

ARCHITECTURAL GUIDELINES

FOR

ELM GROVE VILLAGE, SECTIONS ONE, TWO AND THREE

(Last Revised May 21, 1996)

[\[ELM GROVE VILLAGE HOME PAGE\]](#)

TABLE OF CONTENTS

Page #

OVERVIEW [2](#)

A. Application Procedure [2](#)

1. [Submission.](#) [2](#)

2. [ACC Decisions.](#) [2](#)

3. [Appeals.](#) [3](#)

4. Status of Applications During Appeal. [3](#)

B. General Guidelines [3](#)

C. Fences [3](#)

1. Wood Fence Construction. [3](#)

2. Gates. [4](#)

3. Color. [4](#)

a. Wood Fences. [4](#)

b. Wrought Iron Fences. [4](#)

4. Chain Link and Wire Fences. [4](#)

5. Setback Lines. [4](#)

6. Maintenance of Fences. [4](#)

7. Height of Fences. [4](#)

8. Attachments. [4](#)

D. Swimming Pools and Spas [4](#)

E. Outbuildings [4](#)

1. General Rules. [4](#)

2. Gazebos/Pavilions/Spa Enclosures. [5](#)

3. Children's Play Structures. [5](#)

F. Patio Covers [5](#)

G. Patio Enclosures [6](#)

H. Decks [6](#)

I. Exterior Lighting [6](#)

1. Changes to Existing Lighting. [6](#)

2. New Lighting. [6](#)

a. Additional Lighting: [6](#)

b. Security Lighting. [6](#)

c. [Landscape Lighting. 6](#)

d. [Gas Lights. 6](#)

3. [Annoyances. 6](#)

J. [Painting 7](#)

1. [Harmonious Colors. 7](#)

2. [Brick. 7](#)

3. [Principal Colors of Dwellings. 7](#)

4. [Trim. 7](#)

5. [Gutters. 7](#)

6. [Accents. 7](#)

7. [Outbuildings. 7](#)

8. [Recommendations. 7](#)

K. [Roofing Materials and Additions 7](#)

1. [Materials. 7](#)

2. [Roofing Additions. 7](#)

L. [Miscellaneous 7](#)

1. [Birdhouses. 7](#)

2. [Window and Door Awnings. 8](#)

3. [Satellite Dish Antennae. 8](#)

4. [Garage Conversions. 8](#)

6. [Sunrooms. 8](#)

7. [Home Security Signs. 9](#)

8. [Solar Screens, Window Tint. 10](#)

9. [Trees. 10](#)

10. [Skateboard Ramps. 10](#)

11. [Topiaries. 10](#)

ARCHITECTURAL GUIDELINES

FOR

ELM GROVE VILLAGE SECTIONS ONE, TWO AND THREE

The undersigned, being all of the members of the Board of Directors of Elm Grove Village Community Association, a Texas nonprofit corporation ("the Association") do now certify that at a joint meeting of the Board of Directors of the Association, duly called and held, the following guidelines were unanimously made and adopted:

WHEREAS, the Association, acting through its Board of Directors, desires to exercise the authority granted to it by the provisions of the Declaration of Covenants, Conditions and Restrictions of Elm Grove Village and the Protective Covenants applicable to Elm Grove Village, Sections One, Two and Three, ("the Declaration", and "the Protective Covenants") to maintain the harmonious and architectural design of the subdivision in accordance with the provisions of the Protective Covenants; and

WHEREAS, the Protective Covenants expressly allow Friendswood Development Company or its assignee to approve or disapprove plans for construction; and whereas, the Architectural Control Committee (ACC), the assignee of Friendswood Development Company was created for the specific purposes set forth below; and

WHEREAS, the Protective Covenants provides that no building, shed, playhouse, patio cover or such accessory structure or improvement of any character, shall be erected or placed, or the erection thereof begun or changes made in the design thereof after original construction (including, but not by way of limitation, re-roofing material and the color thereof) on any lot until the construction plans have been submitted to and approved in writing by Friendswood or its assignee; and

WHEREAS, the Protective Covenants further provides that Friendswood or its assignee shall have the discretion to approve or disapprove plans and specifications for buildings, additions or improvements on the basis of quality of materials, harmony of external design with existing and proposed structures, and as to location with respect to topography and finished grade elevation; and

WHEREAS, the Board of Directors of the Association and the ACC desires to establish guidelines with respect to the type, quality and color of exterior additions and improvements on lots within Elm Grove Village Sections One, Two and Three, to be followed by the ACC, so that a harmonious exterior design within the subdivision is consistently maintained;

NOW, THEREFORE, the Board of Directors of the Association and the ACC hereby adopt the following guidelines relating to buildings, additions and improvements on lots within Elm Grove Village Sections One, Two and Three, which guidelines shall supplement the applicable restrictive covenants set forth in the Protective Covenants:

Terms used in this document have the following meanings:

Association	Elm Grove Village Community Association
ACC	The Architectural Control Committee of the Association (Assignee of Friendswood Development Company)
Board	The Board of Directors of the Association
Protective Covenants	The "Declarations of Covenants, Conditions and Restrictions" applicable to Elm Grove Village
Declarant	The creator of the Declaration and developer of the subdivision, Friendswood Development Company.
Guidelines	Rules, standards and procedures established by the ACC pertaining to buildings, additions, or other improvements in Elm Grove Village.
Elm Grove Village	All sections of the Elm Grove Village subdivision to which the Declaration applies. This currently includes Elm Grove Village, Sections One, Two and Three.
Protective Restrictions	The Protective Covenants of Elm Grove Village, Sections One, Two and Three.

OVERVIEW

The purpose of architectural design review is to keep the community attractive for the enjoyment of residents and for the protection of property and property values. The Protective Covenants authorize Friendswood or its assignee to establish rules, standards and procedures for the orderly development of the subdivision and require homeowners to obtain written approval from Friendswood or its assignee for any buildings, additions, or other improvements to their property. This is to ensure that the improvements comply with the provisions of the Protective Covenants and ACC Guidelines. The ACC and Board have established these guidelines in accordance with the authority granted to them by the provisions of the Protective Covenants and certain grants made by the Declarant.

These guidelines have been established to assure uniform and fair application of the Protective Covenants and are intended to provide all lot owners in Elm Grove Village with information about: the type, color, quality of materials which may be used in the construction of various kinds of improvements;

the size and locations of such improvements; and information about the procedures used by the ACC in reviewing applications for proposed improvements.

The ACC reserves the authority to review and approve applications for buildings, additions, or improvements which are not explicitly described by these Guidelines, and to consider additional guidelines in the review process whether published or not. These guidelines may be amended by the Board as it deems necessary and appropriate.

A. Application Procedure

1. Submission. All applications for approval to make any exterior changes, additions or improvements must be submitted to the ACC in writing. Plans and specifications for any exterior change, addition or improvement should be attached to the application. The application should be supported by the following information:

1. Scaled drawing(s) and elevations of the proposed structure showing the top, front, side, and rear exterior views; overall dimensions (length, width, height) of the structure; and the layout and dimensions of supporting structures (e.g., beams, rafters, trusses, etc.);
2. A copy of an official survey of the Lot showing location of easements, existing buildings and structures, and the proposed location of the improvement;
3. A description of all materials used, including product name, model number, size, color, etc. Color samples (e.g., "paint chips") for all colors involved must be included; and
4. If providing color samples or photographs, please include 2 sets, if possible, so that each ACC member may receive a copy.

The ACC reserves the right to request any additional information deemed by it to be necessary to properly evaluate the application. In the event that the ACC requests additional information and such information is not submitted to the ACC by the applicant in a timely manner (so that the application may be approved or disapproved within thirty (30) days of its receipt), the application shall be considered denied. However, the applicant may thereafter submit a new application with the requested information to the ACC for its review. All applications shall be mailed or delivered to the ACC.

2. ACC Decisions. ACC committee shall consider each application for compliance with the restrictive covenants of the Protective Covenants and with these guidelines. The decision of the ACC to approve or disapprove an application shall be considered the final decision.

ACC decisions shall be conveyed in writing by the ACC to the applicant and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for disapproving the application.

In accordance with the Protective Covenants, it is the policy of the ACC to respond to written requests in writing within thirty (30) days. Nevertheless any application that is not approved or disapproved in writing within thirty (30) days of the date of its receipt by the ACC shall be deemed to have been automatically approved provided, however, that (I) any such approval shall extend only to architectural guidelines and not to any of the use restrictions set forth in the Protective Covenants and (ii) in no event shall non-action be deemed to constitute approval of an application for any change, addition, or improvement or any other item that would violate the restrictive covenants in the Protective Covenants.

Unless otherwise stated in the ACC's written response, all approved exterior changes, additions or improvements shall be completed within thirty (30) days of the date construction, installation or erection is commenced.

3. Appeals. In the event that the ACC disapproves an application, the applicant may within thirty (30) days submit or appeal to the Board of Directors ("the Board") with any additional information the applicant considers relevant to the original applications. The Board of Directors shall review the appeal at one of its next two (2) meetings following the date upon which the appeal is received and notify the applicant of the Board's decision. All decisions of the Board of Directors shall be final.

4. Status of Applications During Appeal. During the appeal period, the decision of the ACC on the original application shall remain in effect. Failure of the Board of Directors to respond to a request for reconsideration within thirty (30) days of the date of its receipt shall not automatically result in approval of the original application.

B. General Guidelines

The ACC shall consider the following factors upon the review of each application for an exterior change, addition or improvement:

1. Upon completion, materials, colors, exterior design (elevations), size (dimensions), and location must be harmonious with existing and other proposed structures.
2. Additions to the exterior of the home are to appear as if they were part of the original construction.
3. Elm Grove Village Community Association will not be held responsible for insuring compliance with restrictions regarding utility easements, building setbacks, building codes and other restrictions imposed by other local or state governing bodies nor companies nor does Elm Grove Village Community Association make any warranties as to the soundness or quality of the improvements or alterations to be made.
4. The location must not violate the building set back lines, utility or drainage easements as shown on the official recorded plat, nor obstruct driver's vision at street intersections.

NOTE: The ACC may not grant permission to place an improvement upon or across any utility easement; consent to encroach upon any utility easement must be obtained in writing from the owner of the easement (i.e., utility companies); the ACC may grant permission to place an improvement upon or across a drainage easement subject to the condition that the improvement must not impede drainage of any property served by the drainage easement (i.e., including adjacent lots); if deemed necessary in its sole discretion, the Association may revoke consent to encroach upon any drainage easements; removal of improvements (if required by the Association or owner of the easement) shall be solely the homeowner's responsibility, cost and expense.

5. Improvements other than the main residence and garage may not exceed eight feet (8') in height (except as otherwise provided by the Protective Covenants or Guidelines).
6. Improvements exceeding two feet (2') in height may not be located any closer to the street than the building setback line, as provided in the Protective Covenants.
7. Improvements which are intended for other than single-family residential purposes, or which may

become an annoyance or nuisance to the neighborhood are not permitted.

8. Improvements must be located so that their use will not infringe upon the enjoyment of neighboring amenities nor place neighboring property at increased risk of damage.

Approval of an application shall not be construed as a warranty or representation by the ACC that the change, addition or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances or building codes, or as a warranty or representation by the ACC of the fitness, design or adequacy of the proposed construction.

C. Fences

1. Wood Fence Construction. Wooden fences facing the front street or along any side street or rear street property line shall be constructed with all pickets on the outside so that no posts or rails are visible from the street.

All other wooden fences must be constructed in the manner described above or must be constructed in panels (each of which is 6 to 8 feet in length) erected in a "good neighbor" fashion so that posts and rails are exposed only on alternate panels when viewed from either side of the fence.

2. Gates. All gates shall be constructed with the same materials as the fence and shall be harmonious with existing and other structures.

3. Color.

a. Wood Fences. Fences may be left natural or may be painted or stained only in natural woodtoned colors. (E.g., cedar, redwood, birch)

b. Wrought Iron Fences. Wrought iron fences must be black. The height, location and spacing of the bars of all wrought iron fences must be approved by the ACC. Wrought iron fences are not to be used around the perimeter of a lot.

4. Chain Link and Wire Fences. There shall be no chain link or wire fences.

5. Setback Lines. Fences may not be constructed on a lot forward of the front line of the main structure.

6. Maintenance of Fences. Pickets, rails, or bars that are broken, warped, bent, sagging, or which have otherwise deteriorated must be promptly repaired or replaced. All fences which are stained (on interior surfaces) shall be properly maintained to prevent cracking, chipping, fading or mildewing.

7. Height of Fences. All perimeter fences shall not exceed six feet (6') in height. Fences between the house and garage may be between four and six feet (4'-6').

8. Attachments. No structure may be attached to a fence unless otherwise provided by these Guidelines.

D. Swimming Pools and Spas

An application for the construction of a swimming pool, spa or jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or jacuzzi in relation to the property lines, building

lines, existing structures and existing or proposed fences. If any trees are to be removed or relocated, this must also be noted. The application shall also include a timetable for the construction of the pool, spa or jacuzzi. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool is to be located is either enclosed by a six foot (6') fence constructed of wood or of wrought iron with a maximum of three inches (3") between each bar or such a fence is proposed to be constructed in conjunction with the swimming pool and there is a drainage system below the ground providing drainage. Spas and jacuzzis must also have an adequate drainage system according to the requirements of any governmental agency having jurisdiction or, in the event there is no governmental agency having jurisdiction, as deemed appropriate of the ACC. Under no circumstances shall water from a swimming pool, spa or jacuzzi be permitted to drain onto the surface of the lot on which the swimming pool, spa or jacuzzi is situated or onto any adjacent lot. During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. Further, no building materials shall be kept or stored in the street overnight. Excavated material shall either be used on site or immediately removed from the premises by the pool contractor. The construction of all swimming pools must be in compliance with the National Electrical Code and include the installation of a ground fault circuit interrupter. No swimming pools may be enclosed with screens. No swimming pool, spa or jacuzzi shall be constructed in a manner to impede drainage on a lot or to cause water to flow on an adjacent lot. There shall be no above ground pools.

E. Outbuildings

1. General Rules. Any type of building which exists on a lot but is not attached to the residential dwelling on a lot, other than the dwelling itself or a detached garage, shall be considered an outbuilding, including tool and/or storage sheds. Only one (1) outbuilding not exceeding ten feet (10') in length, ten feet (10') in width and eight feet (8') in height shall be permitted on a lot. The standard, type, quality and color of the materials used in the construction of an outbuilding shall be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence on the lot. No exterior portion of an outbuilding shall be made of metal or steel. The roof of an outbuilding shall conform to the provisions relating to roofing materials set forth in the Protective Covenants and these guidelines and shall be compatible with the color and type of materials used in the construction of the main structure. An outbuilding shall be located in the backyard of the lot inside the fence. The outbuilding shall be no closer than three feet (3') from any property line and on a corner lot, the outbuilding shall be nearer to the interior property line than to the exterior property line. The ACC cannot approve the location of a structure on a utility easement.

2. Gazebos/Pavilions/Spa Enclosures. For the purposes hereof, these structures shall be defined as free standing, framed structures with lattice-type walls, whose purpose should not be for any type of storage. These typically are circular or octagonal shaped structures. There are two approved types of structures:

a. Conical shaped (peaked) roofed structures. These structures cannot exceed ten feet (10') in overall height (height measured from the ground) and the horizontal supports cannot exceed eight feet (8'), from the ground. Decks shall not exceed two feet (2') in height (height measure from the ground).

b. Flat lattice (arbor type) roofed structures. These cannot exceed eight feet (8') in overall height (height measured from the ground).

For both structures, the footprint area is limited to one hundred (100) square feet (typically 10' by 10').

All structures must have a permanent roof with materials as set forth in the Protective Covenants and these Guidelines. The materials used in construction of the structure shall be harmonious with the standard, type, quality and color used in the construction of the main residence of the lot. Louvered or trellis style structure roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained or painted. Water and electricity may be permitted upon approval and according to the National Electrical Code. All pipes and cables must be underground. These structures must be located a minimum of six feet (6') from all rear and side property lines. No structure shall impeded drainage on the lot or cause water to flow onto an adjacent lot.

3. Children's Play Structures. For the purposes hereof, a children's play structure shall mean any type of children's swingsets, play sets, climbing structure, slides, or raised play sets. A maximum of two (2) children's play structures are allowed on a residential lot. The maximum dimensions for each play structure are ten feet (10') in width by fifteen feet (15') in length by eight feet (8') in height. The play structure may have no more than two (2) vertical beams with a single horizontal support member between them extending above the eight foot (8') height restriction of the play structure. The sole permitted purpose of these extending beams is to support a tarpaulin for a shade area. The beams and their accompanying horizontal cross member may not exceed ten feet (10') in height, measured from the ground. Tarpaulin colors will only be approved if harmonious with the color of the residential dwelling. Wind-socks or streamers attached to the structure will not be permitted. Play structures must be located within the fence in the backyard. No play structure may be located closer than six feet (6') to any property line. Additionally, any play structure with support members and a tarpaulin above the eight foot (8') height must be located at least 10 feet (10') from the property line if the adjoining lot is a residential lot. No play structure shall be approved for construction on utility easements, or may impede the drainage on the lot or causes water to flow to an adjacent lot.

F. Patio Covers

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence; provided, however, that corrugated roofs for patio covers shall not be permitted under any circumstances. If siding is used on patio covers, it must be of the same type, quality, and color as the siding on the main residence. Roofing materials on patio covers shall conform to the provisions relating to roofing materials set forth in the Protective Covenants and these guidelines. Louvered or trellis style patio cover roofs may be allowed as long as the quality of materials is approved. Pressure treated wood may be stained or painted provided the color shall conform to the provisions relating to painting set forth in these Guidelines. Any patio cover which is not attached to the house shall be subject to the Guidelines set forth herein for gazebos, pavilions or spa enclosures.

The location of a patio cover must not encroach on any utility or drainage easement, nor shall it violate the building set back lines applicable to the residential dwelling on any lot. Patio covers must not interfere with drainage or cause water to flow onto any adjoining or adjacent lot.

All patio covers must be adequately supported and constructed of sturdy materials so that the patio cover has no visible sagging or warping. This also applies to any lattice attached to the sides of the structure.

Patio covers which are attached to the house shall be securely attached at a height not less than seven feet (7') nor more than twelve feet (12') from the ground. Patio covers which are attached to a detached garage or breezeway must be securely attached at height below the eaves of each structure at a height of

not less than seven feet (7') nor more than nine feet (9') from the ground. The top of the patio cover at its lowest point shall not be higher than eight feet (8') from the ground. The patio cover roof shall provide an attractive slope away from the house at an angle which does not exceed that of the roof on the house.

The roof of all patio covers (other than arbor or trellis type) must be covered with shingles meeting the roofing guidelines set forth herein, and must have a minimum of 3:12 slope. In cases where it is not possible to have a minimum 3:12 slope (e.g. patio covers attached to a single-story dwelling), the ACC may approve a flat type roof with a modified membrane type roofing material provided the color and appearance of such roofing closely matches the roofing of the house.

If any portion of the patio has a peaked or cone-shaped roof, that portion of the patio cover must also comply with the guidelines for conical shaped (peaked roofed) gazebos, including guidelines for size, location and height.

G. Patio Enclosures

A "patio enclosure" is any patio cover which has exterior walls and/or screens (other than "sun rooms" as defined in these Guidelines). All structural components of patio enclosures, including roofing materials, shall be subject to the Guidelines set forth herein for "patio covers". This section describes additional requirements for walls, screens and frames used to enclose a covered patio or deck.

The standard, type, quality and color of the materials used in the construction of a patio enclosure must be harmonious with the standard, type, quality and color of the materials used in the construction of the main residence. Exterior walls of a patio enclosure shall be constructed of brick or siding which is of the same type, quality, and color as those of the main dwelling on the lot. Aluminum siding is not allowed. No visible part of the enclosure may be made of metal other than screens, frames, and storm doors. Patio enclosure screens must be the same color as existing window screens on the main dwelling and must have adequate cross-member support to avoid sagging. The exterior color of doors, sills, beams, frames, or other visible supports must match the exterior colors of the main dwelling or the color of existing window frames.

H. Decks

All decks must be approved by the ACC with respect to location and the standard, type, color and quality of the materials used in construction. No deck shall impede drainage on the lot or cause water to flow on an adjacent lot. No deck, other than original construction, shall be constructed more than two feet (2') above the ground.

I. Exterior Lighting

1. Changes to Existing Lighting. Outside lighting may be replaced with a new fixture provided that the wattage of the new fixture does not exceed 150 watts. Existing gas lighting may be converted to an electric incandescent bulb provided that (a) the incandescent bulb is a clear glass type, (b) the wattage of the bulb does not exceed 100 watts, and (c) the lighting color is white. In no event shall the lighting be directed to shine in a manner which disturbs a neighbor.

2. New Lighting.

1. Additional Lighting: Requests for additional lighting shall be made to the ACC and shall follow the requirements of Item 1 - Changes to Existing Lighting.

2. Security Lighting. Security lighting shall be permitted with the ACC's approval so long as the total wattage for all security lights does not exceed 300 watts. Lights which are dimmed shall be judged by their full wattage. Incandescent, reflector, down-directed or flood lights are preferred over the radial light style of mercury vapor lights. All security lighting shall be mounted behind the back plane of the house or garage. No pole mounted security lights or lights mounted upon fences, trees or structures other than the house or garage, shall be permitted. No security light fixture shall be allowed above the eaves of the house or garage or more than ten feet (10') from the ground. Exceptions to mounting security lighting behind the back plane of the house and/or allowing security lighting above the eaves of the house or garage may be granted by the ACC if the design and location of the house and/or garage on a lot warrant an exception. No more than two (2) flood lights (not to exceed a total of 300 watts) or one (1) mercury vapor light of not more than 150 watts shall be permitted on any lot. Installation of all light fixtures must be approved by the ACC. Exceptions to the number of lights allowed may be granted only to corner lots and cul-de-sac lots, if specifically requested, and then only at the discretion of the ACC. Installation of mercury vapor, sodium vapor or quartz lights will be considered by the ACC.
3. Landscape Lighting. Exterior landscape lighting shall be permitted with the ACC's approval so long as the lighting is located within flower beds, shrubs and/or trees and all of the wiring is buried. No landscape lighting will be permitted closer to the street than the set-back line.

d. Gas Lights. Two (2) gas lights per lot shall be permitted with the ACC's approval. The color of the pole and fixture must be black unless otherwise approved by the ACC. Overall height shall be limited to eight feet (8') from the foundation level.

3. Annoyances. The Board reserves the right to require the removal or modification of any lighting which it reasonably determines to be annoying to neighbors.

J. Painting

No exterior surface of any house, garage, or other structure or improvement on any lot shall be painted without prior approval of the ACC. This applies to existing, as well as new construction, and whether the proposed colors are the same or different from the existing colors. At least two (2) color samples or "paint chips" of the proposed exterior color(s) must be attached to each application submitted to the ACC. Each exterior color, reviewed by the ACC, must be an acceptable shade of beige, brown, gray, blue, green, rust or white. In no case will more than 3 colors of paints be approved for exteriors of a building. The following additional guidelines shall also apply:

1. Harmonious Colors. The proposed colors must be harmonious with each other and with the colors of exterior brick and roofing materials.
 - Brick. Under no circumstances shall the exterior brick of a home be painted.
3. Principal Colors of Dwellings. The principal color of the dwelling and garage situated on a lot, including the garage door, must be a shade of one of the colors specified above, and must not be the same color as any adjacent or facing dwelling on a neighboring lot. The ACC may approve similar paint colors on neighboring structures in cases where the brick or accent colors are substantially different from those of the neighboring structure.
4. Trim. Soffit, fascia board, window and door trim and rain gutters must also be an acceptable shade of the colors specified under the general painting guidelines specified

above.; however, the shades of trim color may be different than the principal color of the dwelling or garage.

5. Gutters. Rain gutters match the color of the fascia board trim.

6. Accents. Shutters, window hoods, the side panels of doors and windows and the exterior surfaces of doors may be painted any acceptable color, including trim colors and certain acceptable shades of dark green, black, blue-gray, rust or dark blue.

7. Outbuildings. Any outbuilding or storage building which has a covered roof shall also be subject to these painting guidelines and shall be painted in a color to match the overall color of the principal dwelling.

8. Recommendations. Although not required for approval, the following are recommended:

a. In most cases, it is more attractive to paint trim the same color as the main portion of the house and to use a different color for accents.

b. When a different color is used for trim, the color should be a moderately darker shade of the main color and the accents should be painted to match the trim. Extreme color differences or use of more than two colors on a house should be avoided.

K. Roofing Materials and Additions

1. Materials. A sample of the proposed shingle to be placed on any existing roof or any new improvement must be attached to each application submitted to the ACC. Each color of roofing material, reviewed by the ACC, must be an acceptable shade of brown or gray. Only fiberglass or composition asphalt shingles with a minimum specification of at least 250 pounds per square and a 25 year warranty will be approved.

2. Roofing Additions. No skylights, solar panels, roof ventilators or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a structure. All roof ventilators shall be located to the rear of the ridge line and/or gable of any structure and shall not extend above the highest point of such structure. The ACC 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. The color of roofing additions must match existing roof vents (if any) or be harmonious with the color of roofing materials.

L. Miscellaneous

1. Birdhouses. Birdhouses shall be permitted subject to the prior approval of the ACC and the following:

a. A birdhouse shall not be visible from the street in front of the lot;

b. No birdhouse shall be larger than two feet (2') in width, two feet (2') in length and two feet (2') in height;

c. No more than two (2) birdhouses shall be permitted on a lot;

d. No birdhouse shall be situated higher than ten feet (10') above the ground;

2. Window and Door Awnings. Awnings which are visible from any street shall not be permitted. Awnings on the rear portion of a lot must be approved by the ACC. The color and materials used are subject to approval by the ACC.

3. Satellite Dish Antennae. Satellite dish antennae shall be approved by the ACC only if the following minimum requirements are met:

a. Each satellite dish antenna shall be situated in the back portion of the lot so that it is not visible from any street that borders the property. As a condition of approval, the ACC may require additional screening through landscaping. The rear portion of the lot must be enclosed with a six foot (6') fence or such a fence must be proposed in conjunction with the application for approval to erect the satellite dish antenna.

b. No portion of a satellite dish antenna may extend more than eight feet (8') above the ground at any time.

c. No portion of a satellite dish antenna may be situated upon an easement.

d. All cable or wiring shall be buried from the dish to its entrance into the house.

f. Must be located at least six feet (6') from all lot boundary lines.

4. Garage Conversions. An originally constructed garage may be converted into a family room. Each garage, whether used for the storage of vehicles or not, must maintain the outward appearance of a garage. Detached multi-story garages shall not be acceptable.

5. Basketball Goals.

a. Basketball goals must be mounted either on the garage wall or roof with the backboard parallel to the automobile entrance; or on a rigid steel or aluminum pole (no wooden poles).

b. The backboard material must be fiberglass or safety glass. The color must be clear (safety glass), gray or white with the exception of the white, black, orange or red manufacturer's outline markings. The rim should be of heavy gauge steel and white, black or orange in color. The net must be a white nylon, unless otherwise approved by the ACC,

c. The backboard supports must be firmly attached to the structure, using either lag bolts into underlying support members (garage studs or trusses) or threaded bolts and nuts through the structure's roof or wall. Nails, by themselves, are not permitted. Mounting supports may be of wood, steel, or aluminum. Supports must be painted of a color complying with the house painting guidelines.

d. All pole-mounted goals (fixed or movable) must be behind the front building line that extends from the front of the house or garage parallel to the street. A pole mounted goal must not be within fifteen feet (15') of an adjacent lot owner's amenities (air conditioning unit, shrubbery, gas meter, driveway, etc.) Unless properly protected (i.e., by fence or

shrubby). No pole mounted goals will be allowed along the neighbor's adjoining side of a driveway if a neighbor's first story house window(s) are exposed. The pole must have a manufacturer's weather resistant finish or be painted black or white.

e. An application for approval of a basketball goal should include a copy of the lot survey showing the exact location of the goal relative to the front of the main structure, lot lines, and easements, and a detailed sketch of the goal's proximity and relationship to the adjoining neighbor's property.

f. The basketball goal, rim and net must be maintained at all times or the basketball goal must be removed.

g. The Board may require removal of any basketball goal which it reasonably determines to be a nuisance to the neighbors.

6. Sunrooms. A sunroom is any room with glass-enclosed walls or a glass ceiling. The ACC may reject any application to construct a sunroom on a lot on the basis of its overall design and conformity with existing structures regardless of whether or not the proposed sunroom complies with the technical specifications set forth below.

a. Applications must be accompanied by a detailed scale drawing or blueprint showing the three dimensional relationship of the sunroom to the existing structure. Applications must also include a plot plan showing the location of the sunroom in relation to all lot boundary lines, the residence, the easements and the building setback lines. Applications may be rejected for failure to provide any of these required items.

b. A sunroom may be added to the rear of the residence only. Applications for sunrooms on cul-de-sac lots and corner lots where the rear of the house faces a street or other community property will be considered on a case-by-case basis.

c. Supporting structural members must be of a color and shade similar to and harmonious with the exterior color of the residence. Glass must be tinted in a shade compatible with the exterior of the residence. No metallic or direct reflecting style shading/tinting of the glass will be permitted. Applicants may be required to submit actual samples of the glass with the proposed shading/tinting material applied for approval.

d. The floor of the sunroom must be of reinforced concrete slab construction with 3" minimum thickness. No other flooring material will be permitted.

e. Only safety glass will be permitted for the panes. No fiberglass, plexiglass, plastic, acrylic, mesh, or other materials will be allowed. Maximum width of glass between support trusses will be 36" measured center-to-center.

f. Support trusses (glazing bars) must be constructed of aluminum or aluminum alloys with electrostatically applied coloring/paint. No natural aluminum oxidation coloring will be allowed. No wood, composite, steel, fiberglass, or plastic trusses will be allowed. Trusses must be of structural box or I-beam construction. Round, oval, or "T" shaped trusses will not be allowed.

g. The roof of a sunroom must have a minimum pitch of 1" per 12" of projection. The

sunroom may not project more than 20' measured from the rear facing plane of the residence. The sunroom may not project beyond either side-facing plane of the residence. A sunroom may not encroach on any existing setbacks or easements.

h. Sunrooms are only permitted as ground structures. The maximum height of the roof, measured from the concrete floor, may not exceed either 12' or the height of the eaves of the wall that the sunroom projects from, whichever is lower.

I. If ceiling lighting is installed, it must be downward-directed, focused, low-wattage track lighting. Any electrical plug outlet installed within the trusses/glazing supports must be of the UL approved Ground Fault Interrupt (GFI) type.

j. Sunrooms may not have turbine-type or forced fan roof ventilators installed. Only natural draft/convection flow panels that open may be installed. Panels that open may not exceed 36" x 36" in size and must be at least 36" in any direction away from adjoining opening panels.

k. Sunrooms may not have exposed air conditioning or heating ductwork installed on the exterior thereof. Vents must be attached to the main residence. No ductwork shall be visible.

l. Window coverings are not required. However, only interior coverings will be permitted; there shall be no exterior covering of the sunroom glass allowed. The side of the windows covering facing the exterior must be of a neutral color, which must also blend with the exterior color of the home. If there is coverings on any one window, then all windows must be covered and with the exact same treatment. Color and material samples may be required to be submitted for approval, at the discretion of the ACC.

7. Home Security Signs. No signs shall be permitted on any lot except for a limited number of small, inconspicuous, discretely placed signs for the purpose of warning of the presence of a home security system. Each sign shall be from a professional security company and should not exceed one (1) square foot in area. One (1) sign shall be allowed in the front yard and one (1) shall be allowed within the rear, fenced in portion of the lot. Each sign must be mounted on a stake; however, the top of the sign shall not exceed two feet (2') from the ground level when installed and must be no further than three feet (3') away from the house or garage. Signs must be of an acceptable color which is harmonious with the surrounding structure and landscaping. Acceptable colors for security signs include white, black or dark shades of red, blue or green. The text and overall appearance of the signs must be acceptable and must primarily provide a security warning without prominent advertising of any business. Signs must be maintained in good condition and the Association may demand removal of signs which have deteriorated. In addition to (or instead of) signs, home security warning decals may be displayed on first floor windows or doors, provided that each decal is not larger than three inches (3") wide by four inches (4") tall. Not more than one decal may be displayed per window or door; provided the decals do not otherwise violate these guidelines.

8. Solar Screens, Window Tint. The color of any solar screens or window tint must be harmonious with that of the house. The frames of the screens must match the window frames. If any window is covered, all of the windows on the same side of the building must

also be covered. The width of the screen frames must match individual window size (i.e. double-width screens are not allowed). Frames should have appropriate cross-member support to prevent sagging. Window tint shall be harmonious, shall not be reflective and must be maintained to prevent peeling, cracking, or irregular discoloration.

9. Trees. Trees may not be removed without prior ACC approval, except to remove dead or diseased trees or to provide room for an improvement that has been approved by the ACC. When tree removal is required for the construction of an improvement, it must be disclosed in the application for that particular improvement. When trees are removed for any reason, the homeowner must also remove the remaining stump and fill any resulting hole.

10. Skateboard Ramps. Skateboard ramps are not allowed.

11. Topiaries.

a. For the purposes of these Guidelines, a "topiary" shall be defined as a plant or shrub that has been trimmed or formed into a fantastic shape. The definition is broadened to include any ornamental structure composed of or covered with living plant material.

b. Like other exterior structural improvements, topiaries require ACC approval.

c. Approved topiaries must be maintained so that only living plant material or natural color is exposed. No mesh, substrate, or other non-living supporting structures may be visible at any time.

d. Lights within the structure are prohibited.

e. Topiaries must be planted in or placed on the ground; they may not be suspended from trees or other structures and may not be mounted on a pole or other visible structure.

f. Topiaries may not be located on any utility or drainage easements.

g. Topiaries located within a fenced backyard must not be visible from any street and may not exceed an overall height of six feet (6').

h. Topiaries located elsewhere (i.e. other than within a fenced backyard):

1) are limited to not more than two (2) topiaries per lot;

2) must be located within ten feet (10') of the house or garage;

3) must be set back at least ten feet (10') from any side street property lines, and at least five feet (5') from any interior property line;

4) must not exceed four feet (4') in height, four feet (4') in length, and two feet (2') in width;

i. The Board reserves the right to require removal or relocation of any topiary (approved or not) which it reasonably determines to be non-harmonious with the community.

12. Exterior Siding. When exterior siding is replaced or added to any existing structure or

new improvement on the Lot, it must be of the same type, quality, size, and color as the existing siding on the main residence (unless all exterior siding is being replaced at one time). If all exterior siding is being replaced at one time, the type of siding may be changed, but must be approved by the ACC. Aluminum, steel, or other metal siding shall not be acceptable. The following additional guidelines apply to replacement or additional exterior siding:

1. Minimum of a 20-year warranty from a reputable manufacturer.
2. Each application submitted to the ACC shall include a sample of the proposed siding material.
3. Color of all siding (including siding that is not painted) must comply with Section J (Painting) as set forth herein.
4. Must be installed and maintained to avoid sagging, waving, warping or irregular coloration; the Board of Directors may require the homeowner (at homeowner's sole responsibility and expense) to repair or replace siding that fails to adhere to these guidelines.

ADOPTED on the date set forth opposite each name to become effective upon recording.

	<p>ELM GROVE VILLAGE COMMUNITY ASSOCIATION</p>
<p>Date:</p>	<p>President</p> <p>Print Name: <u>Edward F. Gatjen</u></p>
<p>Date:</p>	<p>Secretary</p> <p>Print Name: <u>P. J. Jennings</u></p>

SUBSCRIBED AND SWORN TO before me on August __, 1996.

Notary Public in and for
The State of Texas

Travis McCormick

Printed Name of Notary

My Commission Expires: