

# **OLD ORCHARD**

## **RESIDENTIAL DESIGN GUIDELINES**

**O. O. Community Association, Inc.**

**April 1, 2007**

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## **I. Introduction**

Old Orchard is being developed as a planned community of approximately 600 single family residential homes. Old Orchard is located in Fort Bend County, Texas along FM 1464 approximately 2 miles north of US Highway 90A.

These residential design guidelines establish the minimum requirements for design and construction of single family residences within Old Orchard. Emphasis is on quality in material, design and construction in order to create well-crafted residences within the community. These design guidelines allow diversity in design while promoting the architectural integrity of the community as a whole. The landscaping portion of these guidelines is intended to enhance the aesthetic appearance of the Old Orchard project.

These guidelines are supplemental to the Declaration of Covenants, Conditions and Restrictions for Old Orchard and are to be used in architectural review of builder/owner plans. The guidelines are adopted by the Old Orchard Residential Review Committee (“Committee”) which was established by the Declaration of Covenants, Conditions and Restrictions. The Committee may revise these guidelines from time to time to better maintain the quality of the community. The Committee may grant variances to these guidelines in its sole discretion.

## **II. Site Planning**

### **A. Square Footage**

The minimum living area of the structure (exclusive of one-story open porches, garages, and servants’ quarters) and the maximum square footage shall be as follows

<u>Section</u>	<u>Typical Lot Width</u>	<u>Minimum S.F.</u>	<u>Maximum S.F.</u>
1	80'	2800	none
2	50'	1300	none
3	70'	2500	none

### **B. Building Lines**

Typical building lines and easements are dictated by subdivision plat as determined by ordinance of the City of Houston. In addition to these requirements, other setbacks are enforced by deed restrictions for aesthetic reasons.

Building setback lines from front property lines are twenty-five feet (25') for standard

lots and twenty feet (20') for cul-de-sac lots.

Side lot building setback lines are five feet (5') on each side except for detached garages which must be at least three (3') from the side lot line. Corner lot building setback lines are ten feet (10') from the side street property line.

The rear building setback line for garages is 7' where a seven foot utility easement exists and 14' where a 14' rear utility easement exists. Encroachment by residential structures and garages is prohibited in utility easements. For the purposes of this section, eaves, steps and open porches or driveways shall not be considered as a part of a residence.

#### C. Intersection Setback

All lots located at street intersections shall be landscaped so as to permit safe sight across the street corners. No fence, wall, hedge or shrub planting shall be placed or permitted to remain where this would create a traffic or sight problem.

#### D. Driveways, Garages and Motor Courts

To the extent possible, automobile circulation and storage areas are to be de-emphasized, highlighting the landscape and pedestrian environment.

To the extent possible, builder shall locate driveways to avoid conflicts with manholes, drainage inlets, fire hydrants and water valves. In the event conflicts arise, all adjustment costs shall be the responsibility of builder. Garages shall be detached or attached. However, rear detached garages for lake lots will not be permitted without prior written approval from the Committee. Driveways for detached garages shall be a maximum of twelve (12) feet in width except as required for garage access.

No detached garage or accessory building shall exceed one story in height without the written consent of the Committee.

In an effort to maintain maximum green space, circular drives and motor courts are strongly discouraged except in Section One. Circular drives shall be allowed only by special approval by the Committee. No two adjacent lots will be permitted to have circular drives.

#### E. Sidewalks

Sidewalks are to be constructed by builders within street right-of-way frontage adjacent to all front or side property lines adjoining street R.O.W. The sidewalks

shall be 5 feet in width and shall be located 6 feet from back of curb except on cul-de-sacs where the sidewalks shall be located 3 feet from back of curb.

Color of sidewalks is to be natural gray concrete with a picture framed standard finish throughout the neighborhood. Spacing between joints shall not exceed 10 feet. Builder shall construct any required wheelchair ramps which have not been constructed by Developer.

#### F. Walls and Fences

Every residence must be fenced in accordance with these guidelines. With the exception of lake lots and certain perimeter locations along FM 1464, Oyster Creek and Shadowhawk golf course and as otherwise indicated below, all fencing shall be six (6) foot high cedar. The back lot line fencing or side lot line fencing for those lots backing or siding to roads, reserves, pipeline easements, drainage easements and the like must be installed with the pickets facing the street, reserve or easement. Lots backing or siding to certain thoroughfares and collector streets will have a perimeter fence installed by the developer, although developer may require reimbursement by builder at time of lot purchase. Wood fences on interior rear lot lines or interior side lot lines perpendicular to the fronting street shall be "good neighbor" fences with eight foot long panels alternating between solid pickets and exposed rails.

The rear of lots backing on a lake shall be fenced by the builder with a 48" high iron fence. The sides of the back yards of lots backing on a lake shall also be fenced by the builder with a 48" high iron fence from the rear lot line to a point at least 25' from the rear lot line. Specifications for such fence may be provided by Developer.

#### G. Other Structures

All structures including gazebos, pools, spas, playhouses, storage buildings, arbors, and trellis or shade structures must be submitted to the Committee for specific approval, and may require screening from public view.

#### H. Screening

##### 1. Mechanical and Electrical Equipment

All mechanical and electrical equipment including air conditioning compressors, power boxes (transformers and pedestals), meter boxes, and pool equipment, etc. must be completely screened from public view (streets, reserves, lakes, etc.). Screening may consist of architectural or planting elements. A combination of trees, hedges, or walls should be used.

## 2. Rear Yard

Pools, play structures, play equipment, barbecue areas, and lawn furniture shall be screened from public view by a combination of trees, shrubs, and fencing.

### I. Site Maintenance During Construction

**General Maintenance** - Each lot shall be maintained in a neat, clean, orderly condition by the builder during construction and until the house is closed. Building debris must be removed from each lot by the builder as often as necessary to maintain attractiveness of the construction site. Debris may not be dumped in any area of the development unless a specific location for such a purpose is approved in writing by the Committee. A location for concrete washout is to be designated by the Committee during the period that homes are under construction. The builder must use satisfactory means of silt detention to prevent mud from flowing into the street. The builder will keep all debris within the boundaries of the lot on which the house is being constructed.

The builder will comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) general permit for storm water discharges associated with construction activity. The builder shall also protect all Storm Water Pollution Prevention Plan (SWPPP) control measures of the developer, its contractors and subcontractors, and other homebuilders in the subdivision.

### J. Signs

Only one sign offering a home for sale shall be allowed on the lot of any residence (except model lots). Such sign shall be no more than 5 square feet nor less than 2 square feet in surface area. For Sale signs may not include the word "foreclosure" or other distressed sale language. For Sale signs will be professionally manufactured for the specific purpose of real estate sales only. No other signs of any kind will be allowed without the written approval of the Committee. Any unauthorized signs found on a lot will be removed by a Committee representative.

### K. House Plan / Elevation Spacing Requirements

When building the same plan, different elevation, different brick, on the same side of the street, two (2) lots must be skipped.

When building the same plan, different elevation, different brick, on the opposite side of the street, two (2) full lots must be skipped.

When building the same plan, same elevation, different brick, on the same side of the street or on the opposite side of the street, three (3) full lots must be skipped.

When building the same plan, different elevation, same brick, on the same side of the street or on the opposite side of the street, three (3) full lots must be skipped.

When building the same plan, same elevation, same brick, on the same side of the street or on the opposite side of the street, five (5) full lots must be skipped.

### III. Architecture

#### A. Exterior Building Materials

##### 1. Brick/Masonry

In order to develop a community-wide image of freshness and quality, brick shall be domestic hard-fired clay. Unless otherwise approved by the Committee, the following minimum percentages of the exterior wall area of all homes [excluding detached (but not attached) garages, gables, windows, and door openings] must be of masonry, stucco or brick veneer:

<u>Section</u>	<u>Typical Lot Width</u>	<u>Minimum Masonry %</u>
1	80'	75% 1 <sup>st</sup> floor*, 60% overall
2	50'	75% 1 <sup>st</sup> floor*
3	70'	75% 1 <sup>st</sup> floor*, 60% overall

\* Masonry % on lake lots shall be 100% 1<sup>st</sup> floor.

Hardiplank or its equivalents shall not be considered as “masonry” for the purposes of this paragraph.

##### 2. Wood/Synthetic Wood

Wood siding shall be horizontal lap type. “Hardiplank”, “Hardipanel” and other equivalent products are acceptable. No diagonal siding shall be used except by special consent of the Committee. Vertical siding may be used to accent certain architectural features of houses approved by the Committee.

All wood trim shall be smooth, high quality finish-grade stock, stained or painted as approved by the Committee. Trim made with “Hardiplank” material is acceptable. Soffits made of hardboard require special approval by the Committee.

##### 3. Synthetic Materials

Synthetic materials, such as metal or vinyl siding, may only be used with the approval of the Committee.



## B. Roof Treatment

### 1. Materials

Roof materials may be clay or concrete tile, aluminum, slate or asphalt or composition shingles with at least a 25 year warranty (currently No. 225 or heavier weight) in an Onyx Black, or equivalent color. All asphalt or composition shingle roofs shall have closed valleys. Standing seam metal (factory finished steel), terne metal or copper, metal, and wood shingles require special consent of the Committee.

### 2. Form

Roofs may take a variety of forms; gabled and hipped roofs of uniform pitch throughout the residence are preferred. Roof pitches should be a minimum of 7 in 12 from side to side and 6 in 12 from front to back for single story residences and 5 in 12 for two story residences, except where a roof garden or deck is called for. Mansard roofs and other types of "exotic" roof forms are discouraged, and may only be used with special permission of the Committee.

### 3. Chimney

Prefabricated metal fireplaces and metal flues are acceptable if in a masonry, wood or Hardiplank siding enclosure. Brick or stone fireplace chimneys are required when the chimney is on the front wall of the house or in the portion of the roof facing the street, unless otherwise approved by the Committee.

### 4. Exposed Roof Metal

All exposed metal roof accessories - stack vents, roof flashings, attic ventilators, metal chimney caps, skylight curbs, solar collector frames, etc. shall match roofing material color exactly. In cases where metal roofing is employed, roof accessories may be made of the same metal as the roofing, or painted to match its color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plane.

### 5. Skylights and Solar Collectors

No skylights or solar collectors shall be allowed on the front slope of any roof. No solar collectors shall be placed on a roof slope where they are visible from a Street or the Common Area.

## C. Windows

Wood windows are acceptable. Wood windows shall be primed and painted or stained in colors complementary to the masonry. Metal windows are also acceptable in white, beige, tan or dark anodized colors. No unfinished metal on windows, screens or sliding glass doors is allowed.

Divided light windows are required on the front side of the house and throughout each room which is part of the front of the house.

The use of wrought iron ornamentation or burglar bars on the exterior of any window or other fenestration is prohibited without the prior approval of the Committee.

#### D. Address Identification

All residential addresses are to be identified with numerals as part of an integral sign plaque of cast stone, cast aluminum, brass or bronze. All homes are to have uniform letter sizes and styles. Each builder must submit the design for their address plaque to the Committee for approval. Once approved, that design will become the uniform style for all of their homes.

Recommended plaque size is to be approximately 15" (horizontal) by 6" (vertical). Plaque is to be pin or stud mounted to the wall of the residence or incorporated into the brick facade. Address plaque is to be installed by home builder before occupancy. Generally for ease of finding the address, the builder should be consistent in the placement of addresses.

#### E. Exterior Lighting

Exterior illumination of street address numbers, and architectural features such as columns, entries, chimneys, and landscape features is encouraged. Ground lighting or decorative light fixtures are also encouraged to complement the architectural features of the residence.

Colored lenses on low voltage lights, colored light bulbs, fluorescent and neon lighting are not permitted.

Exterior lighting fixtures must comply with all Restrictive Covenants. Exterior floodlighting is discouraged and must be approved by the Committee. Floodlighting fixtures must be attached to the building or other architectural elements. Floodlighting shall not illuminate adjacent public or private property. No pole-mounted or building-mounted high intensity area lighting will be allowed.

#### F. Exterior Color Scheme

The palette of exterior paints and stains for each residence shall be selected to

complement, coordinate or harmonize with the colors of building materials which are used in their "natural state", such as brick, stone, copper, etc. Color and material combination packages will be submitted for approval by the Committee.

#### G. Gutters/Downspouts

Gutters/downspouts may be of extruded white, brown or bronze prefinished aluminum or copper. No plastic or unfinished metal gutters/downspouts are acceptable.

#### H. Antennae/Satellite Dishes

No antennae may be visible from outside of a dwelling unit. All antennae must be concealed within a roof attic or otherwise completely concealed. No satellite dish antennae are permitted, except one small and inconspicuous satellite dish antenna, having a diameter of 18" or less, which is integrated with the residential structure and surrounding landscaping and is not visible from the street in front of the lot. All wiring / cable associated with such antenna shall be shielded in conduit and not visible from the street in front of the lot.

#### I. Foundations

Foundations should be set at or above the minimum elevations as shown on the recorded plats for the individual sections.

#### J. Maintenance

Each residence shall be maintained in a neat, clean, orderly condition by the owner. Periodic repairs shall be made to correct broken shingles, peeling paint, broken brick, broken concrete and any other condition which suggests visual deterioration of a residence.

### **IV. Landscape**

#### A. Intent

The intent of these guidelines is to produce a harmonious landscape setting for the homes in Old Orchard. The landscape should not compete with the architecture for attention, but should provide the setting. The emphasis is upon those areas of the lot visible from public areas in the community.

#### B. Trees

Planting of trees in the front yard is the responsibility of the builder. These trees are

to be maintained by the builder until the residence is sold to an occupant, at which time the trees become the occupant's responsibility. Trees are to be a minimum of 2.5 inch caliper, planted between the sidewalk and the home with a minimum of two (2) trees on corner lots and one (1) tree on other lots. The required front yard trees shall be live oak, water oak, or red oak.

Additional trees may be placed in the front yards, and may be pine trees, ornamental trees or large shade trees. Such additional trees are to be container grown stock with a minimum 2.5 inch caliper.

Lots backing or siding to a lake shall be required to have one (1) additional tree placed in the rear yard of such lot by the builder. Such tree shall meet the requirements of the preceding paragraph.

#### C. Shrubs

Shrub planting shall consist of a minimum of 2 layers planted at the foundation of the buildings.

Shrubs shall be 2 gallon or larger containers, planted 24 inches on center.

Groundcover or border plants shall be 1 gallon container, planted 12 inches on center, or split (appropriate species only) and planted 6 inches on center.

Beds shall complement the building architecture and shall have a minimum width of 6 feet. The number of plant species in the front yards should be kept to minimum, varying only from one shrub layer to the next. The number of plants shall be appropriate for the size bed. Plants shall be spaced to cover the entire bed within one growing season.

Under special circumstances (such as plant availability), smaller container sizes may be approved by the Committee. Spacing between plants, however, must be decreased accordingly.

#### D. Lawn

Yards visible to the public shall be solid sod if not in shrub beds. Seeding or sprigging front or side lawns is prohibited.

#### E. Rear Yards

Landscaping in rear yards of lots that back or side to lakes shall require the same shrub treatment as described for front yards in Subparagraph C above. Rear yards on lots that back or side to lakes shall also require solid sod.

## **F. Landscape Installation**

Installation of landscaping and site improvements is to be executed in a high quality manner. The Committee may reject any improvement where the material or workmanship fails to meet acceptable industry standards.

Upon occupancy of the house, or 90 days after completion of construction (whichever occurs first), all required trees, lawn and shrubs must be installed.

Subcontractor signage is prohibited. Refer to signage guidelines for approved signage description.

## **G. Maintenance**

Maintenance and proper care of installed landscaping is critical to the appearance of Old Orchard. All landscaped areas are to be maintained in a healthy and beautiful appearance by the builder or homeowner.

Proper maintenance includes:

1. Adequate watering for proper plant health
2. Fertilization of trees, shrubs, hedge and lawn
3. Pruning of all trees
4. Adequate pruning of all hedges
5. Mowing of grass
6. Seasonal weeding of shrub beds
7. Weed control in lawns
8. Seasonal mulching of shrub beds
9. Insect and disease control
10. Replacement of plant material, dead or diseased, with original species and size.

## **V. Review Process**

## Residential Review Committee

The design for each residence in Old Orchard must be approved in writing by the Residential Review Committee before construction of the residence can begin. The Committee consists of individuals who work in conjunction with the Declarant and the Association to uphold the architectural control standards for Old Orchard. The Committee is committed to insuring a high level of design quality within the community by reviewing residential design submissions for Old Orchard residences. This review process is intended to correct problems with submitted designs and prepare them for acceptance into the community.

The Committee meets on an as needed basis to review design submittals. The attached form should be submitted by the builder along with copies of the house plans, specifications, (unless the house plan has been previously approved) and site plan. Per the Declaration, the Committee may review the plans within 45 days after receipt, but will use its best efforts to make timely reviews.

**OLD ORCHARD SINGLE FAMILY RESIDENTIAL  
PLAN APPROVAL REQUEST FORM**

TO: O. O. Community Association, Inc.  
c/o O.O. Development, Ltd.  
2800 Post Oak Boulevard, Suite 5210  
Houston, Texas 77027

A request is hereby made for the Residential Review Committee's approval of the plans and specifications as described herein. It is understood that approval by the Residential Review Committee ("RRC") constitutes compliance with the Guidelines and The Declaration of Covenants, Conditions and Restrictions for Old Orchard. However, this does not relieve applicant from conformance with state and local codes, any other regulations, current engineering standards and practices, as well as other design considerations that are neither reviewed nor approved by the RRC. The RRC assumes no responsibility for structural integrity or for mechanical, plumbing and electrical design with the approval of these plans.

**BUILDER'S IDENTIFICATION:**

Name: _____	Date of Request: _____
Address: _____ _____ _____	Lot/Block/Sec. No.: _____ Plan ID: _____ Ldsc. Plan ID: _____ Elevation ID: _____
Phone No. _____	No ___ Yes ___ Date _____
Plan and Elevation Previously Approved:	

Property Address: \_\_\_\_\_

Anticipated Selling Price: \_\_\_\_\_

Square Footage of Living Area: \_\_\_\_\_

Number of Cars in Garage: \_\_\_\_\_

Percentage of Brick Exterior on Main Structure: \_\_\_\_\_ %

Construction Schedule: Projected Start Date: \_\_\_\_\_

Projected Completion Date: \_\_\_\_\_

I understand that the Residential Review Committee will act on this request as quickly as possible and contact me in writing regarding their decision. I hereby agree not to start construction without prior written approval of the Residential Review Committee.

\_\_\_\_\_  
Builder's Signature

**PLEASE INCLUDE PLANS, SPECIFICATIONS (IF NOT ON THE PLANS), AND A SITE PLAN.  
FAILURE TO INCLUDE THESE ITEMS WILL DELAY APPROVALS.**

Date Received by RRC: \_\_\_\_\_ Date Action Taken: \_\_\_\_\_

Approved: \_\_\_\_\_ Rejected: \_\_\_\_\_ Date Confirmation Sent: \_\_\_\_\_

Comments: \_\_\_\_\_

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

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CR1 \$167.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS