



## **Shady Oaks II Homeowner's Association Architectural Control Committee**

### **DESIGN STANDARDS AND GUIDELINES (ref. Restrictive Covenants 5.05)**

These Design Standards are hereby adopted by the Shady Oaks II Homeowner's Association, Inc. It is the intent of these standards to create a stable and lasting community at Shady Oaks II and to protect and enhance the property values of all owners while still permitting each property owner or occupant to pursue the liberties they are so entitled.

Nonetheless, the statements made herein are intended to constitute general guidelines and are not intended to be relied upon as a final determination of any circumstance within the authority of the Board of Shady Oaks II Homeowner's Association, Inc. (SOIIHOA) or the Architectural Control Committee (ACC.) The ACC should be contacted for any actual determinations under the SOIIHOA Declaration of Covenants and Restrictions.

#### **ARCHITECTURAL CONTROL COMMITTEE:**

Approval by the ACC shall not be deemed to constitute compliance with the requirements of any local building codes, development regulations, solar ordinances, zoning codes, or any other governmental laws or regulations and it shall be the responsibility of the applicant/owner to comply therewith.

ACC Project Approval Application Forms will be reviewed by the committee within 15 days of receipt of the application and supporting materials to include color samples, designs, and layouts. A copy of the completed request signed by a committee member will be returned to the applicant's property address unless other arrangements have been made.

Unless otherwise expressly provided herein to the contrary, all approvals required shall be in writing and may be granted or withheld at the sole discretion of the ACC. Any approval pursuant to these guidelines does not constitute a warranty, assurance, or representation by the approving party; and the approving party should have no responsibility by virtue of such approval.

The ACC reserves the right to waive or vary any of the procedures or Design Standards at its discretion, for good cause shown. Any waiver or variance granted shall be considered unique and will not set any precedent for future decisions.

#### **GENERAL PROVISIONS:**

No construction or alteration of any structure or landscape, other than routine maintenance and repair, shall take place without prior written approval by the ACC as to the quality of workmanship and materials, harmony of external design with existing structures, and location with respect to topography and finish grade elevation and the master drainage plan. (ref. Restrictive Covenants 5.11)

No application for approval is required for general maintenance or replacement in which there is no change in the nature, kind, shape, color, size, material or location. The ACC does not currently impose any fees for review of plans or inspections.

## TABLE OF CONTENTS

1. Animals .....	4
2. Antennae and Satellite Dishes .....	4
3. Cameras and Video Surveillance .....	4
4. Clothesline, Garbage Cans, Woodpiles, Etc. ....	4
5. Commercial and Recreational Vehicles and Trailers .....	4
6. Composting and Composting Devices .....	5
7. Construction Hours .....	5
8. Decks / Arbors / Pergolas .....	5
9. Doors .....	5
10. Driveways.....	5
11. Fences .....	5
12. Flagpoles and Flags.....	7
13. Garage and Doors .....	7
14. Holiday Decoration .....	7
15. Landscaping .....	7
16. Lawns, Grass, and Groundcover .....	8
17. Lights and Lighting .....	8
18. Mailboxes .....	8
19. Maintenance .....	8
20. Notices .....	9
21. Nuisances .....	9
22. Outbuildings and Storage Sheds .....	9
23. Paint / Exterior Color .....	10
24. Parking Across Sidewalks .....	10
25. Patios .....	10
26. Pools and Spa Equipment .....	10
27. Rain Barrels or Rainwater Harvesting .....	11
28. Reasonable Enjoyment / Nuisance .....	11
29. Recreational Equipment .....	11
30. Religious Display .....	11
31. Retaining Walls .....	12
32. Roofing Materials .....	12
33. Signs .....	12
34. Solar Energy Devices .....	13
35. Storm Doors .....	14
36. Trash and Rubbish Removal .....	14
37. Tree Removal / Replacement .....	14
38. Window Coolers .....	14
39. Window Replacement .....	14
40. Window Treatments .....	15
41. Yard Decorations .....	15

REVISION HISTORY ..... 16

Appendix A – Trees ..... 17

Appendix B – Grass and Groundcover ..... 18

## **ARCHITECTURAL GUIDELINES:**

### **1. Animals:** (ref. Restrictive Covenants 6.20)

- ☐ No agricultural animals may be kept on any Lot.
- ☐ A maximum of three animals (dogs, cats, or other common household pets) may be kept by the Owner or tenant of any Residence.
- ☐ Animals may not be kept for any commercial purpose.
- ☐ Animals may not be permitted to run freely away from its Owner's Lot.
- ☐ No animal may be allowed to become a nuisance.
- ☐ The following may be found in the City of NRH Code of Ordinances:
  - a. "Leash Law", 14-2
  - b. "Pooper Scooper Law", 14-131.b
  - c. Excessive noise, 14-134

### **2. Antennae and Satellite Dishes:** (ref. Restrictive Covenants 6.14) Direct Broadcast Satellite (DBS) receivers are acceptable and may be installed without prior approval by the ACC provided upon compliance with the following conditions:

- ☐ No more than two (2) DBS receivers shall be installed and maintained on any Lot
- ☐ DBS receivers shall be installed in the rear of the residence or in an unobtrusive location.
- ☐ The DBS receiver shall be forty (40) inches or less in diameter.

No antennae, C-Band Dish, BUD, large DTH satellite dish, or electronic device of any type shall be placed on any Residence, Structure or Lot so as to be visible from a street, common property, or another Residence.

### **3. Cameras and Video Surveillance:** (ref. Restrictive Covenants 6.14) While a home surveillance video camera can deter crime, it can also detract from the beauty of the neighborhood. The Association does not require the use of "totally-hidden" surveillance systems and has adopted these guidelines for installation of a home video surveillance camera:

- ☐ Do not aim a camera directly into the windows of a neighboring property. Cameras should not be used as instruments of voyeurism,
- ☐ Position cameras in an inconspicuous place as not to advertise their existence, and
- ☐ Use a camera color that blends with the area. Paint or conceal if necessary.

As long as these guidelines are met, a permit shall not be required. If the camera is visibly noticeable from the street, sidewalk, or neighboring property; or upon the request of any Association Member, an application for the exterior change shall be required.

### **4. Clothesline, Garbage Cans, Woodpiles, Etc.:** (ref. Restrictive Covenants 6.15) All clotheslines, equipment, garbage cans, and woodpiles shall be kept screened by adequate planting or fencing so as to conceal them from view by neighboring Residences and streets and may be maintained in the rear yard on a Lot only.

### **5. Commercial and Recreational Vehicles and Trailers:** (ref. Restrictive Covenants 6.17) The following descriptions shall be used to clarify Section 6.17:

- ☐ Commercial vehicles: "any motor vehicle designed or used for the transportation of property, not including a passenger bus, passenger automobile, motorcycle or pickup truck;" (ref. NRH Code Sec 54-1)

- ☐ Commercial use truck: include, but not limited to, all automobiles, trucks and other vehicular equipment including station wagons, which bear signs or shall have printed on the sides of same reference to any commercial undertaking or enterprise;
- ☐ Bus: "every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons;" (ref. NRH Code Sec 54-1)
- ☐ Trailer: a nonautomotive vehicle designed to be hauled as a: a vehicle for transporting something <a boat trailer>; b: a vehicle designed to serve wherever parked as a temporary dwelling or place of business.

6. **Composting and Composting Devices:** (ref. Restrictive Covenants 6.21) Residents may compost organic materials in the rear Lot. The Composting Device/Bin must be substantially screened from public view from any street or common area, or view from another Lot.

- ☐ Use of a rodent or pest resistant bin is required for composting food waste.
- ☐ No portion of the System may encroach on an adjacent property or common area(s).
- ☐ Composting may not omit noxious or offensive smells detectible from an adjacent property, public right of way, or common property.
- ☐ A composting area may not be located within 36 inches of an adjacent property.
- ☐ Composting may not allow insects, other than worms used in worm composting, to propagate.
- ☐ The System must be maintained in good condition or should be removed
- ☐ The System shall not be allowed to pose a health or safety risk.

*Reference: TPC section 5202.007*

7. **Construction Hours:** (ref. Restrictive Covenants 6.34) Except in an emergency, exterior construction work, or noisy interior construction work, shall be permitted only after 6:00 A.M. (0600) and before 9:00 P.M. (2100).

8. **Decks / Arbors / Pergolas:** (ref. Restrictive Covenants 6.18) All decks shall be approved by the ACC. Elevated and ground level decks are an extension of the house which can impact its exterior appearance and may affect the privacy of adjoining homes. While a professional drawing is not required, it should show scale and dimensions. The scale and style of the deck shall be compatible with the Residence to which attached adjacent Residents and the environmental surroundings. Wood decks shall be constructed of high quality pressure-treated wood (#2 southern grade yellow pine or better), cedar which remains stable in exterior applications, or composite materials. Decks may be left to age naturally, treated with a transparent preservative stain, or stained/painted with a color approved by the ACC. Arbors and pergolas must be approved by the ACC.

9. **Doors:** (ref. Restrictive Covenants 5.16.C) Any painted materials must be an approved color. Door designs complementary to the overall residence design are preferred. Overly ornate, gaudy, or period designs shall not be allowed. (see *Storm Doors and Garage Doors*)

10. **Driveways and the replacement of existing driveways:** (ref. Restrictive Covenants 5.06 E) specifications of material, color scheme, lighting scheme and other details affecting the exterior appearance of all proposed Structures and alterations to existing Structures. Pea gravel, aggregate, plain concrete and pavers are allowed.

11. **Fences:** (ref. Restrictive 6.12) Fences can be the source of bitter arguments between neighbors. Common disagreements include what type of fence to install, what repairs are needed, and how to share the costs. The

Association encourages neighbors to communicate with one another and resolve ownership and cost issues. Owners may refer to their Property Survey to help determine ownership and maintenance responsibilities. However, the Association may determine that the property on which the posts are installed as the Property Owner ultimately responsible to the Association for the fence maintenance. No fence shall be erected or altered on any Lot without the prior approval of the ACC. Fences may be wood picket fencing or decorative metal fencing (wrought iron) as approved by the ACC. Fences shall conform to the following criteria:

- ☐ The finished side of the fence shall be displayed outward toward public view from any street or common area.
- ☐ No fence shall be constructed which obstructs vision from intersection streets, driveways, sidewalks or other traffic areas.
- ☐ Fencing shall not be constructed more than six feet (6') above grade height unless approved by the ACC.
- ☐ Privacy fences eight feet (8') above grade height may be permitted under special circumstances but shall maintain the architectural harmony of the neighboring Residences as well as the applicable Residence. Examples of special circumstances include:
  - o The rear Lot fence of properties on the perimeter of the neighborhood;
  - o Areas where the grade is significant enough (2' drop within 4' of the fence line) to warrant a taller fence.
- ☐ Measurement of fence height may be conducted within four feet (4') of the fence line.
- ☐ Wood Privacy Fencing / Picket Fences
  - o Pre-existing fences with 4"x4" treated lumber may be repaired using like materials. New and replacement fences shall use Stainless Steel or aluminum posts.
  - o Decorate post caps and features shall be submitted to the ACC for review.
  - o Vertical stockade, shadowbox, and board-over-board style are acceptable.
  - o Dog eared and flat top picket privacy fences are preferred.
    - Decorative pickets such as French Gothic and Gothic must be approved by the ACC.
    - Horizontal, basket weave, lattice, and vinyl fences are not preferred.



- ☐ Metal Fencing
  - o Decorative metal fencing (wrought iron type) fences shall be reviewed on a case by case basis. *ADVISORY: Use of a decorative metal fence may allow public view from any street or common area of the rear lot area.*
  - o No woven metal or chain link fences (including chicken wire, hog wire, double mesh, poultry net) will be allowed except as approved by the ACC as small pet enclosure (i.e. dog run), such pet enclosures to be screened by privacy fencing from direct view from the street as well as other fencing and/or plant materials may be required and approved by the ACC.
  - o Barbed wire fences will not be approved under any circumstances.
- ☐ Accessory barriers used to contain smaller pets that could fit through metal fence pickets may be used when subdued in color, maintained in good condition, aesthetically pleasing and harmonious with the surroundings.

12. **Flagpoles and Flags:** (ref. Restrictive Covenants 6.16) Flagpoles shall be evaluated on a case by case basis to include size and location upon the property as well as a lighting plan and a plan to reasonably abate noise caused by an external halyard if present. Size, location, and materials used should be harmonious with the dwelling and neighborhood.
- ☐ Each Lot may install a single flagpole staff that must comply with zoning ordinances, easements, setbacks of record, and constructed of materials complementary to the dwelling.
  - ☐ A displayed flag and the flagpole on which it is displayed must be maintained in good condition or removed.
  - ☐ A flagpole staff which does not exceed six feet in length and is attached at an incline to the wall or pillar of the Structure is preferred.
  - ☐ Flags may not exceed 36" x 60".
  - ☐ The flag of the United States of America (displayed in accordance with 4 U.S.C. Sections 5-10), the flag of the State of Texas (displayed in accordance with Chapter 3100, Government Code), or a flag of any branch of the United States armed forces are allowed. Other flags may be subject to review by the ACC.

*Reference: TPC section 5202.011*

13. **(a) Garage Doors:** (ref. Restrictive Covenants 5.16.C) All garages must have doors, and each garage door must be coordinated in design with the original garage doors. Garage doors shall be painted / colored in coordination with the dwelling to which it is attached, or by which it is constructed if detached. Replacement garage doors shall be approved by the ACC and require an ACC application.

**(b) Garages – Replacements, Extensions, New Detached (ref. Restrictive Covenants 1.17, 5.16(c), 6.24, 6.38)**

All garages must be a minimum of two-car in size. If only a two-car garage exists, neither car stall can be closed off to create a workspace or room. Lot space allowing, and with approval by the city, an owner may extend their garage to a 3-car or add a separate detached garage. Further, an attached garage can only be enclosed and made a part of the original dwelling, if a separate minimum two-car garage is built on the property and accessed by an approved driveway. All garages, whether attached or detached, must be in keeping with the design, character and aesthetic of the home to which it is attached or from which it is detached. Such garage must be a minimum of 75% brick allowing 25% for soffit, trim and doors. The roof of an attached or detached garage must be the same style and color as the roof of the dwelling. The roof height and pitch must meet code and be compatible in style with the dwelling. The trim paint color on the garage must coordinate with the dwelling. Prefabricated, metal, wood, vinyl, concrete block or other materials, and carports, are not allowed. The driveway to a garage extension, or new detached garage, must be compatible with the main driveway of the dwelling. ACC applications are required, along with a copy of the Contractor's proposal and a copy of the City Permit (for garage and driveway) once it is received.

14. **Holiday Decoration:** (ref. Restrictive Covenants 5.16.C) Holiday decorations may be displayed no earlier than thirty (30) days before a given holiday. All holiday decoration shall be removed ten (10) days after a given holiday and stored out of public view.

15. **Landscaping:** (ref. Restrictive Covenants 6.05) Minor landscape improvements shall not require an application. Minor improvements include:

- ☐ Planting of annuals or perennials in existing beds.
- ☐ Single specimen plantings provided that such plantings at maturity are in scale with the home and lot.
- ☐ Installation of edging around existing or approved beds

- ☐ Landscape and improvements of a small scale which do not materially alter the appearance of the lot or involve a change in topography or grade.

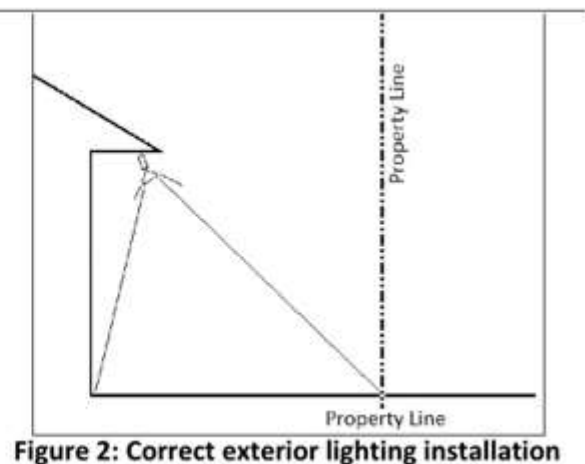
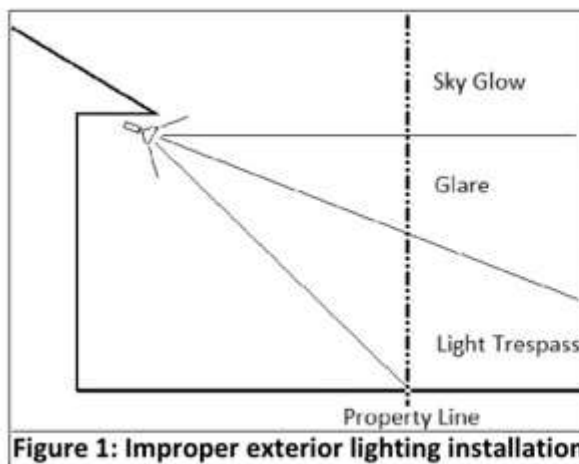
No "desert style" landscaping, rock covered yards, or other stone yard cover will be allowed

**16. Lawns, Grass, and Groundcover:** (ref. Restrictive Covenants 6.05) A list of grasses and groundcover can be found in Appendix B.

- ☐ Sod front and side yard areas that are visible from the street or sidewalk with grass.
- ☐ Limited use of groundcover in landscaping (<10% of the yard area) is acceptable.
- ☐ Widespread use of groundcover (>10% of the yard area) requires prior written approval from the ACC.

**17. Lights and Lighting:** (ref. Restrictive Covenants 6.35) ACC approval is necessary to modify existing lighting or add exterior lighting. Exterior lighting for security, decoration and/or other uses must be directed toward the ground and/or house, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties or any nearby right-of-way.

Holiday lighting and decorations do not require approval. (see *Holiday Decoration*)



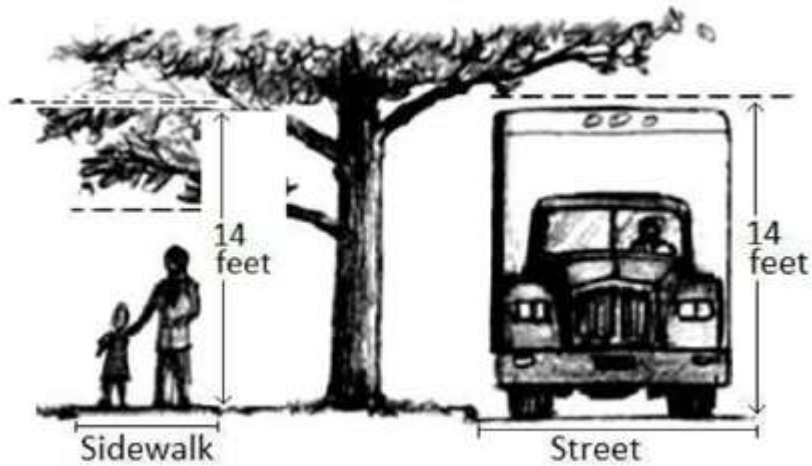
**18. Mailboxes:** (ref. Restrictive Covenants 6.28) Mailboxes shall be constructed of brick, ornamental iron, or masonry material complementing the style and materials of the Residence.

**19. Maintenance:** (ref. Restrictive Covenants 6.16; Bylaws 8.02)

Trees: Figure 3: Tree trimming clearance above sidewalks and streets.

- o Diseased or dead plants or trees must be removed and replaced within a reasonable time frame. (see *Trees*)
- o Trees, hedges, or plantings shall not encroach sidewalks or streets.
  - Minimum clearance above sidewalks shall be eight feet (14').
  - Minimum clearance above public streets or curbs shall be fourteen feet (14').





- ☐ Lawn maintenance shall include regular mowing, edging of turf areas, weeding of plant beds, fertilizing, weed control and watering of the turf and landscape areas.
  - Lawns shall be considered neglected when:
    - Any grass or weed height exceeds ten inches (10") in height.
    - Bare spots and weeds account for <sup>N</sup>25% (or more) of the landscape area.
    - The vegetation is allowed to encroach in any public right of way, drive way, or improvements located on the Lot.
    - The vegetation is maintained so as to cause an obstruction to the vision of motorists or hazardous condition to pedestrians or vehicle traffic.
- ☐ Fences shall be considered dilapidated if, within any eight-foot (8') section 10% of its pickets or structural members are damaged, missing or rotted; or if any 8-foot section is more than 15% off vertical alignment. (see *Fences*)
  - To ensure a safe environment for all residents, fences located between properties may be reviewed for stability.
  - While cooperation is encouraged between adjoining properties, the fence shall be considered the responsibility of the Resident upon whose property the posts reside. This may or may not be indicative of the vertical picket facing side.

20. **Notices:** Refused or unclaimed notices. Any notice that is mailed to a property owner in accordance with this article, and the United States Postal Service returns the notice as "refused" or "unclaimed," the validity of the notice will not be affected, and the notice is considered as delivered.

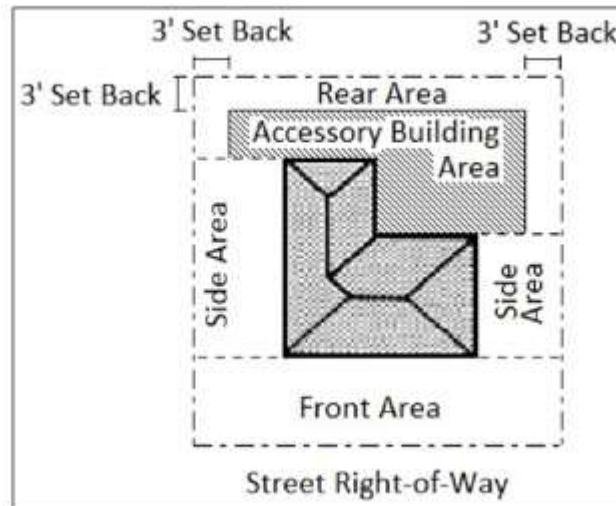
*Reference NRH 34-74, Code 1975, 5 11-73, TX Code 5 342.006*

21. **Nuisances:** See *Paragraph 28 - Reasonable Enjoyment / Nuisance*

22. **Outbuildings and Storage Sheds:** (ref. Restrictive Covenants 6.08) Outbuildings shall be reviewed on a case-by-case basis. A lot layout plant, color samples, and roof material samples shall be provided with the application. The use of metal storage sheds is prohibited. Outbuildings shall be limited to eight feet (8') in height and constructed with material and a design determined by the ACC to be compatible with the design of the Residence.

Temporary accessory buildings should not be located within three feet (3') of the property side boundary; should not be forward of the structure rear boundary set back line; and in the case of corner lots, should not extend past the main structure side on the side facing the street. (ref. *NRH code 118-718*)

Permanent accessory buildings have the added constraint that they should not be located over any easements. (ref. *NRH code 118-718*)



**Figure 4: Lot area definition and acceptable accessory building location.**

23. **Paint / Exterior Color:** (ref. Restrictive Covenants 5.16.C) Changes to the color of the principal structure or residence shall be submitted in writing with color samples and supporting documentation to the ACC for approval. All finish colors, with the exception of accent trim, shall be subtle, natural, and traditional tones; primary or bright pastel colors are prohibited except for accent purposes. Color submittals shall be furnished to the Architectural Review Committee prior to delivery or application of materials. Re-painting or touch-up painting, using the current approved color key plan, is acceptable and may be performed without prior approval by the ACC. Full painting of the brick exterior is not allowed. Light German Smear or Light Lime Wash will be considered on an individual basis, based on the degree of remaining brick exposure. 50% exposure of brick required. Multi-brick samples of such Smear or Wash required. ACC Application is required.
24. **Parking Across Sidewalks:** It is unlawful (misdemeanor) to park any motor vehicle or trailer across or upon any sidewalk for pedestrians. The Association may recommend you contact the NRH Police if this becomes a systemic problem.  
*Reference NRH TX Code of Ordinances, Chapter 54, Article IV, Section 161*
25. **Patios:** (ref. Restrictive Covenants 5.16.C) All patios require approval by the ACC. Patios must be located in rear yards. Any adverse drainage requirements which might result from the construction of a patio shall be reviewed.
26. **Pools and Spa Equipment:** (ref. Restrictive Covenants 6.27) No above ground pools shall be permitted.

**27. Rain Barrels or Rainwater Harvesting:** (ref. Restrictive Covenants 6.04) A Rainwater Recovery System may be installed with advance written approval by the ACC subject to these guidelines:

- ☐ No portion of the System or runoff may encroach on an adjacent property or common area(s).
- ☐ Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the System, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes, and hoses, must be substantially screened from public view from any street or common area, or view from another Lot.
- ☐ The barrel may not exceed 55 gallon, must be installed on a level base, and be painted to blend in with the adjacent home or vegetation.
- ☐ Overflow must not be directed onto or adversely affect adjacent properties or common areas.
- ☐ The System must be maintained in good condition or should be removed.
- ☐ The System shall not be allowed to pose a health or safety risk or promote mosquito or insect propagation.

*Reference: TPC section 5202.007*

**28. Reasonable Enjoyment / Nuisance:** (ref. Restrictive Covenants 6.22) The Association's Board is authorized to determine what constitutes a violation of this restriction. Definitions shall be incorporated within the Design Standards as necessary. Many Nuisances are defined and enforced by the City of North Richland Hills, TX. An Attractive Nuisance may be considered as any condition which is or may prove to be unsafe or dangerous to children or which otherwise blights the neighborhood. Some examples of a nuisance or attractive nuisance include:

- ☐ Allowing poison ivy or poison oak to remain on a Property;
- ☐ Allowing sediment or acorns to accrue or remain on a sidewalk as an impediment to public use; or
- ☐ Allowing offensive signs, words, or symbols to remain in public view from the street or common area, or viewable from another Lot.

*Reference NRH Code 34-33*

**29. Recreational Equipment:** (ref. Restrictive Covenants 6.18)

- ☐ Basketball goals may be placed adjacent to the driveway if the backboards are installed behind the front building line and are constructed of a clear plexiglass as approved by the ACC.
- ☐ Exterior playground equipment greater than 24 square feet and/or over six feet (6') in height requires ACC approval and shall be reviewed on a case-by-case basis.
  - Playground equipment shall be located within the backyard that is enclosed by an approved fence.
  - The playground equipment shall not be placed nearer than five feet (5') to an interior sideline of the lot.
  - Such play equipment shall be of an appropriate scale and constructed of approved material (see *Decks / Arbors / Pergolas*) and of an approved color.

**30. Religious Display:** (ref. Restrictive Covenants 6.10) One or more Religious Displays or religious items, not considered part of a Holiday Decoration, may be displayed or affixed on the entry to the owner's or resident's dwelling provided that the display:

- ☐ Does not exceed 25 square inches;
- ☐ Does not threaten public health or safety;
- ☐ Does not violate the law;
- ☐ Does not contain language, graphics, or any display that is patently offensive to a passerby;
- ☐ Does not extend past the outer door frame of the owner's or resident's dwelling.

Reference: *TPC section 5202.010*

31. **Retaining Walls:** (ref. Restrictive Covenants 6.12) Retaining walls shall be masonry on the front and all side Lot areas between the Residence and any adjacent streets. Retaining walls may be of other materials as approved by the ACC in the rear and side Lot areas where masonry is not required. The masonry retaining walls shall match or be compatible with the exterior materials of the residence.

32. **Roofing Materials:** (ref. Restrictive Covenants 5.16.C)

- ☐ Roofing repairs that match the existing color, composition, and style shall be considered maintenance and thus do not require an application.
- ☐ Entire roof replacement and changes in color or material will require ACC approval. A sample of the roofing material shall be provided at the time of application.
- ☐ Provided that roofing materials resemble the shingles shown in Figure 5 and match the aesthetics of the property surrounding the owner's property, Roofing material may:
  - be wind and hail resistant;
  - Provide heating and cooling efficiencies greater than those provide by customary composite shingles; or
  - Provide solar generation capabilities
- ☐ Specific Aesthetic criteria include: Per 2022 Brands and current Color Choices. Brands shown are for example only. Other compliant Brands may be available.
  - Architectural Style, 3-dimension shingle roofs. (EX: **GAF Timberline**: HD, Ultra HD, Natural Shadow; **Owens Corning**: Oakridge; **Tamko**: Heritage Shingles; **Malarkey**: Highland, Legacy, Legacy XL, Vista)
  - Weather Wood is the preferred color; Alternatives, depending on the manufacturer, include: Estate Gray, Oxford Grey, Thunderstorm Grey, Storm Grey, Pewter Grey, Slate. No Blues, Browns, Greens, Reds, Silvers, Tans or Whites.
  - The following styles have **not** been approved: concrete tiles, wood shingles, shake roofing, eco-shake shingles, rubber roofing, metal roofs, traditional style three-tab shingles.



**Figure 5: Example of the style/color approved by the ACC during the original build.**

Reference: *TPC section 5202.011*

33. **Signs:** (ref. Restrictive Covenants 6.10) No signs whatsoever shall, without the ACC's prior written approval of plans and specification therefore, be installed, altered, or maintained on any lot or on any portion of a structure visible from the exterior thereof, except:

- ☐ Such signs as may be required by legal proceedings.
- ☐ Not more than one "For Sale" sign, such sign having a maximum face area of six square feet and a height not to exceed five feet in overall height; and, provided that such sign may only be displayed in the front yard of a lot.

- ☐ Any sign required by any governmental authority having appropriate jurisdiction.
- ☐ Temporary signs (garage sale, lawn sale, etc.), such sign having a maximum face area of six square feet and a height not to exceed three feet; and provided that such sign shall not be posted more than 24 hours prior to the beginning of the sale and shall be removed within 24 hours following the end of the sale.
- ☐ Two Security signs, each not exceeding a total of sixty-four square inches (64") may be posted on the property. One sign may be posted forward of the front plane of the home.
- ☐ One temporary sign promoting each political candidate or ballot items for an election having a maximum face area of six square feet and a height not to exceed three feet; and provided that such sign shall not be posted more than 90 days prior to the date of the election to which the sign relates; or after the 10<sup>th</sup> day after the election days.

Reference: *TPC section 5202.009*

**34. Solar Energy Devices:** (ref. Restrictive Covenants 6.14) The Device may only be installed with advance written approval of the ACC subject to these guidelines:

- ☐ The Device must be installed on land owned by the property owner. No portion of the Device may encroach on an adjacent property or common area(s).
- ☐ The Device may only be installed in the following location(s):
  - On the roof of the main residential dwelling; or
  - On the roof of another approved structure; or
  - Within the fenced yard or patio.
- ☐ For Devices mounted on a roof, the Device:
  - May not have any portion higher than the roof section to which it is attached; and
  - May not have any portion extend beyond the perimeter boundary of the roof section to which it is attached; and
  - Must conform to the slope of the roof; and
  - Must be aligned so its top edge is parallel to the roof ridge line for the roof section to which it is attached; and
  - Must have the color of the frame bracket(s) and visible piping or wiring match the roof shingles, or a bronze or black tone commonly available in the marketplace; and
  - Must be located in a position on the roof which is least visible from any street or common area, so long as such location does not reduce the estimated annual energy production by more than ten (10%) percent over alternative roof locations as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory ([www.nrel.gov](http://www.nrel.gov)) or an equivalent entity.
  - The barrel may not exceed 55-gallon, must installed on a level base, and be painted to blend in with the adjacent home or vegetation.
- ☐ For devices located in a fenced yard or patio, no portion of the device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the device, the device shall be placed in a location behind a structure or visual screening shall be required to prevent public view from the street, common area, or viewed from another Lot.
- ☐ Installed Devices may not:
  - Threaten public health or safety;
  - Violate any law; or
  - Interfere with the use and enjoyment of the land by causing unreasonable discomfort or annoyance to any adjoining property owner.
- ☐ All Devices must be maintained in good repair. Unused or inoperable Devices must be removed.

Reference: *TPC section 5202.010*

35. **Storm Doors:** (ref. Restrictive Covenants 5.16.C) Storm doors will be approved by the ACC on a case-by case basis. A picture of the door should accompany the application if possible. The storm door should meet the following criteria:

- ☐ The storm door must be a full-view or cross buck style door, or similar to these two styles.
- ☐ Only insect screening or glass shall be in the opening. Mesh, grill, or security bars shall not be allowed.
- ☐ Style and coloring should complement the home's door and trim color.

36. **Trash and Rubbish Removal:** (ref. Restrictive Covenants 6.21)

- ☐ No trash, rubbish, garbage, manure, or debris of any kind shall be kept or allowed to remain on any lot
- ☐ No lumber, metals, bulk materials or solid waste of any kind shall be kept, stored, or allowed to accumulate on any Lot unless coordinated with the ACC. Construction materials and waste shall not be stored in public view overnight; 9:00 P.M. (2100) - 6:00 A.M. (0600)

37. **Tree Removal / Replacement:** (ref. Restrictive Covenants 6.05)

- ☐ No tree having a diameter of three (3) inches or more (measure from a point two (2) feet above ground level) shall be removed from any Lot unless such removal has been approved by the ACC.
  - Storm damaged trees and dead trees that pose a safety concern may be removed after alerting the ACC. Subsequently, an application for approval shall be submitted to the ACC with plans to replace the lost tree.
  - Replacement trees shall be a minimum of seven (7) feet in height when planted.

NOTE: A list of NRH Preferred Trees can be found in Appendix A.

38. **Window Coolers:** (ref. Restrictive Covenants 6.36) No window or wall type air conditioners or water coolers shall be permitted.

39. **Window Replacement** (ref. Restrictive Covenant 5.05a)

- ☐ The following **DOES NOT** require an ACC application for:
  - Replacing broken glass in an existing frame;
  - Replacing all house glass in existing frames.
- ☐ The following **DOES** require an ACC application for:
  - Replacement of entire windows (frames and glass,) all at one time.
  - Replacement of windows (frames and glass) in stages, with a Plan for continuing around the house.
- ☐ Whether only replacing glass or replacing entire windows:
  - The glass must meet or exceed current city code. For 2022: double pane, Low E. Glass must be clear glass only. Picture windows measuring 9 sq. ft. or more, must be tempered. Designer glass over the Master Tub area will be approved on a case-by-case basis depending upon location and street visibility. Frames can be wood, fiberglass, aluminum or vinyl. Colors can be almond, aluminum, black, bronze, taupe or white. Mullions (glass partitions/dividers) are optional. If done in sections, the windows must match with the previously replaced sections. Using the same manufacturer will be essential to maintain continuity of the windows around the house.
  - When replacing windows, the work can be done all at once, or in 3 stages if needed: all back, both sides or all front. Frames cannot be replaced one at a time on the front and sides of the home, rendering one window different from another in the same section. A copy of the Contract for Work must accompany the ACC app (showing Company Info, window brand, window style, frame type/color, and glass type.) Prices can be blacked out. A city permit may be required.

40. **Window Treatments:** (ref. Restrictive Covenants 5.16.C) No aluminum foil, newspapers, bed sheets, blankets or any similar items shall be used to cover the exterior windows. ACC approval is necessary when installing beveled glass, stained glass, adhesive films, etc.
41. **Yard Decorations:** (ref. Restrictive Covenants 6.16) On front lawns, wherever visible from any right-of-way, and when visible from any other Property, decorative appurtenances such as sculptures, birdbaths, birdhouses, fountains, benches, wind-chimes or other decorative embellishments may be subject to review by the ACC unless such specific item(s), including placement, has been approved by the ACC.

## REVISION HISTORY

---

Revision 3/18/2010

Initial Release

Revision 3/26/2011

Added TOC, references to controlling Covenant paragraph for each section, Figures 1, 2, 3, 4, Table 1, and TXDOT definitions to Commercial and Recreational Vehicles and Trailers

Revision 5/22/2011

Renumbered Figure 4 to 5, Added Figure 4 to clarify 'front, side, and back" of lot. Added Trash schedule per NRH code 66-3 (4)

Revision 1/03/2012

Added paragraphs: 5, 27, 18, 31, 24; modified paragraphs 9, 10, 25, 29, 30 to include provisions from TX HB1821, 82<sup>nd</sup> Legislature changes to TPC 5202

Revision 7/1/2013

Moved list of trees from Tree Removal and Replacement to Appendix A. Added Appendix B to clarify grasses, turf and groundcover. Added paragraph 3, Cameras and Video Surveillance and renumbered accordingly.

Revision 1/31/17

Added wording to Paragraph 23, Painting, to provide ruling on Full Painting of exterior brick.

Revision 10/26/17

Added wording to Paragraph 32, Roofing, to specifically list the roof colors not allowed.

Revision 4/30/2018

Renamed Paragraph 10 to "Driveways," adding provisions for Driveway replacements, and renumbered subsequent paragraphs. This increased paragraphs from 39 to 40. Added wording to Paragraph 23, Painting, to include German Smear and Lime Wash, with provisions. Modified paragraph 32 to update the old 2010 approved roof colors and give examples of current Brands with compliant 3-Dimensional Style. Corrected typographical/grammatical errors throughout the document.

Revision 2/26/2022

Added Window Replacement requirements

Revision 5/12/2022

Added to #13 Garages: Replacements, Extensions and New Detached requirements.

Revision 9/30/2022

Added to #32 Roofs: Revised color choices to allow charcoal and black roof colors.



## Appendix A — Trees

**Table 1: Preferred trees (listed in NRH 114-77) \*Vegetation particularly suited for this area**

COMMON NAME	SCIENTIFIC NAME
<b>LARGE TREES</b>	
<b>DECIDUOUS</b>	
* Bald Cypress	<i>Taxodium distichum var. distichum</i>
* Allee Elm	<i>Ulmus parvifolia</i>
* Cedar Elm	<i>Ulmus crassifolia</i>
Lacebark Elm	<i>Ulmus parvifolia</i>
* Panicked Goldenrain Tree	<i>Koelreuteria paniculata</i>
* Big Tooth Maple	<i>Acer grandidentatum</i>
* Caddo Maple	<i>Acer barbatum var. caddo</i>
Bur Oak (native)	<i>Quercus macrocarpa</i>
Chinquapin Oak (native)	<i>Quercus muehlenbergii</i>
* Texas Red Oak (native)	<i>Quercus buckleyi</i>
* Shumard Oak (native)	<i>Quercus shumardii</i>
Osage Orange (native) (fruitless, thorn tess cultivars only)	<i>Malcura pomifera</i>
* Ornamental Pear (Aristocrat, Bradford')	<i>Pyrus calleryana</i>
Pecan (native)	<i>Carya illinoensis</i>
* Chinese Pistache	<i>Pistachia chinensis</i>
Western Soapberry (native)	<i>Sapindus drummondii</i>
<b>EVERGREEN</b>	
Deodar Cedar	<i>Cedrus deodara</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
* Southern Live Oak	<i>Quercus virginiana</i>
Afghan Pine	<i>Pinus eldarica</i>
Japanese Black Pine	<i>Pinus thunbergiana</i>
<b>ORNAMENTAL TREES</b>	
<b>DECIDUOUS</b>	
* Crape Myrtle	<i>Lagerstroemia indica (cultivars)</i>
Desert Willow	<i>Chilopsis linearis</i>
Flowering Crabapple	<i>Malus spp</i>
* Oklahoma Redbud (native)	<i>Cercis canadensis var. texensis</i>
* Deciduous Holly (native)	<i>Llex decidua</i>
Mexican Plum	<i>Prunus mexicana</i>
Eve's Necklace	<i>Sophora affinis</i>
Redbud	<i>Cercis canadensis var. canadensis</i>
* Japanese Maple	<i>Acer palmatum (cultivars)</i>
Flameleaf Sumac	<i>Rhus copallina</i>
Prairie Flameleaf Sumac	<i>Rhus lanceolata</i>
<b>EVERGREEN</b>	
* Yaupon Holly	<i>Llex vomitoria</i>
Little Gem Magnolia	<i>Magnolia grandiflora ('Little Gem ')</i>
Eldarica Pine	<i>Pinus eldarica</i>

## Appendix B — Grass and Groundcover

**Table 2: List of common grasses and groundcover**

COMMON NAME	NOTES
<b>Grasses</b>	
Tall Fescue	Fast growing; requires more water in the warm season; grows well in full sun and moderate shade; may thin out and become "clumpy/" requiring re-seeding.
Kentucky-31	Common variety of tall fescue with slightly slower vertical growth rates, greater density, and shade tolerance.
Kentucky Bluegrass	Best in partial shade; becomes dormant in hot weather
Ryegrasses	Perennial or annual varieties; used as temporary cool-season turfgrass.
Bermuda	Thrives in hot weather; full sunlight; rapidly spreading.
St. Augustine	Spreads by long above-ground runners; aggressive but controlled by borders; shade tolerant warm season grass.
Zoysia	Warm-season, perennial, turf-type grass that spreads by stolons and rhizomes, producing a very dense turf that's characterized by stiff leaf blades. It exhibits exceptional wear tolerance, good drought tolerance and moderate shade tolerance.
<b>Groundcover</b>	
English Ivy	Popular vine and ground cover for shady areas. Clings easily to walls and fences. Many different varieties.
Liriope	Excellent ground cover for low border edging. Grass-like foliage grows in clumps. Many different green or variegated forms available. Flowers generally lilac, some are white. 'Variegated' and 'Majestic' are improved varieties.
Asian Jasmine	Very popular fast growing ground cover. Spreads by runners. Many different leaf forms available including variegated. Heat, drought and poor soil tolerant.
Ajuga	A popular ground cover plant that spreads quickly by runners. Bears spikes of blue flowers in summer. Many varieties available, some with bronze or variegated foliage.
Trumpet Vine	A very slow deciduous self-clinging native vine with dark green leaves. Panicles of trumpet-shaped salmon-red flowers bloom from late summer to fall. A vigorous climber that is great for a summer screen.

NOTE: These lists are not comprehensive, they are meant to offer examples of grasses and groundcovers.