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**FLEETWOOD PROPERTY OWNERS  
ASSOCIATION, INC.**

**Architectural and Landscape Guidelines**

Revised January 2014

ER 053 - 93 - 2111

## ARCHITECTURAL AND LANDSCAPE GUIDELINES OVERVIEW

**ALL IMPROVEMENTS TO PROPERTY ARE REQUIRED TO BE SUBMITTED TO THE ASSOCIATION'S ARCHITECTURAL CONTROL COMMITTEE ("ACC"), IN WRITING, FOR REVIEW, PRIOR TO BEGINNING ANY CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE WITH THE LATEST REVISIONS TO THESE GUIDELINES. COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE ASSOCIATION.**

These Architectural and Landscape Guidelines (the "Guidelines") have been adopted by the Association for the purpose of establishing:

- Design guidelines and improvement criteria for making changes to the exterior of structures, areas within structures that are subject to public view, and/or improvements to lots within Fleetwood; and
- Specific use restrictions and guidelines for Owners of Property in Fleetwood.

Establishment of consistent standards for design and improvement, as well as review guidelines, policies and procedures to implement and protect same is one of the most effective methods of assuring the protection of individual property values and the appearance of the Fleetwood subdivision. In order to accomplish this objective, the ACC reviews applications and design documents, as defined in these Guidelines, for all modifications, improvements, and additions, including landscaping. Each application is evaluated on its own merit, with reasonable flexibility for design functionality and creativity.

Furthermore, these Guidelines are adopted to encourage and preserve the continuity and beauty of our neighborhood by establishing standards and criteria for the community. It is the responsibility of each Owner and/or occupant to act in accordance with these Guidelines and to maintain their lots and homes in accordance with same.

These Guidelines are presented as a minimum set of architectural guidelines and standards for the Fleetwood subdivision. The intended use is to provide a framework to illustrate and define design objectives for a unified, harmonious setting for the subdivision.

These Guidelines are supplemental to the restrictive covenants encumbering each section of Fleetwood, and are to be used for the review of architectural, builder, developer or Owner plans. Non-compliance with these Guidelines is grounds for disapproval of plans and further enforcement action by the Fleetwood Property Owners Association, Inc (the "Association"), if necessary. These Guidelines are also for use as standards to maintain the integrity of the subdivision, as well as the enhancement of property values.

Notwithstanding anything contained herein to the contrary, Owners should note that the restrictive covenants (the Deed Restrictions) for each section of Fleetwood may contain different construction/modification requirements. Owners should review their restrictive covenants prior to submitting a request for construction or modification of any improvement to determine the requirements in their respective restrictive covenants. In the event of a conflict between the

provisions contained within the restrictive covenants applicable to each section of Fleetwood and these Guidelines, the restrictive covenants shall control.

The property covered by these Guidelines is the property described in the Association's most recently recorded Management Certificate, commonly known as the six (6) individually restricted sections of the Fleetwood subdivision.

Any reference made herein to required approval to be obtained from the ACC means prior written approval.

**IMPORTANT NOTE: ANY CONSTRUCTION, MODIFICATIONS, INSTALLATIONS NOT IN COMPLIANCE WITH THESE GUIDELINES WILL BE CONSIDERED A DEED RESTRICTION VIOLATION AND WILL BE DEALT WITH AS SUCH BY THE ASSOCIATION.**

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## TERMS, ACRONYMS/ABBREVIATIONS

- ACC** Means the Architectural Control Committee of the Fleetwood Property Owners Association, Inc., vested with the authority to adopt these Guidelines.
- Association** Means the Fleetwood Property Owners Association, Inc.
- Board** Means the Board of Directors for the Association (the governing body for the Association).
- Fleetwood** Means the Fleetwood subdivision, consisting of six (6) sections according to the plats thereof. **1EE**
- Guidelines** Means these written guidelines, as same may be amended from time to time.
- Owner** Means the individual(s) or entity who is the record owner of the fee simple title to a lot within Fleetwood, including contract sellers, but excluding those having an interest merely as security for the performance of an obligation or those owning an interest in the mineral estate.
- Occupant** Means any person occupying all or any portion of a residence within Fleetwood for any period of time, regardless of whether such person is a tenant of the Owner of such property.
- Tenant** Means an Occupant who has entered into a written and binding lease with an Owner regarding a lot in Fleetwood.

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## I. DESIGN GUIDELINES AND IMPROVEMENT CRITERIA

The following Guidelines shall apply to the construction of any structure and to any change to the exterior of any structure and to any grading, excavation, tree removal, landscaping, or other change or improvement to or on a lot within Fleetwood.

### A. ADDRESS TREATMENTS

Address signage shall be treated as an architectural feature on the front elevation of houses, including address signage on free-standing mailboxes. Painting of address numbers on street curbs does not require prior ACC approval so long as the new painting is similar to existing painted numbers in the subdivision. Weather resistant paint is encouraged.

Homes with alleys are encouraged to provide address numbers at the rear of the home in a location clearly visible from the alley.

### B. BASKETBALL GOALS

Basketball goals must be located either as an attachment to a garage (roof mounted goal) or on a free-standing pole. No basketball goal, net and/or backboard may be kept, placed or mounted to any fence. Their installation and placement requires advance ACC submission and approval.

Every effort should be made to position the goal in a location which is least visible from the street.

Basketball goals must be installed on commercially sized, professionally finished backboards constructed of heavy-gauge fiberglass, aluminum or Plexiglas® and must be white, clear or black.

Support brackets for roof-mounted goals must be painted to match the color of the roof. Poles for free-standing goals must be manufactured out of galvanized steel with a color to be approved by the ACC. Location of the pole must be approved by the ACC, in advance.

Regulation and commercially purchased portable/movable goals may be considered on a case-by-case basis subject to the proposed placement of the goal in relation to driveway, lot, and adjacent homes.

All basketball goals must be maintained in such a manner as to not detract from the neighborhood. Maintenance shall include, but not be limited to, the following:

- Replacement of torn or missing nets.
- Repair of bent or damaged supports, poles, or rims.
- Replacement or repainting of worn or discolored backboards.
- Repair or replacement of the structure or other improvements near to where goal and backboard unit are mounted (e.g. garage roof, doors, gutters, etc.).

If damage to Owner's or a neighbor's adjoining property is incurred as a result of the installation and/or use of a basketball goal, the Board has the authority to require the relocation or removal of the goal.

It should be noted that portable basketball goals are prohibited from being placed on your property, even on a temporary basis, at a location where play will take place in a street or alley.

## **C. DOORS**

### **1. Front Doors**

Front entry doors should be made of solid core materials such as wood, fiberglass or steel with quality brass hardware. Leaded glass doors and doors with sidelights and toplites are encouraged. The use of double entry doors is permitted. Painting of doors is permitted with prior ACC approval of the color. Storm doors and screen doors must blend with the appearance of the home, and must be approved by the ACC.

### **2. Garage Doors**

All garage doors should consist of non-warping and non-peeling material and of a design and color, which complements the adjacent elevation. Treatment of detail on garage doors should be consistent with the overall character of the house. This may be accomplished with windows along the top of the garage door and by breaking up the mass with paneled construction. No reflective film or foil will be permitted to be placed on windows in garage doors. Painting of garage doors must match the painting of the home.

## **D. FLAG POLES**

Flags and flagpoles may be permitted provided that they comply with the Association's Guidelines for Display of Flags, recorded under Harris County Clerk's File No. 20130520487. Display of flags requires prior ACC approval.

## **E. DRIVEWAYS**

To the extent possible, driveways are to be de-emphasized, highlighting instead the building and landscape environment. Turnaround or circular drives may be allowed on certain sized lots. Under no circumstance may an entire front yard be paved as a driveway.

Driveways should not be constructed over inlets or manholes. In instances where this may be unavoidable, compliance with all governmental regulations is necessary.

Circular driveways, driveway extensions, or any addition of concrete beyond the primary driveway are required to be approved by the ACC through a modification application. In an instance where a driveway addition or extension is permitted, adequate plant material or fencing may be required to screen the extended area from public view.

## **F. ENERGY SAVING GUIDELINES**

Solar Energy devices and roofing materials may be permitted provided that they comply with the Association's Solar Energy Devices and Roofing Materials Policy, recorded under Harris County Clerk's File No. 20120260857. Installation of solar energy devices and/or roofing materials requires prior ACC approval.

Wind turbines of any kind that produce electricity are prohibited.

Rainwater harvesting systems may be permitted provided that they comply with the Association's Guidelines for Rainwater Recovery Systems, recorded under Harris County Clerk's File No. 20110539485, Film Code 080-35-0783 through 080-35-0784. Installation of a rainwater harvesting system requires prior ACC approval.

## **G. EXTENSIONS OF BUILDINGS**

It is the obligation of the Owner to obtain all building permits from the appropriate governmental authorities. Copies of permits must be submitted if requested by the ACC. Any additions or extensions of buildings should adhere to the following minimum criteria:

- Maximum Building Height — The maximum permissible building height for single-family dwellings in Fleetwood is 35 feet. No detached garage or accessory building shall exceed the height of the dwelling to which it is appurtenant without the prior written consent of the ACC.
- Every garage and accessory building (except a greenhouse) shall correspond in style and architecture with the dwelling to which it is appurtenant.
- All elevation treatments such as entrances, windows, rooflines, etc., shall follow the common architectural design of the existing residence as nearly as possible.
- Extensions which overhang or cantilever from the second floor of a residence (e.g., decks, balconies, canopies, etc.) shall not extend a distance greater than 3 feet from the front elevation or 4 feet from the rear elevation, and must be located within the building setback requirements. Balconies shall not be permitted on facades that face adjoining residential properties.
- All extensions and additions shall be constructed of materials consistent with the common architectural design of the existing residence as nearly as possible. The material, if applicable, shall be painted to match the approved colors for siding and trim. Ornamental iron may be used on balconies, if appropriate with the architectural style of the house.

## **H. EXTERIOR LIGHTING**

- Lighting on individual lots shall be installed in a manner which does not cause distraction, nuisance, or become unsightly. Light sources should not conflict with the sight lines of pedestrians or motorists in a manner that endangers their safety and welfare. Light sources must not "spill over" into neighboring yards or residences.



- Exterior illumination of architectural features such as columns, entries, and landscape features are encouraged. Lights should be directed to illuminate address graphics. A sconce type light is preferred for this purpose.
- Ground lighting or decorative fixtures must be of high quality materials and workmanship and must be in scale and style with the residence. Free standing decorative fixtures and lampposts may be acceptable but must be approved by the ACC.
- Sodium vapor lights, except for subdivision streetlights, are prohibited. Mercury vapor security lights, when the fixture is visible from public view or from other lots, are prohibited. However, when used for special landscape lighting affect, mercury vapor lights may be permissible with ACC approval.
- Colored lenses, colored light bulbs, fluorescent and neon lighting are not permitted.
- Incandescent, low voltage incandescent, metal halide, quartz, and natural gas lights are acceptable.
- All wiring for exterior lighting should be underground, with any transformers being buried or concealed from view.
- The placement, location, number and type of any exterior light fixture must receive ACC approval. The ACC has the authority to require the relocation or removal of any fixtures which adversely affects neighboring property(ies).
- Solar lights may be permitted in landscape beds.

## **I. EXTERIOR MATERIALS, COLOR, AND FINISHES**

### **Exterior Materials**

The ACC recognizes the dynamic nature of the building materials industry and recognizes that building materials are constantly changing and improving. The ACC will consider alternative materials not included or listed below that from either a cost, maintenance or aesthetic context justifies such reconsideration.

Materials should be used with restraint in regards to both color and diversity of material types. The intent is to create a continuity of materials and color throughout the subdivision. The number of primary materials on the exterior must be limited to four (4), not including roof shingles. The following materials are acceptable:

- **BRICK** — Neutral subdued colors. Brick color must be consistent with surrounding homes. All mortar joints shall be tooled and mortar colors if used, shall be selected to compliment stone or brick color. The use of dark mortar is discouraged, and mortar joints shall be approximately 3/8 inch in thickness.
- **SIDING** — Wood stained in neutral colors or painted in neutral colors, horizontal application only. Continuous composite type material (e.g., HardiePlank®) is highly preferred. The use of plywood siding is prohibited.
- **ALUMINUM** — not permitted.
- **STONE** — earth tone colors only.
- **STUCCO** —the use of solid stucco and stucco with brick or stone is permitted. Stucco may be used as an exterior wall finish only if the quality of the stucco and

method of construction are acceptable to the ACC. When stucco is used as an exterior wall material, its detail should be consistent with the style of the architecture. The ACC has the right to require that stucco be painted, if it is not uniform in color. All paint applied to the stucco finish must contain a mildew retardant.

- WINDOWS — Color finishes compatible with rest of the structure (e.g. brown, white tan and putty); mill finish aluminum is prohibited.
- ROOF MATERIALS — Roofing materials shall be of a limited number of colors for continuity and individuality throughout the subdivision. The roofing material must be a minimum 20-year warranty.
- WOOD — Board and wood siding must receive a paint or stain finish. Applications of a high gloss finish, such as varnish or high sheen enamels, are prohibited. Non-reflective finishes must be used on all exterior wood surfaces. Wood siding and/or Masonite type products (with ACC approval) must be horizontal lap type, with a weather exposure of no less than 4 1/2-inches and no more than 7 1/2-inches. No diagonal or vertical siding shall be used except by special consent of the ACC. It is required that all wood trim be smooth, high quality, finish-grade stock, stained, or painted as approved by the ACC. Soffits made of hardboard and/or Masonite require special approval by the ACC. HardiePlank® is permitted.
- VINYL SIDING - Not permitted.

Each application for architectural approval will be evaluated on its own merit based on compatibility with the surrounding environment and homes. All proposed changes in materials from that used on the existing structure must receive approval of the ACC.

## **J. EXTERIOR COLOR AND FINISHES**

The palette of exterior paints and stains for each residence shall be selected to complement, coordinate, and harmonize with the colors of building materials which are used in their “natural” state, such as brick and stone, as deemed appropriate by the ACC. Exterior colors selected for a residence may be required to be modified or changed in order to harmonize with adjacent residences.

Exterior colors that, in the opinion of the ACC, would not be in harmony with the overall existing architectural design of Fleetwood will not be permitted. Bright colors (other than white) as the dominant exterior color scheme are prohibited. Certain colors such as purple, orange, turquoise, “hot” pink, chartreuse, bright or lime green, camouflage, etc., are specifically prohibited. All paint color choices are subject to the prior approval of the ACC. Brick color and areas of paint application will be taken into consideration in the granting or denying of an approval. Neutral colors are preferred.

Two paint colors (possibly a primary and a secondary for trim) are preferred per residence. However, colors must complement each other, as well as the color of other building materials used on the residence.

No approval shall be required to repaint a residence with an originally approved color scheme. However, application and approval shall be required when any change in exterior color scheme is proposed. Each applicant must submit samples of all colors to be used on exterior

improvements, along with the written application to the ACC. All painting, once approved, should be completed within 90 days of the approval date.

## **K. FENCING**

### **1. General**

The location and design of any fence to be installed on a property requires prior ACC approval. In no instance shall mechanical equipment such as air conditioner units or heat pumps be allowed to be seen from the street or public view and must be screened with approved fencing or landscaping.

Fences are only to be constructed of wood, iron, or masonry. To insure compatibility of fence design throughout the subdivision, all wood fences must have their "finished" or "better" side visible to the street and must be constructed of new wood.

Diagonal, horizontal and chain link fencing is strictly prohibited, except when these types of fences are situated on and/or behind an approved fence that provides sufficient screening from public view. An example of this situation would be the construction of a dog run in the backyard using chain link fencing that is less than 6 feet in height and/or screened by a wood fence.

Owners should review their restrictive covenants prior to submitting a request for installation or modification of a fence.

### **2. Wood Fence**

All wood fences are to be constructed with cedar or treated southern yellow pine and shall not exceed a total height of 8 feet including any rot boards used at the bottom of the fence, measured from the finished grade elevation. No more than two rot boards may be used. Wood fences may not be altered in any form or fashion to incorporate any artistic design, cut-outs, wagon wheels, etc.

A continuous "finished" or "better" side of a wood fence must always be the side facing public view except for a fence installed along an alley.

Single hinged gates, not exceeding 4 feet in width, shall be installed in the most appropriate side yard locations.

### **3. Fence Stain**

Staining of wood fences is permitted as long as the ACC approves the stain color. Non-pigmented wood sealant (clear coat) is also permitted. Otherwise no painting, staining or varnishing will be permitted unless otherwise approved, in advance, by the ACC.

**L. GARAGES**

Garages shall NOT be used for habitation (living) purposes. Detached garages shall be one story unless prior approval is received from the ACC. Any modification or addition to any existing garage shall require prior approval by the ACC and shall be considered on a case-by-case basis in relation to design, placement, lot, street visibility, etc.

**M. GRADING AND DRAINAGE**

Owners shall not make modifications to the grading or drainage improvements installed during original construction without prior approval by the ACC. The Owner shall be responsible for any damage caused by the grading, drainage, or other improvement or modifications made by the Owner.

**N. GUTTERS AND DOWNSPOUTS**

Gutters and downspouts shall be painted or have a factory applied color to match the approved siding or trim color of the home. Any change, addition or replacement of gutters shall require ACC approval. Damaged or deteriorated gutters or downspouts must be replaced by the Owners.

**O. IRRIGATION SYSTEMS**

Installation of irrigation systems will require approval by the ACC. The system should be designed to ensure that indiscriminate watering does not occur on streets or neighboring yards. Screening of any above-ground valves or controllers is required.

**P. MECHANICAL EQUIPMENT**

It is required that all air conditioning units, electrical power boxes, pool, and any other mechanical equipment be screened from public view. Screening may consist of architectural or planting elements approved by the ACC.

Window/sleeve air conditioning units are prohibited.

**Q. PATIO COVERS**

All patio covers or other forms of shade structure shall require approval by the ACC on a case-by-case basis.

Supports for the covers must be either painted wood, treated wood, or painted metal columns. Unfinished metal or corrugated fiberglass is strictly prohibited from use. Pipe material used as a structural support must be concealed from view.

Frames must be painted to match the trim of the house when untreated wood is used. Exposed surfaces must match or harmonize with the existing colors and materials of the home.

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Patio covers must be located so that drainage is contained on the Owner's lot. The ACC may require gutters and downspouts to be installed in order to control drainage, depending on the distance from neighboring properties and anticipated runoff.

By way of illustration and not limitation, unacceptable patio or shade structure materials consist of, but are not limited to:

- Corrugated metal or fiberglass
- Lexan®
- Plastic webbing
- Wood shingles
- Reed or straw-like materials
- Built-up roof cover using any bituminous materials

Acceptable construction materials include:

- Baked enameled finish aluminum
- Painted/stained wood (to match trim of house). Natural pressure-treated wood such as cedar, fir, redwood, or pine.
- If canvas is used as a cover or roofing material, it must be a neutral color. The canvas must be maintained in a quality condition and replaced as wear and/or fading becomes visible.

#### **R. PLAY STRUCTURES, SWING SETS, RECREATIONAL EQUIPMENT**

Play structures, swing sets, and recreational equipment (collectively "Recreational Equipment") must be located in the rear yard within setbacks established for the lot. They must be screened from public view to the maximum extent possible by permanent structures such as the house, garage, or fencing. If Recreational Equipment cannot be located where it would be adequately screened from public view, trees of sufficient caliper, height, and spread may be required to provide the sufficient screening.

Recreational Equipment must be constructed of materials resistant to rust and decay and should be either painted neutral earth tones or another color approved by the ACC. Roofing shall either match the material used on the home or may be a durable canvas that is securely attached to and made a part of the Recreational Equipment. If a canvas cover is proposed, the color scheme should be solid with no initials, logos, words or stripes. Canvas covers should be green, tan, brown, or neutral earth tone in color to complement the surrounding improvements. Play structures may not exceed 10 feet in height (with canvas can go up to 12 feet). Structures must be located at least 10 feet from side or rear fence line. All Recreational Equipment shall be properly maintained so as not to detract from the subdivision. Maintenance shall include the repair or replacement of any worn, broken, missing, torn, or discolored materials as well as painting of any rusted or discolored parts.

Safety nets around and affixed to trampolines may be permitted so long as the nets are supported by commercially-manufactured poles and are no more than 8 feet in height measured from the ground. Commercial bands that wrap around the netting and present advertisements are prohibited. The standard yellow or blue safety pads are not permitted. The only acceptable colors for these pads are grey, black, or brown.

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All other Recreational Equipment added to the lot, including but not limited to sports courts, batting cages, etc. will require ACC approval. Criteria affecting approval of the Recreational Equipment will include, but not be limited to, lot size and location, screening, potential noise that will emanate from or by the individuals using the equipment.

## **S. ROOFS**

All visible roofing materials shall be submitted to and approved by the ACC prior to installation.

### **1. Roof Pitch, Form, and Materials**

Roofs may take on a variety of forms, shapes and designs, however gabled or hipped roofs are preferred. The design and materials must be approved by the ACC before replacement or installation of a new roof.

Roof tiles made of clay or pre-colored concrete are allowed with ACC approval, provided they complement the architectural style and color of the home. Wood shingles of any kind will not be permitted. Painting of roofing materials is also prohibited.

### **2. Exposed Roof Metal**

Since roofing material is an integral part of a home's exterior appearance, all roof stacks, attic ventilators, plumbing vents, flashing, and other penetrations shall be painted to match the roof color. All roof stacks, attic ventilators, plumbing vents and other penetrations shall be placed on the rear slope of home's roof where possible, and must be mounted perpendicular to the ground plane. The use of copper or pre-finished roof metal in select areas may be permitted.

### **3. Skylights**

The location and design of all skylights must be approved by the ACC

## **T. SATELLITE DISHES**

Radio/television antennas, satellite dishes, and radio towers are not to be visible from a public right of way and are not to be visible to an adjoining property where such facilities are larger in size than 18 inches in diameter unless it is impossible to receive signals when complying with this location requirement. In that event, the receiving device may be placed in a visible location as approved by the ACC. The ACC may require as much screening as possible while not substantially interfering with reception. Radio/television antennas, satellite dishes, and radio towers shall not exceed the requirements of all federal, state, and local codes. In the event that it is impossible to receive a signal from a non-visible location, the installation of antennas shall be subject to rules and regulations which may be promulgated by the ACC setting out preferred alternate locations for antennas. The location and height of Multichannel Multipoint Distribution Service ("MMDS") antennas may be restricted based on safety concerns. The preferred location for MMDS antennas is in the attic if an adequate signal can be received.

**U. SETBACK AND UTILITY EASEMENT CRITERIA**

Applicants cannot encroach on building line setbacks or utility easements as indicated on the applicable plat or survey for each lot.

**V. WALKWAYS**

Each Owner shall be responsible to construct and maintain all walkways leading from the residence to the driveway or abutting street. All walks must be constructed in a consistent workmanlike manner.

Walkways should be a complementary component of the site architecture.

On all lots, a short walk extending from the front entrance to the driveway may be permitted.

In those instances where a walkway closely parallels the front elevation of a house, a planting area (a minimum of 4 feet in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate material approved for foundation planting.

Fountains and statuary within the walk and front yard and meandering walkways are discouraged and if permitted will require advance ACC approval.

**W. STORAGE SHEDS**

Storage sheds may be permitted, upon ACC approval, if they match the architectural elements, materials, and color of the home (including roofing). All auxiliary structures must be located in the rear yard within the setbacks established for each lot (which includes a minimum of 3 feet from side property line) and may not exceed 6 feet in height. Storage sheds must be screened from streets, public areas, or adjacent properties. Suitable screening material includes evergreen trees, with the size and location approved by the ACC. Storage sheds must be placed at least 10 feet from the fence line and on lots that have iron fences the sheds need to be placed up close to the house.

**X. SWIMMING POOLS, HOT TUBS AND SPAS**

All swimming pools shall be enclosed with a minimum 4 feet in height fence and conform to all governmental requirements for pool enclosures. Portable or permanent above ground swimming pools are prohibited. Above ground spas or hot tubs are permitted with ACC approval. All above ground spas or hot tubs must be skirted, decked, screened or landscaped to hide all plumbing, heaters, pumps, and filters.

Swimming pool appurtenances such as rock waterfalls and sliding boards must not be over 6 feet in height measured from ground level. Skimmer nets, long handle brushes, pool chemicals, filters, pumps, heaters, and plumbing, etc. must not be visible from public view.

Pool walls may not encroach into utility easements. If pool plumbing is required in utility easements, the appropriate utility company must be contacted and approval obtained before digging.

The construction of pools, spas and decks within a setback requirement shall require the review and approval of the ACC.

All mechanical equipment or pool drains shall be connected to the public sewer facilities located on owners' property as required or permitted by law. Draining or backwashing of pool water will be as permitted by City of Houston regulations.

During construction of any pool-related improvements, the site must be kept secure from public access and maintained in a clean, workmanlike condition.

## **Y. WINDOW TREATMENTS**

### **1. Windows**

All windows, screens, sliding doors, and frames for fixed glass shall first be approved by the ACC as to style and color before their installation or replacement. Bright mill finish material is prohibited. The use of foil or reflective mirror finishes on windows is prohibited.

### **2. Window Awnings, Shades, and Coverings**

The installation of canvas awnings, upon ACC approval, may be permitted on a home to reduce solar exposure. When allowed, they must be neutral earth tone in color, and must be well-maintained at all times.

Awnings will be allowed for use on patio covers, provided they comply with requirements for proper location and color and have received approval by the ACC. Awnings shall not be allowed on the front of the home.

Front windows visible from the street must have window coverings in the form of shades, shutters, curtains, or blinds, neutral in tone and color. The placement of paper, bed sheeting, foil, or other such temporary type material will not be permitted on any windows. Storm windows require ACC approval and must complement existing window treatments.

### **3. Glazing/Glass Tinting**

Reflective mirror finishes will not be permitted. Factory installed tinted glass shall be permitted to be used on a residence to reduce solar exposure. The application of a film or other forms of material over window or door glazing will not be permitted unless specifically approved by the ACC. All (not only selected) windows on a specific side of a house must be tinted the same when a side of the house is visible to the public.



#### **4. Window and Door Ornamentation**

The installation of metal grills, burglar bars or storm shutters or similar items on the exterior of any window or door, which is visible from public areas, is prohibited.

#### **5. Solar Screening**

All solar screens applied to windows will only be considered when the proposed color is complimentary to the exterior color scheme of the main residence. Solar screens may be approved with a density of up to 80% only. The ACC must approve the color and location of all solar screens prior to installation.

## **II. LANDSCAPE STANDARDS AND CRITERIA**

It is the intent of this section to establish certain requirements and criteria, which will ensure a minimum standard for landscape treatment on residences in Fleetwood. Major alterations to the landscape design in the front yard must first be approved by the ACC. Seasonal changes of plants require no prior approval from the ACC. Owners are required to keep their property in a clean and neat condition at all times, which includes but is not limited to removal of all dead and/or diseased plants and trees. Removal of any living tree which exceeds 6 inches in trunk diameter, measured 10 inches above grade, requires prior ACC approval.

Decorative items placed on a lot in a location that is visible to the public (i.e. from a street or alley) such as boulders, rocks, landscape timbers, railroad ties, fountains, statuary, sculptures, plant containers and terracing materials, may not be installed without prior ACC written approval. By way of illustration and not limitation, plastic or Styrofoam™ pots and planters (that do not have the appearance of stone or terracotta), swings, yard art, similar movable items, artificial flowers, artificial plants, and artificial turf, are not permitted to be placed on a lot in a location that is visible to the public. Also, the display of exterior seasonal decorations, by way of illustration and not limitation, such as lights, banners, flags, and wreaths, are permitted, but may be subject to reasonable rules and regulations that may be promulgated by the Board. Such rules may address the appearance and length of time of such display. All decorative items must be maintained and kept in good and neat condition at all times.

### **A. ACCEPTABLE LANDSCAPE MATERIALS AND PRACTICES**

#### **1. Planting Beds**

Planting beds should complement the architecture of a residence and should have a minimum depth of 4 feet from the base/foundation of the home. Curvilinear beds are encouraged. All planting beds should be mulched with a minimum of two inches (2") of shredded pine bark or cypress mulch. Rock or gravel of any size or color is not recommended for use as a mulch nor permitted, unless specifically approved by the ACC.

#### **2. Edging and Borders**

Edging around planting beds is encouraged for maintenance purposes and to help define the shape of the beds. Edging should not compete with or dominate the landscape

treatment but should enhance its appearance. Natural border plants, such as monkey grass, liriope or jasmine, are encouraged around all bed areas.

Acceptable edging material includes landscape timbers, steel, brick or stone. Stone may be laid flat as accent material, or stacked. Brick may not be laid loose, but must be set either horizontally or vertically with a straight top edge, not staggered or uneven, preferably on a concrete base with tooled mortar joints. Mortar must be removed from all visible surfaces. In no instance shall any holes in brick (e.g. cored or hollow brick) be visible to the public. Landscape timbers can be laid either horizontally or vertically, having a uniform height or edge. Landscape timbers must be maintained in an attractive condition and must be replaced with a likeness or other pre-approved border material if the original timbers deteriorate. Colored brick or concrete scalloped borders are permitted and preferably shall be set in mortar; colored poured reinforced concrete border/curbs are permissible and each must complement the exterior color scheme of the residence.

Unacceptable edging material includes plastic, wire, railroad ties, or other materials not in character with the desired landscape effect.

All edging and border material must comply with these Guidelines and shall require approval by the ACC prior to installation.

### **3. Lawn**

Front and side yards, not in planting beds, shall be solid St. Augustine sod. Lawns may be "overseeded" in the winter with fescue or rye grass (maintained to 2 1/2-inches height). Fenced rear and side yards may be sodded, spot-sodded, sprigged or seeded with St. Augustine, Buffalo or Bermuda grass. No gravel or rock of any size or color is permitted to substitute for ground cover, mulch or grass lawn when visible from public view.

### **4. Annuals/Perennials**

The planting of annuals and perennials is encouraged as long as they are used in conjunction with shrub and groundcover beds. Flowers must be properly maintained during the growing season and cut back or removed at the end of each growing season.

### **5. Statues and Topiaries**

Statues located in public view are strongly discouraged. All statues and lawn and ornamental topiaries require prior written approval of the ACC. Topiaries and statues will be considered on a case-by-case basis and must be proposed to be incorporated into the landscape design in an attractive manner. Topiaries must be properly and attractively maintained at all times or will have to be removed.

Proper maintenance and care of a Property's landscaping is vital to the overall appearance of a home and is the responsibility of the Owner. All landscaped areas are required to be maintained

on a regular basis. This includes proper mowing of lawns, watering, weeding of beds, pruning of plant material, and proper trimming of trees. All plant material (including trees) that is destroyed through storm, drought, disease, age, neglect, etc. shall be replaced immediately. Furthermore, the Owner shall identify, maintain, and appropriately manage all plant material that can potentially result in damaging adjacent properties and improvements (e.g., roads, drainage, and fences).

Replacement of any dead material must be accomplished within fifteen (15) days of notification by the Board. Installation of an automatic irrigation system is encouraged.

**CERTIFICATION**

I, the undersigned, do hereby certify:

That I am the Secretary of the Fleetwood Property Owners Association, Inc., a Texas non-profit corporation.

That these Architectural and Landscape Guidelines were duly adopted by the Board of Directors, on the 12th day of February, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association this the 12th day of February, 2014.

By: *Gary H. Muslin*  
Gary H. Muslin, Secretary

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

BEFORE ME, on this day personally appeared **Gary H. Muslin**, the Secretary of Fleetwood Property Owners Association, Inc., known by me to be the person whose name is subscribed to this instrument, and acknowledged to me that he executed the same for the purposes herein expressed and in the capacity herein stated, and as the act and deed of said corporation.

10R

Given under my hand and seal of office, this 12th day of February, 2014.



*Frederick E. Coveler*  
Notary Public - State of Texas

After Recording, Return To:

Fleetwood Property Owners Association, Inc.  
c/o Crest Management Co.  
PO Box 219320  
Houston, TX 77218-9320

ER 053 - 93 - 2130

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e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees 92.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS