
Great Oaks Estates Homeowners Association, Inc.
13121 Louetta Road, #535
Cypress, Texas 77429

13 November 2005

Great Oaks Estates Members

Subject: Great Oaks Estates Architectural Control Guidelines for Detached Single-Family Residences

In this section, you will find the entire set of Architectural Control Guidelines as proposed by the Architectural Control Committee on 18 November 2005. The Great Oaks Restrictive Covenants, along with the Bylaws, authorize the Board of Directors and the Architectural Control Committee to promulgate and amend such rules and regulations as it deems appropriate.

These guidelines are administered by the Architectural Control Committee and enforced by staff. The Architectural Control Committee is comprised of volunteer property owners approved by a quorum of the Great Oaks homeowners on 21 June 2005. The ACC Officers is the administration staff member responsible for enforcement of the Restrictive Covenants and ACC Guidelines, but is primarily available to help property owners achieve their individual desires within the constraints of the guidelines.

All property owners are urged to maintain their lots in a neat and clean manner and in accordance with the Deed Restrictions of Great Oaks Estates. With voluntary compliance, costs are reduced, property values are maintained and Great Oaks Estates remains a pleasant community in which to reside.

GREAT OAKS ESTATES ARCHITECTURAL CONTROL GUIDELINES

Whereas, architectural guidelines have been adopted by the Architectural Control Committee (“ACC”) of GREAT OAKS ESTATES HOMEOWNERS ASSOCIATION, INC. (“HOA”), in accordance with that certain Deed Restrictions for Great Oaks Estates (“DR”), filed for record under Clerk’s File No. ____ of the Official Public Records of Real Property of Harris County, Texas.

Whereas, the guidelines adopted pertain to that certain real property known as GREAT OAKS ESTATES, recorded at Film Code No. _____ of the Map Records of Harris County, Texas.

Now therefore, the guidelines set forth below are the guidelines in effect as of the date of this instrument, and shall remain in effect unless said guidelines are altered, changed or modified by the ACC, and said alterations, changes or modifications are filed for record in the Official Public Records of Real Property of Harris County, Texas.

1 OVERVIEW

1.1 PRECEDENCE: Members of the Great Oaks Estates Homeowners Association, shall obey all the provisions and terms of the Great Oaks Estates Deed Restrictions dated 12 April 2004 and all amendments/modifications voted on by the members of the HOA from time to time (“MOD”). If there is any conflict or inconsistency between the provisions contained within the body of these Architectural Control Guidelines (“ACG”) and those of any attachment, the provisions contained in the body of the ACG shall prevail. Additionally, if there is any conflict or inconsistency between the provisions contained within the ACG and those of the DR and MOD(s) then those of the DR and MOD(s) shall prevail.

1.2 STATEMENT OF PRINCIPLE: In considering plans for any new custom home residence within Great Oaks Estates (“GOE”), the Architectural Control Committee should consider the rights and interests of the members, balanced with legitimate concerns for preservation of environmental and aesthetic resources. In addition, the scale and character of the physical development should be consistent with the natural, forested setting in which the community exists.

1.3 COMMITTEE STRUCTURE: The ACC shall be composed of up to three (3) members, voted on by the lot/homeowners as outlined in Section 22. of the DR. Meetings shall be held on an as needed basis.

1.4 POWERS: The ACC shall have the right to disapprove any plans, specifications or details submitted to it in the event the same are not in accordance with all provisions of the DR, MOD and ACG; if the design or

color scheme of the proposed residence(s) or other structure(s) is not in harmony with the general surroundings of such property or with adjacent buildings or structures; if plans and specifications are incomplete; or in the event the ACC deems the plans, specifications, details or any part thereof to be contrary to the interests, welfare or rights of all or any part of the real property subject hereto, or the owners thereof. The decisions of the ACC shall be final.

1.5 **COMMISSION:** Plans and specifications for any structure or improvement to be erected on any property within the boundaries of GOE, the proposed location on the subject property, the materials, roofs and exterior color schemes, any later changes or additions after initial approval, and any remodeling, rebuilding, alterations or additions thereto shall be subject to and require the written approval of the ACC before such work commences.

1.6 **AREA OF RESPONSIBILITY:** The ACC shall concern itself with the overall planning, specific sites and residence aesthetics. In no way shall the ACC confirm assumed geological condition, structural method proposed or the adequacy of safety of any proposed structure(s).

1.7 **PURPOSE:** The purpose of the ACC shall be to assist in maintaining the quality and aesthetic integrity of both the natural and built environments (structures).

2 **OBJECTIVES:** The objectives of the ACC shall be:

- (a) To create and maintain an aesthetically desirable community by encouraging sensitive architectural design of the individual residences and related facilities;
- (b) To encourage maximum creative architectural response to each individual site as well as to the area and region;
- (c) To protect members from the results of indiscriminate construction by others that would adversely affect surrounding property values and the general aesthetic quality of GOE; and
- (d) To review and approve any plans for construction of new residences and modifications to existing residences.

3 **ACC GUIDELINES FOR DETACHED SINGLE-FAMILY RESIDENCES**

3.1 **INTENT:** These guidelines are intended to help property owners design, build and maintain single-family custom homes that will meet the intent of the ACC's objectives. Implied in these objectives are a desire to avoid a "tract-like" appearance in GOE and therefore, repeating the same house plan will be discouraged. One important aspect when selecting a design is the lot itself. Rather than reshaping the lot to fit the house, the size, the shape and topography of the lot should dictate design characteristics. Given the unique

nature and variability of each lot, it should be possible to achieve diverse architectural designs, while maintaining a high degree of sensitivity to the natural environment.

3.2 **SCOPE:** Any changes that affect the exterior appearance of a house or lot including new construction, additions, parking spaces, fences, outdoor play equipment, sculptures, retaining walls, and any other exterior features shall require prior approval by the ACC. Neither “A-frame” houses nor “Manufactured Homes” to include mobile homes, manufactured homes, structure of a temporary character, tent, or shack will be approved. The ACC recognizes that the construction industry is rapidly changing and recommends that property owners or contractors wishing to use new construction technologies first submit for pre-approval prior to making substantial investments in plans or permits.

3.3 **ACC COMPLIANCE REVIEW:** The ACC suggests a “checkset” of floor plans and elevations prior to submitting completed set to avoid making costly investments in potentially unapproved plans. In addition to the requirements of Section 21. of the DR, in order to verify that all proper permits have been obtained, the property owner or his/her designee must provide to the ACC the original Harris County stamped and approved construction set and building permit **prior** to commencement of construction. Only after such verification will the ACC issue final approval to proceed, and such approval to proceed will include any conditions or reservations imposed by the ACC. Both Harris County and the ACC approved construction sets and permits must be consulted during construction to ensure compliance to all regulations and permit conditions.

4 **CONTRACTOR AND OWNER/BUILDER REQUIREMENTS FOR CONSTRUCTION ACTIVITIES**

4.1 **Licensing Requirements:** Builder must be registered and in good standing with the Texas Residential Construction Commission. A Certificate of Insurance evidencing general liability coverage of at least one million dollars (\$1,000,000) shall also be provided to the ACC to include a builder’s risk policy.

4.2 **Portable Toilet:** The owner or contractor shall provide on the building lot one temporary portable toilet facility, placed no closer than twenty-five (25) feet from the roadway and in a location least offensive to people in adjoining homes. It shall remain in place until such time as the house toilet facilities are operable.

4.3 **Trash Removal:** The owner or contractor shall provide on the building lot an adequate container (dumpster) for the placement of trash. The contractor shall ensure that his/her workers, as well as those of his sub-contractors, make

proper use of the container. The contractor or owner shall be responsible for removal and proper disposal of all unwanted construction and clearing debris from the site, and such removal shall coincide with construction. Littering of the job site and adjacent properties with lot-clearing debris or builder's trash, empty bottles and cans, paper wrappers, plastic, etc., is strictly prohibited and subject to notice of violation. Burying trash or organic debris anywhere on the lot is prohibited.

4.4 Concrete Trucks: Concrete trucks and pumps shall only be cleaned or washed out onto the jobsite property. Owners shall provide an appropriate area on their lot, and such material shall not be discharged or permitted to flow into any adjacent property or drainage ditch.

5 SITE AND LOT REQUIREMENTS:

5.1 Minimum Setbacks: Setbacks will be measured from the structure, **including roof projections and decks.** As stated in Section 5. of the DR the minimum GOE setbacks are as follows:

Front: eighty (80) feet to front lot line;
Rear: eighty (80) feet to rear lot line; and
Side: fourteen (14) feet to side lot line

5.2 Driveways: Must be a minimum of 12 feet in width, composed of concrete, asphalt with masonry, brick or pavenstone edging. No loose or stabilized material for final surface. Only two entrances will be allowed per lot.

5.3 Culverts and Ditches: New culvert installations shall be the responsibility of the property owner and permitted by Harris County. Culvert width must be a minimum of eighteen (18) feet in length. Culvert ends must be enclosed in concrete and veneered with brick or stone similar to the residence.

5.4 Electrical Service: Power lines from the rear of the lot to the residence must be underground.

6 STRUCTURE REQUIREMENTS:

6.1 Minimum Interior Living Space: For all new construction, a minimum **finished interior living space** of thirty-five hundred (3,500) square feet, exclusive of garages, is required.

6.2 Building materials: Must be new with the exception of certain approved materials normally used to decorate or accent the improvement.

6.3 Structural: The following guidelines are the minimum requirements:

- (a) Residences must have a width at least sixty-five (65) feet wide, excluding a front loading garage;
- (b) Log homes will not be permitted;
- (c) Foundation shall be engineered beam and slab design (piers as required) with finished floor elevation as required by the Harris County; and
- (d) Wall, ceiling, floor joist and rafter spacing shall be a maximum of sixteen (16) inches on center.

6.4 Exterior Finishes: Exteriors shall be composed of materials compatible to surroundings and in keeping with the ACC purposes and objectives (see Sections 1 and 2).

(a) Paint Colors: The use of “subdued” exterior colors that blend into a forested setting is required. Approval of owner selections shall be discretionary with the ACC and shall be limited to specific site applications. Approval of a color in one location does not necessarily mean the color is deemed approved for all locations. Custom colors are approved or disapproved based on other criteria, including possible negative contrast with the streetscape and surrounding areas.

- (1) Unless otherwise approved, garage doors and panels are considered part of the body of the house for paint purposes.
- (2) Structures found to be in non-compliance with these color guidelines may be required to be repainted immediately following their discovery and notice of non-compliance from the HOA.

(b) Roofing: Roofing materials should be of fire-resistant materials and may consist of asphalt/fiberglass shingles (30 year), cement tiles, composites, metal and/or other specialized roofing materials subject to ACC approval. Wood shingles or shakes are not permitted. Type and color choices for all materials shall be submitted to and approved by the ACC prior to application on any residence, addition or accessory structure. The ACC will not approve a submission for partial re-roofing with a material or color that is different than the existing roof.

(c) Siding: Siding may consist of rock and/or brick veneers, stucco and hardi-plank. Samples of the proposed material may be requested by the ACC. Approval of any non-conventional material(s) shall be discretionary and may be limited to that specific residence.

- (1) No asphalt or aluminum materials shall be used or approved for use as siding;
- (2) Use of wood and/or composite panel (4x8 or longer sheets) as exterior siding products is not approved; and

(3) Foundation walls shall not exceed 18 inches of exposed concrete on stepped foundations. Exposed concrete shall not exceed a maximum of 12 inches from level finished grades to siding.

(d) Chimneys: Chimneys will consist of rock and/or brick or stucco finish only. Siding-clad chimneys will not be approved.

(e) Windows: Windows shall be as follows:

(1) No reflective or colored window glass or frames other than the standard tints will be approved;

(2) Wood windows shall be used for the front elevation as manufactured by Pella, Anderson or Marvin; and

(3) Side and rear elevations windows may be vinyl, aluminum or fiberglass but shall match the style of the front windows.

6.5 Exterior Lighting: The purpose of exterior lighting is to make safe movement possible and to enhance aesthetic qualities of the residence and its surroundings. Though there are many needs for exterior lighting in our community, obtrusive aspects of lighting can extend well beyond the boundaries of the area in which the lighting is installed and intended for use. These obtrusive aspects can be effectively controlled or eliminated with carefully considered attention to design, installation and use. General requirements are as follows:

(a) All existing and proposed exterior lighting shall conform to this section. Exterior lighting on new construction must be indicated on submittals to the ACC for approval.

(b) Exterior accent or safety lighting for residences shall be directed downward.

(c) Excessive mounting heights will be discouraged and may be prohibited at the discretion of the ACC.

(d) Exterior area lighting for residences shall not be directed toward any neighboring structures.

(e) Any exterior flood or spot light-type fixtures shall be shielded so that the bulb itself is not directly visible from anywhere other than the owners' property.

(f) Lights activated by motion detectors shall be adjusted where possible to minimize inadvertent or constant activation by normal adjacent activities.

(g) Mercury vapor or high pressure sodium lights will be approved only where deemed appropriate, and they require specific approval by the ACC.

(h) The number and brightness of exterior lights for use around residences shall not be excessive as determined by the ACC (see subsection i, below).

(i) Exterior lighting found to be objectionable to neighboring residences may be appealed to the ACC for review. In the event differences cannot be

resolved between the parties, the ACC shall act as arbitrator, and its decisions shall be binding.

6.6 Garages: All residences must include an enclosed garage (minimum of two car) architecturally similar to the residence.

- (a) The garage roof line height may not exceed the roof height of the residence;
- (b) Side entry and rear entry garages are highly encouraged;
- (c) Any front loading garage must be placed no closer than the rear of the residence unless screened by an architecturally enhancing carport; and
- (d) Owners are encouraged to construct the size of the garage to adequately handle their individual family needs concerning the number of vehicles, lawn equipment and normal household needs to ensure all vehicles will be kept in either an enclosed garage or under an appropriate carport or porte cochere.

6.7 Storm Water Drainage: Storm water drainage resulting from roof, parking and driveway areas shall be diverted and prevented from flowing into neighboring lots.

6.8 Septic System: Each owner must install their own private aerobic septic system behind the residence that is in accordance with all Harris County and other applicable government regulations.

6.9 Well: Each owner must install their own private water well in the front third of their respective lot that is in accordance with all Harris County and other applicable government regulations. The well's storage tank must be located inside the garage or other similar enclosed structure.

6.10 Equipment: All HVAC compressors, pool equipment, etc. must be placed on the side or the rear of the residence in a manner that it is screened from public view. No wall or window HVAC units shall be installed in any structure.

6.11 Accessory Structures: All construction of sheds, storage areas or other accessory structures requires prior ACC approval. Accessory structures shall be attached to the proposed or existing residence, except where attachment is impractical due to topography or other reasons acceptable to the ACC and must meet minimum setback requirements (see section 5.1).

- (a) All accessory structures (garage, storage and woodsheds, etc.) shall be consistent with the main structure in terms of architectural character, materials and finishes;
- (b) All outside storage areas must be screened from view of the road. This includes areas for storage of trash and recycling containers, under decks

where such areas are used to store any type of materials, or any area on the lot where materials are being stored; and

- (c) Except where otherwise specifically approved, the total area on each lot utilized for such outside storage may not exceed one hundred (100) square feet in area.

6.12 **Propane Tanks:** Installation of propane tanks is strictly prohibited.

6.13 **Fencing:** Construction or installation of fences requires prior ACC approval.

Applicants are strongly encouraged to notify their neighbors of proposed fences prior to applying to the ACC for approval. In addition to being a neighborly thing to do, this exchange of information may allow for a fence design that can address multiple concerns within GOE. The need for privacy, security, pet enclosures, open space, etc. are concerns of all property owners. It is therefore important to keep in mind that the ACC has a variety of needs and concerns to consider when processing an application to construct a fence. Each submittal will be treated on a case-by-case basis. The decision shall be based on the following criteria:

- (a) Lot size and shape;
- (b) Intended use, i.e. privacy, protection, animal enclosure, etc.;
- (c) Additional considerations specific to the proposal (positive or negative impacts to neighboring properties);
- (d) Aesthetics;
- (e) Design Elements and Placement Requirements: see Section 20 of the DR and MOD;
- (f) Living (Vegetative) Fences:
 - (1) Where there is the desire for privacy between or among adjacent properties, living fences or hedges composed of native evergreens, or a combination of specimen and native plants are encouraged.
 - (2) Living fences along a property line, whether planted or cultivated using native vegetation must be approved by the ACC. Such hedges may be planted or cultivated only to the extent that they can be maintained by the applicant property owner and will not encroach onto the neighboring lot nor grow to excessive heights (height limits may be imposed to preserve views enjoyed by adjoining properties).
- (g) **Non-Vegetative Fencing:** Chain link may be used for pet enclosures (with prior ACC approval), provided it is less than six (6) feet in height and the enclosure is less than one hundred (100) square feet. Vegetative screening **will** be required; and
- (h) **Submittal Process:** Fences, hedges, pet enclosures, privacy screens, etc. require prior approval from the ACC. Applications to the ACC should include the following:

- Name, date, lot, street address, mailing address and phone number;
- Description (including dimensions) of fence or hedge material and design;
- Description of intended use of fence or hedge;
- Submittal of a site plan depicting the location on the lot of the proposed hedge or fence with dimensions of both the fence and the distance from the fence to the property line; and
- Additional information you would like the ACC to consider.

Written notice of ACC decisions are normally available within five (5) working days after the meeting date.

7 COURSE OF CONSTRUCTION ACTIVITY:

7.1 Lot Clearing and Excavation: It is extremely important that those persons doing the work know in advance what has been agreed upon between the ACC, contractor and property owner, and that all parties are informed of any changes that deviate from the original agreement prior to commencement of excavation.

- (a) Approval of final or amended plans by the ACC shall constitute agreement among the parties as to location of the structure on the lot, driveway location and other site plan details. Special provisions or conditions made part of the approval shall be specified in the initial or subsequent letter of approval to the owner. **ACC must be contacted beforehand if the excavation/tree removal plan is to be altered in any way.**
- (b) Hauling away and/or shredding branch and stump debris is required.

7.2 Inspections: There are several required inspections by the ACC during the construction period. Following 24-hour advance notice by the property owner or his/her designee ACC will perform on-site inspections during the following stages of construction:

- (a) **Setbacks and Floor Elevations:** Location of the building on the site and the floor elevation as approved by the ACC will be confirmed by a Registered Land Surveyor inspection, at owner's cost, when forms have been set but prior to the pouring of concrete foundation footings. Lot boundaries must be clearly marked to allow determination of approved setbacks. Garage and house floor elevations will be evaluated per ACC approved plans. Changes require ACC review;
- (b) **Driveway:** Driveway configuration will be confirmed by an inspection when forms have been set but prior to pouring the driveway; and
- (c) **Final:** Inspection for release from ACC jurisdiction will be at the owner or builder's request prior to occupancy of the structure and no later than 12 months from the date of start of construction, unless an extension has been

requested and granted. Extensions or variances from this provision must be requested in writing and approved by the ACC.

7.3 Completion of Construction / Time Limits: The construction of any single-family detached residence, the plans for which are approved by the ACC, must begin within ninety (90) days after approval, and the exterior (including exterior finish) must be completed no later than nine (9) months after the date the slab or foundation is poured or installed.

- (a) Failure to commence construction of any single-family residence within ninety (90) days after ACC approval will require that the plan be re-approved by the ACC;
- (b) Consistent progress must be made throughout the construction project. The ACC shall specify to the property owner what constitutes a violation under this section and shall issue a Notice of Violation or Non-Compliance which may result in penalties and/or increased construction deposit requirements; and
- (c) Failure to complete construction by the nine (9) month deadline can result in penalties up to \$50/day, 6 days a week.

7.4 Construction Application: The following items must be submitted and/or completed at time of application:

- (a) Two sets of construction plans, one of which will be signed and returned to owner; and
- (b) One copy of specification sheet with paint chips, roof color, and siding material.

7.5 Preliminary Review: To help property owners and potential property owners avoid unnecessary expenses, the ACC will consider partial submittals for unusual or questionable projects. These submittals would be for approval “in concept only” and a complete submittal would be required prior to final approval being granted.

7.6 ACC Compliance Review and Disposition: Both Harris County approved plan sets and permits must be consulted during construction to ensure compliance to all regulations and permit conditions. The ACC shall approve or disapprove accepted plans, specifications and details within thirty (30) days from receipt thereof or shall notify the person submitting them when an additional period of time, not to exceed an additional thirty (30) days, is required for such approval or disapproval. Plans, specifications and details with written ACC approval or disapproval, shall be returned to the person submitting them. At least one (1) copy shall be retained by the ACC for its files.

7.7 Quality and Content of Submittals: The ACC requires a series of plans and forms to determine if the building project meets all the DR and MOD. All of these plans and forms must be submitted in the detail required for the building application to be considered. Building documents submitted to the ACC for approval shall be accurate, near as possible to “professional quality” and shall include:

- (a) Property boundaries including the road right-of-way;
- (b) Location of the proposed structure on the lot showing roof line (solid);
- (c) Proposed setbacks from the property boundaries to eaves; and
- (d) Proposed location of walks, decks, patios and driveway.

7.8 Variances: It is realized that, with the passage of time, these ACGs may change in keeping with updated building materials technology, methods of construction and style or architectural concepts.

- (a) The ACC may allow reasonable variances and adjustments of these restrictions in order to overcome practical difficulties and to prevent unnecessary hardships in the application of the provisions contained herein; provided that such is done in conformity with the intent and purposes hereof and that in every instance such variances or adjustments will not be materially detrimental nor injurious to other properties or improvements in the neighborhood.

8 ACC GUIDELINES FOR SIGNS ON LOTS:

8.1 Street Address: All homes shall have a street address number posted on the structure or mailbox adjacent to the road and such street address number must be visible from the main street.

8.2 For Sale Signs: GOE owners wishing to display their lots for sale or for rent may do so provided that only one such sign may be posted on each lot. No other information materials shall be placed outside the residence other than that of an approximate 24-by-36 inch size. **Signs may not be attached to trees.**

8.3 Open House Signs: Portable open house signs may be placed that direct people to a particular home for sale. Only one such sign for each open house shall be permitted at any one street intersection. The owner(s) or qualified sales agent must be present at the open house during any period when such signs are in place.

8.4 Construction Signs: During construction or landscaping, a sign not to exceed four (4) square feet in size may be placed on the property where the work is being done. The sign shall contain the name, address and telephone number of the contractor and shall be of a style and character that does not

diminish the aesthetics of the surrounding area as determined by the ACC. The sign must be removed from the site within seven (7) days following completion of the work and/or final inspection of the structure by ACC staff. The property owner may be subject to fines for failure to remove any sign following the seven (7) day period.

8.5 Other Signs: Permission must be obtained from ACC prior to posting any type of temporary flyer or sign, to include garage sale, directional signs or etc. Where specifically permitted, such signs may not be affixed to trees or to traffic signs and may not be posted prior to the day of the sale or event, and must be removed promptly (the same day) after the sale or event concludes.

Dated effective: _____

ARCHITECTURAL CONTROL COMMITTEE OF GREAT OAKS ESTATES HOMEOWNERS ASSOCIATION, INC.

By: _____
Greg Thomas

By: _____
Brent Walker

By: _____
Brian Whitlock