

# **Architectural Control Committee - Bulletin Regarding Architectural Standards**

Updated 3/6/16

## **Philosophy**

The Villages of Northshore is designed to combine natural and man-made architectural and landscape features to unite the community's function and appearance, thereby affirming each Northshore resident's sense of belonging and community pride.

These *Design Standards* are for the use of the residential property owner who seeks to improve or alter existing Villages of Northshore residences and its surrounding environment. The Architectural Control Committee's goal with these standards is to provide a reference for homeowners and to guide their design preferences toward preserving and enhancing the natural beauty, consistency, integrity and value of the Villages of Northshore. While some features are mandated, the ACC is empowered to make discretionary judgments and reduce or waive any requirement when it can be demonstrated (to the reasonable satisfaction of the ACC) that appropriate mitigating measures have been taken and that the overall spirit and intent of the standards will be preserved. However, such discretionary approval(s) shall not represent or constitute a binding precedent since each property and circumstance will be judge individually.

Upon amendment of these standards, any modification to a property or home previously approved in writing by the ACC is considered permanently approved by the ACC unless it violates a law or ordinance.

## **Mission Statement:**

*To promote a sense of community and safety with the intent of maintaining or improving homeowner equity and quality of life.*

This mission is used in the creation of these standards and in the decision of every request.

## **Introduction**

### **Definition of Modifications**

A modification is the act of modifying (alteration, addition or deletion) your property.

After a new house has been completed according to the approved plans, the Architectural Control Committee becomes responsible for reviewing and approving all modifications to the exterior structure, landscaping and overall site.

### **Who is Subject to the Approval Process?**

All property owners are responsible for obtaining the necessary review and approvals to comply with the terms of the Declaration of Covenants, Conditions and Restrictions for the Villages of Northshore. The builder will most often be responsible for new construction and homeowners will generally be responsible for modifications.

### **Who Administers the Approval Process?**

The authority for administration of the approval process lies with the Architectural Control Committee. However, the Committee may delegate the responsibility for administering these procedures or parts thereof to a representative. The ACC settles any disputes and its decision will be final.

The selection of ACC representative(s) is based on a candidate's ability to understand the community's overall objectives and enforce the specific standards designed for the community.

### **Miscellaneous**

#### *Enforcement*

The provisions for enforcement of the Declaration of Covenants, Conditions and Restrictions, Article X, shall apply to the enforcement of these Design Review Procedures and Standards in addition to any other available remedies.

#### *Waiver, Amendment, and Third-Party Benefit*

The ACC maintains the right from time to time, to waive, amend or modify these procedures and standards. Neither the ACC nor its agents, representatives or employees shall be liable for failure to follow these Procedures and Standards as herein defined. These procedures and standards confer no third party benefit or rights upon any Entity, Person, or Builder.

### *Non-Liability of the ACC*

Neither the ACC nor its representative members, successors, assigns, agents, representatives, employees, or attorneys shall be liable for damages or otherwise to anyone submitting plans to it for approval, or to any Builder by reason of mistake in judgment, negligence or nonfeasance, arising out of any action of the ACC with respect to any submission, or for failure to follow these procedures or standards. The role of the ACC is directed toward review and approval of site planning, appearance, and architectural aesthetics. The ACC assumes no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing, or electrical design, methods of construction or technical suitability of materials.

### *Accuracy of Information*

Any person submitting plans to the ACC shall be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, grades, elevations, utility locations and other pertinent features of the site or plans.

### *Applicant Representation*

The property owner represents by the act of entering into the review process with the ACC that all representatives of the property owner, including, but not limited to the architect, engineer, builders, subcontractors, and their agents and employees, shall be made aware by the property owner of all applicable requirements of the ACC and shall abide by these Procedures, the Standards and the Declaration with respect to approval of development plans and specifications. The property owner is responsible for procuring additional approvals for any changes made to previously reviewed and approved development plans and specifications.

### *Conflicts with the Declaration of Covenants, Conditions, and Restrictions*

In the event of a conflict between these Standards/Procedures and the terms of the Declaration, the Declaration shall prevail.

### *Regulatory Compliance*

Plans submitted for ACC review must comply with all applicable building codes, zoning regulations and the requirements of all agencies having jurisdiction over the building project. It is the responsibility of the property owner to obtain all necessary permits and ensure all governmental compliance. In other words, a building permit from the Town of Flower Mound does not relieve the property owner's obligation to receive ACC approval prior to commencing a project. Similarly, ACC approval of a project does not remove the property owner's responsibility to obtain any necessary governmental approvals or permits.

### *Submission and Approval Process*

Applications and all required documentation shall be submitted to the ACC for review and approval prior to commencing the proposed project. When necessary, the ACC will request additional information to ensure decisions are accurately

rendered. Applications may be “Approved”, “Approved with Stipulations” or “Denied” and homeowners will receive notification detailing the decision.

## **Design Review Procedures/Standards**

### ***Additions/Remodels***

- Additions shall comply with all building setbacks as set forth on the final plat of the subdivision and/or the Subdivision Design Guidelines (whichever is most restrictive) and shall meet all applicable codes.

### ***Submittal Requirements***

- One set of floor plans, elevations, roof plans, or site plans is to be submitted to the ACC for review.
- All colors and materials (roofing, siding, masonry, etc.) should match or complement the existing home and surrounding homes. Submit color samples, manufacturer, color name and number, etc. for review.
- The Villages of Northshore maintains percentage of masonry standards for all communities. Homeowner must verify requirements and maintain that percentage.
- Property owners must verify that the addition complies with all Town of Flower Mound ordinances and codes.

### ***Attic Ventilation/Rooftop Appendages***

- Must be at the back or side of the house
- May not extend higher than roof ridgeline

### ***Awnings***

- Awnings visible from the street are not permitted.

### ***Decks/Patios/Patio Covers***

- Decks are recommended to be finished with redwood or cedar. Pressure treated pine should be used for the structure only or for areas not exposed to public view (e.g. first floor decks on interior lots).
- Patios are recommended to be concrete, concrete stepping blocks, brick, concrete pavers, stone, or other materials as approved by the ACC.
- Patios and decks may not be located closer than 5' to any property line.
- No elevated decks may be installed over the first finished floor of the house without approval by the ACC.
- No second story decks or additions are allowed without approval by the ACC.
- No patio covers are allowed without approval by the ACC. All covered porches or patio additions require roofing material to match existing structure.

### ***Submittal Requirements***

- *For decks*

- A plot plan showing the house, the location of the deck, and the property line
- Building plans, including railings, benches, screening, and other details
- Photographs of the existing house showing where the proposed deck will be located
- Proposed finished floor of deck in relation to house
- *For patio covers*
  - Plans showing the patio cover detailing the types of materials used and the overall patio cover design.

Each homeowner is responsible for verifying that the deck/patio/patio cover design complies with the Town of Flower Mound codes and regulations.

### ***Driveways/Parking Pads***

- Driveway extensions/modifications/coatings require approval from the ACC.

### ***Fencing***

- Fence replacements and new fence installations shall be constructed with the framing on the inside, for aesthetics and security.
- Fences located adjacent to the creek shall be of wrought iron construction and painted black.
- Modification of existing fences, including stain or paint color, must be approved by the ACC.
- Garden borders, dividers, or any other manner of temporary fencing of any height that is visible from the street is not permitted unless approved by the ACC.
- All fencing 18 inches and taller shall be constructed from wood or wrought iron, as applicable, and must be approved by the ACC prior to installation.

### ***Flags/Flagpoles***

- See the Flag Display Guidelines

### ***Gazebos***

- Require approval from the ACC prior to construction.

### ***Landscape***

- Front yards will be tastefully landscaped at all times in order to maintain our consistent and harmonious community standard.
- Landscape designs will incorporate a minimum of 50% natural, living turfgrass for all front yards.
- Routine landscape maintenance tasks do not require ACC approval but the ACC retains authority for approval of overall landscape design and condition.
- When reviewing landscape designs, the ACC will consider the beauty, continuity and consistency of the overall neighborhood as the primary factor.

- Items such as artificial animals, birds, plants, and like items are not permitted on unimproved surfaces in the front yard.
- Artificial potted plants and decorations which are displayed on a front porch or similar improved surface visible from the street do not require an ACC application but remain under the ACCs authority for review and exclusion.

### ***Mailboxes***

- Mailboxes requiring repair or replacement shall use the original design and similar materials.

### ***Painting/Staining/Color Changes***

- Paint and wood stain colors must compliment the neighborhood and be in harmony with the architecture of the home. Any change to exterior paint or stain color requires an ACC application prior to painting/staining.

#### *Submittal Requirements*

- Include a sample of stain or paint color, manufacturer and color specifications (color name and number).

### ***Play Equipment***

- Play equipment taller than 12' requires ACC approval.
- Play equipment shall comply with Town of Flower Mound requirements and maintain a minimum 5' setback (10' for corner lots) from any property line and must remain clear of any easements.
- All play equipment must be well maintained and constructed in a sturdy, workmanlike manner.

### ***Playhouses***

- Playhouses must be constructed from wood materials. Plastic playhouses are not allowed.
- Playhouses without foundations are considered toys (i.e. "Li'l Tykes").
- Playhouses must be located in a side or rear yard and must be screened from street view.
- No electrical, plumbing or air conditioning may be installed in the interior or exterior of the playhouse. Playhouses must be painted to match or complement the house.
- Playhouse roofing shall match or complement that of the house.
- Playhouses shall be no taller than 6' from the surrounding ground at its tallest point and shall not exceed 75 sq. ft. in size.
- Tree mounted playhouses are not permitted.

#### *Submittal Requirements*

- Site plan of playhouse is required to be submitted to the ACC for approval.

### ***Pool/Pool Equipment***

- All swimming pools and associated decks shall be located within side and rear yards. They may not be located in easements or within 5' of any property line.
- Construction access must be across applicant's property and must be available prior to commencement of any work. Excess soil must be removed from the community unless prior arrangements are made in writing with the Board of Directors.
- Pool equipment must be fully screened on all sides and located adjacent to the house unless otherwise approved by the ACC.
- Masonry block pools are not permitted. Pneumatic pool enclosures are not permitted.
- Pools, pool decking, retaining walls, landscaping, etc. shall be constructed such that drainage will not affect, alter or impair public property or any adjacent properties.
- Pool overflow may not be directed onto adjacent properties or any other common greenbelts. Children's plastic pools should be confined to side and back yards and are not permitted in a front yard or driveway for extended periods.

#### *Submittal Requirements*

- Site plan of pool is required to be submitted to the ACC for approval.

### ***Retaining Walls***

- Retaining walls shall be of masonry construction and maintained in its original condition without unsightly defects including mortar cracks, missing stones, etc.
- Retaining walls shall be limited to 4'-0" in height unless it can be shown that the site conditions justify a taller wall.
- Retaining walls shall not alter or impair the drainage across adjacent properties.
- Retaining walls must be maintained in a structurally sound and plumb position at all times.

#### *Submittal Requirements*

- Site plan showing location of wall and height.
- Samples or photographs of the materials to be used should be provided to the ACC for review.

### ***Satellite Dishes/Antennas***

No exterior antennas, aerials, satellite dishes or other apparatus for the transmission of television, radio, satellite or other signals of any kind shall be placed, allowed or maintained upon any portion of the Owner's Lot, except that

- (i) antennas or satellite dishes designed to receive video programming services via multi - point distribution services which are one meter or less in diameter



- or diagonal measurement;
- (ii) antennas or satellite dishes designed to receive direct broadcast satellite service which are one meter or less in diameter; or
- (iii) antennas or satellite dishes designed to receive television broadcast signals [(i), (ii) and (iii) are collectively referred to as "Permitted Devices"] shall be permitted to be installed on an Owner's Lot, provided that any such Permitted Device is placed in the least conspicuous location on the Owner's Lot at which an acceptable quality signal can be received, is screened from the view from the Common Areas and other Lots, and is installed in accordance with Federal Communication Commission (FCC) rules.

The Owner shall be responsible for the maintenance, repair and replacement of any satellite dish or antenna.

### ***Seasonal/Holiday Ornamentation***

- Temporary yard decorations and/or exterior lights, when installed, are subject to the following maximum durations:
  - The following holidays: 30-days before to 10-days after the holiday.
    - Easter
    - Halloween
    - Christmas/Hanukkah/Winter Break – decorations permitted from November 26 thru January 10
  - All other times: 5-days before to 5-days after the date being celebrated.

### ***Yard Signs***

- For Sale Signs
  - limited one (1) to 2' x 3' sign
  - must be fastened only to a stake in the ground and extending not more than 3' above the ground
- Political Signs
  - display limited to 90-days before the election
  - must be removed no later than 15-days after the election
- Community involvement signs such as "FMHS Soccer Player Lives Here" are approved for display.
- Other signs may be displayed only following ACC application and approval.

### ***Sport Courts***

- Sport courts are restricted to side and rear yard installations only.
- Sport courts may not be lighted, unless specifically approved by the ACC.
- Batting cages are not permitted.

#### Submittal Requirements

- Site plan showing proposed court in relation to existing structure, fences, setbacks, driveways, etc.

### ***Sport Equipment***

- Basketball goals must be well maintained and are restricted to your own property.
- ACC approval is required only for permanent equipment installations (i.e. fixed basketball goals).

### ***Storage Sheds***

- Storage shed height may not exceed 8'-0" at its tallest point from surrounding ground, with a minimum roof slope of 3:12.
- Storage sheds shall have a maximum square footage of 150 square feet.
- Storage Sheds must maintain a 3' minimum clearance from any fence or other structure and must remain clear of easements and must not impede existing drainage patterns.
- For sheds that are visible from the street or any adjacent property:
  - Exterior walls shall be of exterior-wood grade siding or masonry construction with finish and color to match or compliment that of the house and surroundings.
  - Roofing material must match the color and consistency of the house (*e.g. composite shingles*).
  - ACC may require additional landscaping (*i.e. shrubbery or foliage*) and/or other screening material to aid in obscuring the structure from view.
  - Metal, plastic or baked-enamel aluminum sheds are not permitted.

#### Submittal Requirements

- Site plan showing sq. footage and elevation, material and color, location and orientation (with additional obscuring landscaping if required) must be submitted to ACC for approval prior to construction or placement.

### ***Trash/Recycle Containers***

- Structures erected for the purpose of screening trash and recycling containers must be approved by the ACC.

### ***Tree Removal***

- Prior to removing any healthy tree, homeowners must contact the Town of Flower Mound for approval.
- Removal of mature, healthy, living trees must be approved by the ACC in advance.
- Mature trees that are dead or in obvious distress must be evaluated and either treated or removed to comply with Town of Flower Mound ordinances.
- Dead trees and resulting timber must be removed within 90 days of notification. Remaining stumps must be removed down to ground level at a minimum; grinding to 8" below ground level is preferred.

Submittal Requirements

- Submit a site plan and reason for removal with the ACC application.
- Include the Town of Flower Mound's approval to remove the tree.

***Trellises/Arbors/Pergolas***

- Trellises/Arbors/Pergolas may be either attached to the house or free standing.
- A trellis/arbor/pergola shall not exceed 12'-0" in height.
- Arbors shall be located in side or rear yard locations only.
- Must be well maintained
- For the purpose of these standards a trellis is a frame support for open lattice used for training vines and other creeping plants that is wider than 6". Flat trellises (*e.g. fan trellises*), do not require ACC approval.
- If painted, the trellis/arbor/pergola color shall coordinate with and/or compliment the colors of the house.

Submittal Requirements

- Proposed exterior color and materials.
- A plot plan showing the location of the existing and proposed structures, and property lines.

***Window Screens/Treatments***

- Window screens shall be integral to the window.
- All window treatments that are visible from the street require ACC approval prior to installation.
- Aluminum foil and/or reflective film is not permitted for windows in homes or garages or on glass doors.
  - Photographs, color samples, and other information as appropriate showing the type and color.
  - Site plan and/or elevations indicating affected windows.

***Disallowed Items***

- Clothes lines
- Chain link property fencing (as the property perimeter fence)
- Window unit or wall mounted air conditioners

***Miscellaneous***

- Any item or structure visible from the street is subject to ACC approval and exclusion.