



CERTIFICATION

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

I, the undersigned, pursuant to §202.006 of the Texas Property Code, do hereby certify, as follows:

(1) I am an Agent for Pin Oak Village Homeowners Association, Inc. a Texas non-profit corporation;

(2) An Instrument titled: **“Pin Oak Village Homeowners Association, Architectural Control Committee Guidelines (Revised November 14, 2019)”**, is attached hereto;

(3) The property affected by the said Instrument is described as, to wit:

Pin Oak Village, Sections 1, 2, and 3, additions in Fort Bend County, Texas, according to the maps or plats thereof, recorded in the Map Records of Fort Bend County, Texas, under Volume 28, Page 14; Volume 2268, Page 2545; and Volume 2494, Page 1248; respectively, along with any amendments, supplements, and replats thereto.

(4) The attached Instrument is a true and correct copy of the original;

IN WITNESS WHEREOF, I have subscribed my name on this 13th day of December, 2019.

By: *Luke P. Tollett*
Luke P. Tollett, Attorney for Pin Oak Village Homeowners Association, Inc.

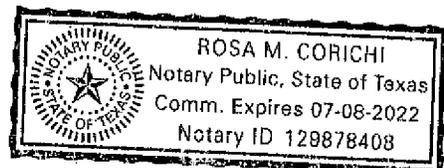
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BEFORE ME, the undersigned authority, on the day personally appeared Luke P. Tollett, Agent for Pin Oak Village Homeowners Association, Inc., and being by me first duly sworn, declared that he is the person who signed the foregoing document in his representative capacity and that the statements contained therein are true and correct.

Given under my hand and seal of office this the 13th day of December, 2019.

Rosa M. Corichi
Notary Public, State of Texas

E-Recorded by:
HOLT & YOUNG, P.C.
9821 Katy Freeway, Ste. 350
Houston, Texas 77024



PIN OAK VILLAGE HOMEOWNERS ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE
GUIDELINES
REVISED NOVEMBER 14, 2019

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PIN OAK VILLAGE HOMEOWNERS ASSOCIATION ARCHITECTURAL CONTROL GUIDELINES

OVERVIEW

Purpose and Objectives

The Architectural Control Committee (ACC) was created to enhance property values by ensuring conformity to certain standards of construction, visual appeal, uniformity and design. It is the responsibility of the committee to approve or disapprove applications made to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lot itself. The ACC is empowered by the Pin Oak Village Declaration of Covenants, Conditions and Restrictions (hereafter referred to as the "Declaration" or "deed restrictions") which state that "no building or improvements of any character shall be erected or placed or the erection thereof begun, or changes made in the design thereof after original construction, on any lot until the construction plans and specifications and a plan showing the location of the structure of improvements have been submitted to and approved in writing by the ACC, as to compliance with these restrictions, harmony of external design with existing and proposed structures and as to location with respect to topography and finished grade elevation."

It is not necessary to submit an application to the ACC to repair (mend) or provide maintenance to the property when the repair or maintenance does not change the appearance of the property. Situations where repairs "mend" an architectural issue (To restore by replacing a part or putting together what was torn or broken) are different from situations where the repairs "modify" an architectural issue (To make basic or fundamental changes in order to give a new orientation to or to serve a new end). *Mending* examples include replacing broken fence pickets with identical fencing materials, repairing shingles on the roof with identical replacement material that blend in with the existing roof or repainting parts of the house or trim when the color is not changing. *Modify* examples include changing the height, size, or style of fencing, replacing entire sections of fencing, adding a rot board or different type of fence/gate where none existed earlier, repainting a house or trim to a different color or a similar color but not the same color. These examples are not exhaustive and if there are any questions or concerns, homeowners should submit an application for review.

These guidelines are intended to function as a single reference for Pin Oak Village Homeowners so every attempt has been made to incorporate all relevant restrictions from the Declaration. These guidelines, however, provide much more detail and stipulate all restrictions approved by the Board of Directors of the Pin Oak Village Homeowners Association.

The Committee

The ACC consists of two (2) directors of the Pin Oak Village Homeowners Association (hereafter "HOA") and such additional members as the Chairman of the ACC may deem appropriate from time to time. The Chairman of the ACC shall always be a director of the HOA. To communicate with the ACC, contact Crest Management Company or visit the Pin Oak Village website, <http://www.pinoakvillagekaty.com>.

Application Procedure

The preferred method of submitting applications for proposed exterior modifications is by visiting the Crest Management website and completing the online form process. Alternatively, applications may be submitted on the application form approved by the ACC on the Pin Oak Village website, <http://www.pinoakvillagekaty.com>. Ensure that the application is completed with all requested information and mail or deliver your application to Crest

Management. If you mail your application, consider sending it with a return receipt request. Upon receipt of your application you will be returned the acknowledgment copy of your application indicating the date it was received. If you do not receive your acknowledgement copy within seven (7) days of submitting your application, please call Crest Management. The ACC cannot and will not respond to verbal requests. Only members of the Pin Oak Village Homeowners Association in good standing may apply for an exterior modification. Applications from prospective homeowners intending to purchase within Pin Oak Village will not be accepted.

It is the responsibility of the applicant to make sure he or she has the most current guidelines before proceeding with any improvement. Check with Crest Management or a POV HOA board member to see if the guidelines have been reissued or amended.

Approvals/Disapprovals/Processing Period

The ACC will respond to all applications. Upon approval or disapproval, one (1) copy of your application, along with any submitted attachments, will be returned to you. The ACC reserves the right to conduct a post-improvement inspection to assure such complies with the submitted application and applicable deed restrictions and/or guidelines. The ACC will notify the applicant of its desire to conduct a post-improvement inspection by so indicating on the approval copy of the application returned to the applicant at the end of the processing period.

The ACC has thirty (30) days from the date indicated on the acknowledgment copy of a completed application in which to respond. Although the ACC will endeavor to review your application as soon as possible after receipt, it is not always possible to do so and the full thirty (30) day processing period may be required. Therefore, please plan your proposed improvements accordingly, especially if such plans include the scheduling of a third-party contractor. The ACC has the legal right to obtain a cease and desist order against any homeowner who begins making an improvement(s) which has not been previously approved.

NOTE: the thirty (30) day processing period starts from the date indicated on the acknowledgment copy of your application. Do not assume when or if your application was received.

In the event the ACC fails to indicate its approval or disapproval within the thirty (30) days after receipt of the required application and documents, approval will not be required, and the related covenants set out herein shall be deemed to have been fully satisfied. However, failure to respond on the part of the ACC does not imply permission to encroach on an easement. ACC approval requires two (2) signatures of ACC members, at least one (1) of whom must also be a director of the HOA. No ACC member can approve his/her own improvement.

Easements

The ACC cannot approve any application if there is an encroachment on an easement until the Homeowner provides a Consent for Encroachment or submits revised plans. Any non-portable structure on an easement is considered permanent, and thus an encroachment. Homeowners must secure a Consent to Encroachment or a Release of Easement from all affected utility companies. If your plans show an encroachment, obtain your Consent for Encroachment before applying to the ACC, else your application will be rejected. If you have an aerial encroachment, the Utility will usually permit you to place a permanent structure in the easement as long as the structure is not higher than fifteen (15) to twenty (20) feet above ground level. To be on the safe side, you should discuss it with them first.

Approval by the ACC of any encroachment of an easement shall not serve as an amendment or change of said easement and shall not create liability through the ACC, and the homeowner shall encroach upon such easement at his/her sole risk and expense.

Variances

Each application shall be considered on its own merit and the ACC may grant a variance from the deed restrictions or these guidelines if, in the sole discretion of the ACC, the circumstances warrant. Variances will be granted in writing and, when given, will become part of these guidelines to the extent of the particular lot(s) involved. Although a variance may have been granted in one instance does not imply that improvements of a similar nature need not be applied for nor does it bind the ACC to grant such. Unless the guidelines are amended, applications for improvements must be approved by the ACC notwithstanding the existence of a variance for a similar improvement which was previously granted.

Inspection

All improvements are subject to inspection by the ACC

Compliance/Non-compliance

As stated earlier, these guidelines include all relevant stipulations from the Declaration, but also include many more supplementary details and restrictions that were added by the Board of Directors much later. Since the guidelines (with their additional restrictions) were released many years after the Declaration, an equitable process must exist to ascertain compliance/noncompliance with both documents.

Therefore:

As the Declaration was in existence prior to any building in Pin Oak Village, it is therefore expected that all residences will comply with the restrictions and requirements specified in that document. This includes the requirement to file an application for approval to the ACC for all improvements, conditions or restrictions specified in the Declaration.

Homes or home improvements built prior to the approval and adoption of these guidelines must, as stated above, comply with the restrictions of the Declaration, but will not be required to be in compliance with any of the additionally restrictions. Homes or home improvements built subsequent to approval and adoption of these guidelines are expected to be in full compliance with all provisions of the most current release of these guidelines.

Homeowners shall comply with all applicable restrictions and shall observe the filing requirements for any improvements.

A homeowner is not in compliance if:

1. An improvement was made that is/was prohibited at the time of the improvement, or
2. An improvement was made, and an application wasn't filed with the ACC.

Unapproved and /or prohibited improvements are subject to removal or modification at the homeowner's expense, unless a variance is granted. Homeowners should apply to the ACC for any outstanding unapproved improvements.

Enforcement

Article VII, Section 1 of the Declaration is reproduced here. "The Association, or any Owner, shall have the right to enforce, by a proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. In any action brought by the Association for the enforcement of any provision of this Declaration, attorney's fees may be paid from the funds of the Association. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Complaints

Homeowners are encouraged to help maintain the beauty of Pin Oak Village. To this end, all Pin Oak Village homeowners have an obligation to conform to the Declaration and architectural guidelines, and to ensure non-complying improvements get corrected. Should a homeowner have a complaint regarding a violation, write to the ACC. All complaints will be handled in the same manner discussed under Application Procedure.

GUIDELINES

1.0

Buildings

- 1.1 A "building" is defined as the main residence situated on a lot, including a private garage, whether attached or detached, and additional living quarters for bona fide, full-time servants or other members of the same family occupying the main residential dwelling.
- 1.2 No building is permitted that is not a single-family residential dwelling and/or falls within the definition set forth in paragraph 1.1.
- 1.3 The living area in the main residential one-story structure on each lot (exclusive of one-story open porches and garages) shall not be less than two thousand (2000) square feet.
- 1.4 The living area in the main residential two-story structure on each lot (exclusive of one-story open porches and garages) shall not be less than twenty-five hundred (2500) square feet.
- 1.5 All garages shall be for the private use of the members of the family occupying the main residential dwelling and shall contain fully enclosed parking space for not less than two (2) nor more than three (3) cars. For purposes of these guidelines, allowable parking space shall be limited to a maximum of ten (10) feet by twenty (20) feet per car.
- 1.6 No building or other improvements shall be located on any lot nearer to the street sideline than the minimum building setback line shown on the recorded plat and Declaration.
- 1.7 No building shall be located nearer than five (5) feet to an interior property line.
- 1.8 No building (except chimneys) shall exceed the height of twenty-four (24) feet (chimneys excepted), plus the height of an inclined roof, the angle of incline of such roof shall not exceed forty-five (45) degrees. Overall height requirements may only be excepted by prior written approval of the ACC.
- 1.9 The exterior materials of the main residential structure and any attached garage or servant's quarters shall not be less than fifty-one (51) percent masonry.
- 1.10 Composite building sites must be approved by the ACC.
- 1.11 No building or other improvement may be erected upon an easement.
- 1.12 Roofing material - The roof of any buildings, including any separate garage shall be constructed of or covered with composition shingles or clay or concrete tiles, or other materials comparable in quality, weight and color. The decision to such comparison rests with the ACC.

2.0

Outbuildings

- 2.1 A "building" shall be defined as any structure which is not attached to the main residential dwelling, including, specifically, free standing storage sheds, lean-to sheds, potting sheds, gazebos, and playhouses/forts. Garages, whether attached or detached, or additional living quarters for bona fide, full-time servants or other members of the same family occupying the main residential dwelling shall not be considered outbuildings.
- 2.2 All outbuildings shall meet the following applicable criteria:
 - a. The colors should match/blend with the predominant exterior colors of the main residence.
 - b. Materials should match those of the main residence in both size and color, however, the ACC will consider small prefabricated metal storage buildings providing 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, and a maximum of ten x twelve (10 x 12) feet floor space. Structure must be kept a minimum of five (5) feet off any property line and distance from side fence will be determined based on visibility from the street in front of the lot. Location must also be far enough away from fence to allow for drainage to occur entirely on the owner's lot.

- d. Storage building placed on a concrete slab on top of a utility easement will require letter of Consent to Encroach 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. Lean-to sheds shall be three-sided structures attached to the rear or side of a garage with a single-sided slanted roof no higher than eight (8) feet from the ground to the highest point. A lean-to shed shall involve no structural change to the existing garage and may not comprise more than one hundred-twenty (120) square feet. Lean-to sheds may not be accessed from within the garage but must open exclusively to the outside.
- f. If below six (6) feet, may be placed in side yard provided five (5) feet minimum is observed.
- g. Playhouse/fort must not have a roof higher than eight (8) feet. If fort has a platform, then platform can be no higher than four (4) feet off ground. Neither is to be within five (5) feet of any property line.
- h. Gazebo (freestanding) may be approved on a case-by-case basis. It must be a least six (6) feet away from house with a maximum height at peak of eleven (11) feet and must be five (5) feet away from any property line.
- i. No outbuilding shall be built or placed within five (5) feet of the side or rear of the main residence.

3.0 **Basketball Goals**

- 3.1 All goals must be mounted on garage or placed on the side of driveway, as far to the rear of property as possible.
- 3.2 Basketball goals may not be erected beyond the front building line without written concurrence from all neighbors who will have a sight line to the proposed basketball goal.
- 3.3 If the backboard is mounted onto the roof by use of a mounting structure, the mounting structure must be painted to match the roof shingle color.
- 3.4 The basketball goal background, net, and post must be maintained in useable condition and kept in acceptable appearance.

4.0 **Patio Covers**

- 4.1 Should be constructed of materials which complement the main structure.
- 4.2 Prefab covers made of aluminum may be approved provided it is of a color that substantially matches the house trim color. Unfinished aluminum will not receive ACC approval. All metal must be painted. Certain structures using wood framing may be allowed to go unpainted provided treated wood is used.
- 4.3 If attached to house, must be integrated into existing roof line (flush with eaves), and if it is to be shingled, shingles must match roof. Entire patio cover and posts should be trimmed out to match house. Supports must be painted wooden or metal columns. No pipe is allowed.
- 4.4 At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame **must** be painted to match trim of house whether treated or untreated wood is used.
- 4.5 Patio construction materials are as follows:
 - a. Painted aluminum (to match trim of house)
 - b. Painted wood (to match trim of house)
 - c. Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be used. Staining or painting is not required. All other woods must be painted or stained to match trim of house.
 - d. Fiberglass is not permitted.
 - e. If canvas is used as roofing material on a patio cover, the structure must be located where it is not visible from the street. Also, the canvas must be kept in quality condition or its removal will be requested by the ACC. Canvas patio covers and their colors are subject to ACC approval.

General Note: All patio cover material, i.e., corrugated aluminum, metal, wood, lattice, must be completely framed in so that no raw edges of material are visible.

- 4.6 Patio covers may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 4.7 Patio covers must be situated on the lot to provide drainage solely into the owner's lot. If a proposed patio cover location is less than five (5) feet away from a side lot line, the ACC will require that it be guttered with downspouts if it is to be a solid cover.

5.0 **Room Additions**

- 5.1 Exterior materials and colors should match the house as much as possible.
- 5.2 Detailed plans must be submitted to the ACC.
- 5.3 Room additions may not have encroached into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 5.4 On individual basis. Size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home. Plans for room additions must show room size in proportion to room dimensions of the residence. Roof of addition must integrate with existing roof line so as to appear to have been part of the original house. Room additions cannot exceed one-third of the remaining back yard, but may be denied for other reasons, e.g., structural integrity, architectural suitability, etc., even if it only uses one-third of the remaining yard.
- 5.5 Building permits as required by the municipality (city, county, etc.) must be submitted with the application. In some instances, the ACC will grant approval with the provision that a copy of the permit must be received by the ACC within (30) days of the approval letter.

6.0 **Exterior Painting**

- 6.1 Every home must remain the same color as originally painted or stained unless a color change is approved by the ACC.
- 6.2 Any color changes will require approval by the ACC.
- 6.3 The ACC will consider color changes only when the result is harmonious and complimentary to the home and the surrounding homes. Paint/Stain color cards or actual paint/stain samples must be submitted prior to any approval for color change.
- 6.4 Partial painting or staining must be blended with the existing paint or stain so as to be unnoticeable or the entire area must be painted or stained so that the result is homogeneous.

7.0 **Storm Windows and Storm/Screen Doors**

- 7.1 If the frames of storm window and screen doors are of a color compatible with the exterior house colors and/or general use and appearance, storm windows and storm or screen doors should receive ACC approval.

8.0 **Decks**

- 8.1 If wood is used, see Section 4.5 c.
- 8.2 Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 8.3 Decks should not be situated on a lot if they pose a problem to the effective drainage of the lot or a neighboring lot.
- 8.4 Decks cannot be higher than eighteen (18) inches.

9.0 **Swimming Pools and Spas**

- 9.1 No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment. Decking encroachment also requires a consent agreement. Consents must be received prior to approval.
- 9.2 Ideally, any pool or spa should be located at least five (5) feet from a side and rear lot line to maintain proper drainage on lot. However, a minimum of three (3) feet will be allowed in certain instances.
- 9.3 All private swimming pools and spas shall be completely enclosed by a solid wood fence-type enclosure, being not less than four (4) feet, nor more than eight (8) feet in height and having pickets spaced not more than three (3) inches apart. All openings to any such enclosure shall be closed with a self-closing and self-locking gate of the same construction and material as the fence. As a safety precaution, no external surface of the enclosure shall provide a handhold or foothold. The requirements of this section are cumulative of and in addition to the requirements of Article VI, section 13 of the Declaration and section 12 of these guidelines.
- 9.4 Above ground pools are not permitted.
- 9.5 Pools are to be drained to the street and into the storm drain system. They are not to be connected to or drain into the community's sewage drain system.
- 9.6 All new pools are required to be inspected for proper water connections and drains. Contact MUD #37.

10.0 **Solar Panels / Screens / Film**

- 10.1 The ACC will approve solar panels which are only located in the following locations: a) on the rear roof of the main residential structure, b) on the roof of any other approved structure, c) within a fenced yard or patio.
For solar devices mounted on a roof, the device must not have any portion of the device extend beyond the roof line or have any portion of the device higher than the highest roof section to which it is attached. For Solar devices installed within a fenced yard or patio, no portion of the device is allowed higher than the fence line.
- 10.2 Parabolic solar collectors which are not mounted so as to be flush with the roof will not be approved.
- 10.3 Solar panel frames should be bronze or black in color in order to best blend in with the shingles. All unfinished aluminum must be painted the color of the roof shingles.
- 10.4 Solar screens are allowed on windows.
- 10.5 Colors and manufacturers must be acceptable to ACC for other screens and panels.
- 10.6 Solar film must be non-reflective type.

11.0 **Satellite Dishes**

- 11.1 Satellite antenna dish installation shall be submitted to the ACC for approval. Only antenna dishes used for the reception of transmissions shall be permitted. A maximum of one (1) antenna dish per lot shall be permitted.
- 11.2 The antenna dish shall be located behind the rear wall of the main structure or garage and be out of view from the street.
- 11.3 The antenna dish shall be a maximum diameter of 7'-6", The dish outside perimeter shall be a minimum of 8' from any fence line and be a maximum height of 8' above ground level.
- 11.4 The antenna shall be of expanded or perforated metal and shall be painted black or other color approved by the ACC.
- 11.5 The antenna signal cable shall be installed underground.

12.0 **Fences, Fence Extensions, Walls and Hedges**

- 12.1 All proposed fences must be approved by the ACC.
- 12.2 No higher than eight (8) feet and granted on limited basis only. Consents from all affected neighbors must be submitted in order to be considered for height extension beyond six (6) feet.
- 12.3 Any painting, staining, or varnishing of fence must be approved by the ACC.
- 12.4 Fence, wall or hedge extension requests should be submitted by all neighbors sharing the lot line and fence, wall, or hedge except in the case of a corner lot.
- 12.5 No fence, wall or hedge may extend so as to encroach across the recorded front building line or the recorded front building line of an adjacent house and may never extend beyond the actual front building line.
- 12.6 If both neighbors do not concur as to a proposed fence, wall or hedge extension, the ACC will examine the effect the extension will have on both properties. If one party will suffer detrimentally from the extension (e.g., an existing sight line will be blocked) the ACC will reject the application.
- 12.7 All fences must be installed picket side out.
- 12.8 Replacement or repairs of fences, walls or hedges must be made with similar materials and construction details as used in original fence, wall or hedge.
- 12.9 No chain link fence type construction will be permitted on any lot.

13.0 **Decorations**

- 13.1 On front lawns of lots and on any portion of a lot visible from any street, there shall be no decorative appurtenances placed such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments unless such specific items have been approved in writing by the ACC. Christmas, holiday or other festive decorations of a temporary nature are exceptions.
- 13.2 Benches, burglar bars and gates will be reviewed on an individual basis.
- 13.3 House numbers may be placed on house, but not on any type of freestanding structure in front yard.
- 13.4 Permanent religious displays may only be attached to each entry of the residence, provided that:
 - a. The display received prior ACC approval,
 - b. The display may not exceed a total of 144 square inches,
 - c. The display may only be attached to the entry door or door frame,
 - d. The type, color, and quality of the item shall be harmonious with materials of main residence,
 - e. The display may not threaten public health or safety, violate any law, or contain language or graphics that is patently offensive to a passerby.

Note: Christmas, holiday or other festive decorations of a temporary nature are exceptions.

14.0 **Exterior Lighting**

- 14.1 Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.
- 14.2 Exterior direction at lights or floodlights must be aimed so as not to shine onto a neighboring property.
- 14.3 Low voltage landscape lighting must receive ACC approval.
- 14.4 Security, mercury vapor, or fluorescent lights, must be attached to the back of the house, preferable garage. Mercury vapor, fluorescent, and sodium halite are not permitted in back or side yard if there are neighboring houses. If no neighboring houses, a variance may be granted. If neighboring houses are affected, neighbor approval is required.
- 14.5 Yard lights may be gas or electric and may be in front or back of house. Determination of suitable height and color will be the decision of the ACC

15.0 Mailboxes

- 15.1 Disallowed by the U. S. Postal Service.

16.0 Wind Turbines

- 16.1 Wind turbines must be mounted in the rear portion of the roof so that they are not visible from the front or above the roof line.

17.0 Outdoor Carpeting

- 17.1 Can only be installed on porch area - no walkways, etc.
17.2 Colors must match or complement the house trim color.
17.3 Visibility from street will be considered.

18.0 Gates & Gate Covers

- 18.1 Full wooden panel to match trim of house or existing fence.
18.2 No chicken wire, chain link or lattice.
18.3 Wrought iron and simulated iron gates are permitted.

19.0 Burglar Bars

- 19.1 Acceptable provided in harmony with house.
19.2 Painted to match exterior trim.

20.0 Birdhouses

- 20.1 Maximum preferred height of fourteen (14) feet.
20.2 If mounted on a pole, must be unobtrusive and painted to match trim color of house.
20.3 Must be placed not closer than five (5) feet to any property line and must be situated in the rear of the house.

21.0 Landscaping General

- 21.1 Landscaping (defined as living plants, trees, shrubs, flowers, etc. and utilization of non-living material necessary for growth, e.g., bark, mulch, etc.) is generally not subject to ACC review and approval except in circumstances wherein such landscaping is intended to accomplish a structural objective, such as a hedge, or a visual barrier, or is visually objectionable, not in harmony with the surrounding neighborhood or is specifically referenced in the Declaration.
21.2 Trellises, window boxes, arbors, and permanent brick borders, must have ACC approval.
21.3 Landscape timbers and bricks without mortar do not need ACC approval unless they exceed a height of two (2) feet.

22.0 Antennas

- 22.1 No antenna or other electronic receiving device of any type shall be erected, constructed, placed or permitted to remain on any lot or on the exterior or roof of any house or building which is of a height greater than the exterior or roof of any house.
22.2 Any such antennae must be located behind the building on the property. One or more antennae or other devices for the purposes of receiving electronic signals may be placed in the attic space of any house or building, provided that the same are not visible in any manner from outside such house or building.
22.3 In no event shall any antennae or other electronic receiving device be used for transmitting electronic signals of any kind.
22.4 Antennas are not allowed on corner lots if visible from front or side street.

23.0 **Swing Sets**

- 23.1 Maximum height of eight (8) feet.
- 23.2 Location will be considered for neighbor's privacy, but not closer than five (5) feet to any property line and must be located to rear of house.

24.0 **Driveway Extensions/Sidewalks**

- 24.1 Case by case.
- 24.2 Driveways and sidewalks may be no closer than five (5) feet to any property line.
- 24.3 Original driveways cannot be removed without ACC approval.
- 24.4 Additional driveways are not permitted without ACC approval.

25.0 **Garages: Additions, Extensions and Conversions**

- 25.1 The garage located on any lot shall open from the side of the garage facing the side line of the lot upon which it is constructed, unless the side of the garage facing the front of the lot is fifty (50) feet or more from the front line, in which case, and only in which case, the garage may open on the side of the garage facing the front lot line.
- 25.2 Garage additions and extensions will be permitted provided the overall exterior dimensions of the improved garage are no greater than twice the total square footage of the original garage and it otherwise complies with the requirements applicable to room additions, as set forth in paragraph 5 of these guidelines.
- 25.3 Conversions of the use or function of an existing garage shall be permitted provided there is no exterior change in appearance.
- 25.4 All garage additions, extensions and conversions shall be approved only for such purposes as are consistent with applicable deed restrictions and these guidelines, including, but not limited to those relating to additional living quarters for bona fide, full-time servants or members of the same family occupying the main residential dwelling, allowable parking space for cars and/or un-offensive recreational activities.

26.0 **Window Air Conditioners**

- 26.1 Must not be visible from the street and must be below fence line.

27.0 **Awnings/Window Shades**

- 27.1 Awnings are permitted on the side and rear windows of a house and must be of the same color. Awnings on playhouses or used as patio covers must be of the same color as those on the house. In all cases, colors must match or complement the primary color of the house. Awnings and color selection must be approved by the ACC prior to installation. Once installed, awnings are to be maintained in excellent condition at all times.
- 27.2 Metal and wooden slat-type exterior shades are not permitted on the front of the house. All exterior shades must be approved by the ACC prior to installation. After installation, they must be kept in excellent condition at all times.

28.0 **Signs, Advertisements, Billboards**

- 28.1 No sign, advertisement, billboard or advertising structure of any kind shall be displayed to the public view on any lot except one sign for each building site, of not more than nine (9) square feet, advertising the property for sale or rent, or signs used by a builder or the Declarant to advertise the property during the construction and sales period and a sign or signs erected at the entrance(s) of the subdivision as permanent identification thereof. Declarant or its assigns, shall have the right to remove any such sign, advertisement, billboard or structure which placed on said lots, and in

doing so shall not be subject to any liability for trespass or other tort in connection therewith or arising from such removal.

29.0 **Rainwater Recovery Systems**

- 29.1 Rain barrels and other water recovery system(s) must have prior ACC written approval, subject to following guidelines.
- 29.2 Other than gutters and downspouts attached to the residence or other Approved structure, all components of the system – such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses – must be screened from public view. Screening may be accomplished by:
- a. Placement behind a solid fence, structure, or vegetation,
 - b. Burying the tank or barrel, or
 - c. Placing the system(s) in an approved building.
- 29.3 Inlets, ports, vents, and other openings must be sealed or protected with secure mesh so as to prevent children, animals, and debris from entering the barrels, tanks, or other storage device. Open top containers are not allowed.
- 29.4 Harvested water must be used and not allowed to become stagnant or a threat to health.
- 29.5 Unused systems shall be drained and disconnected from the gutters.

30.0 **Roof**

- 30.1 To maintain the aesthetics and architectural harmony of our community,
- a. All composition shingles used on the roof of a residence must have a 20-year manufacturer's warranty,
 - b. No skylights or similar type additions shall be permitted on the front of the roof ridge line and /or gable of a structure,
 - c. Roofing material shall match the aesthetics of the surrounding property.
 - d. Replacement roofs must be of the same style and color as originally installed unless a style and/or color change is approved by the ACC.
 - e. The ACC will consider roof style and/or color change only when the result is harmonious and complimentary to the home and the surrounding homes. Roof samples must be submitted prior to any variance approval for style and/or color change.
 - f. Roof repairs must be fully blended with the existing roof, including color, style, and texture, so as to be unnoticeable.

31.0 **Flags and Flagpoles**

- 31.1 Definitions:
- a. As used in this section, the term "Government Flag" means
 1. The flag of the United States or the State of Texas,
 2. Replica flag of any branch of the United States armed forces.
 - b. The term "Decorative Flag" means flags representing
 1. Elementary, secondary, or institutions of higher learning,
 2. A national, state, or religious holiday,
 3. A holiday or other season,
 4. Sports team,
 5. Or such other flag that may be approved from time to time.
 - c. The term "Permitted Flag" shall mean Government Flag or Decorative Flag.
- Flags may be displayed subject to the following guidelines. Flagpoles may only be installed with advance written approval by the ACC Committee subject to the following guidelines.
- 31.2 Permitted Flags must be displayed from a pole attached to a structure, tree or free-standing pole. Flags may not be draped over or directly attached to a structure or fence.

- 31.3 Poles attached to a structure may not be longer than 6 feet, including any ornament cap, and free-standing poles may not be higher than 20 feet, including ornament cap.
- 31.4 Permitted Flags shall be of a size appropriate to the flagpole on which it is flown but shall in no case be larger than 5 feet by 3 feet.
- 31.5 Only Government Flags may be displayed on an approved free-standing flagpole, provided that the flags are appropriate to the length of the flagpole. Decorative Flags may not be flown on a free-standing pole.
- 31.6 Only permitted flags may be displayed on poles attached to structures.
- 31.7 Flagpoles must be constructed with long lasting material with appropriate finish that is harmonious with the main residence.
- 31.8 Free-standing flagpoles must be permanently installed in the ground to manufacturer's instructions.
- 31.9 Lighting may be installed to illuminate Permitted Flags if (a) ground mounted in the vicinity of the flag, (b) utilize a fixture such that it directs the light toward the flag with minimal spillover, (c) points toward the flag and faces the main residence.
- 31.10 Flagpole must not generate unreasonable noise levels. Noise levels may be reduced by using snap hook covers.
- 31.11 If a flagpole is no longer used on a regular basis, it must be removed.
- 31.12 All flagpoles must be maintained in good condition. Deteriorated flags and flagpoles structures must be repaired, replaced, or removed.

32.0 **Generators**

32.1 Installation

- a. The generator may not be installed near any neighbors' bedrooms and must be located in the rear yard and must not encroach upon any easements. A survey must be submitted with the proposed location of the generator.
- b. The generator must not be visible from the street nor extend above the fence line as to be visible from any adjoining neighbor's yard. Other means of screening the generator from public view may be considered and reviewed by the Architectural Control Committee (ACC) on a case by case basis if they meet safe operation standards of the unit and is compliant with all other ACC guidelines.
- c. The generator must be installed by a licensed contractor in compliance with all applicable health, safety, electrical, and building codes. The installing contractor's credentials or licensing must accompany the ACC application.
- d. The generator must be installed with a sound and vibration deadening base foundation; the details of which must be submitted with the application.
- e. Homeowners must obtain approval from the ACC before the generator is installed. Documentation showing the generator's compliance with the above noted restrictions must be provided.

32.2 Operation

- a. The generator may only operate
 - 1. When utility power is not available due to power outage or natural disaster and emergency standby power is required.
 - 2. To perform periodic testing. Periodic testing should only occur monthly and between 10:00 am and 4:00pm and should not exceed 30 minutes of operation.
 - 3. Upon written request to the Pin Oak Village board of directors or its management company detailing the reason, need, and expected time of operation and upon receiving written consent for the operation.