

ARCHITECTURAL CONTROL GUIDELINES

CREEKSTONE / SILVERSTONE

1999/2000

The Architectural Control Committee (ACC) was established to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Covenants, Conditions and Restrictions provide that "No building, fence, wall, or other structure shall be commenced, erected, or maintained upon the property, nor shall any exterior addition to or change or alteration to such structure or the color thereof, be made until the plans and specifications showing the nature, kind, shape, height, materials, color and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Architectural Control Committee (ACC). It is the general purpose of the ACC to approve or disapprove of applications made to it for proposed alterations, additions or changes to the exterior of the house and/or lot itself. Landscaping does not require Architectural Control Committee approval unless specifically referenced in the deed restrictions. Landscaping is defined as living plants, trees, shrubs, flowers, etc., and utilization of non-living material necessary for growth such as bark, mulch and sod.

Any violation of those provisions of these Guidelines noted by an asterisk (*) existing at the time these Guidelines are adopted or amended, are hereby grandfathered and exempted from compliance with those provisions. Any new construction, modification, or alteration of the grandfathered item or structure must be in compliance with those provisions of these Guidelines containing an asterisk (*).

PROCEDURE

An "Architectural Review Application" must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, locations indicated on a copy of the survey, etc., should be included with the application.

These forms are available from Creekstone Community Association at 281-392-2484. The ACC cannot respond to verbal requests for approval. All applications must be made in writing, and must include surveys, where required, elevation drawings, materials and paint color samples. All costs of the application submitted must be bore by the submitting owner.

Only record owners may submit applications. Applications from tenants will be denied. If an application is not approved, the ACC will state in their letter why such approval was denied and what type of application changes, if any, would alter their decision. If an applicant wishes to discuss or appeal a decision made by the ACC, please

contact Creekstone Community Association at 281-392-2484 or email us at creekstone@creekstonecom.com.

GUIDELINES

The following guidelines were adopted by the ACC to specify their standards and requirements used in evaluating an application. These guidelines will be amended from time to time as the circumstances, conditions or opinions of the ACC dictate. It should be noted that each application is considered on its own merit. The ACC may grant a variance from these guidelines and/or from certain provisions of the Declaration of Covenants, Conditions and Restrictions, if the Declaration permits a variance on the issue under consideration.

In addition, it should be noted that ACC approval is required prior to the installation or construction of any improvement or change. If an improvement is made without ACC approval, the Board of Directors has the legal right to enforce its removal, by court action if necessary.

INDEX

- 1.0 Room Additions
- 2.0 Siding
- 3.0 Exterior Paint and Stain
- 4.0 Outbuildings
- 5.0 Garages and Carports
- 6.0 Patio Covers and Awnings
- 7.0 Storm Windows, Screens and Doors
- 8.0 Decks
- 9.0 Swimming Pools, Pool Enclosures, and Signs
- 10.0 Solar Panels, Screens and Films
- 11.0 Fences
- 12.00 Basketball Goals
- 13.0 Yard/House Decorations and House Numbers

- 14.0 Exterior Lighting
- 15.0 Mailboxes
- 16.0 Outdoor Carpeting
- 17.0 Burglar Bars
- 18.0 Birdhouses
- 19.0 Landscaping
- 20.0 Antennas and Satellite Dishes
- 21.0 Swing Sets and Playhouse/Forts
- 22.0 Driveway Extensions and Sidewalks
- 23.0 Window Air Conditioners
- 24.0 Roofing and Wind Turbans
- 25.0 Lot and Building Maintenance

1.0 ROOM ADDITIONS(*)

- 1.1 A survey of the lot and existing improvements, showing all easements and setbacks and certified by a licensed surveyor must accompany the application.
- 1.2 Exterior materials and colors should match the house as much as possible.
- 1.3 Roof material should be the same as on the existing main dwelling.
- 1.4 Detailed plans must be submitted to the ACC, including but not limited to elevation drawings, location on the site, a list of exterior construction materials, paint, siding and roofing samples.
- 1.5 Room additions may not encroach into any utility easement or building setback line.
- 1.6 No room addition shall be constructed nearer than five (5) feet to the rear lot line or three (3) feet to the minimum setback line between the zero lot line and the home located on the adjoining lot.
- 1.7 Approval will be granted on an individual basis. Consideration will be given to the size and shape of the proposed addition, architectural style, layout of home, size of lot, and how well the room addition integrates with the existing home. Addition of a storage area will not qualify as a bonafide room addition and will not be permitted. Plans for room addition must show a room of reasonable size to constitute a legitimate request for a room addition. The roof of the addition must integrate with existing roofline so as to appear to have been part of the original home. Room additions cannot exceed one-third of the remaining back yard. It may be denied for other reasons, e.g., structural integrity, architectural suitability, etc., even if it does not use more than one-third of the remaining yard.
- 1.8 Room additions for the purpose of changing the use of the home from a single-family dwelling will be denied. For example no addition to accommodate business operations, child day care, multi-family use or any other use prohibited by the deed restrictions or any law or ordinance will be approved.
- 1.9 Landscape plans for the new addition must be submitted.

2.0 SIDING

2.1 Requests will be reviewed on a case-by-case basis with color consideration based on the guidelines in Section 3.0 Exterior Paint and Stain.

3.0 EXTERIOR PAINT AND STAIN (*)

3.1 Repainting of the home the original color does require ACC approval. Requests for color changes require approval and will be reviewed on a case-by-case basis.

3.2 Earth tone colors were most often used when the homes were originally constructed. In general, no earth tone color should receive Architectural Control Committee approval. White, certain pastel tones, and earth tone blend colors will be considered.

3.3 The color of the applicant's roof and brick color, along with colors of neighboring homes, will be taken into consideration when reviewing the application.

3.4 Paint finish should be the satin finish type.

3.5 The following colors will be considered for approval if all the conditions in paragraphs 3.2 and 3.3 are in accordance. No pink, mauve, peach, black, purple, red, light green or blue/green colors will be considered.

BODY OF HOUSE

Dark Browns

Light Browns/Tans

Forest Green

White

Dark Grays

Light Grays

Pastel Yellow

Beiges

TRIM

Light Browns/Tans

Pastel Yellow

Beiges

White

Dark Browns

Beiges

White

Light Browns/Tans

Dark Browns

Dark Grey

Light Grey

Light Grays

White

Dark Grays

White

Dark Browns

Light Browns/Tans

Dark Browns

Light Browns/Tans

Forest Green

Dark Grays

Light Grays

Wedgwood Blue

White

4.0 OUTBUILDINGS

4.1 An outbuilding is defined as any structure, which is not attached to the main structure. This definition does not include bonafide additions to the main residents, but does include storage sheds, gazebos, greenhouses and similar structures.

4.2 The ACC will consider the following:

A. The colors of paint and type of materials should match/blend with the predominant exterior colors of the main residence.

B. Materials should match those of the main resident in size, type color and design. Plywood or fiberboard may not be used as siding. Material designed for the purpose of being used for residential siding must be used as siding. However, the ACC will approve small-prefabricated metal storage buildings provided the color blends with the main residence.

C. Storage sheds should have a peaked roof, no higher than eight (8) feet from the ground to the highest point. It should have no more than a maximum of one hundred (100) square feet of floor space. The structure must be kept at a minimum from all setback lines or property lines as stated in the deed restriction for your section. The location must be far enough away from the fence to allow for drainage to occur entirely on the owner's lot. If possible, screen from street view. (*)

D. A storage building placed on a concrete slab on top of utility easement will require letters of consent to encroach by the appropriate utility company, as it will not be considered portable. If a storage building is not on the utility easement but on a slab, and can be moved, the ACC will consider it as portable.

E. No storage building may be built up against any side wall of a home unless its maximum height is less than six (6) feet and placed behind the fence. In this case, it must not be visible above the fence from the road. It also must comply with all the other requirements for proper construction, size and location.

F. Request for approval of freestanding gazebos and greenhouses will be reviewed on a case-by-case basis. A gazebo or greenhouse must be at least four (4) feet away from the house located in a rear or side fenced area. It must have a maximum height of not more than eleven (11) feet at the peak as measured from the ground or at the foundation grade from the main residence.

4.3 No storage shed, greenhouse, gazebo, or other outbuilding may be placed in front of any building setback line, and not any closer to the main streets in front of or on the side of any house than the main residential structure. Structure must be behind fence in the back yard.

5.0 GARAGES AND CARPORTS

5.1 Garage conversions are not permitted.

5.2 When necessary to replace a garage door, it must be replaced with a door substantially similar to the original. The door may be made of wood or metal and must be painted to match the color scheme of the house and kept in excellent condition. No windows will be permitted in garage doors. (*)

5.3 Carports are not permitted.

6.0 PATIO COVERS AND AWNINGS

6.1 Approval for patio covers will be granted on an individual basis with consideration given to size, height, and shape of the patio cover, and size of lot.

6.2 Patio covers must be constructed of materials that complement the main structure.

6.3 Patio covers made of aluminum with a factory baked on color finish may be approved providing they are of an approved color. Unfinished aluminum will not receive ACC approval. All metal surfaces must be painted.

6.4 If attached to the house, patio covers must be integrated into the existing roofline (flush with eaves). If the cover is to be shingled, the singles must match house roof color. Entire patio cover and posts must be trimmed out to match house. Pipes are not allowed to be used in the construction of the structure. All patio covers must be located at the rear of fenced in side yard of the lot.

6.5 Patio covers must be constructed forward of all rear, side and front building setback lines.

6.6 Patio construction materials are as follows:

A. Painted wood and aluminum (to match trim of house).

B. Metal roofing color should blend with house roofing. Shingle roofing should match house roof color.

C. Pressure treated wood may be left unpainted.

D. Fiberglass is acceptable and earth tone colors such as tan, brown, beige, gray and clear may be used. No green or yellow fiberglass will be allowed. Edges of fiberglass must not be visible from surrounding properties or from the street.

E. All patio cover material, i.e., fiberglass, corrugated aluminum, metal, wood, and lattice, must be completely framed so that no raw edges of material are visible.

6.7 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.

6.8 Patio covers must be situated on the lot to provide drainage solely into the owner's lot. Per deed restriction per your particular section a proposed patio cover location will require that it be guttered with downspouts, if it is to be a solid cover.

6.9 Metal and canvas awnings will not be permitted to be installed on windows to reduce solar exposure unless they are on the back side of the house on an interior lot and not visible from the street. On a corner lot or lot that backs a street, awnings will not be permitted. When allowed, they must be an approved earth-tone color, such as tan, brown, beige or gray (no blues, greens, reds etc.) and must be kept in excellent condition at all times or will be subject to immediate removal upon notification by the ACC of their unacceptable condition.

6.10 Awnings will be allowed for use on playhouses and patio covers, provided they also comply with above-mentioned requirements for proper location and color.

7.0 STORM WINDOWS, SCREENS AND DOORS

7.1 Frames of these must be a color compatible with the exterior house colors.

7.2 Screen colors must be natural aluminum or color must be approved by the ACC.

7.3 Screens must be kept in excellent condition at all times.

7.4 Reflective solar screens and other reflective materials on windows and doors will not be permitted.

8.0 DECKS

8.1 Decks may not encroach into any utility easement, or into any building setback lines.

8.2 Decks should be located on the lot so that they will not affect drainage of the lot or neighboring lot.

8.3 Decks may not be higher than eighteen (18) inches.

8.4 Decks must be constructed of treated wood.

8.5 If deck is stained or painted, stain or paint color must match or complement the color of the house.

8.6 To avoid termite infestation decks must be constructed at least 1 inch from the main residential structure and at least 2 inches from any demising wood fence.

9.0 SWIMMING POOLS, POOL ENCLOSURES AND SPAS

9.1 No pool, spa or decking of any type may encroach into any utility easement or into any building setback line.

9.2 A pool or spa should be located at least four feet from the house and five feet from the side and rear property line or fence to maintain proper drainage on the lot.

9.3 Aboveground pools will receive special consideration. An aboveground pool should not be over four (4) feet in height. If there is a deck around the pool, it may not be wider than three (3) feet or higher than eighteen (18) inches. A variance of the deck height may be granted if an agreement in writing is signed by the adjoining neighbors. The deck may not be higher than the height of the wall of the pool. Railings for the deck may not be visible above the six- (6) foot fence. The deck around the pool must be five (5) feet from the side and rear fences.

9.4 The electrical and mechanical devices for the pool or spa must meet city code requirements, may not be located in a setback or in any location, which may cause a noise nuisance to neighbors.

9.5 Pool enclosures will be reviewed on an individual basis. Height of the enclosure may not exceed ten (10) feet. Screened enclosures are acceptable but color and material specifications must be approved.

10.0 SOLAR PANELS, SCREENS AND FILMS

10.1 The ACC will approve solar panels that are unobtrusive and which blend in with the roof shingle color.

10.2 Solar collectors that are not mounted flush with the roof will not be approved.

10.3 Solar panel frames should be bronze or black in color in order to get the best blend with the shingles. All unfinished aluminum must be painted the color of the shingles.

10.4 No solar panel should be mounted so that it extends above the roofline.

10.5 The ACC prefers that solar panels be mounted on the back roof of the house rather than on the sides or front roof.

10.6 Non-reflective solar screens will be allowed on windows.

10.7 Colors and manufacturers must be acceptable to the ACC for both screens and panels.

10.8 Solar film must be the non-reflective type and must be applied professionally. Bubbled or torn solar film must be removed immediately.

11.0 FENCES

11.1 Requests for changes will be reviewed on a case-by-case basis.

11.2 Rear fences on lots located on the perimeter of the neighborhood may be no higher than eight (8) feet.

11.3 Fences on the interior of the neighborhood, including fences between houses and on the street side of houses may be no higher than six (6) feet. An additional six-(6) inch kick board will be allowed at the bottom of fence.

11.4 No painting, staining or varnishing of fences will be allowed.

11.5 Fences must be constructed of the original material, i.e., either cedar, treated wood or brick and kept in excellent condition.

11.6 No split rail fences or decorative fencing will be permitted.

11.7 No fence extensions will be allowed.

11.8 Chain link fences are expressly forbidden.

11.9 Wood fences may not be attached to any structure; at least 2 inches must be left between fence and structure.

12.0 BASKETBALL GOALS

12.1 All applications for basketball goals will be reviewed on a case-by-case basis.

12.2 All basketball goals, backboards, nets and posts must be maintained in excellent condition.

12.3 If the backboard is to be mounted upon the roof, a small triangular metal frame mounting structure is to be used. The mounting structure must be painted to match the shingle color.

12.4 A driveway basketball goal must be placed on the side of the driveway that is nearest to the side property line. It must be mounted on a metal pole and frame that is designed for that use. The frame and pole may be painted black or white. The pole must be permanently in the ground.

12.5 Backboards must be regulation size, and white in color with orange or green markings.

12.6 A backyard basketball goal may be mounted in the backyard, if the yard has four hundred (400) square feet in front of the goal. The goal must be mounted at least five (5) feet from the house and three (3) feet from the back or side property line.

12.7 If any complaints are received after installation, the basketball goal will be subject to immediate removal at the request of the ACC.

12.8 Basketball goals to be situated adjacent to neighbor's home bedrooms will most likely be rejected.

13.0 YARD/HOUSE DECORATIONS AND HOUSE NUMBERS

13.1 There shall be no decorative appurtenances placed on front lawns or any portion of a lot visible from any street. This includes sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments, unless such specific items have been approved in writing by the ACC.

13.2 Trellises, window boxes, arbors, and permanent brick borders must have ACC approval.

13.3 Benches and gates will be reviewed on an individual basis.

13.4 House numbers may be placed on house, mailbox or curb. House numbers may not be larger than six (6) inches in height, and may not be placed on the driveway or any type of freestanding structure, other than the mailbox, in the front yard.

14.0 EXTERIOR LIGHTING

14.1 All exterior lighting must have ACC approval and may not be detrimental to exterior appearance of the house.

14.2 Additional exterior lighting should not be of a wattage or lumen count, which will affect neighboring homes.

14.3 Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.

14.4 Low voltage landscape lighting may be placed in such a way that they will blend in with the landscaping.

14.5 Security, mercury vapor, or fluorescent lights must be attached to the house. Mercury vapor, fluorescent and sodium lights are permitted in back or side yards with written approval by the neighbors affected.

14.6 Yard lights may be of gas or electric, single lamp only, with maximum height of six (6) feet. Yard lights may be placed in the front or back yard. Gas or electric lights may be black, brown, white or brass, depending on the color of the house. Determination of a suitable color will be the decision of the ACC.

15.0 MAILBOXES

15.1 All individual mailboxes must be kept in excellent condition.

15.2 Where communal mailboxes are not in use, changes or improvements made to the initial mailbox will require ACC approval.

15.3 If the post is to be painted or stained, a paint sample must be submitted with the application. The ACC will consider the effect a painted or stained post will have on the street. If the proposed color will not readily blend in with the surrounding structures, the application will be denied.

15.4 Mailbox size, design and height and location must meet U.S. Post Office requirements.

15.5 Bricked mailbox stands should receive approval providing the brick matches the house. A specific sketch should be included with the application.

15.6 In sections of Creekstone, which use communal mailboxes, applications for the installation of individual mailboxes will be disapproved.

16.0 OUTDOOR CARPETING

16.1 Outdoor carpeting is not allowed to be installed on a front porch or sidewalk leading to a front porch area or in any area that is visible from the street.

17.0 BURGLAR BARS

17.1 Burglar bars will be approved on an individual basis by the ACC, provided they are in harmony with the house, and painted to match the color of the exterior trim. All bars must have internal lock release mechanisms.

18.0 BIRDHOUSES

18.1 Maximum height of birdhouses is twelve (12) feet, mounted on two-inch diameter metal pipe, painted white or black, and must be placed in the back yard not visible from the street.

18.2 No birdhouses will be allowed in the front yard of a house.

19.0 LANDSCAPING

19.1 Landscaping including timbers, bricks, stones, flower bed borders and sprinklers do not need ACC approval.

19.2 Trellises, benches, sculptures, birdbaths, fountains, landscaping lights and other decorative appurtenances must receive ACC approval if they will be visible from the street.

19.3 Landscaping must complement the style and architecture of the home and conform to color scheme of the house and neighborhood.

19.4 Lot must have solid sod with grass in the area between dwelling and the curb lines(s) of the abutting street(s), have no less than one tree at least two inches diameter in size in the front yard. Lots shall at all times be kept cut in a sanitary, healthful and attractive manner, expansion joints in driveways and sidewalks free of weeds.

20.0 ANTENNAS AND SATELLITE DISHES

20.1 No electronic antenna or device of any type other than an antenna or dish for receiving normal television or satellite signals shall be erected, constructed, placed or permitted to remain on any lot, houses or buildings. Antennas must be mounted on the backside of the house. They must be lower than the roofline and must not be visible from the street.

20.2 Freestanding antennae and dishes must be located behind the rear wall of the main residential structure and dishes shall not be larger than thirty-six (36) inches in diameter.

20.3 Satellite dishes should be placed in the rear/back yard side of the house, and not be visible from the street. It may not be placed on the utility easement without written consent to encroach letters from all the affected utility companies.

21.0 SWING SETS AND PLAYHOUSE/FORTS

21.1 Swing sets may not exceed a maximum height of eight (8) feet. Location will be considered for neighbor's privacy.

21.2 A playhouse/fort must be no higher than ten (10) feet maximum. If playhouse/fort has a platform, then platform may be no higher than four (4) feet off the ground and be a minimum of eight (8) feet from the side fence or rear to protect neighbor's privacy. Canvas awnings must be kept in excellent condition at all times or will be subject to immediate removal upon notification from the ACC of their unacceptable condition.

21.3 No playhouse/fort or swing set may be placed in front of any building setback line

22.0 DRIVEWAY EXTENSIONS AND SIDEWALKS

- 22.1 No driveway extensions or sidewalks will be permitted to be constructed.
- 22.2 Walkways to backyards and side yards will be permitted with ACC approval.

23.0 WINDOW AIR CONDITIONERS

- 23.1 No window or wall type air conditioner shall be installed, erected, placed, or maintained on or in any building that is within view from the street and without prior written approval from the ACC.

24.0 ROOFING AND WIND TURBANS

- 24.1 Replacing the complete roof using the same color shingles does require ACC approval.
- 24.2 Roofing requests with color changes will be reviewed on a case-by-case basis. Roof color must be earth tones. The colors of white, red, green, and blue will not be approved as a roof color by the ACC.
- 24.3 Roofing material must be 235 pound or better asphalt or composition type shingles. Other materials will not be permitted.
- 24.4 Roof patching will be approved if shingle size and color is the same as the existing roof.
- 24.5 When replacing wind turbans, they should be placed in the same position on the roof as originally installed. Must be on the backside of the roofline.
- 24.6 Roof vents, which are built into the roof ridge, may replace wind turbans, or power fan vents provided the covers match the color of the roof and on the backside of the roofline.

25.0 LOT AND BUILDING MAINTENANCE.

25.1 The owners or occupants of all lots shall at all times keep all weeds and grass thereof cut in a sanitary, healthful and attractive manner, edge curbs that run along the property lines, and shall in no event use any lot for storage for materials and equipment except for normal residential requirements or incident to construction of improvements thereon as herein permitted. All fences and buildings including but not limited to the main residence and garage if any, which have been erected on any lot shall be maintained in good repair and condition, by owner, and owner shall promptly repair or replace the same in the event of partial or total destruction or ordinary deterioration, wear and tear. Any modification of any building due to repairs, replacement, or maintenance shall be first submitted to the ACC for approval.

25.2 Each owner shall maintain in good condition and repair all structures on the lot including, but not limited to, all windows, doors, garage doors, roofs, siding, brickwork, stucco, masonry, trim, plumbing, fences, driveways, sidewalks, gas and electrical. By way of example, not of limitation, wood rot, damaged brick, oil stained driveways and other stains, fading, peeling or aged paint or stain, mildew, broken doors or windows, rotting or falling fences shall be considered violations of deed restrictions, which the owner of a lot shall repair or replace upon association demand.