landscaping lights, lamppost or decorative fixtures of an understated design that complement the architectural style of the residence.

Exterior lights located on the second story of a home are prohibited.

Be advised that approval is needed for both front and rear yard lighting. The maximum number of exterior fixtures is four (4) unless otherwise approved.

- a. Landscape Lighting: Lights must be located at ground level in flowerbeds and must luminate white, blue, or natural. Intention is to ensure uniformity of lighting quality at a given residence and throughout the neighborhood. Maximum height is eighteen (18) inches. Maximum wattage is subject to ARC approval.
- b. Lamppost: Only one (1) lamppost may be approved for placement in the front yard, it must not be placed in the street right-of-way and must luminate white. Lamppost must not exceed seven (7) feet in height, including the globe(s) and any decorative components. Post must be constructed of metal in black color only. The lamppost must be harmonious with the architecture of the residence and neighborhood.
- c. Exterior security lighting (motion detection type): Motion detection sensitivity must be set to not detect motion off the homeowner's property (e.g., neighbors yard; sidewalk).
- e. Fixtures: All fixtures must be Underwriter Laboratories (UL) approved and may be of the following type: Incandescent can not exceed 150-watts; Gas can not exceed the equivalent amount of light produced by a 100-watt incandescent fixture
 1. Other fixture types will be considered on a case-by-case basis. Max luminosity guidelines still apply.
- f. High Pressure Sodium and Mercury Vapor lights are strictly prohibited.

Satellite Dishes:

18. Antennas and Dish-Type Devices

a. Dish-Type Devices in Excess of One Meter (39 inches). No direct broadcast satellites, multichannel multipoint distribution type devices, and microwave broadband transmitters and receivers (referred to herein collectively as "Dish-Type Devices") which exceeds one meter (39 inches) in diameter is permitted on any lot.

b. Dish-Type Devices of One Meter (39 inches) or Less, Antennas and Related Masts. A Dish-Type Device of one meter

(39 inches) or less, television broadcast antennas ("Antennas") and related masts, are permitted to be placed on a lot provided any such item complies with all of the below set forth minimum conditions. Further, the Association must receive written notification at its then current address from the owner of the applicable lot, on or before the installation of any Dish-Type Device, Antenna or related mast provided for in this Section 18(b). Such notification must include the type and color of the Dish-Type Device, Antenna and any related mast to be installed, and the method, manner, and site of installation. The site must be shown in a plot plan.

If the owner of a lot proposes to install a Dish-Type Device, Antenna and any related mast as set forth in this Section 18(b) in any manner whatsoever which does not strictly comply with the below set forth minimum conditions, such owner must submit an application to the ARC and obtain the written approval of the ARC prior to commencing such installation. In connection with the ARC's decision, the ARC shall consider such factors as it deems appropriate, in its reasonable discretion. The application to the ARC must be made on a form approved by the ARC and contain such information as may be required by the ARC, including a statement which specifically describes the manner in which it is proposed that such Dish-Type Device, Antenna and related mast will vary from such minimum conditions. The ARC shall endeavor to make its decision regarding the proposed Dish-Type Device, Antenna and any related mast on an expedited basis within seven (7) days after receipt by the ARC of the completed application and all information required therein. The granting of a variance from such minimum conditions shall in no way affect the owner's obligation to comply with all governmental laws and regulations and other regulations affecting the lot concerned.

c. Minimum Conditions. In addition to the foregoing requirements, no Dish-Type Device, Antenna, or any related mast shall be erected, constructed, placed, or permitted to remain on any lot unless such installation strictly complies with the following minimum conditions (however, each Minimum Condition shall not apply if it unreasonably delays installation of the applicable Dish-Type Device, Antenna, and any related mast, or unreasonably increases the cost of such items or their installation, or precludes reception of an Acceptable quality signal):

i. The Dish-Type Device, Antenna and any mast must be located to the rear one-half (1/2) of the lot and must serve only

improvements on the particular lot in which it is located.

ii. To the extent feasible, the Dish-Type Device, Antenna and any mast, including its base and anchoring structure, shall not extend above the roofline of the house located on the lot and shall not be visible from the frontage street or any adjoining street.

iii. To the extent feasible, no Dish-Type Device, Antenna or mast shall be constructed or placed or permitted to remain on any utility easement or other easement or right-of-way located on any lot.

iv. The Dish-Type Device, Antenna and any mast must be securely mounted to a base, so as to be able to withstand the effects of high winds or other extraordinary weather conditions; however, no guy wires or similar mounting apparatus will be allowed.

v. No advertising slogans, logos, banners, signs or any other printing or illustration whatsoever shall be permitted upon or be attached to the Dish-Type Device, Antenna or mast.

vi. No Dish-Type Device or Antenna shall ever be used to send or receive any ham radio signal.

vii. No Dish-Type Device or Antenna shall be permitted to cause any distortion or interference whatsoever with respect to any other electronic device in the subdivision.

viii. The Dish-Type Device or Antenna and any mast shall be one solid color only and must match or blend with the color of the house located on the lot.

ix. Any Dish-Type Device, Antenna or related mast installed hereunder shall be installed in a manner that complies with all

applicable laws and regulations and manufacturer's instructions.

x. If any provision of this Section 18 is ruled invalid, the remainder of the provisions in Section 18 shall remain in full force and effect.

19. Exterior Painting

No exterior surface of any residence, garage or other structures on any lot shall be painted a color different from the original approved color without prior approval of the ARC. Two (2) of each color sample or "paint chip" of the proposed exterior color(s) must be included with each application submitted to the ARC. Only colors consistent with the Association standards (earth tones) will be approved. Garage doors must be painted the lightest color in the palette. **Brick on the home, sidewalk, driveway and fences may not be painted.**

The following additional guidelines shall also apply:

- a. Harmonious Colors –The proposed colors must be neutral and aesthetically cohesive with the colors of the exterior brick and roofing materials.
- b. Trim – Soffit, fascia boards, window and door trim and rain gutters must also be harmonious colors; however, the shades of trim color may be shaded to compliment (lighter/darker) the principal color of the residence or garage.
- c. Gutters – When rain gutters are painted, their color must match the color of the fascia board trim. When "maintenance free" gutters are installed or replaced, their color must match (as closely as possible) the fascia board trim.

20. Exterior Siding

Wood siding may be horizontal type only and must be Hardiplank. The use of diagonal or vertical siding is prohibited. When siding is replaced or added to any existing structure or new modifications 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).

Vinyl, vinyl coated aluminum or vinyl coated steel is not allowed.

The following guidelines apply to replacement or additional exterior siding:

- a. Thickness, visible width and spacing of siding must be consistent with that of the original exterior siding; each application submitted to the ARC shall include a 3" x 3" sample of the siding.

- b. Color of all siding (including siding that is not painted) must comply with the guidelines herein for painting.
- c. Exterior siding must be installed and maintained to avoid sagging, warping or irregular coloration; the Association may require the homeowner (at homeowner's sole responsibility and expense) to repair or replace siding that fails to adhere to these guidelines.

21. Roofing Materials and Accessories:

Roofing materials used shall be of a premium grade. Wood shingles are strictly prohibited. A copy of the contractors quote showing the shingle type, age rating and color must accompany the application. An alternative to the contractors quote would be a 2"X2" square sample of the shingle submitted with the application.

- a. Material: The proposed shingles shall be of an acceptable type, quality and color that are harmonious with the residence and applicable to that specific neighborhood. Shingles shall have a minimum 25-year warranty and be hurricane designed (110 MPH rating) or that as required by League City, whatever is more stringent.
- b. Accessories: All roof protrusions, including but not limited to skylights, roof ventilations or similar types of additions, require prior written approval by the ARC and must be located to the rear of the ridgeline and/or gable of any structure and shall not extend above the highest point of the structure. All roofing additions, if any, must match the roofing material and/or color as closely as possible or be harmonious with the color of roofing materials. The ARC shall have the right to approve exceptions to the foregoing in cases where energy conservation and heating/cooling efficiency require ventilators that, because of a particular roof design, cannot be hidden from public view.

22. Front Yard Planting Beds:

The sum of planting beds, walkways, et cetera, may not exceed twenty-five (25%) percent of the front yard area (defined by yard area in front of fencing separating front/back yards) and must be proportionate in appearance. Exceptions (e.g., homes on cul-de-sacs or with proportionally small front yards) will be considered on a case-by-case basis. Placement of additional beds will reviewed on a case by case basis.

- a. Location: Front planting beds are required of each residence. Landscape beds adjacent to the sidewalk/driveway must be a minimum of two (2) feet and a maximum of four (4) feet in width and must continue the length of the sidewalk/driveway. *Corner bed planting MAY be conditionally approved at the ARCs discretion. Note that this area is within an easement.*

- b. Materials: Please refer to the Association approved plant list.
- c. Maintenance: Plant beds must be maintained in such a fashion as to not detract from the neighborhood which includes mulching, pruning, and weeding.

23. Front Yard Accessories:

Front yard accessories shall be permitted under the following conditions:

- a. Location: Accessories must be an integral part of the landscaping and blend in with the existing landscaping. This includes the lot in front of the fence line and any side yards on corner lots.
- b. Size: Yard accessories are not to exceed eighteen (18) inches in height. The exception is decorative landscape planters used for the display of living flowers or other approved landscape material. In any case, the accessories must be harmonious with the home landscape design.
- c. Materials: Decorative accessories and landscape planters must be constructed of precast concrete, marble, painted cast aluminum terra cotta, treated wood, or other durable material. Plastic and fiberglass that is fashioned to resemble stone is acceptable. Plastic and fiberglass, and other materials, are not acceptable materials for landscape planters or decorative accessories. Birdbaths may not be used as planters.
- d. Maintenance: All accessories shall be maintained in such a fashion as to not detract from the neighborhood. Landscape planters must be maintained with living landscape materials at all times.
- e. Prohibited Accessories: Chairs, swings, bird baths, or flamingos are not allowed in the sodded area of front yards. Benches that are integral to or harmonious with the landscape design will be considered on a case-by-case basis. Other items not meeting the established guidelines are not permitted within the visible front or side yards of residential lots. This does NOT apply to portable items (i.e., items that can be easily moved and stored (generally meaning movable by a single person of average strength)).
- f. Traditional holiday decoration lights may be generally displayed for one (1) month prior to and two (2) weeks after any commonly recognized holiday for which such lights are traditionally displayed (i.e., Easter, Halloween, US Thanksgiving, Hanukah, and Christmas).

24. Front Yard School or Youth Affiliated Sports Signs:

Front yard school or youth affiliated sports signs shall be permitted under the following conditions:

- a. Location: Signs must be located in the landscaping beds and blend in with the existing shrubbery or trees.
 - b. Size: Signs are to be no larger than 36" x 42" and may not exceed five (5) feet in height above natural ground.
 - c. Materials: Signs are to be of wood, plastic or metal and must not be flags or banners as determined by the ARC, in its sole discretion.
 - d. Maintenance: All accessories shall be maintained in such a fashion as to not detract from the neighborhood.
 - e. Prohibited Signs: Signs should be in good taste, and shall not be obnoxious to the eye or cause embarrassment, discomfort, and/or annoyance. Signs should have no telephone numbers or commercial advertisements.
25. **Outdoor Carpeting:** Outdoor carpeting can only be installed on porch area. Only earth tone colors are acceptable.
 26. **Burglar Bars:** Burglar bars are acceptable provided they are in harmony with the house and painted to match exterior trim.
 27. **Birdhouse:** Only one birdhouse pole per residence is allowed. Birdhouse must be placed toward the middle of back yard and not visible from the fronting street. Maximum allowable height is twelve feet (12'). Must be mounted on 2" diameter metal pipe painted white or black.
 28. **Window Air Conditioners:** Window air conditioners must not be visible from street and must be below the fence line.
 29. **Window Shades/Awnings:** Canvas awnings will not be permitted. Awnings will be allowed for use on playhouses and patio covers, provided they are earthtone colors and kept in excellent condition at all times. Metal and wooden slat type shades will not be permitted.
 30. **Electronic Devices:** No electronic devices shall be permitted to cause any distortion or interference whatsoever with respect to any other electronic device in the subdivision.
 31. **Wind Turbines:** Wind turbines preferably should either be a color which will blend with the shingle color instead of unfinished aluminum, or be painted to match the shingle color and positioned on the rear slope of the

roof structure so as not to be visible from the fronting street. Ridge vents should be of a color which will blend with the shingle color.

32. **Pre-existing Violations:** Improvements which are existing as of the effective date of these guidelines and which are in violation of these guidelines (and therefore, ordinarily will not receive ARC approval) should receive ARC approval as long as they do not violate the CC&Rs and the owner submits a Request for Home Improvement Approval form and other information required by these guidelines.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Dwight D. Sullivan 2012023508

May 07, 2012 03:54:28 PM

FEE: \$108.00

Dwight D. Sullivan, County Clerk

Galveston County, TEXAS