

**BAY FOREST SUBDIVISION  
ARCHITECTURE REVIEW COMMITTEE  
GUIDELINES AND CLARIFICATIONS**

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Revision #6

The following are guidelines established by the Architecture Review Committee to make its determination of the acceptability or non-acceptability of any item that is built within the Bay Forest community. They are intended to further insure consistency in decisions and assist in expediting the decision process. The guidelines are intended to augment the Bay Forest Deed Restrictions and not replace or over-ride them. They cover specific situations that are either vague or not specifically addressed by the Deed Restrictions.

They are the result of decisions made by the Architecture Review Committee in response to specific requests from Bay Forest residents. All are based on the specific rules established by our governing documents. These guidelines are amended by addition, deletion or alteration at any time the Committee deems appropriate and whenever new issues are addressed and resolved.

The members of the ARC and the Bay Forest Board of Directors hope this information will be of assistance to you in making the determination of products that you will buy, and changes or modifications you will make to your property.

**PLEASE HELP YOUR COMMUNITY AND YOURSELF BY REQUESTING APPROVAL  
BEFORE IMPLEMENTING THE IMPROVEMENT.**

**TO OBTAIN AN "APPLICATION FOR HOME IMPROVEMENT", PLEASE CONTACT  
BAY AREA PROPERTY MANAGEMENT AT 333-4177.**

Throughout this document, no distinction will be made between "permanent" and "temporary" structures. Unless otherwise specified, they will be considered the same.

**1. LANDSCAPING**

**A. LIVE LANDSCAPING**

In general, the addition or movement of trees, shrubs and other live items of landscaping is acceptable without a formal review by the Committee. Exceptions are landscaping that is, or will act as, a non-compliant fence, items that obstruct access to a vital community service (such as fire hydrant), items that obstruct visibility causing a hazard to vehicular or pedestrian traffic, items that create a hazardous condition or any item that generates a complaint from a resident of the community. These guidelines apply both to items that create a non-acceptable condition upon installation and items that grow to become non-acceptable.

Removal of individual trees is discouraged unless the tree is diseased, dead, severely damaged or poses a hazard. Removal of multiple live trees, without suitable immediate replacements, other than for safety reasons, from any single property will not be approved. Although such removal is difficult to prevent, the ARC will take aggressive action to require replacement of like number and size trees. Every reasonable attempt will be made

to move live trees to other Bay Forest properties in the event an improvement is to be made with which the tree(s) interferes or in the event a tree poses a problem or hazard in its current location.

#### B. OTHER LANDSCAPING (SOFTSCAPING)

Landscape materials may be installed without approval so long as they are not cemented, concreted or otherwise permanently fixed in place. Such items as bricks, stones, and landscape timbers may be installed freely if they are installed as accent items and not used as fences or barriers. The ARC reserves the right to require approval for anything more than 2 feet high. Questionable items and configurations may require the submission of a request for ARC approval. See articles 14 and 16 for additional information.

### 2. EXTERIOR LIGHTING

In general, the addition of exterior lighting is both acceptable and desirable. This includes ground-level lighting, stand-alone lamp posts and lighting mounted on a house or approved structure. Such lighting fixtures must be compatible with the general tone and design of the neighborhood. Exceptions will be such lighting fixtures that are of a design that is incompatible with the neighborhood. In all cases, stand-alone lighting fixtures must adhere to the "8 foot maximum height" rule.

Although it is not required to gain approval, residents are encouraged to consult with affected neighbors prior to installing or changing exterior lighting. Preferential approval will be given to those who have obtained verbal consent from neighbors prior to applying for committee approval. Certain lighting may be so objectionable because of its nature, texture or possible effect on adjoining properties that the ARC will disapprove its installation. Sodium and Mercury vapor lights are not acceptable as they generate light that is usually objectionable to adjacent homes. These lights, and others of a similar nature will not be approved even with the consent of near-by residents.

### 3. PRECEDENTS

Effective March 1989, the responsibility for architectural control was passed from Friendswood Development Company to the Board (except for areas set aside for commercial development). While the Committee will make every reasonable attempt to be fair and equitable, the Committee and the Board will not necessarily be bound by past decisions of Friendswood Development. The Committee reserves the right to disapprove applications for improvement that require a variance from the established Covenants if it believes that such changes are not in the best interest of the future of Bay Forest, even if a precedent was set by a decision of Friendswood Development.

In spite of their best efforts, from time to time, the Committee and/or the Board will make a decision that, in retrospect, is not in the best interests of the community. The Committee and the Board reserve the right to recognize such situations, document it in the minutes of a meeting and no longer permit its use as a precedent. The same right applies if the Committee and/or the Board makes an inadvertent error in allowing a change or addition.

#### 4. QUALITY OF REPAIRS

From time to time, homeowners will be required to make repairs to portions of their property that may be damaged or deteriorated. This includes such items as curbs, sidewalks, porches, fences, etc. Repairs are required to be of equal or better quality than original construction and of the same type. While there is no specific requirement for the owner to apply to the Committee for such a one-for-one repair, the quality of such work may come under the scope of the Committee's responsibilities if the repair is done in such a way as, in the Committee's opinion, to detract from the appearance of the neighborhood.

#### 5. HOME VALUE, SIZE AND TYPE

Neither the size (square footage nor height), the type (Estate, Custom, Patio or Executive) nor the value of a home (selling price, cost nor evaluation) will be used as a factor in any decision made by the Committee.

#### 6. PAINTING

All homes in Bay Forest have some painted areas (such as trim and wood siding areas). While this falls under the governing documents, no attempt will be made to control painting activities in cases where the owner is repainting with the same color as originally used. If the owner wishes to paint an area (such as a fence) that has not been previously painted or wishes to change a color, approval by the ARC will be required. Owners may change the color of paint used on their home if, in the opinion of the ARC the new color is compatible with both the individual home and the neighborhood.

Colors selected to paint the wood, trim, shutters and gutter areas of homes and garages will be limited. Owners may choose to repaint using the same color as applied during initial construction. Shutters may be painted in a contrasting color if, in the opinion of the ARC the color is compatible with the neighborhood. Unlike other trim, shutters may be painted in dark (black, green, blue, etc) colors. Other portions of the house and garage may be white or a color that blends with the brick. Beige, tan, sand and white are generally acceptable colors for trim. Colors chosen for trim and gutters are intended to blend the brick with the trim (except white) and not intended to "outline" the structure. Any color that does so will not be approved.

Almost all front doors (main entrances) of Bay Forest homes are a dark stained (similar to mahogany) wood and usually contain a decorated glass panel. Other entrances are normally painted either white or the same color as the house trim. This same standard will be maintained although each owner may choose to change from one style or color to another. White, natural wood stain or a match to the existing trim color will be the only options acceptable.

#### 7. "INVISIBLE" IMPROVEMENTS

Some improvements are not readily visible from any street and/or other home in Bay Forest. In general, such lack of or limited visibility does not exempt the owner from complying with the governing documents. However, the Committee MAY take such a situation into consideration when considering a variance. If an exception of this type is made, the precedent will apply only to other situations with similar lack of or limited

7. "INVISIBLE" IMPROVEMENTS (continued)

visibility. Generally, the Committee will approve any improvement that meets ALL of the following conditions:

1. Complete enclosure within the fenced portion of the property.
2. Fencing is of such a type as to shield the variance from general sight.
3. Fencing is less than 6 feet in height at it's highest point.
4. Improvement is not visible by a pedestrian standing at ground level on any adjoining street, property or sidewalk.
5. It does not pose a hazard or annoyance to other properties or owners.

Examples of such changes are swimming pools, spas and ground level decks.

8. EMERGENCY AND DISASTER REACTION

Disasters such as fire and weather may cause significant construction and repair activity to take place. Temporary repairs or structures (those that are present for no longer than 6 months during reconstruction) will be acceptable under such a condition. Reconstruction in the form that existed before the disaster will be acceptable without approval by the Committee. Approval for changes to the former structure will be made with all haste possible so as to have no adverse impact on the owner. The Board and the Committee will take whatever action is reasonable to expedite its responsibilities. The intent will be to re-establish the neighborhood to its former quality as quickly as possible.

It is recognized that an owner has the right to take temporary protective action in the event of certain weather conditions, such as hurricane warnings. Rarely do these protective actions beautify the neighborhood but, no prior approval for such temporary action is required. However, all such installations must be completely removed and the property restored to its original condition within 15 days of the passing of the emergency. This rule specifically applies to, but is not limited to, the boarding of windows and doors during a hurricane threat.

9. EASEMENT ENCROACHMENTS

A. UTILITY EASEMENTS

It is not the responsibility of either the Committee or the Board to police encroachment into utility easement areas. If possible, the Committee will advise the owner of a possible encroachment and recommend that the owner seek approval or waiver from the appropriate utility. However, the Committee will not be liable for any expense incurred by an owner as a result of action by a utility if such encroachment occurs, even if the Committee approved the change or addition without comment.

## B. DRAINAGE EASEMENTS

Several communities in the Clear Lake area have governing documents that limit the use of a 3-foot drainage easement between properties. There is no mention of such an easement in Bay Forest's governing documents. The Bay Forest ARC encourages homeowners to make every reasonable effort to cooperate with their neighbors and not alter the land contour in such a way as to adversely affect water drainage. However, this will not normally be a consideration for approval or disapproval of applications. The adverse effect of water drainage change is a legal matter between individual property owners and must be resolved between the owners or in a court of law.

## 10. BASKETBALL GOALS & HOOPS

Basketball goals do not enhance the appearance of the neighborhood, but they do enhance the quality of life and are considered a benefit to both children and adults. To accommodate this activity the ARC has defined the following locations as permissible for basketball goals:

Locate a line that represents the front line of the house. Locate a second line that represents the rear line of the house. Draw a line mid-way between these two and parallel to them. The goal must be located to the rear of this center line. In questionable situations the committee will make the final decision.

In some cases, because of the design of the home or its orientation on the property, it is not possible to erect a goal anywhere in the front of the home. In such cases, the owner must erect the goal in the back yard.

Friendswood Development approved at least one "portable" basketball goal. This is the type of goal that has a broad base and is held stable by sand bags. The Committee believes that the intent was that this goal would be removed when not in use. This has not been the case. The appearance is undesirable. No additional approvals for temporary goals, other than in the fenced portion of the back yard, will be granted.

Patio homes present a unique situation for basketball goals. Because of the limited land space and the garage located in the front of the home, there is usually no location except the back yard that would meet the above criteria. In such cases, the owner will only be permitted to erect the goal at the rear of the house.

To the greatest extent possible, basketball goals, posts, backboards, nets and hoops will be colors that are not offensive to the landscaping of the neighborhood. Bright, fluorescent, colors (particularly nets) will not be allowed.

## 11. BUILDING CONSTRUCTION MATERIALS

Certain building materials are considered unacceptable for exterior use in Bay Forest. Other materials may be used for specific applications only. General guidelines are as follows:

## 11. BUILDING CONSTRUCTION MATERIALS(continued)

**BRICK:** Generally acceptable

**ALUMINUM:** Acceptable for rain gutters and window framing. Aluminum siding (that simulates wood) may be used to replace original wood or composition siding if the color is acceptable. All Aluminum items, regardless of their application, must be painted a color compatible with the home on which it is installed.

**FIBERGLASS:** Generally unacceptable for all applications.

**ROOFING MATERIAL:** The same as the home (as specified in the CCR's) for solid roof

**GLASS AND PLEXIGLAS:** Generally acceptable. Plexiglas is a suitable substitute for glass.

**PLASTIC SIDING:** As with aluminum, plastic siding may be used to replace original wood or composition siding so long as it is made to look like wood siding (texture, form and color will be the acceptance criteria). Most other uses of plastic are unacceptable.

**STONE, WOOD, POTTERY AND CONCRETE/CEMENT** Generally acceptable

## 12. HOLIDAY DECORATIONS

Holiday decorations are both permitted and encouraged and will not require approval by the Committee. However, all such decorations may be installed no sooner than 30 days prior to the holiday and must be removed within 15 days after the holiday for which they are intended.

This removal requirement does not include strings of lights that are inconspicuously installed on the home, garage or landscaping. However, the committee does reserve the right to require the removal of decorations that either generate complaints or are deemed offensive. This right will be used sparingly.

## 13. FENCING

For homes with detached garages, where a covered breezeway connects the house to the garage, a fence structure may be installed that meets any of the following criteria:

A. Standard wood fence and gate combination may be constructed of no greater than 6 feet height. This may be topped with a wooden lattice from the top of the fence to a height not to exceed the lowest edge of the roof covering the walkway.

B. Wooden lattice fence and gate combination may be constructed from ground level to a height not to exceed the lowest edge of the roof covering the walkway.

C. Wrought iron fence and gate combination may be installed from ground level to a height not to exceed the lowest edge of the roof covering the walkway.

### 13. FENCING (continued)

Any of the above improvements must follow a straight line from the house to the garage, must be as close a practical to the sidewalk that connects the two structures and be anchored to both the house and the garage or to two posts that are in close proximity to the house and garage.

All perimeter fencing will conform strictly to the CCR's. An exception has been made in such cases where a wrought iron gate is desired. Such a gate may have a portion exceeding 6 feet but not exceeding 7 1/2 feet.

Although not encouraged, fences may be painted but only if the color is the same color as the existing approved house trim or shutters. A natural wood stain may also be used as a preservative. Close scrutiny will be performed to insure that the painted surfaces do not deteriorate.

Brick or stone pillars may be constructed and used as fence posts. These must be of a material to match the exterior of the home and not exceed 8 feet in height.

Tubular steel fencing that is painted black to simulate wrought iron is acceptable as a substitute for real wrought iron.

### 14. YARD ORNAMENTS, FIXTURES AND FURNITURE

Lawn ornaments, outside the back yard shall be less than 8' tall, be of approved materials, and earth tone color or not painted. These items are subject to a suitability judgment of the ARC to ensure that they are compatible with the neighborhood.

Any and all items kept for prolonged periods anywhere outside the house are covered by the CCR's. It does not matter whether they are permanently installed by being cemented, or otherwise fixed, into the ground or just maintained on top of the ground or on porches.

A. DEFINITION Ornaments include, but are not limited to, such items as planters, decorations, statues, bird baths, lawn ornaments and other decorative items. Furniture includes chairs, benches, lounges, tables, etc. Fixtures include swings, lighting fixtures not described elsewhere in this document, barbecues, cookers, smokers, etc. Such items are encouraged to promote individuality. However, the following guidelines will apply:

B. ITEMS ON PORCHES: In general, items kept on porches such as furniture and planters will not require written permission unless a specific complaint is received. For purposes of Architectural Control, an owner may keep for prolonged periods, items of furniture, ornaments or planters on the front porch of his/her home without the written permission or consent of the ARC. The only requirement is that such items be kept in the same quality of repair as is required of the home and land as specified in the CCR's. The review committee or Board will only make a judgment if a specific complaint is received.

#### 14. YARD ORNAMENTS, FIXTURES AND FURNITURE (continued)

C. **BACK YARDS:** The intent of the committee is to permit the greatest possible flexibility for improvements in the back yard. It is recognized that such approved improvements as pools and children's play areas require items that would not fall under the approval criteria. Such items include pool furniture, children's play fixtures, tables and chairs, etc. This type of item is seldom installed or kept on a permanent basis. In general, items 6 feet or less in height, of a temporary or mobile nature and kept within the confines of the fenced yard area will not require written approval. It will not matter whether the item(s) is visible from the street or an adjoining property as in the case of items behind wrought iron fences. Such items may be composed of any material and be of any color.

Several exceptions have been made to the backyard height restriction. Specifically, children's swing and play sets that exceed 6 feet in height but do not exceed 8 feet will be permitted in the enclosed portion of the yard regardless of the material or color. Most patio furniture without a large awning will be approved.

D. **FRONT YARD ITEMS:** Items kept permanently, or for prolonged periods, outside the fenced area of the property will receive the greatest attention, the greatest visibility and will require written approval. For purposes of consistency, the term "prolonged periods" will be consistent with the rule for parked or abandoned cars. All of the following paragraphs, unless otherwise specified, refer to this class of item and not to the items described in 14.B.

Statues and similar ornamentation in front yards, including bird baths, may be no taller than 4 1/2 feet high, must be of an approved material and must conform to the tone and texture of the neighborhood. This latter requirement will be made in the best judgment of the ARC.

E. **MATERIAL COMPOSITION:**

The same general guidelines apply to these items as apply to other structures in Bay Forest. Certain materials are unacceptable such as plastic, aluminum, fiberglass, steel, etc. Acceptable materials are wood (either unpainted or painted to blend into the natural background), brick, stone or cement/concrete, pottery, clay, tile and wrought iron. Exceptions can be made at the discretion of the Architecture Review Committee or the Board.

#### 15 APPEARANCE

In order for an improvement to qualify for acceptance it must blend with the composition and tone of the surrounding area. The Architecture Review Committee and the Board will exercise their best judgment to determine this compatibility.

## 16 SPECIFIC ACCEPTABLE ITEMS

The following items are generally acceptable for being maintained in the un-fenced portion of Bay Forest properties:

1. Most lighting fixtures that do not exceed 8 feet in height.
2. "Park" benches made of any combination of natural wood, wrought iron, brick, stone or concrete.
3. Planters made of any combination of natural wood, wrought iron, brick, stone, clay, pottery or concrete.
4. Ornaments, such as statues, sculptures, bird baths, fountains, etc that are of a size proportional to the surrounding landscape and composed of natural wood, wrought iron, brick, stone, clay, pottery or concrete. The test for permissibility for this class of item will be the extent to which it blends into the overall landscape of the surrounding properties. This will require a subjective judgment on the part of the Architecture Review Committee. However, the committee should not judge the item on artistic taste, but on the extent to which the item blends or stands out.

## 17. SPECIFIC UNACCEPTABLE ITEMS FOR UNFENCED AREAS:

The following items will not be considered acceptable for unfenced areas:

- A. Any item composed of plastic, fiberglass, steel or other unacceptable material.
- B. Any item that can be considered playground equipment or children's toys, such as swings, slides, see-saws, etc.
- C. Brightly painted items, the color of which makes them sufficiently conspicuous so as not to be compatible with the surrounding properties.
- D. Any item greater than 8 feet tall.

## 18. POOLS, DECKS AND ARBORS/PATIO COVERS.

- A. Pools, decks and patio coverings are acceptable in general, so long as they are made of approved materials.
- B. Arbors, sun shades, patio coverings and similar structures are acceptable so long as they are either less than 8 feet in height or permanently attached to the home along 1 full side of the new structure. Structures that are an integral part of a deck may be constructed with a height limitation measured from the most advantageous position for the owner. This situation will exist only in such cases as a sloping ground line permits a structure to be built that exceeds the height limitation where it stands, but is (by appearance and materials) an integral part of the decking structure.

18. POOLS, DECKS AND ARBORS/PATIO COVERS (continued)

- C. Items that provide shade and/or shelter made of canvas, nylon or other fiber material are not acceptable if over 6 feet in height. The exception to this ruling is that they may be used for very brief periods (not to exceed 2 days) for special events, but may only be used in the fenced portion of the yard. These include tents, awnings and canvas gazebos, etc.

19. SIGNS

- A. GENERAL: Except as noted, all signs will conform to the maximum size of 28" X 38" (the maximum specified by our deed restrictions for real estate signs). This size limit includes all attachments. In addition there will be a limit on the size of frame that supports it. This will be no greater than 3' X 4', including all ornaments, posts, etc.

All signs will be made so as to be durable in the prevailing weather (cardboard and other paper products are discouraged but not prohibited unless they show deterioration).

No sign of any kind and for any purpose will be posted or attached to a fence, tree, mailbox or street sign.

No sign of any kind will be posted within 5 feet of our marble entrance markers (that carry the Bay Forest name) and none will be posted within any landscaping that surrounds these markers.

Decorations such as flags, ribbons, streamers and balloons are not allowed on any sign.

No sign may be lighted or spot lighted (except those that are part of holiday decorations).

- B. REAL ESTATE FOR SALE SIGNS: One sign per property may be posted in the front yard or between the street and sidewalk. In many cases, additional "tag" signs are attached to the main FOR SALE sign and contain property features, agent's names or SOLD. The limit of such signs is not changed because the agency or the owner chooses to use two or more parts rather than one. The overall sign must be a maximum of 28" by 38" (including air spaces between parts) and the total sign, including supports, may not exceed 3' by 4'. This means that the top-most portion of the sign cannot be greater than 4' above the ground. See item E for Open House signs.

- C. POLITICAL OR ELECTION-CHOICE SIGNS: None will be permitted within the community, either on private or community property.

- D. GARAGE SALE SIGNS: One sign per property may be posted in the front yard or between the street and the sidewalk. It may be erected only for the duration of the sale but not to exceed 2 days. Note: See item E for direction-giving signs. Size limitations from item A apply.

## 19. SIGNS (continued)

- E. **DIRECTION GIVING AND OPEN HOUSE SIGNS:** These signs will be limited to 2' X 3' with a maximum total height of 3' to the top of the sign. They may be placed on community property where appropriate. However, please be careful. If sign posts or stakes puncture the underground irrigation system or electrical system, this privilege may be withdrawn. They may be placed on private property but only with the express consent of the property owner. Note: Property lying between the sidewalk and the street is private property when in front of or on the side of any house. If you are the owner of a property on which someone has placed a sign you are free to remove and dispose of it if you choose.
- F. **BIRTH ANNOUNCEMENT AND BIRTHDAY SIGNS:** One sign per property may be placed on the front yard or between the sidewalk and the street. None may be erected for longer than 2 days. Size limitations from item A apply.
- G. **SIGNS POSTED BY THE BAY FOREST BOARD OF DIRECTORS:** Such signs as recommended or directed by the Board may be placed on community property. Individuals who wish to erect a "community interest" sign should apply to the ARC, per paragraph I.
- H. **CONTRACTOR SIGNS:** No contractor sign will be permitted on either private or community property. It is felt that the advertising on the contractor's vehicle is sufficient.
- I. **ALL OTHER SIGNS:** Any and all other signs must receive prior approval by the ARC. Approval will be dependent upon the appearance, purpose and value to the neighborhood and the duration of display.
- J. **ENFORCEMENT:** Bay Area Property Management will remove any and all signs that do not conform to the above criteria. Such action is permitted by our deed restrictions. No warning letters or calls are required. BAPM will remove decorations (balloons, streamers, flags, etc) attached to signs that otherwise conform to the limitations above. Such signs may remain after the decorations have been removed.

## 21 MISCELLANEOUS AND SPECIFIC ITEMS

- A. **BIRD HOUSES** are generally maintained on a tall pole of otherwise unacceptable height. Birdhouses will be considered acceptable if the total height (pole plus bird house) does not exceed 12 feet above the ground, is painted and composed of wood or a wood product. Such an item must be within the fenced area of the property and no more than 2 per property is allowed.

21 MISCELLANEOUS AND SPECIFIC ITEMS (continued)

- B. **FLAG POLES** exceeding 8 feet in height and permanently installed in the ground are prohibited. A flag staff may be mounted on the house, garage, tree or other improvement structure so long as the length of the staff does not exceed 6 feet and the top-most part of the staff does not extend to a point higher than the highest point of the specific structure (tree, house, garage, etc.) on which it is mounted.
- C. **GRILLS, SMOKERS, COOKERS, AIR CONDITIONERS** and other such appliances, installed or moved after initial construction of the home, must be shielded from view if not placed within the fenced area of the property. If shielding is done with living plants, trees, bushes or shrubs, they must provide complete and effective shielding year round.
- D. **WEATHER VANES** will be permitted if they are either painted metal or wood and are mounted on the garage roof. Although most weather vanes have a standard staff, unusual height may be cause for rejection.
- E. **SECURITY BARS ON WINDOWS AND DOORS** Security bars are only permitted inside the window of the house. Doors may have decorative/security metal to prevent unauthorized access.
- F. **SOLAR SCREENS** Solar screens are those screens that are installed on the exterior of windows designed to limit the effects of sunlight on the heat inside the home. Such screens are usually composed of a metal frame with a wire or plastic screening material filling the frame space.  
These are generally acceptable provided the frames are either the same color as the existing metal window frames or a very dark color such as black, bronze, charcoal or brown. The screening material must also be a dark color such as black, bronze, charcoal or brown. Bright colors or "mirror effect material" for either the frames or the screens are not acceptable. While the screen frame may match the existing window frame color, the same option does extend to the screening material. Solar screens are not allowed on the front door of the house if that front door is visible from the street. This specific limitation of the use of solar screens is to maintain a certain appearance of the neighborhood.
- G. **STORAGE, UTILITY & RECREATIONAL BUILDINGS** Detached buildings are permitted in back yards and must be constructed of wood, stone or brick. Solid roofs must be covered with shingles that match those on the house. Metal buildings are not permitted.
- H. **ANTENNAE** Satellite receivers and transmitters are allowed if less than 6 feet tall and completely hidden from view. TV antennae and microwave receivers are not permitted. Radio towers must not exceed 6 feet as measured from the ground.

**21 MISCELLANEOUS AND SPECIFIC ITEMS (continued)**

**I. TURBINES** Wind turbines are permitted on the roof of the house with the following restrictions:

1. The turbine must be positioned so it may not be seen from the street in front of the house.
2. Turbines painted a dark color are encouraged.

**22. EXCEPTIONS**

Exceptions to these guidelines and/or the Deed Restrictions will be made in exceptional and unusual cases to accommodate Federal, State and Local laws. An example would be to permit a structure that does not conform to be built for the special needs of a handicapped resident.

In all such cases, the owner will be granted the variance on a temporary basis for only that period in which the handicapped person resides in the home. In addition, a lien may be placed on the home at the owner's expense that prohibits the home from being sold or transferred until the violating structure has been either removed or brought into conformance.

Exceptions will not be made for reasons of economic convenience or hardship (other than handicap), to accommodate recreation activities or for reasons of individual taste, appearance or beautification.