

Fall Creek Architectural Control Committee Review Guidelines

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ARCHITECTURAL CONTROL COMMITTEE REVIEW GUIDELINES

The Architectural Review Committee (ARC) was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Covenants, Conditions and Restrictions provide that "No building, fence, wall, structure, improvement, exterior appurtenance, or exterior corporeal hereditament, except landscaping (landscaping defined as "living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth; i.e., bark, mulch, etc. Trellises, window boxes, arbors, and permanent brick borders must have Architectural Review Committee approval. Landscape timbers and bricks without mortar do not need Architectural Control Committee approval unless they exceed a height of one (1) foot"), shall be commenced, erected, placed, or altered on any Lot, nor shall any exterior addition to or change or alteration, other than landscaping, be made to the Lot, improvements, or appurtenances until the construction plans and specifications describing the nature, kind, shape, height, materials and a plot plan showing the location of same, have been approved in writing."

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 specifically referenced in the deed restrictions.

Procedure

A "Request For Home Improvement Approval Form" must be completed in its entirety and mailed to the address indicated at the top of the form. All pertinent information such as plans, specifications, building permits, locations indicated on a copy of the survey, etc. should be included with the application.

These 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 days from the date of receipt of an application in which to respond. If additional information is required by the ARC, the application process will be extended ARCCordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process.

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 should be contacted at a specified number.

Guidelines

The following are guidelines adopted by the ARC to specify their standards, requirements and thought processes used in evaluating an application. These guidelines will 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 CCRs.

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.

Because guidelines may change from time to time, it is highly recommended that they are not published and distributed to the homeowners. Instead, they should be used by committee members only for the processing of applications. This reduces the possibility of homeowners following obsolete guidelines in their home improvements.

1. Outbuildings

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

The colors should match/blend with the predominant exterior colors of the main residence.

- 1.1.1. Materials should match those of the main residence in both size and color, however, the ARC will approve small prefabricated metal storage buildings providing the color blends with the main residence.
- 1.1.2. It should have a peaked roof, no higher than eight feet (8') from the ground to the highest point, and a maximum of 10'x12' floor space. Structure must be kept a minimum of eight feet (8') off rear property line, unless granted variance due to configuration of individual lot and distance from side fence will be determined based on visibility from the street in front of the lot. At no time, however, will that distance from side fence be less than 3 feet, regardless of visibility. Location must also be far enough away from fence to allow for drainage to occur entirely on the owner's lot.
- 1.1.3. Storage building placed on a concrete slab on top of a utility easement will require letters of Consent to Encroach as it will not be considered portable. HL&P currently charges \$125.00 for this consent letter. If a storage building is not on the utility easement, but on a slab, and can be moved, the ARC will consider it as portable.
- 1.1.4. No storage building can be built up against any side or rear wall of home unless its maximum height is less than 6 feet and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size and location.
- 1.1.5. If under 6', may be placed in side yard provided 3' minimum is observed.

2. Play `structures

- 2.1 Playhouse/fort must be no higher than twelve feet (12') maximum. If fort has a platform, then platform can be no higher than four feet (4') off ground and centered in backyard to protect neighbor's privacy.
- 2.2 If play structure has an awning, canvas is allowed, however color is limited to dark green or tan. Also the canvas must be kept in quality condition or its removal will be requested by the HOA.

3. Gazebos

- 3.1 Freestanding – must be at least six feet (6') away from house. On a case-by-case review with a maximum height at peak of eleven feet (11') and must be three feet (3') off side property lines and eight feet (8') off back fence.

4. Basketball Goals

- 4.1. The basketball goal backboard and net must be maintained in excellent condition at all times.
- 4.2. Backboard must be regulation size and color.
- 4.3. If the backboard is mounted onto the roof by use of a small, triangular mounting structure, the mounting structure must be painted to match the shingle color.
- 4.4. If the backboard is mounted on a pole, pole can be no larger than 6" diameter and must be regulation height. Pole must be located behind front building set back line, on exterior side of driveway.
- 4.5. If any complaints are received within 6 months after installation, the basketball goal will be subject to immediate removal at the request of the ARC.
- 4.6. All backboards must be either clear or white fiberglass.

5. Patio Covers

- 5.1. Should be constructed of materials which complement the main structure.
- 5.2. Prefab covers made of aluminum may be approved providing they are of an earth tone color - unfinished aluminum will not receive ARC approval. All metal must be painted.
- 5.3. If attached to house, must be integrated into existing roof line (flush with eaves), and if it is to be shingled, shingles must match roof. Entire patio cover and posts

should be trimmed out to match house. Supports must be painted wooden or metal columns. No pipe is allowed.

- 5.4. At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of house whether treated or untreated wood is used.
- 5.5. Patio construction materials are as follows:
 - 5.5.1. Painted aluminum (to match trim of house)
 - 5.5.2. Painted wood (to match trim of house)
 - 5.5.3. Natural pressure treated wood such as cedar, fir, redwood, may be used. Treated pine must be painted or stained.
 - 5.5.4. Fiberglass is not ARCeptable as a construction material. All patio cover material, i.e., corrugated aluminum, metal, wood, lattice, must be completely framed in so that no raw edges of material are visible.
 - 5.5.5. If canvas is used as roofing material on a patio cover, it must be an earth tone color and the structure must be located where it is not visible from the street. Also, the canvas must be kept in quality condition or its removal will be requested by the HOA. No blues or greens allowed for residential use.
 - 5.5.6. Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
 - 5.5.7. Patio covers must be situated on the lot to provide drainage solely into the owner's lot. If a proposed patio cover location is less than five feet (5') away from a side lot line, the ARC will require that it be guttered with downspouts if it is to be a solid cover.

6. Room Additions

- 6.1. Exterior materials and colors should match the house as much as possible.
- 6.2. Detailed plans must be submitted to the ARC.
- 6.3. Room additions may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 6.4. On individual basis. Size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home.

Addition of a storage area will not qualify as a bonafide room addition and will not be permitted. Plans for room addition must show a room of reasonable size to constitute a legitimate request for a room addition. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home. Room additions cannot exceed one-third of the remaining back yard, but may be denied for other reasons, i.e., structural integrity, architectural suitability, etc., even if it does only use one-third of the remaining yard.

6.5. Building permits are the responsibility of the homeowner.

7. Exterior Painting

7.1. Earth tone colors were most often used when homes were constructed. In general, an earth tone color should receive ARC approval.

7.2. Other earth tone blend colors will be considered. The color of neighboring homes will be taken into consideration along with the applicant's house brick features.

8. Storm Windows and Storm/Screen Doors

8.1. Providing the frames of these are of a color compatible with the exterior house colors, storm windows and storm or screen doors should receive ARC approval.

9. Decks

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

9.2. Decks should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot.

9.3. Decks cannot be higher than 18".

9.4. Paint should match the house.

9.5. Only Exterior grade materials may be used.

10. Swimming Pools and Spas

- 10.1. No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Decking also requires consent agreement. Consents must be received prior to approval. NOTE: HL&P currently charges \$125 for this consent letter.
- 10.2. Ideally, any pool or spa should be located at least five feet (5') from a side and rear lot line to maintain proper drainage on lot. However, a minimum of 3 feet will be allowed in certain instances.
- 10.3. Above ground pools will receive special consideration. Above ground pool ARCeptable provided it is not over 4' in height. Decking around pool cannot be over 18" above ground so to ensure privacy of neighbors. If there is a walkway around pool, it cannot be wider than 2 feet nor higher than the wall of the pool. Railings for walkway cannot be visible above the 6 foot fence. It must also be three feet to five feet (3'-5') from the side and rear fences.

11. Solar Panels

- 11.1. The ARC will approve solar panels which are unobtrusive and which blend in with the roof shingle color.
- 11.2. Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.
- 11.3. Solar panel frames should be bronze or black in color in order to best blend in with the shingles. All unfinished aluminum must be painted the color of the shingles.
- 11.4. No solar panel should be mounted so that it extends above the roof line.
- 11.5. The ARC would prefer to have solar panels mounted so that they are not visible from the fronting street.
- 11.6. Solar screens allowed on windows.
- 11.7. Colors and manufacturers must be ARCeptable to ARC for both screens and panels.
- 11.8. Solar film must be non-reflective type.

12. Satellite Dishes

- 12.1. If dish is of the new 18" DSS variety, it can not be visible from a fronting or side street. If possible dish must be mounted at or below fence height for screening purposes.
13. Fence and Fence Extensions
 - 13.1. Case by case
 - 13.2. No higher than 8' and granted on limited basis only. Consents from all affected neighbors must be submitted in order to be considered for height extension.
 - 13.3. No painting, staining, or varnishing of fence.
 - 13.4. Cedar only.
 - 13.5. Fence extension requests should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.
 - 13.6. No fence may extend so as to encroach across the front building line.
 - 13.7. If both neighbors do not concur as to a proposed fence extension, the ARC will examine the effect the fence extension will have on both properties. If one party will suffer detrimentally from the extension (i.e., will totally enclose a bay window) the ARC will reject the application.
 - 13.8. Only fence extensions which will be installed picket side out shall be considered by the ARC.
 - 13.9. Replacement or repairs of fence must be made with similar materials and construction details as used in original fence.
14. Decorations
 - 14.1. On front lawns of lots and on any portion of a lot visible from any street, there shall be no decorative appurtenances placed, such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments unless such specific items have been approved in writing by the Architectural Control Committee on a case by case basis (see 19 below regarding Bird Baths).
 - 14.2. Benches and gates will be reviewed on an individual basis.
 - 14.3. House numbers may be placed on house or mailbox, but not on any type of freestanding structure in front yard.
15. Exterior Lighting

- 15.1. Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.
- 15.2. Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.
- 15.3. Low voltage landscape lighting, white in color only, should receive ARC approval.
- 15.4. Security, mercury vapor, or fluorescent lights, must be attached to the front of the house, preferably garage. Mercury vapor, fluorescent, and sodium halide are not permitted in back or side yard.
- 15.5. Yard lights may be gas or electric. Single lamp only. Maximum height 6'. May be in front or back. Gas or electric lights must be black, brown or white, depending on color of house and determination of suitable color will be the decision of the ARC.
16. Mailboxes
 - 16.1. In subdivisions where communal mailboxes are not in use, changes or improvements made to the initial mailbox will require ARC approval.
 - 16.2. Replacement of the original pole with a wooden post should receive ARC approval. If the post is to be painted or stained, a paint sample must be included with the application. The ARC will consider the effect a painted or stained post will have on the street if the proposed color will not readily blend in with the surrounding materials, that portion of the application will be denied.
 - 16.3. Bricked mailbox stands should receive approval providing the brick matches the house, the stand is appropriate in size and design and will meet U.S. Post Office requirements. A specific sketch should be included with the application.
 - 16.4. In subdivisions or sections of subdivisions which use the communal mailboxes, applications for the installation of individual mailboxes will be disapproved.
17. Wind Turbines
 - 17.1. Wind turbines should be mounted in the rear portion of the roof so that they are not visible from the front or above the roof line.
 - 17.2. The 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.
18. Outdoor Carpeting

- 18.1. Can only be installed on porch area no walkways, etc.
- 18.2. Earth tone colors ARCeptable.
- 18.3. Specifically no green or blue carpet.
- 18.4. Visibility from street will be considered.
19. Gate Covers (Zero lot line houses/duplex only)
 - 19.1. Full wooden panel to match trim of house or wrought iron, wire mesh, screen.
 - 19.2. No chicken wire or lattice.
20. Burglar Bars
 - 20.1. Will be reviewed on a case by case basis. Must not detract from the aesthetics of the home. Will be ARCeptable if on the inside of the window.
21. Birdhouses
 - 21.1. Maximum preferred height 12'.
 - 21.2. Mounted on 2" diameter metal pipe painted white or black.
 - 21.3. Must be placed toward the middle of back yard.
22. Landscaping
 - 22.1. Timbers, bricks, stones, (use native Texas stone), flowerbed borders, landscape lights, trellises and sprinklers.
 - 22.2. Must complement style and architecture of home and conform to color scheme of immediate neighborhood.
23. Antennas
 - 23.1. Back side of house, lower than roof line and must not be visible from the street.
 - 23.2. If lot backs onto vacant property and can be seen from entrance to subdivision or adjacent road, screening will be required.
 - 23.3. Not allowed on corner lot if visible from front or side street, regardless of screening.
 - 23.4. People's Choice antenna must be mounted on rear of roof, lower than the peak of the roof. If antenna is visible from rear street, it must be screened from view.
24. Driveway Extensions/Sidewalks
 - 24.1. Case by case.

24.2. No closer than 3' to property line and sometimes up to 5'. Driveway extensions can extend no nearer to side property line than 3 feet and 5 feet in certain instances.

24.3. All sidewalks in the side yard must be no greater than 36" wide and centered between house and property line. 30" wide is the recommended width for the standard five foot (5') side yard.

25. Garage Conversions, Carports, Detached Garages

25.1. Conversions are permitted provided there are no exterior changes to garage.

25.2. Detached garages not permitted on standard size lot.

25.3. Driveways can never be removed from front yard even if alternate garage is built.

26. Window Air Conditioners

26.1. Must not be visible from street and must be below fence line.

27. Window Shades/Awnings

27.1. Canvas awnings will not be permitted to be installed on windows to reduce solar exposure unless they are on the back side of house on an interior lot and not visible at all from the street. On a corner lot or lot that backs onto a street, canvas awnings will not be permitted at all. When allowed, they must be earth tone colors, no blues, greens, etc. and must be kept in excellent condition at all times or will be subject to immediate removal upon notification by the HOA of their unARCeptable condition.

27.2. Awnings will still be allowed for use on playhouses and patio covers, provided they also comply with above mentioned requirements for proper location and color.

27.3. Metal and wooden slat-type shades may be allowed by the ARC if they are deemed necessary in reduction of solar exposure and installation on appropriate windows will be determined by the ARC. At no time, however, will they be allowed on windows on the fronts of the homes.

28. Greenhouses

28.1. Only greenhouse subject to ARC approval will be those constructed of clear glass or plexiglass panels. No fiberglass will be allowed.

27. Flag Poles

27.1 Flag poles are not permitted except at the sales office and model homes.