

AVALON TERRACE

Design Guidelines

**Builder Guidelines and Construction Standards
For Single-Family Residences**

As Amended and Adopted
March 1, 2005
by the
Architectural Control Committee

AVALON TERRACE

Design Guidelines

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AVALON TERRACE BUILDER GUIDELINES

*****THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE*****

**ALL IMPROVEMENTS TO PROPERTY
ARE REQUIRED TO BE SUBMITTED TO
THE AVALON TERRACE ARCHITECTURAL REVIEW COMMITTEE (ARC)
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION.**

**FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE
WITH THE LATEST REVISIONS TO THESE GUIDELIENS.
COPIES WILL BE MADE AVAILABLE UPON RQUEST TO THE ARC**

Purpose of Guidelines

The Design Guidelines have been established for the use by third party builders in the Avalon Terrace community. They are aimed at ensuring an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a specific identity for each residential village. However, certain standards have been adopted for key elements to provide continuity and to maintain overall quality. The property owner should familiarize himself and his building team with the requirements of the Design Guidelines and confirm that he has the latest revision.

Remember that Avalon Terrace is located within The City of Pearland and is, therefore, subject to Pearland's development ordinance. The City of Pearland, and Brazoria County, or any other applicable governmental agency, should be contacted at the beginning of the building process to insure compliance with all applicable regulations. Compliance with all governmental regulations is the obligation of the third party builder.

The Architectural Review Committee (the "ARC") reserves the right to modify and change the Design Guidelines as well as grant variances to the Design Guidelines.

Builders with Avalon Terrace are responsible for compliance with all applicable city, county, state, and federal regulations.

SECTION 1 - SITE LAYOUT

1.1 General

The builder/owner is to construct homes and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, the recorded plat/replats, rules and regulations of the Avalon Terrace Homeowners Association, Inc. and these Design Guidelines.

Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, and etc. is required of the builder/owner. Ties to utilities are the responsibility of the builder/owner.

The builder/owner shall comply with any and all ordinances that may be in effect from the City of Pearland, Brazoria County and/or any other governmental agency having applicable jurisdiction.

1.2 Building Setbacks

All front, rear and side set backs will be as shown on the recorded final plat for Avalon Terrace Section 1, "Avalon Terrace", and/or will be as the current Ordinances of the City of Pearland or the Declaration of Covenants Conditions and Restrictions for Avalon Terrace as stipulated.

1.3 Driveways

The builder is required to construct a driveway into the street right-of-way to connect to the existing street. Such driveway shall be placed in accordance with the City of Pearland and Brazoria County requirements.

Proposed driveways shall be poured flush with the existing "rollover" curb and shall not be "saw-cut". The builder is responsible for the street and curb improvements adjacent to the builder's Lots and builder will not cause any damage to the improvements.

1.4 Pools & Spas

Above ground pools are not permitted. However, above ground spas and/or hot tubs are permitted with the restriction that above ground spas and/or hot tubs shall not be visible from streets or common areas. All plumbing, heaters, pumps, filters, etc. must be skirted, decked, screened, or landscaped to hide from public view.

Swimming pool appurtenances such as rock waterfalls, slides, and diving boards must not be over six feet (6') in height. Skimmer nets, long handle brushes, pool chemicals, filters, pumps, heaters, plumbing, etc. must be stored so as to not be visible from public view.

Pool walls shall not encroach on any utility easement. If pool plumbing is required in the utility easements, contact the appropriate utility company before digging. Wood or concrete pool decks may be placed on utility easements, but are subject to removal by utility companies in the future.

1.5 Fences

All rear yards on each lot in Avalon Terrace is required to be fenced upon the completion on the home on such lot by builder unless such Lot is already fenced by the Developer.

A minimum fence setback of ten feet (10') from the front facade of the house is required unless otherwise approved by the ARC.

A maximum fence height of six feet (6') is allowed.

Fences are only to be constructed with 1 x 6 pickets of pine, cedar or spruce material. Posts and rails may be constructed with wood or metal material.

On all lots with wood fencing visible from the street, the fence must be constructed with the finished side out. Posts and rails are not to be seen from the street or any common area.

Diagonal and horizontal fencing is strictly prohibited.

No used material may be used to construct any fence.

All fences are to be kept in good repair.

Electric meters, A/C units, and other facilities located on the street side of a lot are to be placed behind the fence or screened by landscaping.

Side yard gates are discouraged on the street side of a lot.

1.6 Lot Drainage

It will be the responsibility of each builder to provide adequate drainage for each lot in conformance with the drainage plan.

The builder must establish a drainage pattern upon completion of the house to insure that each lot has positive drainage away from the house foundation and drain to an adjacent street or common area.

The builder must establish a drainage pattern upon completion of the house. It is the homeowner's responsibility to maintain this drainage patterns and not alter the flow of water from their lot.

SECTION 2 – ARCHITECTURE

2.1 General

The following guidelines are not intended to limit the creativity of the architects or builders in their design or construction of homes in Avalon Terrace. They are intended to provide a basis for design concepts, forms, and materials to create a comfortable living environment while fitting into the overall sense of community.

The builder/owner shall be responsible for installation and maintenance of the area within the public street right-of-way (between the back of the street curb and property lines).

Each builder/owner shall be responsible for street cleaning and trash pickup in the area immediately adjacent to where the home is being constructed.

2.1.1 Minimum Floor Area

The following floor area requirements must be adhered to unless otherwise approved by the ARC. These requirements meet or exceed the minimum requirements set forth in the Declaration of Covenants, Conditions, and Restrictions and may be modified by the ARC.

The floor area is to be calculated as the total square footage of the air-conditioned floor area of any single-family residence exclusive of open porches, garages, or breezeways.

All residences constructed shall have a minimum floor area of 1,200 square feet. If the square footage calculation falls within one percent (1%) of the square footage requirements, a variance may be granted by the ARC.

2.2 Elevation Repetition

Location of house designs should be carefully reviewed to avoid excessive repetition in the street scene. The intent is to avoid the negative "look-alike" effect of frequent repetition, but still allow sufficient latitude in satisfying market demand.

- When building the same plan, different elevation, on the same side of the street, one (1) lots must be skipped and a different color brick used.
- When building the same plan, different elevation, on both sides of the street, one (1) lots must be skipped and a different color brick used.
- When building the same plan, same elevation, on the same side of the street or both sides of the street, three (3) lots must be skipped and a different color brick used.

The ARC reserves the right to reject an elevation that closely resembles that of a nearby house or in any way detracts from the overall street scene. Identical uses in brick type, color and siding color is generally prohibited on homes that are adjacent to one another.

2.3 Exterior Materials

Samples of all finish materials must be submitted by the builder to the ARC for approval.

Soft subdued paint colors as approved by the ARC should be used. Bold primary colors are prohibited. Each builder is required to submit a color palette to the ARC for approval.

Brick and stone selections must be approved by the ARC prior to installation. Repetition of Masonry, as defined below, materials will not be permitted on adjacent houses.

Unless otherwise approved by the ARC, at least twenty-five (25%) percent of the exterior walls, excluding windows and gables, must be of Masonry construction.

In Masonry construction, all mortar joints are to be tooled with mortar color complementary to the brick color.

Gable ends of a uniform material tend to be more appealing than those that change at the eave line and are strongly encouraged.

High contrast trim or material variation should be avoided in favor of those that are chosen to blend the elements and color.

“Masonry”, as defined for purposes of these Design Guidelines, shall be considered materials of brick, stone, stucco. Hardi-Plank® siding is not considered a masonry product.

No aluminum siding shall be permitted as an approved exterior material in Avalon Terrace.

Roofs on all buildings in Avalon Terrace shall be covered with fiberglass composition shingles with a life of no less than thirty (30) years. The color of any shingles shall be black and shall be subject to the approval of the ARC. Any other type of roofing material may be used only if approved in writing by the ARC prior to installation.

All residential dwellings constructed on the lots in Avalon Terrace shall have a cast stone address plaque installed into the front elevation thus giving the community a consistent theme for such plaques. The ARC prior to installation must approve any other type of address plaque.

No window in any residential dwelling or other approved improvement that is visible from any other lot, residence, street or common area may be covered with any aluminum foil or other reflective material. Window coverings must be compatible with the design and color of the residence and the overall appearance of the community. The ARC shall have the sole authority to determine whether particular window coverings are compatible with the design and color of the residence and the overall appearance of the community.

2.3.1 Chimneys

All chimneys located on the exterior portion of a dwelling unit shall be constructed of brick, stone, stucco or hardi-plank siding. Prefabricated metal fireplaces and metal flues may be used but their chimneys must be masonry clad to present the appearance of traditional masonry chimneys.

The height of the chimney should be in proportion to the roofline and adhere to the fire codes

2.4 Exterior Lighting

The builder/owner may install and maintain lighting on individual lots in a manner so as to not cause distraction, nuisance, or be unsightly.

Ground lighting or decorative light fixtures are acceptable. Decorative fixtures must be of high quality materials and workmanship, and be in scale with the residence.

Freestanding decorative fixtures are acceptable with ARC approval. Mercury vapor lights, when used for special landscape lighting affect (hung in trees as up or down lights), is permissible only with prior approval from the ARC.

Incandescent, low voltage incandescent, metal halide, quartz, and natural gas lights are acceptable.

Spotlights are to be directed to avoid light spill onto any adjacent property.

2.5 Screening

When practical all air conditioning units, water purification systems, etc. are to be placed away from public view, preferably in the rear or fenced side yards. Meters shall be placed in a manner that limits their visibility from the street and shall be screened from view with landscaping.

Wood fences and/or shrubs are acceptable screening materials.

Hedges may be used for screens if plants are mature enough and spaced close enough to provide adequate screening. Screening with plants is to be accomplished with the initial installation and not assumed for growth at maturity. Staggered spacing of shrubs for hedges makes a good screen.

2.6 Roof Top Antennae & Satellite Dish

The roof, as a design element, should be kept as visually unobstructed as possible.

No roof top antennae will be permitted on the outside of a residence. All antennae must be concealed within the attic or otherwise completely concealed.

Installation of any satellite dish requires prior written approval from the ARC.

All satellite dishes in excess of one (1) meter in size shall be located in a fenced back yard with no part of the dish visible above the top of the fence. It is recommended that all satellite dishes less than one (1) meter in size be installed so as not to be visible from the street directly in front of the house.

2.6.1 Roof Protrusions

Vent stacks and other necessary roof protrusions, where possible, should be located to be away from view from the adjacent street. All vent stacks and flashing are to be painted to match color of shingles. Shingles are to be overlapped at valleys so that no valley flashing is exposed.

2.6.2 Roof Gutters & Downspouts

Gutters and downspouts are not required. If used, however, they should be integrated with the architectural design in color, shape, and location.

If gutters are not used, positive drainage away from the house should be provided.

Downspouts are to be located to provide a clean, unobtrusive appearance, terminated by either splash blocks or drained underground to appropriate termination.

2.6.3 A/C Equipment

No window or roof top HVAC equipment is permissible. Extreme care should be taken in the location of condensers to avoid noise infiltration of adjoining bedrooms and other "quiet" zones.

2.7 Carports

No carports shall be constructed on any lot in Avalon Terrace. With the prior written consent of the ARC, a porte cochere may be approved; however any approved porte cochere will be an addition to and not a replacement of the garage requirement stipulated in the Declaration of Covenants, Conditions and Restrictions.

2.8 Outbuildings

Provided the express written consent of the ARC is secured prior to installation and placement on a Lot, one (1) lawn storage building and/or one (1) children's playhouse, each limited in maximum height to eight (8) feet from the ground to the highest point of the structure, and each limited in size to a maximum of 100 square feet of floor area, may be placed on a lot. The roof of any outbuilding shall be the same color of the house on the lot on which it is located. In no case can the outbuilding be placed in a utility easement, within five feet of a side property line, or within ten feet of the back property line. Additionally, no outbuilding structure of any type is permitted unless the specific Lot involved is completely enclosed by fencing in accordance with Section 1.5 herein. Otherwise, no building or

structure of any kind (except for a residence or garage) shall ever be placed or erected on any lot within Avalon Terrace.

2.9 Playground Equipment

No jungle gyms, swing sets, basketball goals or similar playground equipment shall be erected or installed on any lot without prior written approval of the ARC. These items shall be positioned on the lot so as not to be visible from any street. Any playground equipment or other play areas or equipment furnished by the Avalon Terrace Homeowners Association, Inc. or in behalf of such association shall be used at the risk of the user, and the association or the entity who supplied such equipment shall not be held liable to any person for any claim, damage, or injury occurring thereon or related to the use thereof.

SECTION 3 - LANDSCAPE

3.1 Minimum Landscape Requirements

A single row of foundation planting is not acceptable.

Planting beds are to be curvilinear with varied widths, with the shrub mass in tiers, smaller shrubs and ground cover in the front and larger shrubs in the rear of the beds. Grouping of shrubs of the same species provides a substantial look. Avoid planting shrubs at a constant distance from the foundation.

Mulch all planting beds with 2" deep shredded pine bark.

No gravel of any size or color is permitted for use or substitution for shrubs, ground cover, mulch, or grass lawns. Specimen boulders and rock borders are permitted.

All front yards shall be planted with sod to cover the entire front yard and side yards up to the fence less any landscaped area.

One "yard" tree with a minimum size of 3" caliper shall be planted in the front yard of each lot. One additional tree with a minimum size of 3" caliper will be required in the sideyards of corner lots. The species of the trees shall come from the approved list in Section 3.2. Caliper sizing shall be measured 12" from the base of the tree.

The builder shall install, at a minimum, the following landscaping package prior to the home being occupied by a homebuyer:

Two (2) large plants (minimum fifteen (15) gallon)
Six (6) medium plants (minimum five (5) gallon)
Twenty (20) smaller plants (minimum one (1) gallon)

The shrubs to be used shall be from the list found in section 3.21

3.2 Plant Material - Trees

The following is a list of plant material considered to be appropriate for Avalon Terrace. Other plant material may be used, but priority should be given to plants from this palette. Palm trees, yucca, cactus, and bamboo are considered to be out of character with the desired landscape effect and will not be acceptable if seen from streets or common properties.

Y A R D T R E E S

Live Oak
Red Oak
Burr Oak
Water Oak
Bradford Pear
Cedar Elm
Pecan
Bald Cypress

Magnolia
Chinese Pistache
Slash Pine
Loblolly Pine
Sweet Gum

ORNAMENTAL TREES

Crape Myrtle
Wax Myrtle
Red Bud
Evergreen Pear
Ligustrum
Yaupon
Chinese Parasol Tree
River Birch
Parsley Hawthorn
Mexican Plum
Majestic Indian Hawthorn
Photinia tree
Saucer Tree
American Holly
Golden Raintree

3.2.1 Plant Material - Shrubs

Shrubs shall be planted at spacing appropriate with size of the plant and in accordance with acceptable industry standards.

SHRUBS

Dwarf Yaupon
Dwarf Pyracantha
Dwarf Chinese Holly
Dwarf Crape Myrtle
Dwarf Gardenia
Dwarf Nandina "Purpurea" & "Harbor"
Dwarf Pittosporum
Dwarf Juniper "Bar Harbor" & "Buffalo"
Eleagnus
Pyracantha
Pittosporum
Variegated Pittosporum
Philodendron
Cleyera
Fatsia
Compact Nandina
Nandina
Photinia "Frazeri"
Azalea Karume Varieties

Azalea Indica Varieties
Abelia
Indian Hawthorn "Clara" "Snowwhite" "Ballerina"
Gardenia
Camelia
Texas Silverleaf
Ligustrum
Italian Jasmine
Oleander
Pinnacle Guava
Laurel Leaf Cocculus
Possum Haw
Pampass Grass

3.2.2 Plant Material - Ground Cover & Vines

Ground cover shall be planted and spaced appropriate with size of plant and in accordance with industry standards.

GROUND COVER & VINES

English Ivy
Algerian Ivy
Japanese Star Jasmine
Chinese Star Jasmine
Climbing Fig
Carolina Jasmine
Monkey Grass
Liriope / Variegated Liriope
Sprengeri Fern
Boston Fern
"New Gold" Lantana
Ajuga
Holly Fern
Honeysuckle
Trumpet Creeper
Sedum
Chinese Wisteria
Wood Fern

SECTION 4 - BUILDER SIGNAGE

4.1 Builder Signage - Lots

One sign per single family lot is allowed until occupancy.

The sign may be a 24" x 36" panel displaying the builder's name and/or logo or trademark. Color graphics must be submitted to ARC.

Information to be conveyed:

Name of Builder

Phone Number-Builders Sales Office

In addition, one construction address sign not to exceed 18" x 24" shall be allowed on each lot during construction of the home. The sign shall display the home address, legal description, and Builder name.

SECTION 5 - MODEL HOMES/SALES OFFICE

5.1 Presentation

With the exception of sales offices in a garage, the models should be presented as much as possible as the finished product would be sold.

Planters, flowerpots, benches, and other small decorations can provide a sense of scale and "lived in" appearance. The use of annual flowers is encouraged.

It is expected that the landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of the Design Guidelines.

If planting beds are extended from one lot to another to create a park like atmosphere, care is to be taken to not block the drainage down side lot lines.

5.2 Signage/Fencing

Each model home shall be permitted one sign to, display the name of the builder. The sign face shall not exceed six feet (6') in width and four feet (4') in height. The total height above the existing lot grade may not be more than five feet six inches (5'-6"). If placed on corner lots, locate the sign within the property line and within the side set back lines.

Graphics on the sign may include: builder name, logo, and/or slogan, price range, phone number, and business hours. Signs may not be internally lighted.

Sign colors are to be selected to enhance quality. Color samples should be submitted to the ARC prior to building signs.

Signs designating model names, sales office, entrances, and exits may not exceed twelve inches (12") in height and eighteen inches (18") in width.

"Trap" fencing is permitted, but must be of wrought iron design. As a temporary fence, the trap fence may be installed on the property line. Other types of fencing may be given consideration by the ARC if the overall concept of the model home park requires a variance.

U.S. and Texas flags are permitted with prior approval from the ARC.

Exterior fluorescent lighting is prohibited. Exterior landscape lighting highlighting the key elements of the home and yard is encouraged.

5.3 Sales Office

When model homes are no longer used for sales purposes, they are to be converted to standard residences. The ARC is to approve all aspects of the conversion. Sales offices must be put in condition of

typical homes in the builder product line. Garages constructed for use as sales offices must be converted back to a standard garage.

Meandering sidewalks on lots are to be removed, unless they are tastefully incorporated into the final design for finished lots. Off street parking lots are to be removed after closing model units.

5.4 Parking

Off street parking is required by the City of Pearland in model parks.

Paving must be hard concrete or interlocking pavers.

SECTION 6 - ARC SUBMITTALS

6.1 General

The submittal of plans and specifications to the Architectural Review Committee provides a review process to ensure conformance to the guidelines and standards adopted by the ARC.

All new construction, modification, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the ARC prior to commencement of any construction activity. The ARC reserves the right to alter the review process in order to ensure a thorough review of all submissions while accommodating the needs of builders and property owners.

The plans and specifications for a home must be approved in writing by the ARC before construction of a residence can begin.

Submittals shall be sent to the attention of:

**Avalon Terrace
Architectural Review Committee
7676 Woodway, Suite 104
Houston, Texas 77063
Attn: Janel Hundl**

6.2 Requirements – Production Builders

The ARC will consider pre-approval of standard builder plans and landscaping specifications for each home to be constructed in Avalon Terrace. The builder shall provide the ARC with the following information for the pre-approval process:

- (a) Floor plans of the first and second floors
- (b) All contemplated front elevations and all side elevations of each floor plan
- (c) Standard landscaping package specifications

If the builder wishes to add a floor plan to the pre-approved list, the builder shall submit items (a) and (b) above of such floor plan to the ARC for approval.

Prior to construction of each residence the builder shall submit to the ARC the submittal form, as found, in Section 6.3 of the Design Guidelines, where the builder shall indicate the floor plan, elevation, brick and trim color to be used on such residence. Builder shall not commence construction of any residence without the ARC's written approval of the floor plan, elevation, brick selection and trim color of the residence to be built of an individual lot.

6.3 ARC Submittal Form

SEE ATTACHED FORM

**Avalon Terrace
ARC Submittal Form**

Owner/Applicant: _____

Mailing Address: _____
Phone Number: _____

Job /Address: _____

Job /Legal: Lot: _____ Block: _____ Section: _____

Contractor: _____

Mailing Address: _____
Phone Number: _____

Architect/Designer: _____

Contact Person: _____
Phone Number: _____

Class of Work ___ New ___ Addition ___ Repair ___ Other

If New Construction: **Floor Plan** _____ **Elevation** _____
 Brick: _____ **Trim Color** _____

Work Description: _____

Variance Requested: _____

Approved _____ **Disapproved** _____

ARC Member: _____

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