

## Providence Landing Home Design Guidelines

The following Design Guidelines are promulgated by the Architectural Control Committee (the "Committee") as provided for in Article VIII of the Declaration of Covenants and Restrictions for Providence Landing, a Subdivision in Colorado County, Texas.

### 1. Main Residence: Minimum Square Footage and Number of Stories

- **Minimum 2,500 sq. ft. under roof.**
- No home may have a ground-level footprint with less than 1,750 sq. ft. of walled interior space.
- **Minimum square footage is inclusive of an attached garage.**
- No main residence or any other building, structure or other object may be taller than two stories.

### 2. Main Residence and Outbuildings: Construction and Exterior Requirements

- All buildings must be pre-approved individually by the Committee prior to the beginning of construction.
- **Main residence must be 80% masonry (brick, stone, rock, etc.) or stucco.**
- All outbuildings—including but not limited to pool houses, guest houses, cabanas and storage buildings—must be pre-approved by the Committee.
- **All outbuildings must be built at the elevation of the main residence, whether or not utilities will be connected.**
- No manufactured or pre-fabricated residences will be permitted at any time, including but not limited to mobile homes.
- Construction of any building prior to the beginning of construction of the main residence is prohibited.
- No guest quarters or other habitable building shall be constructed and/or occupied before the completion of the main residence.
- No camping shall be permitted on any lot within the subdivision prior to or during construction of the main residence.
- No house may be moved to any property in Providence Landing.
- All colors must be pre-approved by the Committee. Earth tones and muted colors are generally acceptable on trim, siding, shutters and all doors. No unsightly or extreme colors shall be permitted on any building at any time. The Committee reserves the right to deny the application, and demand the removal, of any offensively colored painted trim, siding, window treatment or door. The Committee may not revoke the right to use or re-apply, or demand removal of, any color previously approved by the Committee for use on one or any buildings.
- No turrets, spires, or other spaces may be built above the bottom roof line of the house. Outdoor upstairs decks at the floor level of the second story or below are acceptable upon approval by the Committee.
- All additions or changes to the planned or existing exterior structure of the main residence or any other building (see specific rules concerning the conversion of

garages to other uses) must be pre-approved by the Committee. Standard upkeep and maintenance are excluded from this provision.

### 3. Garages

- Each residence must have and maintain a minimum of a two-car enclosed garage, either under one roof or detached and connected by a walkway.
- Detached garages must be 60% masonry or stucco and of the same materials as the main residence.
- Renovations or conversions of existing garages, whether attached or detached, for any use other than the parking of vehicles, including but not limited to residential living space, must be pre-approved by the Committee. The construction of a new, Committee-approved garage must precede the renovation or conversion of the initial garage for other purposes.
- Garages for Lots 1-7, Lots 9 and 12, and Lots 14-18 must be side or rear entry and may not face any street within the subdivision. Garages for Lots 10 and 11 must be side entry only, facing Lots 9 and 12, respectively.
- Garages for corner lots 8 and 13 must be rear entry.
- No separate carports shall be permitted.
- A porte cochere consisting of the same materials as the main residence is allowed, upon approval.
- A circular drive in front of or on the side of a main residence is allowed, upon approval.
- All driveways must be concrete or blacktop, and must be completed within 6 months of completion of the main residence.
- No dirt driveways will be permitted after completion of the main residence.

### 4. Location of Buildings and Other Improvements on Lots 1-8 and 13-16

- No buildings or other improvements, including but not limited to the main residence, shall be located on any lot nearer than:
  - a. 150 feet from the main road
  - b. 30 feet from any other lot or road

### 5. Location of Buildings and Other Improvements on Lots 9-12

- No buildings or other improvements, including but not limited to the main residence, shall be located on any lot nearer than:
  - a. 150 feet from the main road
  - b. 30 feet from any other lot or the Park and its boundaries.
- No main residence or other building may be built beyond the fence-line preceding the Orchard under any circumstances.
- Decks, arbors, pergolas, picnic areas and other minor structures may be constructed beyond the fence-line but above the general area adjacent to the Orchard on the owner's property, so long as they are in keeping with the design structure of the main residence and the general grove and river theme of Providence Landing.
- Construction of a building or structure of any kind within the Orchard and towards the Colorado River is strictly prohibited.

## 6. Construction Timeframe

- There is no time requirement on when to begin construction of a main residence on a lot. However, all lots must be properly maintained at all times, including but not limited to mowing and maintenance of clear drainage easements.
- Construction of a main residence and garage must be completed within eighteen months following design approval by the Committee and the beginning of construction.
- Construction of the exterior of the main residence and garage must be completed within one year from the starting date.

## 7. Easements and Rights-of-Way

- All easements and rights-of-way must be respected and observed at all times.
- All drainage easements must be kept clear at all times.
- No building, landscaping or other improvement will be approved that obstructs any easement or right-of-way.
- It is the property owner's responsibility to understand and observe all easements and rights-of-way affecting his or her property.
- Any obstruction to an easement or right-of-way must be removed immediately upon the written notice of the Board or the verbal or written notice of any utility service.

## 8. Use of Propane Tanks

- All propane tanks for providing gas service to a residence must be installed underground.

## 9. Water Wells and Bladders

- Well bladders must be installed within garages or other storage buildings.
- All water wells are to be of pit-less design
- The water well existing pipe that remains above ground must be concealed with vegetation or landscape rocks
- Recommended water well contractor is Neuendorff Water Well (Kenny Neuendorff – Owner)

## 10. Fences

- Fencing by property owners is only allowed on surveyed property boundaries and behind completed home structures.
- No cross fencing of property allowed and no temporary fencing of any kind allowed. No boundary or cross fencing shall be permitted within or between Lots 9 and 10 or Lots 11 and 12 below the residential fence line at the back of the estate lot home sites, except for a wood post and natural hemp rope line along property lines as modeled by the Park boundary fence. Specifications for this fence shall be identical to the Park fence: 32" tall 4" x 4" wood posts, sand packed and set 10' apart with a single 3/4" natural hemp rope connecting them. This low property fence must end before reaching the detention pond area.
- Surveyed property boundary fencing must meet the following criteria:

- Fence Post to be treated 4" x 6"
- 3 board fence to be treated 2" x 6" boards
- fence must be level with the height of any connecting fence
- post must be concreted in at 5 ½" spacing
- Fence height to 52"
- Top post to be flush with post top 2nd and 3rd board to be spaced 11" apart
- If a treated 3 board fence is bordering another person's property or bordering the entry road including the T road it must have a 3 board assembly on both sides of the fence
- Any fence behind completed home structures must meet the following criteria
- Fence post to be black powder coated 4" x 4"
- Only vertical spindle configuration allowed with spacing to be of 1 ½" or 4" all material to be black powder coated
- Vertical spindle may be of either 1" x 1" or 1" x 2" in width
- **Fence height not to exceed 48"**
- Any gates attached to fences behind completed home structures must be black powder coated.
- Decorative fence rails to be of 1" x 2" or 2" x 2" channel black powder Coated.
- 4" x 4" posts may be capped with decorative ball or a flat diamond

#### 11. Gates

- **Drive through gates must be 12 foot in width**
- Support gate posts must be 6" x 6" metal post with diamond or ball caps
- Posts to be painted black and not to exceed 52" in height
- Gate construction to be 2" x 2" metal channel vertical spindles to be placed with 4" spacing
- Horizontal 2" x 2" metal channel to be used horizontally to support top and bottom
- Top gate rail to be arched at 52"
- Gate must be painted black
- Owners of Lots 9-12 may construct a drive-through gate into that portion of their Lot within the Orchard, but must install at the same time a cattle guard
- Cattle Guard construction to be of 4" x 4" pipe, 6' wide and 12' long and set on concrete beams
- Recommended cattle guard construction to be by Kevin D. Ruether

#### 12. Play Structures

- Permitted upon approval and must be maintained in excellent condition or Owner will be required to remove them at Owner's expense.

#### 13. Pools

- Pools may be installed upon approval of the Committee. **No above ground pools will be permitted.**

#### 14. Landscaping and Trees

- Upon completion of home construction and irrigation of the Lot, the Owner must plant a minimum of 10 45-gallon oak trees on their Lot.

#### 15. Decks, Arbors, Pergolas and Trellises

- Backyard decks without roofs, trellises or concealing walls or rails higher than 48 inches above ground level at the site of construction should conform to the overall design of the residence and may be built at the owner's discretion. Such decks are exempt from the masonry requirements of all buildings.
- Decks with roofs, trellises or walls higher than 48 inches must be pre-approved by the Committee and must meet the masonry requirements of all buildings.
- Arbors and Pergolas should conform to the overall design of the residence and may be built at the owner's discretion if less than eight feet tall and less than 100 square feet in area. Arbors and pergolas need not meet the masonry requirements of all buildings.
- All decks must be constructed behind the main residence.
- Pre-approval from the Committee is required for any arbor or pergola to be placed at the side of or in front of a residence.
- All trellises on individual properties must be pre-approved by the Committee and must not interfere with the views of other property owners within the subdivision.
- All community fences and trellises are exempt from these provisions.
- Any structure over 48 inches tall with opaque or obscured walls must be pre-approved by the Board.

## Association Rules and Regulations

### 1. Garage and Estate Sales

- Individual garage and/or lawn sales are strictly prohibited in Providence Landing.
- The community may determine to hold a community-wide market sale for one weekend at most once per annum. Sixty percent of households currently living in Providence Landing must approve the market sale by vote at least one month prior to the intended date. Households must be informed by the Board in writing at least two weeks prior to the date of the vote.
- Estate sales should be approved by the Board upon written request by a homeowner or next of kin.

### 2. Trash and Other Excess Materials

- Trash cans must be stored out of sight of streets and neighboring properties.
- Trash cans must not be placed on driveways, lawns, easements or streets before 6 p.m. the evening before pick-up and must be removed by 8 p.m. the day of pick-up.
- No lumber, metals, bulk materials, refuse or trash may be kept, stored or allowed to accumulate on any lot or open space area.
- Building materials may be stored on the premises during construction of a main residence or other building.

### 3. Cars, Recreational Vehicles, Boats, Trailers and Other Large Vehicles

- No disabled or inoperable vehicles may be parked or stored in public view.
- No boats, trailers or RVs may be parked on streets at any time.
- Boats, trailers or RVs may be parked on a lot owner's driveway for no more than 48 hours to allow for the reasonable loading of and preparation for trips. Any routine abuse of this provision will warrant a review by the Community Association and a vote on its continuance.
- Parking any vehicle on lawns, easements or open spaces is strictly prohibited.
- Personal vehicles in good working order should be parked in garages or on driveways at all times.
- The parking of lot owners' and/or their families' and friends' personal vehicles on streets within Providence Landing is permitted for periods less than one day, so long as the safe and orderly flow of traffic is not interrupted.
- No other large vehicle is permitted on the streets or on the lots within Providence Landing at any time except for the construction of residences and other buildings or the development or maintenance of pools, wells, septic systems or other approved improvement projects.
- Vehicles owned by utility companies are exempt from these provisions.

### 4. Fireworks, Firecrackers and Other Explosive or Incendiary Devices

- The possession and use of fireworks and firecrackers, no matter their size or content, is strictly prohibited under any and all circumstances anywhere within Providence Landing.

- No other explosive or incendiary device, chemical, liquid or powder is permitted within Providence Landing at any time. Gasoline, propane and other reasonable power-generating fuels are exempt from this provision.
5. Noise and Use of Mechanical Equipment
- Lawnmowers, saws and other noise-making mechanical equipment shall not be operated before 7 a.m. any morning or after 9 p.m. any evening.
  - Generators may be operated outside these hours in the event of a power outage.
6. Animals
- Except in the Orchard, no farm animals will be permitted, including but not limited to cows, horses, and poultry.
7. Use of Park
- No tractors, automobiles, trucks or other large vehicles are permitted beyond the fence-line entrance of the Park, except for maintenance, grooming or repair work on the Park. Small recreational vehicles, such as golf carts and four-wheel ATVs, are permitted.
  - Open fires are prohibited except in designated fire or barbeque pits. Overnight camping is prohibited.
  - Neither Declarant nor the Association shall be responsible for any loss, damage, or injury to any person or property arising out of the authorized or unauthorized use of the Park. Each Owner and occupant of any Lot and each permitted guest or invitee of an Owner, as applicable, acknowledges and understands that the Association, its Board of Directors, Declarant or any successor declarant are not insurers and that each Owner and occupant of any Lot and each permitted guest or invitee of any Owner assumes all risk for loss or damage to persons or property, and further acknowledges that the Association, its Board of Directors, Declarant or any successor declarant have made no representations or warranties nor has any Owner, occupant, or permitted guest or invitee relied upon any representations or warranties, expressed or implied, as to the safety of the Park. ***Each Owner and occupant of any Lot and each permitted guest or invitee of an Owner hereby agrees to indemnify and hold harmless the Association, its Board of Directors, Declarant or any successor declarant for all loss or damage to persons or property in or around the Park.***