

Raintree Village HOA

Architectural Control Committee Guidelines Reference Guide

Although every effort has been made to exactly duplicate the text of the recorded guidelines, errors may exist in the following re-typed version. This is not an officially recorded document.

The information located within this document is provided for reference use only.

Whereas, those certain instruments entitled “Declaration of Covenants, Conditions and Restrictions for Raintree Village Section One”, “First Amendment of Declaration of Covenants, Conditions, and Restrictions, Section One”, “Annexation of Second Amendment of Declaration of Covenants, Condition and Restrictions for Raintree Village, Section One”, and “Annexation of Raintree Village, Sections Two, Three, Four, Five, Six and Seven”, “Declaration of Covenants, Conditions and Restrictions for Raintree Village Section Eight”, “Declaration of Covenants, Conditions and Restrictions for Raintree Village Section Nine”, “Declaration of Covenants, Conditions and Restrictions for Raintree Village Sections 10, 11 and 12”, and “Declaration of Covenants, Conditions and Restrictions for Raintree Village Section 13”, respectively filed of record with the county clerk and collectively referred to as “The Declaration” encumber all of the lots in Raintree Village, sections one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, and thirteen, all of Harris County subdivisions according to the maps or plats (or any replats) thereof, filed in the map records of Harris County, Texas (the subdivision); and

Whereas, the Declaration provides that no buildings, or other improvements, shall be erected or placed on any lot until the construction plans and specifications have been submitted to and approved in writing by the Architectural Control Committee of the Association (the ACC); and

Whereas, the Declaration further provided that the ACC shall have the discretion to approve or deny plans and specifications for buildings, additions, or improvements on the basis of color, quality of building materials, and harmony of external design with existing structures; and

Whereas, the Board of Directors of the Association has assumed powers of the ACC in accordance with Section 204.011 (b) of the Texas Property Code; and

Whereas, the Board of Directors of the Association desires to establish guidelines with respect to the type, quality, and color of exterior additions and improvements on lots so that a harmonious exterior design within the subdivision is consistently maintained.

Now, therefore, the Board of Directors of the Association hereby adopts the following guidelines relation to buildings and improvements on lots within the subdivision and shall supplement the restrictive covenants set forth in the Declaration.

Article I

APPLICATION PROCEDURE

1. Approval of the Architectural Control Committee is required prior to the installation or construction of new or repair of existing structures or improvements.
2. Except as provided in Section 1.4 of this Article I, all applications for approval to make any exterior changes, additions, or improvements, must be submitted to the ACC in writing by completing the application form currently in use by the ACC, a copy of which is attached hereto, or such form as may hereafter be adopted by the ACC. Plans and specifications for any exterior change, addition, or improvement should be attached to the application. 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 time manner (so that the application may be approved or disapproved within thirty [30] days of its receipt), the application shall be denied. However, the application 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 office of the managing agent of the Association.

3. The ACC shall endeavor to review each application as soon as possible after the date of its receipt. Each decision of the ACC shall be in writing and include a statement of the conditions under which the application is approved, if any, or the reason(s) for denying the application. Any application which has not been approved or denied within (30) days of the date of its receipt shall be deemed approved; provided, however, that any such approval shall be deemed to relate to architectural guidelines only, not to any of the use restrictions set forth in the Declaration. Unless stated otherwise in the ACC's written response, all approved exterior changes must be completed within thirty (30) days of the date of construction, installation, or erection commencement.
4. In the event that the ACC denies an application, the applicant may submit to the ACC a written request of reconsideration, which should include an explanation of additional or extenuating circumstances or any other additional information which the applicant considers relevant to the original application. The ACC shall review the request for reconsideration at the meeting of the ACC next following the date upon which the request is received, and then notify the applicant in writing of its final decision. In the event that the request for reconsideration is denied by the ACC, the applicant may submit to the Board of Directors of the Association the written request for reconsideration. The Board of Directors shall review the request for reconsideration at the meeting of the Board of Directors next following the date upon which the request is received and notify the application of the Board's decision. All decisions of the Board of Directors shall be final. During the period of appeal to the ACC and/or the Board of Directors, the decision of the ACC on the original application shall remain in effect; further, an appeal of a decision of the ACC shall not be considered a new application resulting in approval of the original application if a response to the reconsideration is not submitted by the ACC or the Board of Directors within thirty (30) days of the date of its receipt.

Article II

GENERAL GUIDELINES

1. The ACC shall consider the following factors upon the review of each applicant for an exterior change, addition, or improvement:
 - a. Size and dimension
 - b. Color and harmony with existing structures and improvements
 - c. Quality of materials
 - d. Location
 - e. Harmony and appeal of exterior design
 - f. Quality of construction
 - g. Elevation
 - h. The provision of applicable statutes, ordinances, building codes and covenants, conditions, and restrictions.

Provided, however, that 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 warranty or representation by the ACC of the fitness, design or adequacy of the proposed construction.

Article III**FENCES**

1. Fences shall be located on the property lines of the homeowner's lot and not extend into the front yard beyond the building setback line for the main residence upon such lot or, in the opinion of the ACC, must not interfere with the general harmony and external design of the subdivision. No fences may be constructed as to obstruct sign lines for vehicular traffic from the standpoint of safety.
2. All fences shall be six (6) feet in height. When using a six (6) inch rot board at the bottom of new fences, a six feet six inch (6'6") height will be acceptable. Fences shall be of wooden pickets. Chain link or wire fencing is not permitted. If only one side has finished material, the finished side must face the public side of the individual lot. All fences shall be constructed with the pickets on the outside so that no posts or rails are visible from the street in front of the lot or from the side street. Fence material must be kept in its natural state and may not be stained or painted on the public side of an individual lot.
3. All gates shall be constructed of wooden pickets. If only one side has finished material, the finished side must face the public side of the individual lot. Gates shall not be of chain link or wire. Any other gate material (such as ornamental iron) will be reviewed on a case by case basis.
4. Any length of fence extension request must have approval of the owner of the affected neighboring lot prior to ACC consideration.
5. All fence repairs must utilize the same materials as the fence being repaired unless said fence is not within ACC guidelines, in which case it will be reviewed by the ACC.

Article IV**SWIMMING POOLS**

1. All backyard swimming pools and spas will be approved by the ACC only after careful consideration of the effect such a pool or spa will have on neighboring lots.
2. Applications for a pool or spa will not be considered unless the application is accompanied by an application for an acceptable fence design or a fence design has already been approved and there are adequate locks on the gate to the fence.
3. An application for the construction of a pool or spa must include a plot plan showing the proposed location in relation to the property lines, setback lines, building lines, easements, existing structures, and existing or proposed fences.
4. The application shall also include a timetable for the construction of the pool or spa.
5. During construction, the pool or spa area shall be enclosed with a temporary fence or barrier, unless a fence already exists.
6. No building materials or construction vehicles shall be kept or stored in the street overnight.
7. No pool may be enclosed with screens.
8. The pool or spa, including the decking, shall be constructed so as not to encroach upon any existing easement or building setback line.
9. Homeowners must notify the utility district and any easement holders of their intention to install a pool or spa.

Article V**OUTBUILDINGS**

1. 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, shall be considered an outbuilding; including tool and/or storage sheds, playhouses and gazebos. No outbuildings shall be allowed to exceed eight (8) feet in height without written consent of all adjacent property owners prior to ACC consideration. Consent of neighbors does not guarantee the approval of the ACC.
2. No metal buildings of any type shall be permitted.
3. Any exterior addition or alteration to an existing building shall be compatible with the design character of the original building.
4. No outbuilding or structure shall be located nearer to any front, side, or rear lot line than as permitted by the utility easements and the setback lines shown on the recorded plat of the subdivision. No playhouse or play structure may be located within ten (10) feet of any property line or fence line.
5. No outbuilding(s) shall be constructed before an approved fence is constructed. This includes storage sheds, dog houses, and greenhouses.
6. The length and width of any outbuilding shall be limited so that established drainage patterns will not be interrupted. Depending upon the size and placement of the lot, the length and width or any outbuilding shall be reviewed on an individual basis. Outbuildings shall not exceed ten feet by ten feet (10' x 10').
7. The height of the peak of the roof of the outbuilding shall not exceed eight (8) feet. Any roof shingles shall be uniform in design and the same color as the primary residence.
8. Playhouses and play structures shall meet the requirements of all other buildings. Provided, however, only one (1) playhouse or play structure not exceeding ten (10) feet in length, ten (10) feet in width, and eight (8) feet in height shall be permitted on a lot. The standard type, quality and color of the materials used in the construction of a playhouse shall be harmonious with the standard type, quality and color of the materials used in the construction of the main residence on the lot.
9. All playhouses and outbuildings shall be maintained in good condition.

Article VI**PATIO COVERS**

1. 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.
2. Patio covers may be constructed only in the area of the rear patio.

Article VII**LIGHTING**

1. Exterior wall or soffit mounted security lighting shall be permitted with the ACC's approval, so long as each lighting fixture does not exceed the equivalent of 150 watts.
2. Exterior landscape lighting shall be permitted, so long as the lighting is located within the flower beds, shrubs, and/or trees.

3. One (1) gas light per lot shall be permitted with the ACC's approval, provided the gas lighting color is white. Existing gas lighting may be converted to an electric bulb provided the bulb is a clear glass type, the wattage of the bulb does not exceed the equivalent of 100 watts and the lighting color is white.
4. Flood and spot lighting shall be permitted with the ACC's approval provided the wattage in each lamp does not exceed the equivalent of 150 watts, the wattage in each fixture does not exceed the equivalent of 300 watts, and all fixtures are mounted under the eaves or to a soffit.
5. Vapor lighting/high output lighting shall only be permitted in the front driveway area so as not to interfere with neighbors and cause an annoyance. Under no circumstances shall vapor lighting/high output lighting be permitted on the back side of the primary residence or on the side of the primary residence. All vapor lighting/high output lighting must be approved by the ACC.
6. Exterior lighting shall not be directed in such a manner as to create an annoyance to the neighbors. All new lighting approved by the ACC shall be subject to a sixty (60) day trial period to assure that the lighting is not objectionable to surrounding residents. At the end of the sixty (60) days, the ACC shall determine if the lighting should be removed, modified, or receive final approval.

Article VIII

PAINTING

1. A color sample or "paint chip" of the proposed exterior color of any new addition or improvement must be attached to each application submitted to the ACC. Further, the existing exterior color of a house, garage, or other improvement on a lot shall not be repainted in the existing color or any other color without first submitted an application with a color sample or "paint chip" to the ACC and receiving written approval.
2. Each color sample or "paint chip" shall be compared to the colors and shades of the existing homes in the vicinity of the applicant to assure that each approved color is harmonious with the scheme of the subdivision.
3. The door of a garage on a lot shall be painted the primary color or the trim color of the residential dwelling. Garage doors shall be all one color; patterns, checkerboard or designs will not be allowed.
4. Landscape timbers shall not be painted under any circumstances.

Article IX

ROOFING AND GUTTERS

1. A sample of proposed shingles to be placed on any existing roof or any improvements must be attached to each application submitted to the ACC. Proposed shingles must be an acceptable type and quality, equal or better than builder's grade, and the color should be harmonious with the color scheme established for the subdivision. Roof shingles shall be of a uniform design and color over the entire residence. Only composition shingles may be used on the roof of a home, and they must have at least a twenty (20) year manufacturer's warranty.
2. Acceptable colors are earthtone such as black, brown, tan or gray. Whites, blues, reds or yellows are prohibited. Wood and colored/terra cotta shingles are not permitted. Shingles to be used for roofing only.

3. With advance written approval from the ACC, "Alternate Shingles" may be installed. "Alternate Shingles" are those which are designed primarily to:
 - Be wind and hail resistant;
 - Provide heating or cooling efficiencies greater than traditional composition shingles; or
 - Provide solar energy capabilities.When installed, "Alternate Shingles" must:
 - Resemble the shingles used or authorized on property within the subdivision;
 - Be more durable than and of equal or superior quality to the shingles used or authorized on property within the subdivision; and
 - Match the aesthetics of properties surrounding the owner's property.
4. No skylights or similar types of additions shall be permitted on the front of the roof ridge line and/or gable of a structure.
5. Solar panels will only be permitted if placed on the back side of the residence.
6. Roof vents or turbo vents shall be installed on the back side of the residence. They shall be installed according to the manufacturer's specifications for installation not to exceed the ridge line more than fifteen (15) inches. Ridge vents are encouraged, but are not required.
7. All roof protrusions, such as vents and roof jacks, must be painted to match the shingles.
8. The addition of gutters to a house must be approved by the ACC. Gutters must be painted the same color as the residence or the trim thereon and shall be kept in good repair. All existing gutters shall be kept in good repair as not to detract from the overall appearance of the residence.

Article X

ROOM ADDITIONS

1. Exterior materials and colors shall match the existing dwelling.
2. Details plans must be submitted to the ACC.
3. Room additions may not encroach into any utility easement or beyond building lines.
4. Size and shape will depend on architectural style and layout of home, size of lot, and how well the room addition integrates with the existing home. Addition of a storage area will not qualify as a bona fide room addition and will not be permitted. Plans for a room addition must integrate with existing roof line so as to appear to have been part of the original home. Room additions shall not exceed one-third of the remaining back yard.
5. Any applicable permits (city, county, etc) must be secured and submitted as part of the application to the ACC.

Article XI

MISCELLANEOUS

1. Swing sets to be reviewed on an individual basis.
2. Birdhouses shall be permitted provided that they are not visible from the street in front of the lot, they shall not be larger than two (2) feet in width and two (2) feet in length and two (2) feet in height, and they shall not be erected than ten (10) feet in height at its peak.
3. Awnings are not permitted.
4. Antennas designed to receive television broadcast signals, direct broadcast satellite (dbs) antennas that are no larger than thirty-nine (39) inches in diameter, and multi-point distribution service (mds) antennas that are no larger than thirty-nine (39) inches in diameter may be

installed. Installation of transmission-only antennas and antennas not covered by the FCC rules are not permitted. Antennas may not extend above a fence on the owner's property, unless an acceptable quality signal may not be received from this location. Antennas installed on the ground so that they are visible from any street or from other property in order to receive an acceptable quality signal, must be camouflaged by landscaping or fencing. Antennas that are visibly installed on a structure in order to receive an acceptable quality signal must be painted to match the color of the structure to which it is attached. Antennas shall be no longer nor installed higher than is necessary for reception of an acceptable quality signal. Antennas shall be effectively grounded and secured in a manner that complies with all applicable city, county and state laws and regulations.

5. Each lot shall have driveway access to the street on which the lot faces and shall not have driveway access to a street on the side of a lot unless the ACC grants a variance. The owner of each lot shall construct and maintain at his expense a driveway from his garage to an abutting street, including the portion in the street easement, and shall repair at his own expense any damage to the street caused by connecting his driveway thereto. Requests for a widened driveway or a new sidewalk shall be reviewed on an individual basis. Concrete material must blend with the existing structure and be carried out in a workmanlike manner. Circular driveways are not permitted under any circumstances.
6. Mailboxes, house numbers and similar matter used in the subdivision must be harmonious with the overall character and aesthetics of the community. All mailboxes shall be maintained as to not detract from the overall appearance of the property or neighborhood. All brick mailboxes shall be constructed of the same brick as that used in the construction of the residential dwelling. The stand must be appropriate in size and design and must meet US Post Office requirements.
7. Garage conversions must maintain the outward appearance of a garage, whether it is for the storage of vehicles or not.
8. Basketball goals shall have a nylon net and a painted steel rim affixed to the backboard at all time. Goals may not be erected in such a manner as to encroach upon any building line on any lot. Goals that are visible from the street shall be attached to the front of the garage or freestanding. In no event shall a goal be placed at any curb either temporarily or permanently. All mounting supports must be steel or aluminum and painted the same color of the structure upon which they are mounted. Freestanding units shall be mounted on a pole made of steel or aluminum that is to be painted silver or black. Goals shall not be modified in any respect nor shall its location be changed from that approved by the ACC. Failure to properly maintain, repair or replace goals will result in a request to remove said goal.
9. No concrete on a lot which is visible from the street in front of the lot, whether a driveway, sidewalk, patio, or other improvement, shall be painted, stained, or carpeted any color.
10. All request for decorative type items will be considered on an individual basis. The primary concern will be based on the compatibility and the effect that such an addition will have on drainage patterns and the overall appearance of the residence and neighborhood. Grass and landscape beds shall be kept trim and neat with weeds maintained. No hedge or planting may obstruct sight lines for vehicular traffic, from the standpoint of safety. Decorative embellishments, burglar bars, and decorative fences will be reviewed on an individual basis.
11. Storm doors and windows shall be constructed of aluminum or wood. The color should be in harmony with the existing color of the residence. Storm doors and windows shall be kept in the

proper state of repair at all times and maintained in a manner as not to detract from the overall appearance of the residence or neighborhood.

12. Freestanding flag poles shall not exceed ten (10) feet in height.
13. Window air conditioners shall not be visible from the street and must be shielded from view behind a fence.
14. Decks may not encroach into/onto any utility easement or building lines and should not be situated on the lot so that they pose a problem to the effective drainage of the lot or neighboring lot. Decks cannot be higher than eighteen (18) inches and shall not be visible from the street.
15. Solar energy devices may be defined as any such device designed to capture and store solar energy. No portion of the devices may encroach on adjacent properties or common areas.
 - Such devices may only be installed in the following locations:
 - On the roof of the main residential dwelling;
 - On the roof of any other approved structure; or
 - Within a fenced yard or patio.
 - Devices mounted on a roof must:
 - Have no portion of the device extend higher than or beyond the roofline of the roof section to which it is attached;
 - Conform to the slope of the roof and have a top edge that is parallel to the roofline;
 - Have a frame, support bracket, or visible piping or wiring that is painted in a single color to blend with the home
 - If located within a fenced yard or patio, the device must not be taller than the top of the fenceline.
16. Rainwater Recovery Systems may be defined as any such device designed to capture and store rainwater for private use. No portion of the devices may encroach on adjacent properties or common areas.
 - Other than gutters and downspouts conventionally attached to a dwelling or appurtenant structure, all components of the systems, such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common area. Screening may be accomplished by:
 - Placement behind a solid fence, a structure, or vegetation;
 - By burying the tanks or barrels; or
 - By placing the equipment in an outbuilding otherwise approved by the ACC.
 - A rain barrel may be placed in a location visible from public view from any street or common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:
 - The barrel must not exceed 55 gallons;
 - The barrel must be installed in close proximity to the structure on a level base with the guttering downspout leading directly to the barrel inlet at a substantially vertical angle;
 - The barrel must be fully painted in a single color to blend with the adjacent home or vegetation; and
 - Any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.

- Overflow lines from the systems must not be directed onto or adversely affect adjacent properties or common areas.
- Inlets, ports, vents and other openings must be sealed or protected with mesh to prevent children, animals, and debris from entering the barrels, tanks, or other storage devices. Open top storage containers are not allowed, however, where space allows and where appropriate, ACC approved ponds may be used for water storage.
- Harvested water must be used and may not be allowed to stagnate or become a threat to health.
- All systems must be maintained in good repair. Unused systems should be drained and disconnected from the gutters. Any unused systems in public view must be removed from public view from any street or common area.

Article XII

LOCAL BUILDING AND WORK PERMITS

1. Approval of any project by the ACC or Association does not waive the necessity of obtaining required local permits.
2. Obtaining a local permit does not waive the need for ACC or Association approval.
3. The ACC or Association will not knowingly approve a project which is in violation of the local building or zoning codes.

Article XIII

COMPLETION OF STRUCTURES

1. Construction in accordance with an approved plan must be completed within thirty (30) days of the time that construction is begun unless otherwise specifically agreed to by the ACC or Association. If not completed within the time allotted, the Association shall proceed against the homeowner as if a violation of the Declaration has occurred.
2. Any addition or modification which meets the guidelines and standards, but which is erected in an “unworkmanship like” manner and detracts from the overall appearance of the subdivision, will be deemed to have been erected in contradiction to the approval of the ACC; in such case the Association shall proceed as if a violation had occurred.

ARCHITECTURAL CONTROL COMMITTEE GUIDELINES (cont.)

INDEX

Antennas	6
Application Procedures	1
Awnings	6
Basketball Goals	7
Birdhouses	6
Completion of Structures	9
Concrete, painted	7
Decks	8
Decorative Items	7
Dog Houses	4
Driveways	7
Exterior Lighting	4
Fences	3
Flag Poles	8
Flood Lighting	5
Garage Conversions	7
Garage Doors	5
Gates	3
Gazebos	4
General Guidelines	2
Green Houses	4
Gutters	5
House Numbers	7
Landscape Timbers	5
Local Building Permits	8
Mailboxes	9
Outbuildings	4
Playhouses	4
Play Equipment	4
Patio Covers	4
Painting	5
Rainwater Recovery Systems	8
Roofing	5
Roof Vents	6
Room Additions	6
Skylights	6
Solar Energy Devices	8
Solar Panels	6
Spas	3
Storage Sheds	4
Storm Doors	7
Storm Windows	7
Swimming Pools	3
Swing Sets	4
Tool Sheds	4
Window AC Units	8