

The Windsor Lakes Residential Development Standards



Note: These Development Standards are intended to be used in conjunction with the Declaration of Covenants, Conditions, and Restrictions for Windsor Lakes (CCR's) dated 2/14/03. If any conflicts exist, the CCR's shall govern.

Windsor Lakes Homeowners Association, Inc.
1 Lake Windsor Circle
Conroe, TX 77384

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1.1 Development Philosophy

Windsor Lakes was designed as a part of The Woodlands which is a large, forested community developed in accordance with a master plan to be largely self sustaining—a community in which people can live and work in harmony with the environment. In The Woodlands, careful attention has been paid to ecology, with emphasis on preserving natural vegetation for future generations. The trees, shrubs, understory, natural drainage systems, and wildflowers have been enhanced by additional landscaping and development of lakes, parks, and open spaces.

Greenbelts have been retained around neighborhoods to shield them from noise and traffic. Preservation of existing vegetation provides many other amenities and advantages:

- ❖ Shelter and food for wildlife—the preservation of the forest can provide a habitat for birds and other wildlife that would not normally be present in a conventional subdivision.
- ❖ Water conservation—native plants are hardy and require less water than sodded lawns and newly planted landscaping.
- ❖ Energy conservation—shade provided by mature landscaping can reduce summertime air conditioning costs by up to 50 percent.
- ❖ Convenience—natural landscaping is easier to maintain; beds require only occasional weeding and mulching. Native plants are also less susceptible to diseases and require less fertilizer and expensive maintenance.

- ❖ Privacy—shade provided by trees and shrubs acts as a privacy screen.

Every time a tree is removed, or an improvement added, a part of the forest is gone and the future has been changed. Therefore, care must be taken to make that change as small as practical.

The preservation of natural vegetation restricts the ability of the developer, builder or lot owner to fill and grade each lot for maximum drainage. All improvements must be made with as little interruption of the natural drainage patterns as possible. The retention of some storm water in low areas of a lot decreases downstream flooding and erosion, provides the necessary water for trees and other vegetation, and recharges underground water resources. The placement of improvements, landscaping or drainage structures in a manner which prohibits the natural flow of drainage across the lot or increases the runoff onto a neighboring property upsets the ecological balance and may cause damage to neighboring properties and interfere with the legal rights of neighboring property owners.

In 2000, the City of Conroe annexed Windsor Lakes. As a part of Conroe, Windsor Lakes enjoys many municipal services, i.e. fire and police protection, garbage pickup, water, sanitary and storm sewer systems. The homeowners in Windsor Lakes must therefore comply with the City of Conroe's ordinances and municipal regulations.

The Windsor Lakes Residential Development Standards have been designed to put into place procedures that will carry forward the development philosophies of both The Woodlands and the City of Conroe while enhancing the quality of life by:

- ❖ Encouraging environmental excellence

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- ❖ Preserving the design integrity and architectural quality of Windsor Lakes dwellings
- ❖ Preventing the deterioration of neighborhoods which inevitably follows an unregulated, laissez-faire philosophy of construction, maintenance, and property use, and
- ❖ Upholding property values

1.2 Important Things to Remember

A. The Appropriate Standard

Many different kinds of changes and additions to a property can be made. The ones described on the following pages are the most common, but not all are described. If a project is not included on the following pages, refer to the Standard closest in concept to it, and use that Standard as a guide for preparing an application for plan approval.

B. Changes by Previous Owners

Purchasers of a previously occupied property sometimes are surprised and disturbed when they receive notice that the previous owner made an unapproved alteration or addition, and they are now in violation of the Covenants, Conditions and Restrictions (CCR's) Current owners are responsible for any existing violations. When purchasing a home in Windsor Lakes, ask your seller for a 'Resale Certificate' which will inform you of any existing violations of the CCRs or these Standards which the Windsor Lakes Homeowners Association is aware of.

C. Covenants Protect Neighbors

All property owners and tenants are subject to the CCRs and have agreed to comply with them. In turn, they rely on their neighbors' promises

that they too will comply. A thorough understanding of and compliance with the CCRs and these Standards by all neighbors will permit Windsor Lakes property owners and residents to enjoy living in a pleasing environment and an attractive community with sustained property values.

D. Current Standards

These Standards are updated, revised or otherwise amended, from time to time. Always be certain that you have the current Standards. You may contact the Windsor Lakes Homeowners Association or the management company to obtain the most recent version of these Standards.

Don't Copy Your Neighbors

When you consider altering or improving your property, do not rely on what your neighbors have done or said regarding their property. It may have been permitted under a previous standard but not under the current standard, it may have been disapproved and require modification, or it may have been constructed without plan approval, in violation of the CCRs.

E. Government Standards

The CCRs and these Standards are not intended to permit any action prohibited by any applicable laws, rules or regulations of any government authority. Where these Standards contain requirements in addition to or more restrictive than required by law, these Standards must be followed. Construction must comply with both governmental laws and these Standards.

F. Retroactive Effect: 'Grandfathering'

Except where stated otherwise, a change in the Standards does not affect improvements which have been approved under earlier Standards so long as construction was completed before the

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plan approval expired. Repair or replacement of a grandfathered item must comply with the current standard at the time of repair or replacement.

1.3 Plan Review & Covenant Enforcement

A. The Windsor Lakes CCRs

The Covenants, Conditions, and Restrictions of Windsor Lakes are recorded in the real property records and are legally binding upon the landowners and residents in Windsor Lakes. For purposes of these Standards, CCRs refer only to those covenants which establish the Windsor Lakes Homeowner Association as the homeowner association to administer and enforce the CCRs and committees of homeowners to adopt and enforce building and land use standards. Every improvement or change to land, buildings or structures must be approved and comply with the applicable standards adopted under the authority of the CCRs.

B. Windsor Lakes Homeowner Association

The Windsor Lakes Homeowner Association is a nonprofit corporation responsible to enforce the CCRs and make available to residents and property owners many of the services necessary to live, work, relax and grow in Windsor Lakes.

C. Plan Review Committee

Architectural Review Committee (ARC)

Neighborhood Standards Committee (NSC)

The CCRs establish an ARC as well as a NSC. The committee is composed of three or more people appointed by the Board of Directors of

the Windsor Lakes Homeowners Association. The ARC/NSC reviews applications for modifications, improvements or additions on residential lots in Windsor Lakes.

References in these Standards to the "Plan Review Committee(s)" refer to the ARC/NSC.

D. Residential Development Standards

Under authority provided by the CCRs, the ARC/NSC developed and the Board of Directors approved these Residential Development Standards which apply to all improvements on sites restricted to use for homes and town-homes.

E. Building Code

Where used in these Standards, Building Code refers to the most current edition of the International Residential Code, published by the International Code Council. The Building Code is incorporated by reference in these Standards and can be obtained from the City of Conroe.

F. Initial Land Use Designation

The Initial Land Use Designation (ILUD) limits permissible land uses, and sets minimum and maximum building sizes and/or other constraints. It is prepared by the developer of the land at the time original development on that area begins, is recorded in the County Real Property Records as an additional restrictive covenant on the land, and is binding on all future owners.

G. Local, State, and Federal Law

City, county, state and federal laws and regulations may apply to an improvement or project.

H. Plat

Further limitations on the construction of improvements may be found on the plat. Like

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the ILUD, the plat is prepared by the developer of the land at the time of original development on that area and recorded in the County Real Property Records. A plat is a map of land divisions within an area (the subdivision) showing individual lots, property lines, set back lines, street rights-of-way, certain easements and other matters.

I. Improvements

All Property Owners are responsible for all improvements made upon their property.

Glossary

A. Corner Lot

A Corner Lot is bound by street rights-of-way on at least two sides and is usually restricted by setback lines on at least two sides. The front of a corner lot is the side with the greater building setback distance or the shorter dimension.

B. Easement

An easement is the right of a party (e.g., a utility company, government authority, Windsor Lakes Homeowners Association) to use a portion of another's property for a limited purpose, as set out in a plat, the CCRs or an easement agreement recorded in County Real Property Records. The easements established by the CCRs affect all sites within the area of those CCRs. They are set aside to provide utility service and drainage to the surrounding area, and natural vegetative screening and privacy separations or buffer zones between Sites. Covenant Easements are generally 10 feet wide along the front and rear of a lot, and 5 feet wide along each side. Many lots in Windsor Lakes are also affected by Drainage Easements (D/E), Storm Sewer Easements (S.S.E), Sanitary Sewer Easements (S.E.), Utility Easements (U.E.), Access and Utility Easements (A.U.E.).

Approval for improvements within an easement when granted by the ARC/NSC applies only to the Covenant Easements as defined above.

C. Front Façade

The front façade is the most predominant front plane of the dwelling/attached garage, generally parallel to the street right-of-way and usually defined by the front corners of the dwelling/attached garage structure which extend nearest to the side lot lines. The front façade may be a different depth from the front property line on each side of the house, depending on the house design.

D. Front Yard

The Front Yard is the portion of a site between the front property line and a line parallel with, and set back 5 feet from the front façade of the dwelling.

E. Rear Yard

The Rear Yard is the portion of a site between the rear property line and the rear façade of the dwelling.

F. Side Yard

The Side Yard is the portions of a site between the Front Yard and the Rear Yard.

G. Improvement

Improvement means the placement, construction, alteration or repair of any structure, including but not limited to, adding or removing square footage to or from a structure, painting or repainting a structure, or in any way altering the construction, size, shape or physical appearance of the interior or exterior of a structure. Improvements may be either permanent, that is affixed to the ground, or temporary.

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H. Unit

A Unit is an individual single family attached residence referred to as a town-home. See definition in Article 1 of the CCRs.

I. Lot

A Lot is a single family detached residence referred to as a patio home. See definition in Article 1 of the CCRs.

J. Streets Rights-of-Way

The Street Rights-of-way are the areas between platted lot lines on one side of the street and platted lot lines on the opposite side of the street, including the paved roadway, any median or cul-de-sac islands, and a strip of land, usually from 10 to 15 feet wide, between the paved roadway and the platted lot line.

K. Zero Lot Line

Most homes in Windsor Lakes are located on their site so that the foundation of the structure lies along a side property line. Thus there is no side yard on one side of the home.

L. Sites

Sites refer to units and lots.

1.4 Plan Approval/Inspection

A. Approval Required

The CCRs require that the placement, construction, alteration or repair of any temporary or permanent structure or improvement on a lot or unit must have the prior written approval of the NSC/ARC. Covered projects include, but are not limited to, building additions, exterior remodeling, exterior color changes, landscaping, fences, play

structures, certain decks, paving, patio structures, new garages, garage conversions, satellite antennas, lighting, swimming pools, spas, storage buildings, arbors, summer kitchens and compost bins.

B. Approval Not Required

Notwithstanding the preceding paragraph, no application or approval is required for the following:

- ❖ Interior floor, wall and window coverings, and interior decorating and remodeling which does not require the installation or removal of walls or wall segments or other structural changes, (studs, joists, headers, etc.) or electric or electrical and plumbing work.
- ❖ The construction or installation of devices, appliances, apparatus or equipment operating at less than 50 volts not capable of supplying or controlling more than 50 watts of electric power, including lighting, cable television, sound equipment, private or public telephone system, irrigation system, thermostat or burglar alarm system. Approval is required to hard-wire any such system to the source of electricity.
- ❖ Work performed on a public utility system by a public utility company, governmental entity or their agents.
- ❖ Repair or like-kind replacement of an existing improvement, if the original construction was approved by the ARC/NSC and the Standard has not changed.

Exemptions from the approval requirements of these Standards is not authorization of work done in violation of the CCRs, these Standards or applicable laws or regulations.

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C. Application

Each application for plan approval must include a description of the work to be done and all of the required information listed on the application form. Any missing or incomplete information may delay review of an application. A completed application must be submitted for each improvement project. Application forms are available at the Windsor Lakes Clubhouse or from the property management company. Forms may also be downloaded from the Windsor Lakes website. Sealed construction plans are required if the project includes:

- ❖ Construction of a home, garage, or detached structure (containing Living Area).
- ❖ Construction of an attachment (containing Living Area) to a home, garage or detached structure.
- ❖ Construction of an attachment containing a roofed area greater than 200 square feet or an attachment containing a floored area elevated more than 30 inches above natural grade.
- ❖ Conversion of non-Living Area to Living Area (i.e. garage, and attic spaces) which exceeds 200 square feet.
- ❖ Structural remodeling (of 200 square feet or more) of a home, garage, or detached structure (containing Living Area).

Sealed Plans include complete construction drawings, including floor plans and plans for electrical, plumbing, foundation, framing, exterior elevations, and exterior treatments and finishes. The drawings must be sealed by a licensed and registered engineer, licensed architect or AIBD/TIBD/NCBDC designer. The drawings must be to scale, of a quality and detail comparable to drawings customarily used to

construct a residence and show how the improvement is integrated into the existing home, garage or other structures, if any, and must be certified to comply with the Building Code.

Other Projects. Plan view and side elevation drawings (to scale) must be furnished for any other project and must show the integration of the proposed improvement with the existing structure, if any.

D. Sample Materials

Color samples or chips are required for all painting applications, and product samples may be required for roofing, siding, or other materials.

E. Grading Plan

The application must contain a statement from the Owner or the Owner's agent certifying that the proposed improvement will not affect existing surface water flows at the lot boundaries. If the existing flows are being altered at the lot boundary, the application must include a description of the changes in surface water flow that will result from the proposed improvement and a statement from a registered engineer with dominant practice in civil engineering that the changes to surface water flow will not cause significant adverse impact on adjacent properties.

F. Property Survey A drawing to a standard engineer's scale prepared and certified by a surveyor showing the location of all easements, platted building lines and existing and proposed improvements. A survey is not required for painting, re-roofing and similar projects which do not include new or expanded structures.

G. Hold Harmless

It is the duty of the Owner and any contractor or consultant employed by the Owner to determine that the proposed improvement is structurally,

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mechanically, and otherwise safe, and that it is designed and constructed in compliance with the conditions of the application, the CCRs, these Standards, applicable governmental regulations, and sound practices.

Neither the Windsor Lakes Homeowners Association, nor any officer, director, employee or member thereof, shall be liable for damages or otherwise because of the approval or non-approval of any improvement, or because of any act or omission in connection with the construction of improvements on any site. Each applicant for plan approval must execute a release of all such liability in form acceptable to the WLHOA.

H. Other Items

Other items may be required.

I. Application Deadlines

Completed applications submitted to the management company will be reviewed and acted upon by the ARC/NSC within 60 days from the date upon which the completed application is received.

J. Approvals

The approval process is intended to minimize hardship or undue delays, while preventing additions and modifications to property that would be costly to correct if done improperly or in violation of the CCRs or these Standards. The goal of the review process is not to tell the Owner that changes cannot be made to the property, but rather to assist in making the changes in a way which conforms to the character of the neighborhood and the natural beauty of our environment.

K. Pre-Approval

The Standards specify certain improvements which have been pre-approved by the ARC/NSC

and require no application, further review, permit, fee or other action by the Owner.

L. Automatic Approval

Every effort is made to review and act upon applications as soon as possible after they are received. If a completed application accompanied by all information has not been acted upon by the ARC/NSC within 60 days following receipt, it is automatically approved. Notes of approval, conditional approval or disapproval will be returned to the Owner. Construction may proceed immediately following receipt of written approval.

M. Appeals

Every aspect of a proposal is carefully weighed and most projects are approved. The CCRs outline the instances under which a project can be disapproved. The applicant or an affected neighbor may appeal the decision of the ARC/NSC within 10 days following notice of the ARC/NSC decision to the Board of Directors stating the decision and the objection to that decision. All decisions made by the Board are final.

N. Concept Review

Upon request, the ARC/NSC will provide a preliminary concept review for more complex projects prior to the preparation of full plans. This will assist the Owner in determining the general parameters of the project and potential limitations of the CCRs and these Standards at an early point in project planning. The applicant must keep in mind that Concept Approval only approves a concept. The full plans must still be submitted, reviewed and given final approval.

O. Variances

Variances to these Standards may be granted by the ARC/NSC when it can be demonstrated that because of disability or other factors, strict

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compliance would create an undue hardship by depriving the Owner of the reasonable utilization of the site, or where unusual circumstances or characteristics which affect the site make strict compliance impractical. No variance will be granted unless the general purpose and intent of the CCRs and Standards is maintained. Any variance granted will only be applicable to the specific site and conditions for which the variance was granted, and will not modify or change any standards as they apply to other sites or conditions.

P. Purpose of Inspections

The CCRs give the ARC/NSC the right to make inspections to determine that the work is carried out in accordance with the approved plans and these Standards. Such inspections are for the sole and exclusive benefit of the ARC/NSC, and no other person or entity is entitled to rely on the inspections as evidence of the safety of the improvements or their compliance with applicable regulations or these Standards. Homeowner/Agent is responsible for providing an approved copy of their permitted application to any inspector.

Q. Qualified Inspector

A Qualified Inspector is a third-party licensed architect, registered structural engineer, or building inspector certified by the International Code Council or its successor agency. Third-party means a person other than the Owner; a person who performed all or a portion of the work; an owner, employee, officer, or director of any entity which performed all or a portion of the work, or a member of their immediate families.

A Qualified Inspector must inspect the improvements and certify on forms provided by the ARC/NSC that they have been constructed according to the CCRs, the approved plans and these Standards if the proposed plans include:

❖the construction of a dwelling, a garage, or a detached structure containing Living Area, or the construction of any addition or attachments to the dwelling, garage, or detached structure containing Living Area,

❖the construction of a structure with a roof area exceeding 200 square feet (measured as the area within the exterior walls at roof place elevation),

❖the construction of a swimming pool or a swimming pool security barrier (both as defined in Standard 2.13),

❖remodeling or alteration to any structure described in 1-3 above if the work includes structural changes or work on electrical or plumbing facilities (including fuel supply systems), or

❖conditions unique to a property requiring Staff and/or ARC/NSC interpretation.

R. Homeowner Certification

If inspection by a Qualified Inspector is not required, the Owner must, within 30 days of substantial completion of the project, return to the ARC/NSC a certification that the project has been completed in accordance with the CCRs, the approved plans and these Standards.

1. Certificate of Compliance.

Following receipt of certification from a Qualified Inspector or the Owner, the ARC/NSC, may, upon request of the Owner, issue a Certificate of Compliance stating that the improvement complies with the CCRs, the approved plans and these Standards. The certificate is based solely upon the

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statements and inspections provided by the Owner or the Qualified Inspector.

2. Certificate of Non-Compliance

If the Owner fails to submit the required certification, a Notice of Non-Compliance may be recorded in the county Real Property Records, which may require compliance with the CCRs and Standards before the property can be sold

S. Casualty Damage

Casualty damage means damage or destruction (beyond normal wear and tear or deterioration) caused by fire, flood, and hurricane or other natural or man-made cause.

Minor damage is casualty damage which affects only furniture, equipment or wall, floor or window coverings may be repaired without application, approval or inspection. The management company must be notified of all other casualty damage within 3 working days or a reasonable time following occurrence.

T. Emergency Repairs

Emergency repairs required to temporarily prevent property loss or damage or bodily injury may be made without application, review or prior inspection.

U. Permanent Repairs

Permanent repairs are considered remodeling work and must comply with these Standards like other additions, alterations or remodeling.

V. Structural Damage

If casualty damage requires structural repair or replacement, a completed application with plans and other attachments must be submitted and approved under the applicable standard in Part II, as if it were new construction.

1. Complete within 120 days
2. Casualty damage must be removed or restored as soon as feasible. Removal, repair or restoration must begin within 30 days and be completed within 120 days following the date of the casualty damage. Extensions of the time permitted for removal or restoration may be granted by the ARC/NSC upon a determination that timely completion of the cleanup or restoration is delayed due to legal investigation, a delay in obtaining insurance proceeds, availability of contractors, or other matters beyond the control of the Owner.
3. Security Barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas or ponds.

W. Demolition

1. Definition

For purposes of this Standard, demolition means the removal of all or substantially all of a dwelling or garage.

2. Fencing

❖ Construction fencing must be installed around trees in the area of the demolition and access route if tractors or other machinery are to be used in the work.

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❖ Perimeter fencing must be installed around the site if demolition will not be completed within 48 hours.

❖ Security Barrier fencing must be installed and maintained in compliance with the International Residential Code for all properties with swimming pools, hot tubs, spas, or ponds.

3. Completion

Work must be completed within 10 days from commencement.

4. Safety

The use of explosives or other means or devices which may cause damage to adjoining properties is prohibited

5. Dust, Noise

If the demolition causes dust which substantially impacts neighboring property, water must be used to restrict the dust. The work must be done during normal working hours not to exceed 10 daylight hours per day.

6. Approval

No application, approval, fees or permit is required for demolition carried out in compliance with this Standard

1.5 Requirements for All Improvements

A. Access

If construction work requires access through adjacent property (e.g., an open space reserve, drainage easement, or vacant lot), written permission from the property owner and a pre-construction photo of the proposed access route must be included with the plan approval application.

B. Applicant's Site

All improvements must be located entirely on the applicant's site.

C. Architectural Compatibility

In addition to other requirements of these Standards, all improvements must be architecturally compatible. Architectural compatibility is a continuity or agreeable relationship of architectural style, mass, proportion, scale, materials, color and design detail with existing and planned improvements on adjacent properties and in the neighborhood.

- ❖ Mass or massing is the visual relationship of architectural elements of various sizes to one another and to the immediate improvement.
- ❖ Proportion is the relationship of height to width, voids to solids, and the bulk of the structure relative to other nearby structures and parts of the whole.
- ❖ Scale is the visual relationship of architectural and landscape elements to one another and to the immediate environment.
- ❖ Colors and materials, including siding, trim, doors, windows, gutters, downspouts, roofing, and all other architectural and site elements, must be in context with their environment.

The Windsor Lakes Residential Development Standards

D. Setback Lines

Setback lines (sometimes referred to as building lines or building setback lines) are lines established by these Standards. There may be front, rear, and side setback lines, different setback lines for dwellings, garages or other structures, and different setback lines or the additional stories to the home. Certain improvements must comply with the setback lines for that lot.

E. Platted Building Lines

Sometimes referred to as building lines are established by the subdivision plat or other recorded documents. The platted building lines restrict the construction or placement of certain structures. There may be front, rear and side building lines. Certain Improvements must comply with the platted building lines for that lot.

F. Building Codes

All improvements must comply with the Building Code. Where the other provisions of these Standards conflict with the Building Code, the more stringent code or standard shall apply.

G. Colors and Materials

- ❖ Colors used at the time of original construction are approved. All colors not original must be submitted for approval.
- ❖ Care should be taken to avoid the use of an excessive number of materials and colors. Colors and materials must be compatible with each other so as to develop a cohesive appearance for the dwelling appropriate to its architectural character and to the neighborhood. Generally speaking, the fewer the number of different colors and materials, the better the result.
- ❖ Construction materials must be compatible with the character of the existing dwelling and neighborhood. When enlarging, extending, or remodeling an existing improvement, the materials must be compatible with those of the existing improvement. Materials must harmonize with the natural landscape.
- ❖ Roofing must match existing for quality, color, type and weight. Owner must submit for approval.
- ❖ Unacceptable materials, are not approved except as may be allowed by specific mention in a given Standard. Unacceptable construction materials include, but are not limited to:
 - a) Pneumatic vinyl structure
 - b) Asbestos cement board
 - c) Polyethylene plastic bottles
 - d) Corrugated metal or plastic
 - e) Siding materials with high-gloss glass finish
 - f) Wire, wire mesh, or wire-bound wood picket fencing
 - g) Reflective or "mirrored" glass
 - h) Chain line or hog wire fencing
 - i) Metal fence posts (except 2-inch galvanized steel posts or posts in wrought iron fences).
 - j) Asphalt paving

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H. Drainage

Texas law requires that the Owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

I. Easements

Any improvement constructed within an easement without the consent of the easement holder is subject to removal by the easement holder. ARC/NSC approval of plans for an improvement within an easement is not approval by the easement holder. The only improvements which may be built or placed in an easement are fences, pool piping, landscape borders in the front yard not exceeding 12 inches in height, air conditioning equipment, light poles, low voltage landscape lighting, small satellite dish antennae, side-lot walkways made of stepping stones, gravel or other loose materials (without concrete or asphalt), driveways where they must cross front yard easements and sidewalks where they must cross front yard easements and sidewalks where they must cross the front or side yard easements to access the street, storage buildings not more than 6 feet tall, without a foundation pad and which are screened from view by a 6 foot solid fence, yard structures, and eaves which extend not more than 24 inches into the easement. Swimming pool pumps, equipment or filters may be located up to 3 feet into the 10 foot rear easement, and up to 2 feet into the 5 foot side yard easement. Equipment pads in the easements may not extend beyond the encroachment of the existing air conditioning pad or no more than 3 feet into the easement.

J. Water Surface Area

A maximum of 6 percent coverage of water area will be allowed on any size site, not including swimming pools.

K. Hard-Surface Area

Hard-Surface Area is area covered by paving, foundation, flagstone, masonry pavers, roofed structures or other impermeable hard-surfaces, expressed as a percentage of the total lot area.

L. Living Area

Living Area is the floor space used for living purposes in the home, garage or a detached building, including storage areas in the home, sun rooms, game rooms, and guest or servant's quarters. Living Area does not include porches or attic space without air-conditioning or hobby work areas in a garage or detached building. All improvements must comply with the minimum and maximum square feet of Living Area allowable for that lot as established by the Initial Land Use Designation. Living Area is measured as follows:

Square footage is measured to the outside of exterior walls (i.e., outside of brick veneer, siding, stone or stucco).

- ❖ Stairs and two story spaces are measured only once.
- ❖ Air conditioning returns, pipe chases, fireplaces, and non-structural voids are excluded.
- ❖ Space with a ceiling height of less than 6 feet (e.g., window seats, or crawl spaces or storage below stairs) is omitted.

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M. Neighborhood Character

Improvements must be consistent with and not adversely impact the neighborhood's existing character.

N. Impact on Neighbors

All structures must be so as to minimize impact on neighboring properties.

O. Use

Improvements are approved for their stated use only.

2.1 Home / Garage / Detached Buildings / Detached Structures

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS.

A. Awnings

Awnings are not permitted where visible from the street. Awning must have a simple, plain design and be consistent with the architectural style and scale of the residence. Awnings must be a muted solid shade. Metal awnings are not acceptable. Shade cloth screens can affect the appearance of a dwelling and should be chosen with care.

B. Setback Lines

The residence and all additions or attached structures, with solid roofs or attached enclosed structures, may not extend beyond any applicable Set back Line. A garage and all attached additions must comply with the dwelling Setback Line unless a separate Setback Line is established for the garage.

On a side street, a garage or garage addition must be set back at least 16 feet from the side property line and respect all other location requirements established by these Standards.

C. Carports

Carports are not permitted.

D. Foundation Elevation

The top of the finished floor elevation, of a dwelling or an attachment to the dwelling, must be at least 14 inches above natural grade. Not more than 18 inches (vertical dimension) of concrete foundation may be exposed to view. Patio slabs converted to Living Area must be elevated to at least the height of the dwelling foundation. There may also be county or FEMA elevation requirements.

E. Garage

Each dwelling must have sufficient garage area to park two cars, each with direct access to the driveway.

F. Garage Doors

Garage doors must be wood or metal, painted to match the siding or with the trim color of the home as well as be architecturally compatible.

The Windsor Lakes Residential Development Standards

Natural color wood garage doors and metal doors are permitted if they are architecturally compatible with the siding and trim colors of the home and do not adversely impact the overall character of the neighborhood.

G. Gutters and Downspouts

Gutters and downspouts must be designed and installed so that water runoff does not adversely affect drainage on adjacent properties, and be painted to match or be compatible with the color of the home.

H. Height

A home or garage may not exceed two stories.

I. Roof Vents

Roof vents and stacks must be located on the rear slopes whenever possible. All exposed roof accessories (including, but not limited to vents, flashing, attic ventilators, and metal chimney caps) must match or be compatible with the color of the roofing material.

J. Screens

Screens must be brown or charcoal gray in color.

K. Skylights and Solar Collectors

Collectors will be permitted on the street side slope of a roof only if they are of a flat profile, conform to the slope of the roof, and are placed so that the top edge of the collector is parallel to the roof ridge. No part of the installation may be visible above the roof line. Skylights must be of a low profile, preferably flat or slightly curved. Skylight and collector frames, support brackets and any exposed piping must be painted to match or be compatible with the roofing material.

L. Window Coverings

Window coverings must be consistent with the character of the neighborhood. Tinted glass is acceptable. Reflective, "mirrored" glass is not acceptable.

Security bars are not permitted.

M. Detached Building

Means a utility or storage building, greenhouse or similar buildings, other than the dwelling, the garage, a structure or building attached to the dwelling or garage. The maximum floor area of any detached building is 120 square feet.

N. Detached Structure

Means a sop, studio, screened enclosure, cabana, arbor, gazebo, patio cover or similar structure other than the dwelling, the garage, a structure or building attached to the dwelling or garage. Detached Structures including Arbors, Cabanas, Gazebos and other similar structures with solid roofs and without walls may exceed 120 square feet so long as they are architecturally compatible with their setting and do not result in unreasonable and disproportionate impact on neighboring properties.

1. Greenhouse Materials

Approvable materials include flat, rigid, plastic panels which are clear or neutral in color. Aluminum or steel frames must be finished in muted shades.

2. Height

Utility or storage buildings built with metal, plastic or materials which do not match those used on the dwelling, may not exceed 6 feet in height measured from natural grade.

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3. Utility

Storage buildings built with wood or materials like those used on the dwelling may not exceed 9 feet measured from natural grade.

4. Location

- All detached buildings and detached structures may not extend beyond any platted building lines.
- Detached structures other than open roof arbors may not extend beyond any building setback lines.
- Detached buildings must be located in the Rear or Side Yard and in a location which does not result in an unreasonable or disproportionate impact on neighboring properties.
- Detached Building/Structures on lots adjacent to a lake must be located in close proximity to the dwelling and not obstruct the neighbor's lake view.
- The number of Detached Buildings and Structures allowed on a site is dependent upon the site size and impact to adjacent properties. Not more than one of each type of detached buildings and structures will be permitted on any site.

O. Pneumatic Pool Enclosures

Pneumatic pool enclosures are not permitted.

Committee Approvals

All projects within the scope of this Standard must be reviewed in advance by the ARC/NSC.

2.2 Air Conditioning Units

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

A. Compressors

Compressors located at natural grade must be

- ❖ muted earth tone in color,
- ❖ standard residential size and design,
- ❖ screened from view if two or more air conditioning compressors are located together on the lot, and
- ❖ located in the Rear or Side Yard (and may be located up to 2 feet into the side or rear CCR Easement area)

B. Window Units

Regardless of where or how installed, window units must

- ❖ be located on the side or rear of the dwelling, except on patio or zero-lot-line sites, where the unit may be located only in the rear of the dwelling or the side opposite the zero-lot-line of the site,
- ❖ match or be compatible in color to the dwelling,
- ❖ be installed so that the top of the unit is less than 6 feet above natural grade and not visible from ground level on any adjacent street or property, and
- ❖ not exceed one unit on any site.

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- ❖ Window mounted units and through-the-wall units are not approvable for town-home dwellings.

Approvals

Pre-Approval. Replacement of an existing air conditioning unit or its component parts is pre-approved and requires no application, permit or inspection so long as the replacement is at the location of the pre-existing unit, and the outside equipment is compatible in color with the dwelling.

Committee Approval. All other projects within the scope of this Standard must be reviewed and approved in advance by the ARC/NSC

2.3 Dog House / Dog Run

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

A. Chain Link Fences

Chain link fences are permitted for dog runs only if they are completely screened from view at ground level from adjacent streets or property by a solid fence or other structure.

B. Location

1. Dog houses and dog runs must be located in the Rear or Side Yard and in an area that doesn't cause a disproportionate adverse impact on neighboring properties or residents.

2. Dog runs are not to be allowed for the purpose of a permanent living area and must be located no less than 3 feet from all perimeter fencing or the property line. Spacing between a dog run and any property line must be maintained to lessen the impact on the adjacent properties. Dog runs may not confine an animal to an area immediately adjacent to the property line.

C. Number

Not more than 1 dog run and 2 dog houses are permitted on any Site.

D. Odor/Noise

A dog run must be removed within 15 days at the owner's expense if objectionable odors or noise emanate beyond the boundary of the property.

E. Size

The maximum size of a dog house is 4 feet, by 4 feet, by 4 feet high.

F. Location

Dog houses and/or dog runs must not be visible from the street.

Committee Approvals

All projects within the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

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2.4 Driveways, Decks & Paving

THE BUILDING CODE, AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

A. Location

Driveway access to an adjacent street is prohibited if access is restricted on the Plat. Decks and patios may not extend beyond any platted building lines. Decks are not permitted within 2 feet of a property line of an adjacent lot upon which a residence is or is permitted to be constructed. Decks located on the zero-lot –line side of a property must be located a minimum of 2 feet from the property line and may not be attached to any fence that is located on the property line.

B. Drainage

Texas law requires that the Owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

C. Elevated Decks

Decks 24 inches or more above ground level must be designed and located to minimize the impact on adjacent properties, and are not permitted within any CCR easement areas. Elevated Deck plans must be submitted to the ARC/NSC for approval.

D. Front Yard Decks and Patios

Front yard decks and patios are not permitted.

E. Materials

Driveways must be concrete or other masonry materials. Patios, walkways and decks may also use stone or weather and insect resistant wood. Asphalt paving is not permitted.

F. Hard-Surface Area

Hard-Surface Area is area covered by paving, foundation, flagstone, masonry pavers, roofed structures or other impermeable hard-surfaces, expressed as a percentage of the total lot area. Materials not considered to be hard surface are crushed rock, crushed gravel, crushed granite and bull rock that are not set in concrete, mortar, or formed with stabilizers. This list is not all inclusive.

G. Driveways

Driveways and additional paved parking areas require an application .

Committee Approvals

All projects within the scope of this Standard must be reviewed in advance by the ARC/NSC.

2.5 Fences

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

The Windsor Lakes Residential Development Standards

A. Easements

Fence construction within an easement is at the risk of the Owner. The Owner must comply with all utility company requirements, including the maintenance of proper clearances around transformer cabinets. Utility companies should be contacted to mark their lines prior to construction within a utility easement.

B. Fence Orientation

1. Finished Side Out. All fences except Good Neighbor (see paragraph 2 below) must be constructed with the finished side facing outward from the lot. The unfinished side of the fence must not be visible at ground level from any street or other tract of land, unless set back at least 85 feet from any of the property lines from which it is visible.

2. Good Neighbor Fences. Type H and Type J fences may be constructed with alternating sections having the construction rails facing outward to an adjoining residential lot if the adjoining lot has fences or buildings which block the view of the outward-facing construction rails at ground level from any street or other property.

C. Height

Privacy structures, courtyard enclosures, and wing walls may exceed 6 feet in height. Privacy structures, courtyard enclosures and wing walls must be integrated into the architectural design of the dwelling. Wing walls may not exceed 6 feet in height at the property line.

D. Paint or Stain

Wood fencing should be permitted to weather to its natural color. Fence alteration is not permitted.

E. Rot Board

One horizontal board 6 inches or less in width is permitted at the bottom of a fence where not visible from an adjoining Street Right-of-Way. The total fence height may not exceed the approved height.

F. Security Barriers

Fences which comply with this Standard may not be acceptable as a security barrier. If there is an existing or proposed swimming pool, spa or hot tub on the lot, a security barrier is required. See Standard 2.13.

G. Tree Preservation

Every effort must be made to preserve existing trees by adjusting fence lines to weave among, jog around, or about trees or stands of trees. No part of a fence may attach to a tree. No tree having a diameter greater than 6 inches measured 2 feet above natural grade may be removed for installation of fencing. See Standard 2.6 regarding tree removal.

Committee Approvals

All projects within the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

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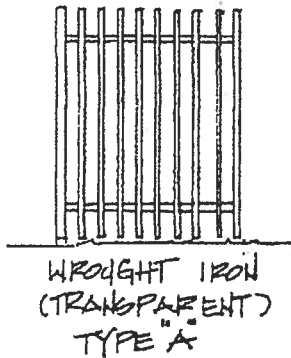
APPROVED FENCE STYLES

1 TYPE "A"

Wrought Iron (transparent)

Placement:

1. Between Properties
2. At Property Front – 6'0" High
3. At Property Rear
 - a. At lake lots
 - b. Non-perimeter lots
4. Community Perimeter – 8'0" High



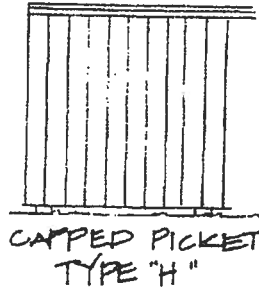
2. TYPE "H"

Capped Picket

Placement:

1. Sides of Property – 6'0" High
2. Rear of Property – 6'0" High

3. Community Perimeter – 8'0" High

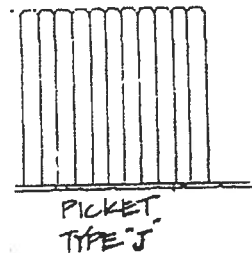


3. TYPE "J"

Picket

Placement:

1. Sides of Property – 6'0" High
2. Rear of Property – 6'0" High



Committee Approvals

All projects within the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

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2.6 Landscaping and Tree Removal

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

Residential lots and units in Windsor Lakes have been developed to preserve as much of the natural forest as possible. Native vegetation is the single most important landscape element in the community. It provides the unity and constant "sense of green" that is of immeasurable value to the visual pleasure and enjoyment of the outdoor experience. The preservation of native vegetation, tree canopy, under story, and forest floor is strongly encouraged.

A. Artificial Ground Covers

Astroturf or other artificial ground covers, as well as asphalt, concrete, flag stone, gravel or crushed stone, are not allowed. Crushed rock, gravel, and moss rock may be considered if used for pathways, drainage swales, or edging when used in limited amounts.

B. Design Approach

The environment of Windsor Lakes is that of a natural forest. Plantings should be designed to reinforce that concept. Small intricate design is therefore discouraged, and exotic landscape effects, such as artificial rock gardens, are generally inappropriate. Simplicity and strength should describe planting design. Plant material should be clustered to create a feeling of mass with enough variety to feel lush. Predominant materials in a landscape plan should include limited materials, colors or textures to give needed unity. Accent materials, colors, and textures should then be introduced to play against the dominant material creating the

needed contrast. A complicated planting scheme is seldom as successful as simple masses, with a predominant species to provide unity and a few accent plants.

C. Drainage

Texas law requires that the Owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owners (s).

D. Irrigation Systems

Irrigation systems must:

- ❖ have a back-flow prevention device where attached to the potable water system,
- ❖ be placed entirely within the site and not encroach upon a neighboring site. Location of any improvement within the Easement or street right-of-way is at the Owner's risk and subject to removal.
- ❖ residents of a corner lot or unit are responsible for watering the side and/or front common areas adjacent to the lot or unit.

E. Front Yard Landscaping

At least forty (40) percent of the front yard (excluding the portion covered by driveway and walkways) must be trees, shrubbery, flowers, mulch, or plants other than turf or grass. No trees, shrubbery, plants or vegetation may be removed which would result in the grassed area exceeding sixty (60) percent of the front yard.

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F. Native Plants

The use of native plant materials with an understanding of the functional and aesthetic properties of each plant category is essential in the achievement of a sense of continuity and consistency in the Windsor Lakes landscape concept. Whenever possible, new planting should make use of ground covers in lieu of grass.

G. Seasonal Plant Protection

Temporary structures to protect vegetation from extreme weather are permitted in the Side or Rear Yard between December 1 and March 1, or any other time when freezing weather is forecast. There are no restrictions on the size location or materials for such structures, except that they may not be dangerous or located so that they result in an unreasonable or disproportionate visual impact on neighboring properties.

H. Compatible

Yard structures must be in good taste and compatible with and appropriate in scale, color, and mass to the architectural charter of the dwelling and the neighborhood.

I. Setback Lines and Building Lines

Yard structures must be located a minimum of 20 feet back from the street pavement edge. If the improvement includes a foundation taller than 18 inches (such as a sculpture base), it must also respect all Building Setback Lines and platted building lines.

J. Retaining Walls

Retaining walls greater than 6 inches in height must respect all easements and require an application for review if they are more than 6 inches in height by the ARC/NSC.

K. Tree Removal

No living tree greater than 6 inches in diameter as measured at a point 2 feet above natural grade may be removed without prior written approval of the ARC. Trees to be removed must be flagged (marked with red plastic marking tape) on site. The individual homeowner shall be responsible for the cost of removing any tree from their property. Approval for tree removal will generally not be granted unless the tree:

- ❖ Is located within 5 feet of a house or other existing permanent structure (such as a garage, swimming pool and pool decking).
- ❖ Can be demonstrated to pose a safety hazard to persons or property.
- ❖ Is within 5 feet of the area proposed for the construction of the house, garage, or pool and pool decking.
- ❖ Is regarded as an invasive and hazardous type tree or plant.

2.7 Yard Structures

A. General

- ❖ Yard Structures include without limitation the following:
 - Garden benches
 - Artwork
 - Decorative accessories, such as windmills, wind vanes, wishing wells and bird baths
 - Fountains
 - Seasonal displays and seasonal greenhouses
 - Barbecue grills and fish ponds

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- ❖ Statues, lawn ornaments, monuments, artifacts, and similar objects or accessories will not be allowed in the side yard unless positioned behind barrier fences, and not visible from the street. Artifacts, statues, and other holiday decorative landscaping items on temporary display will be allowed within a reasonable period of time (not exceed a total of 6 weeks) prior to, during, and after a holiday season.
- ❖ Statues, lawn ornaments, monuments, artifacts and similar objects will be allowed in rear yards if not visible from neighboring property or street.
- ❖ No statue or other landscape accessory feature taller than three (3) feet in height may be placed in the front yard or in a location visible to the street, other common area, public right-of-way or neighboring lot.
- ❖ The maximum allowed number of statues or other accessory features per Site is two (2).
- ❖ Nothing shall be attached to any fence.
- ❖ Approval shall not be granted for any items containing moving parts or producing noise of any volume

B. Planters, Clay Pots, and Barrels

- ❖ Planters, clay pots, barrels, etc. are allowed in Windsor Lakes provided the container and plants are well maintained and thriving. Planters not containing plants are prohibited and shall be removed from view.
- ❖ If planters, clay pots, barrels, etc. are painted, the color must be in harmony with the color of the house. The determination of whether something is in harmony with exterior design and color is at the sole discretion of the ARC/NSC

C. Park Benches

- ❖ Park Benches must be well maintained.
- ❖ The style and color of park benches must be in harmony with the exterior design and color of the home and with the community. Style, color, and location must be approved by the ARC/NSC. The determination of whether something is in harmony with exterior design and color is at the sole discretion of the ARC/NSC

D. Porch Swings

- ❖ Porch swings must be well maintained.
- ❖ The style and color of porch swings must be in harmony with the exterior design and color of the home. The determination of whether something is in harmony with exterior design and color is at the sole discretion of the ARC/NSC

The Windsor Lakes Residential Development Standards

E. Outdoor / Lawn Furniture

- ❖ Outdoor or lawn furniture must be well maintained.
- ❖ The style and color of outdoor or lawn furniture must be in harmony with the exterior design and color of the home. The determination of whether something is in harmony with exterior design and color is at the sole discretion of the ARC/NSC

F. Tree Swings

Tree swings can only be located in the backyard of any residential lot in Windsor Lakes.

G. Fountains

- ❖ Fountains shall be limited in height to three (3) feet above natural grade of the lot. Any fountain shall be of natural material, color and design, each of which are compatible with the overall architectural theme of Windsor Lakes.
- ❖ Fountains shall be permitted in the front yards, street side yards, rear yards, and courtyards of residential homes.
- ❖ Only one (1) fountain will be allowed per Site.

H. Barbecue Grills

Barbecue grills are not permitted in the Front Yard, and are permitted in the Side Yard only if screened from view from the front and side streets.

I. Fish Ponds and Fountains

Fish ponds and fountains with a water capacity more than 24 inches deep, must comply with all requirements for security barriers. See Standard 2.13.

J. Seasonal Decorations

Seasonal decorations may be displayed for a period not to exceed 6 weeks.

Approvals

Any variance from the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

2.8 Lighting

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

A. Illumination

No lighting fixture may create glare or a level of illumination that is offensive or inappropriate when viewed from adjacent properties. Lights mounted on buildings, poles or trees to provide general lot illumination must be mounted in fixtures which shield visibility of the lamp from the street or adjacent properties and direct illumination upward or downward.

B. Lamp Type

- ❖ Incandescent, tungsten halogen and fluorescent lamps are acceptable for all type of exterior lighting.
- ❖ Mercury vapor lamps are acceptable only in shielded fixtures mounted high in trees to provide low-level ambient property illumination (moonlight).

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- ❖ High-pressure sodium and low-pressure sodium lamps are not acceptable.
- ❖ Gas lights are acceptable for exterior residential applications.
- ❖ Electronic insect traps ("Bug Zapper Lights") are permitted only if mounted below the height of 6 feet, and within a yard area enclosed by a 6 foot solid fence.
- ❖ Pole Lights. Lights mounted on freestanding poles may not exceed an overall height of 8 feet above natural grade.

C. Location

- ❖ Lights (except those operating on 12 volts or less) may not be located within 5 feet of a side property line or 10 feet of a rear property line.
- ❖ Lights must be set back a minimum of 10 feet from the pavement edge.

D. Material/Colors

Decorative lighting fixtures must be an integral and compatible part of the architecture of the dwelling. Other light fixtures must be inconspicuous and unpretentious. Light fixtures and their supports must be of materials and colors which are in harmony with the natural, forested environment. Muted earth tones in the brown, gray, and green ranges are preferred. White fixtures and supports are acceptable only if they are compatible with the architectural style of the dwelling.

E. Seasonal Lights

Seasonal lights may be displayed for a period not to exceed 6 weeks. Seasonal displays must be limited in scope so as to not become a nuisance or annoyance to the neighborhood.

F. Swimming Pool Equipment Lights

Swimming Pool Equipment lighting mounted immediately above the Swimming Pool Equipment must be located below the fence line. Lights must be shielded to direct illumination downward. The maximum light wattage may not exceed 100 watts.

Committee Approvals

All projects within the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

2.9 Play Structures

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

A. Basketball Goals

Basketball Goals are not permitted.

B. Play Structures

Play Structures including play forts, play houses, trampolines, swing sets, climbing apparatus, fixed skateboard ramps and other portable play structures or equipment, whether permanent or temporary must be reviewed and approved in advance by the ARC/NSC committee.

2.10 Political Signs

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS.

The Windsor Lakes Residential Development Standards

A. Definition

Political sign means a placard, banner, flag or device that promotes a candidate or an issue. A two-sided sign is considered one sign.

B. Location, Duration and Number

It is recommended that only one political sign promoting a candidate or issue on the ballot may be placed on each Lot or Unit beginning the 90th day preceding the regular Election Day, and must be removed within 10 days following the day of the regular or runoff election.

C. Sign Criteria

Political signs should

- ❖ be in good repair and aesthetically pleasing, in keeping with the character of the community,
- ❖ not be lighted, accompanied by music, sound, balloons or streamers, or be distracting to motorists,
- ❖ be ground mounted, and not attached in any way to plant, traffic control devices, light standards, trailers, vehicles or other existing structures or objects.
- ❖ not exceed 6 square feet in area, and
- ❖ not exceed 5 feet in total installed height (including post, if any)

D. Owner Approval

Political signs may not be placed in the street right-of-way adjacent to a property without the prior written consent of the owner of that property.

Approvals

All other signs within the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

2.11 Satellite Dish Antennae/High Definition (HD) Antennae

THE BUILDING CODE AND PART 1 OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

NOTE: THE CCRs TAKE PRECEDENCE OVER THESE STANDARDS AT ALL TIMES.

An antenna or satellite dish of one meter (approximately 39 inches) in diameter is permitted on any Lot or Unit provided it meets the following minimum conditions (however, each minimum condition shall not apply if it unreasonably delays installation or if it unreasonably increases the cost of the installation or if it precludes the reception of an acceptable signal);

- ❖ It must be located to the rear one-half of the Lot or Unit.
- ❖ It must serve only improvements on the Lot or Unit in which it is located.
- ❖ To the extent feasible, it shall not extend above the roof-line of the residence and shall not be visible from the frontage street or any adjoining street.
- ❖ To the extent feasible, it shall not be located on any easement or right-of-way located on the Lot or Unit.
- ❖ It must be securely mounted to a base, so as to be able to withstand high winds or other extraordinary weather conditions. No guy wires or similar mounting apparatus will be allowed.
- ❖ No advertising slogans, logos, banners, signs, or any other printing or or

The Windsor Lakes Residential Development Standards

illustrations shall be permitted upon or attached to the antenna.

- ❖ It shall be one solid color only, either white, black or shades of brown, grey, tan or natural metal.
- ❖ Each Lot or Unit shall be permitted to have no more than one antenna or satellite dish for each category of the following categories of video programming; direct broadcast satellite, multi-channel multi-point distribution (wireless cable) providers and television broadcast stations.
- ❖ It shall be installed in a manner that complies with all applicable laws and regulations and the manufacturer's instructions.

Approvals

All projects within the scope of the Standard must be reviewed and approved in advance by the ARC/NSC. Applications will be reviewed on an expedited basis within seven (7) days after receipt.

2.12 Flagpoles & Flags

A. Flagpoles

The WLHOA encourages its Residents to display the American flag at appropriate times with due respect to national standards. Flying the U.S. Flag and the State of Texas Flag does not require a submittal to the ARC/NSC. They may be flown at anytime as long as they are in compliance with this regulation.

- ❖ There shall be no permanent stand alone flagpoles allowed on residential sites in Windsor Lakes. Permanent in ground flagpoles are not permitted on

residential sites. Easily removable in ground flagpole holders for temporary display are allowed.

- ❖ No more than two flag mountings shall be permitted per residential site.
- ❖ Flagstaffs mounted to the home are limited to six feet (6') in length. Flagstaffs mounted in temporary in ground holders are limited to eight (8') feet in length

B. Flag

- ❖ Flags may not be used to advertise or promote any product, service, organization, school, university or commercial enterprise.
- ❖ The size of the flag should be limited to 3' x 5'
- ❖ Flags must **not** be mounted in windows, on walls, or on doors of exterior of home or on fences.
- ❖ Maximum of two (2) flags exhibited per household at any one time. If two flags are flown, one must be the American Flag and the other may be one of the following: State of Texas, American Armed Service Flag or a Seasonal flag.
- ❖ No clanging chains or otherwise noisy apparatus shall be attached to flag.
- ❖ All flags must be maintained in good condition and should not be displayed on days when the weather is inclement.
- ❖ Flag etiquette must be followed at all times.
- ❖ Proper lighting is required for nighttime display of the U.S. flag.

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Approval

Any variance from the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

2.13 Prohibited Structures

The Following Structures Shall Be Prohibited From Use In Windsor Lakes

- ❖ Permanent ground mounted flagpoles and basketball hoops.
- ❖ A statue, monument, ornament, water feature or similar object on the Lot that is visible from the street or by neighbors that is taller than three feet (3) in height.
- ❖ Storage buildings, dog houses or sheds in front yards or side yards visible from the street.
- ❖ Clothes lines or clothes poles
- ❖ Detached garages or carports.
- ❖ Tents of a permanent nature
- ❖ Accessory building, including gazebo, guest house and greenhouse not built by the Declarant in front yards or in side yards visible from the street.

Approval

All intended attached structures must receive written approval by the ARC/NSC before installation will be permitted.

2.14 Swimming Pools and Security Barriers

THE BUILDING CODE AND PART I OF THESE STANDARDS HAVE FURTHER REQUIREMENTS APPLICABLE TO ALL IMPROVEMENTS

A. Swimming Pools

Swimming pool means any structure intended for swimming or recreational bathing, with a capacity for water over 24 inches deep, including in-ground, hot tubs and spas.

B. Above-ground

Above-ground swimming pools are not permitted.

C. Construction Barricade

A continuous 4 foot or taller safety barricade which secures the area from pedestrian access is required around the swimming pool site at all times during excavation and construction.

D. Drains

Any backwash drains must discharge into the sanitary sewer system at connections approved by the City of Conroe.

E. Drainage

Texas law requires that the owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

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F. Dwelling Foundation

The Owner should obtain competent engineering advice to determine that swimming pools, spas and ponds are located far enough from the dwelling foundation to maintain support for the foundation.

G. Elevation

Pools, spas and ponds should be elevated above the surrounding grade at the minimum height necessary to prohibit an inflow of storm water. Where there is a significant elevation decline to the adjacent lot(s), pools, spas, ponds and adjacent decking must be located at an elevation which protects the privacy of adjacent residents without the need for high visual or sound barriers.

H. Excavation

Excess soil from swimming pool, spa and pond excavation must be removed from the site.

I. Hard Surfaced Area

The surface area of coping and any decking materials (excluding wood decks) are Hard Surfaced Areas in determining compliance with the limitation of Hard Surface Area permitted on the Lot or Unit.

J. Lights

Lights in or around swimming pools, spas and ponds must conform to Standard 2.8 and be included on the plan for review and approval.

K. Location

Swimming pools and spas must be located in the Rear or Side Yard. Swimming pools and spas and associated wall, decking or other landscape elements may not be located within a Covenant Easement or beyond a platted Building Line.

L. Pool Slides

Pool slides may not exceed 6 feet in height above natural grade and must be located to minimize impact on adjacent properties.

M. Pumps and Filters

Pumps, filters and other equipment must be screened from view at ground level from adjacent streets or tracts, and located to minimize impact on adjacent properties. Piping, pumps, equipment or filters may be located up to 3 feet into the 10 foot rear easement, and up to 2 feet into the side yard easement. Equipment pads in the easements may not extend beyond the encroachment of the existing air conditioning pad or no more than 3 feet into the easement. The ARC/NSC will explore alternate locations and neighbor impact when considering placement into the easements. Improvements within an easement must not impede drainage.

Any improvement constructed within an easement without the consent of the easement holder is subject to removal by the easement holder. Approval by the ARC/NSC is not approval by the easement holder.

N. Waterfalls

Waterfalls and associated berms may not be located on any Easements. Waterfalls may not exceed 5 feet in height above natural grade. All pipes and plumbing must be suitably enclosed or screened from view.

O. Building Code

All swimming pools, hot tubs, spas and ponds greater than 2 feet in depth must be provided with a security barrier which complies with the International Residential Code.

P. Fence Standard Applies

In addition to the requirement of the Building Code and this Standard, security barrier fences

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must comply with all provisions of Standard 2.6, Fences. Fences, Security barrier fences also require inspections.

Q. Existing Fences

A fence in existence when swimming pool, hot tub, spa or pond (greater than 2 feet in depth) is constructed can be used as a security barrier.

Committee Approval

Any other improvements including, but not limited to, exterior lighting, summer kitchens, arbors and patio covers will not be considered related items and will require separate application for review.

All other projects within the scope of this Standard must be reviewed and approved in advance by the ARC/NSC.

3.1 Business Use

THE WLHOA COVENANTS PROHIBIT BUSINESS USE OF A SINGLE FAMILY LOT WITHOUT APPROVAL BY THE ARC/NSC.

A. Requirements for Approval

A home business may be approved by the Board of Directors only if:

- ❖ the Site and improvements are used primarily for residential purposes by the business owner/operator,
- ❖ the street address of the home business is not advertised in a public medium (newspaper, radio, television, yellow pages, trade journals etc.) or in any public matter,
- ❖ not more than 25 percent of the floor area of the dwelling or 50 percent of the floor area of the garage is used for a

business related activity (storage of materials or equipment, office use, etc.),

- ❖ the home business does not employ or contract with persons not living at that location but who work at or travel to the home in connection with the business,
- ❖ the home business does not have clients, customers or other persons who frequently travel to the home in connection with the business,
- ❖ the home business does not cause noise, dust, light, vibration, or pollutants which migrate to any adjacent property in an amount which does or may reasonably constitute a nuisance to an adjacent property owner,
- ❖ the home business does not have trucks with a licensed or rated capacity greater than one ton, tractor-trailer cabs or trailers, or other business vehicles, equipment openly parked or stored upon the property or adjacent streets or properties,
- ❖ the home business does not have any sign or other writing on the lot displaying the name or identity of the home business which is visible from any street (except customary signs attached to a vehicle and which do not include the home address).
- ❖ the home business is not conducted upon any portion of the lot which is visible from a public or private street, and
- ❖ the home business is compatible with and does not infringe upon the residential character of the surrounding neighborhood.

The above list is not all-inclusive.

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B. No Waiver

Approval of a home business is not an approval of any remodeling work, or a waiver of any other provision of the CCRs or these Standards. Plans must be submitted and approved for any remodeling or alterations to any structure, and the provisions of the Covenants and these Standards regarding e.g., good property maintenance, parking, the requirement for a two car garage, minimum Living Area, etc., must be met.

Commercial type business are not permitted.

Committee Approval

All home business must be reviewed and approved in advance by the Board of Directors. Upon review of home business, approval will be for a period not to exceed two years or for a period as determined by the Board of Directors.

C. Garage Sales

A garage sale is any sale to the public of household or personal articles or other goods or merchandise, held on a Single Family Lot. Garage sales include events advertised as a "garage sale", "patio sale", "moving sale", "yard sale", "estate sale", "craft sale", "craft demonstration", "trunk sale", "by invitation only sale" or other similar term.

Garage sales are prohibited in Windsor Lakes and no variances from this Standard will be approved.

3.2 Home Maintenance

A. Fire Safety

The Owner of each Lot or Unit must at all times maintain and keep in good working order:

- ❖ the smoke detection device(s) required by Standard 2.1 above,
- ❖ the key box or other system permitting emergency access through a front gate to the home (where applicable), as required by Standard 2.5 above.

B. Flammable and Hazardous Materials

Storage of flammable liquids, combustible liquids, hazardous material, explosives, blasting agents, or liquified petroleum gas (all as defined in the Uniform Fire Code) is prohibited except:

- ❖ storage in the engine tanks of vehicles and gasoline-powered equipment,
- ❖ not more than 5 gallons each of gasoline, kerosene, or liquefied petroleum gas,
- ❖ normal household quantities of consumer-approved cleaning agents, herbicides, fungicides, pesticides, fertilizers or other common household products.

C. General Maintenance

Each Owner (unless the obligation of WLHOA) must keep their property and improvements in good order and repair including, but not limited to, seeding, watering, edging and mowing the lawn, weeding, pruning all trees and shrubbery, and painting (or other appropriate external care) of all buildings and other improvements, in a manner and with such frequency as is consistent with safety and good property management. Among the requirements of this section are:

The Windsor Lakes Residential Development Standards

- ❖ repair of broken windows,
- ❖ repainting or re-staining.
- ❖ repair and maintenance of rotted, sagging, or broken siding, garage doors, gutters, fences, roofs, shutters, screens, decks, etc.
- ❖ mowing, edging and trimming of lawn and ditch areas to the pavement edge,
- ❖ repair of all damaged walkways and driveways to the street pavement edge,
- ❖ repair of any damaged paved areas,
- ❖ maintenance of trees and shrubbery, as well as removing weeds from flower-beds,
- ❖ maintenance of any drainage structure on the Lot or Unit
- ❖ the removal of exterior algae/mildew on dwellings and garages,
- ❖ removal of all trash and debris, and
- ❖ removal of all trash and debris, and
- ❖ storage of all equipment, materials supplies, appliances, etc. within the garage or other enclosed area.
- ❖ no clothing or other household fabrics shall be hung in the open on any Lot or Unit unless the same are hung from an umbrella or retractable clothes hanging device which is removed from view when not in use or unless the same are enclosed by a fence or other enclosure at least 6 inches higher than such hanging articles, provided such fence or other enclosure has been approved by the ARC/NSC.

D. Trash, Refuse & Recyclables

- ❖ Trash or refuse burning is prohibited.
- ❖ Trash, refuse and recyclables (except bundled limbs and branches) must be placed in containers required by the waste collection contractor. If the contractor does not specify required containers, then such items must be placed in sturdy, water tight, enclosed containers or plastic bags of a size and weight not exceeding the limitations of the waste hauler.
- ❖ Trash, refuse or recycling containers may be placed on or near the street line in front of the residence no earlier than 6:00 P.M. the day prior to that designated for pickup. Emptied containers must be removed from the street, front yard or driveway no later than 8:00 P.M. of the collection day.
- ❖ Trash and refuse containers must be stored out of view from the street or from adjacent and surrounding property at all times except during waste collection.

This list of property maintenance items is not all inclusive. Good property management which is respectful of neighborhood property values and clean, safe, quiet, pleasant neighborhoods, is the objective of these Standards.

The Windsor Lakes Residential Development Standards

3.3 Pets

A. Dogs and Cats

1. Not more than two domestic dogs and cats (combined total) and puppies and kittens, which are not weaned, may be placed or kept outside of the home.
2. Dogs and cats over the age of 6 months must have a current rabies inoculation and carry a collar tag bearing the date and place of inoculation, and the means to identify and locate the owner.
3. Pets are not allowed to run at large. They must be confined to the owner's site and/or controlled by a restraint device.
4. These Standards cover limited topics within the CCRs. Many annoyances such as barking dogs or unsafe activities are within the jurisdiction of City of Conroe or other governmental agencies. Consult the appropriate agency.

B. Other Pets

Pets other than dogs and cats are restricted to the interior of the home. Pets which constitute a safety hazard or danger to persons in the neighborhood, or cause a health hazard, or cause sound or objectionable odor to emanate beyond the boundaries of the property are prohibited.

C. Site Maintenance

Animal waste must be removed from the Site as required by good animal husbandry, and to control odor and prevent a health hazard. Many annoyances or unsafe activities are within the jurisdiction of City of Conroe or other

governmental agencies. Consult the appropriate agency.

D. Prohibited

Pets, as described herein, are prohibited from depositing waste, of any kind, on another property Owner's Site, including all easement areas of each Site.

It is the responsibility of the pet owner to control their pet in order to meet this Standard.

See Section "C" Site Maintenance, for Standards pertaining to an individual's own Site requirements.

Why Don't the Standards regulate Barking Dogs?

These Standards cover limited topics within the jurisdiction of the Covenants. Many other annoyances or unsafe activities are within the jurisdiction of City of Conroe or other governmental agencies. Consult the appropriate agency.

3.4 Street Rights-of-Way, Cul-de-Sacs, Esplanades & Islands

A. Responsibility for Common Areas

The Windsor Lakes Homeowner Association WLHOA shall establish the requirements for the use and care of Common Areas within the Windsor Lakes subdivision. Common Areas include, but are not limited to, streets, sidewalks, cul-de-sacs, esplanades and islands.

B. Streets

It shall be the responsibility of the individual homeowner to cultivate a tree, shrub, vine, palm

The Windsor Lakes Residential Development Standards

or similar plant growing on their property in such a manner

- ❖ to prevent the overhang or obstruction upon or over any street unless there be a full twelve-foot clearance between the surface of all portions of such street and the overhanging tree, limb, shrub, vine, palm or plant.
- ❖ as to provide clear unobstructed access of 7 feet 6 inches (7'-6") around a fire hydrant.

C. Curbs

The WLHOA shall approve any modification or alteration to curbs within the Windsor Lakes subdivision. Homeowners wishing to make cuts in the curb abutting their property shall submit a request to the ARC for review and approval prior to making such modification. The homeowner shall be responsible for the long-term maintenance and repair of the curb area surrounding a drainpipe abutting their property.

D. Sidewalks

The WLHOA shall approve any modification or alteration to sidewalks within the Windsor Lakes subdivision. Homeowners wishing to make modifications or alterations to a sidewalk shall submit a request to the ARC for review and approval and shall make no modifications or alterations to said sidewalk until obtaining written approval from the ARC.

It shall be the responsibility of the individual homeowner to cultivate a tree, shrub, vine, palm or similar plant growing on their property in such a manner to prevent the overhang or obstruction upon or over any sidewalk unless there be a full ten-foot clearance between the surface of all portions of such sidewalk and the overhanging tree limb, shrub, vine, palm or plant.

It shall be the responsibility of the individual homeowner to not cultivate a tree, shrub, vine, palm or similar plant growing on their property and/or between the sidewalk and curb on any street within 20 feet of the corner of any block.

E. Cul-de-Sacs, Esplanades and Islands

The WLHOA encourages homeowners to improve and maintain modifications and alterations to the landscaping for cul-de-sacs, esplanades and islands within the Windsor Lakes subdivision. These Standards apply and homeowners wishing to make modifications or alterations to a cul-de-sac, esplanade or island shall submit a request to the ARC for review and written approval before beginning any modifications or alterations to cul-de-sacs, esplanades or islands.

3.6 Vehicle Storage & Parking

A. Definitions

- ❖ A recreational vehicle is a motorized vehicle, including a motor home or truck, which is designed to provide temporary living quarters for recreational, camping, travel or business use. Excluded from the definition of a recreational vehicle are pick-up trucks with a licensed capacity of 1 ton or less with a camper cover that does not exceed the height of the cab by more than 1 foot, and truck campers or motor homes no more than 10 feet tall or 20 feet long if driven to and from work on a regular basis (at least 4 days a week), or used for normal household purposes (driven on a daily basis).
- ❖ A trailer is any vehicle designed or intended to be coupled to or drawn by a motor vehicle.
- ❖ A mobile home or trailer home is any type of trailer designed either for travel

The Windsor Lakes Residential Development Standards

over highways or for housing accommodations or both.

B. Open Storage Prohibited

Trailers, trailer homes, recreational vehicles, mobile homes, farm-type tractors, boats, semi-truck tractor or trailer or any other similar vehicles or equipment may not be parked 24 consecutive hours or more on any street or on any Site where visible at ground level from a street or adjacent property.

C. Garage Storage

Trailers, trailer homes, recreational vehicles, mobile homes, boats may be stored in a garage providing that such storage does not result in the displaced automobile(s) being parked outside the boundary of the Site.

D. Park On Hard Surfaced Area

All vehicles parked on a Site must be parked on concrete or other approved hard surface material. Parking on lawns, ditches, open space areas, or other dirt, gravel or grassy areas is prohibited.

E. Parking On Streets

Parking on streets or in the street right-of-way should be avoided except for temporary situations. Further no vehicle shall be parked in the street overnight.

3.6 Emergency Power Generators

Installation of an emergency stand-by generator requires written approval by the NSC/ARC. The application must include a brochure or specification sheets completely describing the generator model to be installed.

- ❖ The generator must be used only in the event of a public utility outage.

- ❖ Generators must be located in the rear of the house and cannot be located within any utility easement.
- ❖ Access for construction must be contained within the owner's lot. Any access on a neighboring property must be obtained in writing and submitted as part of the application.
- ❖ Sound levels produced by the generator must not exceed 65 decibels at the property line.
- ❖ Sound abatement specifications, including mufflers, and/or insulated walls around the generator must be submitted for approval.
- ❖ Generators must be screened from view at the ground level from adjacent street and lots and must be located to minimize the impact on adjacent properties.
- ❖ Generators must be installed so that the top of the unit is less than 6 feet above natural grade and not be visible from ground level from any adjacent street or property.
- ❖ Testing of all generators must be held between 10:00 A.M. and 3:00 P.M. only Monday through Friday.
- ❖ All generators must comply with the most current building code in effect at the time of the application. Each generator must be inspected by a third party inspector to verify that the installation is in compliance with the code and verifying a transfer switch has been installed in the vicinity of the generator for the safety of the workers and the homeowners themselves.

The Windsor Lakes Residential Development Standards

- ❖ The generator must be placed so that the exhaust fumes cannot enter any house through windows, doors, or other building openings.

B. Temporary Generators

Temporary Portable Generators are approved for use assuming the following criteria are met.

- ❖ They are used only in the event of a public utility outage.
- ❖ The portable generator meets UL and other applicable safety codes.
- ❖ It is recommended that the portable generator not exceed 70 decibels of noise, measured at the owner's property line.
- ❖ The portable generator must be placed so that exhaust fumes cannot enter any house through windows, doors, or other building openings.

The Windsor Lakes Residential Development Standards

EXECUTED effective the 27 day of Oct, 2009.

By: *[Signature]*

STATE OF TEXAS

COUNTY OF MONTGOMERY

This instrument was acknowledged before me on Oct 27, 2009

By G. R. DEMING

[Signature]

Notary Public, State of Texas

RITA ARNOLD

Printed Name of Notary

My Commission Expires: 6-1-13



FILED FOR RECORD

2009 NOV -3 AM 10: 54

[Signature]
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

AFTER RECORDING RETURN TO:

Bryan P. Fowler
The Fowler Law Firm
300 W. Davis, Suite 510
Conroe, Texas 77301

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property at Montgomery County, Texas.

NOV - 3 2009

October, 2009

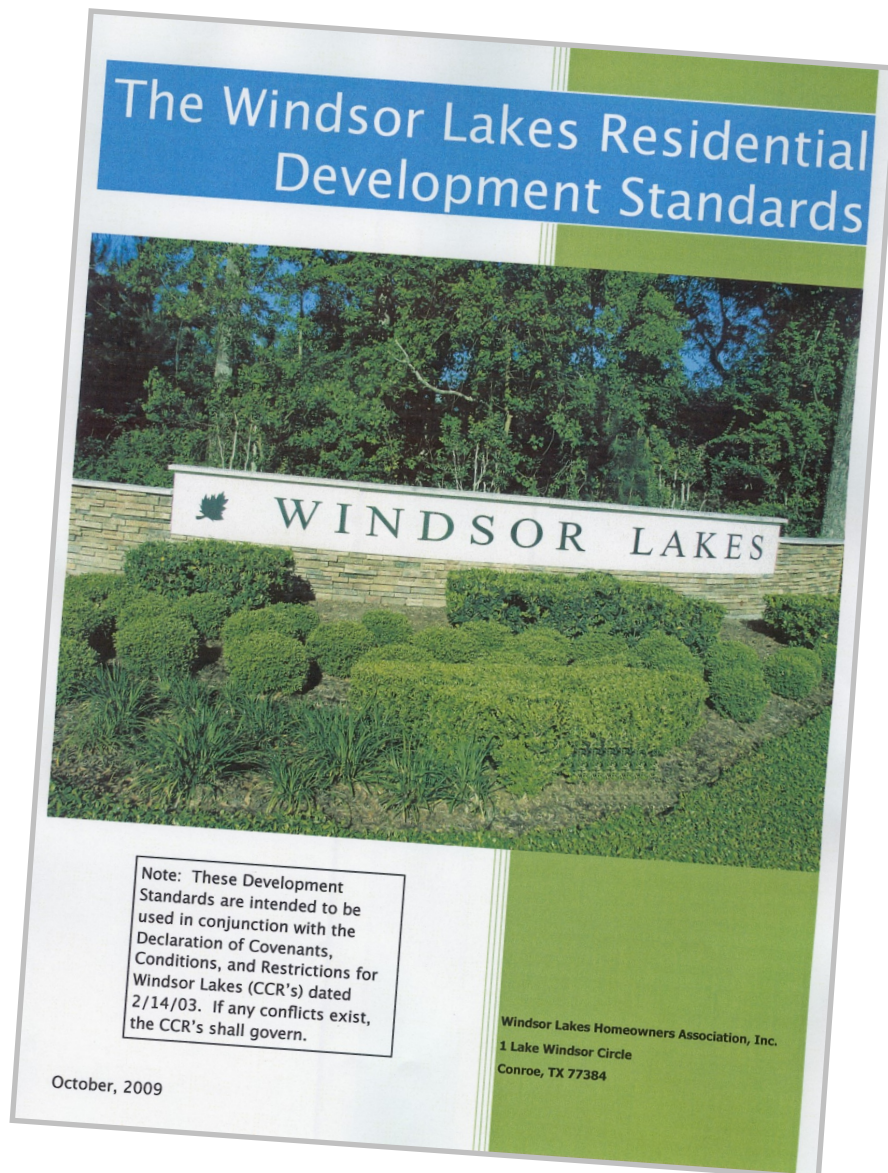
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[Signature]
County Clerk
Montgomery County, Texas

Addendum

To The Windsor Lakes Residential Development Standards



REVISION

The Windsor Lakes Residentail Development Standards,
Section 2.5 Fences,
as follows:

Add New Paragraph H.

H. Gates in perimeter fences and fences adjacent to HOA common areas.

- 1, All existing gates that have installed without prior approval must have an application submitted for approval and documentation purposes.
 - 1.1 Those gates that meet the conditions listed in paragraph 2 below will be approved.
 - 1,2 Those gates that do not meet the conditions of paragraph 2 may be approved with variance.
 - 1.3 Homeowners that do not submit an application will receive a notice of non-compliance.
2. Gates will be permitted under the following conditions:
 - 2.1 An application must be submitted for approval prior to installation of any gate.
 - 2.2 Hardware must be mounted on the inside of the homeowner's property and not visible from the common area.
 - 2.3 Gates must be self-latching and openable only from the inside.
 - 2.4 WLHOA is not responsible for any security issues.
 - 2.5 WLHOA is not responsible to maintain, repair, or replace gates.
3. When perimeter fences and fences adjacent to HOA common areas are replaced by the HOA, re-installation of any gates will be the responsibility and at the expense of the homeowner. Existing gates that do not meet all the conditions of Paragraph H.2. must have an application submitted for approval prior to re-installation showing gate hardware located inside homeowner's property. Existing gates that meet all conditions of Paragraph H.2. above may be re-installed in the same location without submittal of an application for approval.