

Quail Valley East Community Association, Inc.
Architect Control Guidelines

A Handbook for:
Board of Directors
Neighborhood Representatives
Committee Members
And
Homeowners

May, 2017

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Purpose of Guidelines

These architectural guidelines and clarifications are established by the Architectural Control Committee (“ACC”) with approval of the Quail Valley East Community Association, Inc. Board of Directors. They are intended to provide all homeowners information about the type, color, quality and grade of materials which may be used in construction of various kinds of improvements, the size and location of such improvements, and the procedure followed by the ACC for reviewing applications for proposed improvements. They are intended to further ensure consistency in decisions and assist in expediting the decision process. These guidelines may be modified at any time, without notice, by the Board of Directors. Some of these guidelines take into account utility and cable easements within yards.

Purpose of Committee

The purpose of the Architectural Control Committee is:

1. To review and evaluate applications for improvements to homes, structures and properties (lots) within the Quail Valley East Subdivision. Quail Valley East Community Association, inc. retains the exclusive right to review and approve or disapprove all plans and specifications for original/new home construction within Quail Valley East.
2. To centralize architectural control in order to further enhance and protect the attractiveness, beauty and desirability of the area as a whole.
3. To notify the Owner (through the Property Manager) of each determination.
4. To assist the Board during any appeal process.
5. To make recommendations to the Board regarding changes to the CCR's that involve issues over which the Board has jurisdiction.

Scope of Responsibility

The scope includes those improvements that are planned, started, erected, placed and/or maintained. The general areas of responsibility for the ACC includes, but are not limited to the following:

- Basketball Goals
- Changes and Alterations to Existing Structures
- Changes to Grading
- Changes to Landscaping
- Color of Structures
- Decorative Appurtenances
- Fences
- Flags and Flag Poles
- Painting
- Patio Covers
- Roofing
- Storage Sheds and Other Structures
- Swimming Pools
- Temporary or Permanent Buildings
- Trellises

Application for Improvements

Plans and specifications for home and lot improvements are to be requested thirty (30) days in advance.

Plans and specifications should include:

- The nature of the change or addition.
- Specifications.
- Kind.
- Shape.
- Measurements (height, width, depth, elevation, etc.).
- Materials.
- Color (painting requires paint sample)
- Location on the property and in relation to other structures.
- Harmony of design.
- Location in relation to topography.
- Location of utility easements.
- Timing of Completion.
- Signature of Owner(s).
- Additional information as requested by the ACC or the Board.

NOTE: A copy of the Architectural Control Form can be obtained from the Property Management Company.

PAINT COLORS

The minimum acceptable standards for use of accent paint colors on the exterior of the house are as follows:

1. All colors must be approved, item-by-item, on a case-by-case basis, and only if they meet these guidelines.
2. In addition to the predominant color of the house, a maximum of two trim colors and one accent color are allowed (natural wood stained doors are exempt and not considered).
3. Items considered to be trim; metal trim, gutters, facial boards and door/windows trim.
4. Items can receive accent colors: shutters, front/back doors and garage doors.
5. All trim and accent colors: shall be in harmony with the primary color of the house in hue and muted or dull in value. No vibrant colors are allowed. The ACC Committee will determine what is considered vibrant.
6. All colors shall be subtle and in harmony with the brick color of the house. Brick painting not permitted unless extenuating circumstances.
7. Colored stains are not allowed. Natural stained front doors are allowed.

*Note – See Color Pallet Chart as a guideline for suggested colors.

DISPLAY OF U.S., TEXAS and/or ARMED SERVICES FLAGS

1. "Flag" under this Section shall be referred to as defined in Texas Property Code Section 202.011 (a).
2. The flag of the United States shall be displayed in accordance with 4 U.S.C. Sections 5-10.
3. The flag of the State of Texas shall be displayed in accordance with Chapter 3100, Government Code
4. A flagpole attached to a dwelling or a freestanding flagpole shall be constructed of permanent, long-lasting material, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the dwelling.
5. The display of a flag, or the location and construction of the supporting flagpole shall comply with applicable zoning ordinances, easements and setbacks of record.
6. The display of a flag, or the location and construction of the supporting flagpole shall be closer to the front building line than the front lot line; and shall be no closer than five (5) feet of the building line.
7. A displayed flag and the flagpole on which it is flown shall be maintained in good condition and any deteriorated flag or deteriorated or structurally unsafe flagpole shall be repaired, replaced or removed.
8. Only one flagpole shall be constructed and maintained per lot that is not more than twenty (20) feet in height.
9. The size of the flag shall be no larger than three feet by five feet (3'X5').
10. The size, location and intensity of any lights used to illuminate a displayed flag shall not be disruptive to neighbors as determined by the Association.
11. No owner shall display a flag or flagpole on property that is owned or maintained by the Association or owned in common by the members of the Association.

BASKETBALL GOALS

1. ONLY portable goals will be approved.
2. Goal shall not be in front of the most setback portion of the façade on recessed or side loading garages.
3. Goal shall not violate side building lines.
4. No tires, bricks, lumber, flower pots or other similarities shall be used to support the goal post.
5. All goal supports, backboards, rims and nets shall be well maintained at all times.
6. Only white nets are acceptable.
7. Portable goals not in use must be stored or laid down and never left anytime in the street.
8. At all times, safety of our residents is important.

COVERED PATIOS

LOCATION

1. Located in back yard only. Shall not encroach on any easement or building line.

SIZE

2. Maximum height of free standing cover shall be twelve (12) feet above natural ground.
3. The maximum size footprint shall not exceed 50% of the available area within the defined building lines and easements established by a registered survey plat.
4. Covers attached to the house shall be in harmony with the existing structure of the house.

MATERIALS

5. Materials used shall be or emulate treated wood, cedar, redwood or treated wood painted to be in harmony with the existing home. Creosoted wood is not acceptable.
6. Solid decked covers shall be shingled to match the house.

MISCELLANEOUS

7. Covered patio must be landscaped if not screened from view by a fenced yard.
8. Patio shall be maintained in good condition.

HOME ADDITIONS

The minimum acceptable standards for home additions are as follows:

LOCATION:

1. Home additions may not encroach on any easements and or building lines.

SIZE:

2. The maximum size footprint shall not exceed 50% of the available area of the rear yard only, within the defined building lines and easements established by a registered survey plat.

ADDITIONAL REQUIREMENTS:

3. Additions shall be an extension of the main body of the house.
4. Additions shall be heated and cooled by central A/C.
5. Additions shall not be connected by open breezeway or covered porch.
6. All submissions require a full set of Architectural plans.
7. Additions shall meet all current city building codes.
8. Additions shall be constructed to be in harmony with the neighborhood.
9. Additions shall match the existing exterior style of the house.
10. Detached and attached garages shall not be converted or expanded into air conditioned living space.

MATERIALS:

11. All materials used shall match the existing construction of the house.
12. Colors shall match the existing colors of the house.

LAMPPOSTS

The minimum acceptable standards for lampposts are as follows:

1. A maximum of two freestanding lampposts are allowed in the front yard or side yard. They shall not be placed in the street right-of-way.
2. Lampposts shall not exceed seven (7) feet in height, including the globe and any decorative components.
3. Lampposts may have the following types of fixtures:
 - a. Incandescent, not exceeding 100 watts
 - b. Gas, not exceeding the equivalent amount of light produced by a 100 watt incandescent fixture.
 - c. Mercury vapor or sodium vapor are not acceptable.
4. The fixture shall be Underwriter Laboratories (UL) approved.
5. The lamppost shall be constructed of metal.
6. The lamppost shall be of the following colors: black, white, brass, neutral of earth tones.
7. The lamppost shall be in harmony with the neighborhood.
8. The lamppost shall be well maintained.

LANDSCAPING BORDERS

The minimum acceptable standards for landscaping borders are as follows:

1. Landscape borders shall be natural stone, molded concrete which emulates natural stone or brick. Green metal strip borders may be used so long as they blend into and are not higher than the landscaping.
2. Landscape borders **shall** not detract from the visual quality of the planting beds, but shall enhance the overall appearance of the planting beds.
3. Landscape borders of railroad ties are not permitted.
4. Landscape borders **shall** not exceed a height of twenty-four (24) inches.
5. Artificial flowers are allowed but must be maintained to keep their newness appeal. Faded flowers are not allowed.

PLAYGROUND EQUIPMENT

Playground equipment is defined as play forts, trampolines, tree swings, etc.

1. Playground equipment shall be well maintained.
2. Location:
 - a. Playground equipment shall not be located in the front yard of any lot or visible **from the** side yard of any lot
 - b. Any playground equipment over seven (7) feet high shall be located no closer than eight (8) feet from the rear of side property lines.
3. Height:
 - a. The maximum allowable height for playground equipment is twelve (12) feet.

- b. Standing platforms shall not exceed five (5) feet above natural ground.
- 4. Any canvas exposed to public view shall be one of the following colors: brown, beige, burgundy, dark green, blue or rainbow-tri color only. No day glow or fluorescent colors are allowed.
- 5. Materials used shall be metal, treated wood, cedar, redwood or treated wood painted to be in harmony with the existing home. Creosoted wood is not acceptable.
- 6. Tree swings shall not be visible from the front or side yard.
- 7. Tree houses must be in similarity to a child's fort. Some lots may not accommodate a tree house. (Lot size will be determined by the ACC on a case-by-case basis)

SHUTTERS

The minimum acceptable standards for installation of shutters are as follows:

- 1. Shutter type shall be louver or paneled.
- 2. Shutters shall be solid colors only and comply with the Minimum Acceptable Standards for Accent Colors.
- 3. Shutters shall be well maintained.
- 4. Shutters shall be in harmony with the neighborhood.

SOLOR ENERGY DEVICES/CERTAIN ROOFING MATERIALS

"Solar energy device" has the meaning assigned by Section 171.107 of the Tax Code.

The minimum acceptable standards for placement of solar energy devices are as follows:

- 1. A solar energy device shall not be permitted that:
 - a. As adjudicated by a court either threatens the public health or safety; or violates a law;
 - b. Is located on property owned or maintained by the Association.
 - c. Is located on property owned in common by the members of the Association.
 - d. Is located in an area on the property owner's property other than:
 - i. On the roof of the home or of another structure allowed by the Association; or
 - ii. In a fenced yard or patio owned and maintained by the property owner;
 - e. If mounted on the roof of the home:
 - i. Extends higher than or beyond the roofline;
 - ii. Is located in area other than an area designated by Association, unless the alternate location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above

the energy production of the device if located in an area designated by the Association;

- iii. Does not conform to the slope of the roof and has top edge that is no parallel to the roofline; or
 - iv. Has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, black commonly available in the marketplace;
- f. if located in a fenced yard or patio, is taller than the fence line;
 - g. as installed, voids material warranties; or
 - h. was installed without prior approval by the Architectural Control Committee.
2. The Association shall not withhold approval of a solar energy device if it meets the provisions of this policy unless it determines in writing that placement of the device as proposed by the owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. For purposes of making this determination, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.
3. Roof Shingles. An owner may install shingles on the roof of a residence that:
- (1) Are designed primarily to:
 - (a) Be wind and hail resistant
 - (b) Provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
 - (c) Provide solar generation capabilities; and

Prior to installation – Contractor MUST obtained a Permit from the City of Missouri City. **Permit MUST be attached to the home and in full view so as to be seen from the street by the City Inspector, Deed Restriction Committee and/or the Crime Watch Committee. .**

- (2) When installed:
 - (a) Shingles shall resemble those used or otherwise authorized for use on property in the subdivision.
 - (b) Are more durable than and are equal or superior quality to the shingles otherwise authorized for us on property in the subdivision; and
 - (c) Match the aesthetics of the surrounding properties.

STORAGE BUILDINGS

A storage building is defined as any detached addition to the lot used for storage. The minimum acceptable standards for storage buildings are as follows:

LOCATION:

1. Storage buildings are not allowed on non-fenced lots.
2. Storage buildings are not allowed on lots with wrought iron fencing.
3. Storage buildings shall be located in rear yard.
4. Storage buildings affixed to the ground shall not encroach on any easement or building lines.
5. Storage buildings shall be minimum of five (5) feet from rear and side property lines.
6. Storage buildings shall not be visible from any street.
7. Storage buildings shall be a minimum of sixteen (16) feet from the property line adjacent to public areas, common open space, etc.

SIZE

8. Maximum height shall be a **total** of ten (10) feet above and including the natural ground.
9. Maximum size shall be 100 square feet.

MATERIALS

10. Storage Building
 - a. Materials shall be or emulate treated wood, cedar, redwood, or treated wood painted to be in harmony with the existing home. Creosoted wood is not acceptable.
 - b. Colors shall be in harmony with the color of the house.
 - c. Materials used shall match those of the house in both size and color.
 - d. Roof shall be peaked or sloped. Roof shall be composition shingles and closely match color of shingles on existing home.
11. All storage buildings shall be well maintained.

SWIMMING POOLS

The minimum acceptable standards for swimming pools are as follows:

1. All swimming pools shall be located in the back yard.
2. Swimming pools including waterfall shall not encroach in the rear easement or side building lines.
3. Pool pumps and equipment shall be contained within a fenced backyard and shall not be visible from any street, public area, or adjacent property
4. Waterfalls shall not exceed the height of the rear fence line and shall be screened from public view.
5. A self-latching gate with spring shall be installed on all gates as required by Texas Law.
6. Pool water or backwash shall drain to the storm sewer or sanitary sewer as specified by the City of Missouri City.
7. Any street curb cutting required for installation of drains to the storm sewer must obtain **pre-approval** first, from the City of Missouri City.
8. Pools and equipment shall be well maintained.

WINDOW AIR CONDITIONING UNITS

Window air conditioning units are defined as units which mount in windows or through-the-wall units.

1. Window air conditioning units are NOT allowed.

WOODEN FENCES

1. Wood fences shall be redwood or cedar. No Pine.
2. Fence height shall be a **maximum** six and a half (6 1/2) feet. (Kick/Rot board included in the maximum height)
3. **Only Corner** lot fences and fences between lots, **paralleling** the **fronting** street, shall be installed with the finished side facing the street and may be 8' in height as border properties.
4. No fence shall be erected or maintained nearer to the front lot line than the walls of the dwelling existing on such lot. Fence shall be **set** back a minimum of ten (10) feet from the front elevation of the house.
5. Tops of fences shall be jagged level to the horizon.
6. Diagonal and horizontal fencing is not allowed.
7. Decorative panels, doggy windows, lattice work, screens, etc. are not permitted in or on the fence visible from the street.
8. The fence shall be in harmony with the neighborhood.
9. The fence shall be well maintained.

(PAINTING OR STAINING OF WOOD FENCES IN SUBDIVISION)

The minimum acceptable standards for painting or staining wood fences are as follows:

10. Fences may be stained or painted with clear coat only; no colored stain is acceptable or permitted
11. Fences shall be well maintained.
12. Stained fences shall receive the ACC's approval before commencement of work.