



**THIRD REVISED  
RULES AND  
REGULATIONS  
GOVERNING  
ARCHITECTURAL AND  
DESIGN MATTERS**



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## **I. INTRODUCTION**

These Rules have been adopted pursuant to the Declaration of Covenants, Conditions and Restrictions for Lake Ridge at Joe Pool Lake, as filed in the Official Public Records of Dallas and Ellis County, Texas, along with all supplements and amendments (collectively, the "Declaration"). The primary purpose of these Rules is to serve as a framework to ensure that builders of single-family residential properties within Lake Ridge at Joe Pool Lake will conform and adhere to the same level of design consistency to establish an overall quality of character within the Development and maintain property value.

These Rules define the design framework to be used for site improvements and are intended to inform, aid, and inspire to the same extent as they may prohibit, restrict, and require. The Architectural Control Committee (hereafter called the "Committee") will have responsibility to interpret and apply these Rules and the Declarations.

The Committee will have sole discretion to grant variances to these rules. Circumstances such as topography, natural obstructions, tract configuration, tract size, aesthetics, hardships, or environmental considerations will be considered for any request. The Committee also reserves the right to grant variances as to the building set-back lines, minimum square footage of the main residence and other unforeseen issues. Section 4.05 in the Declaration of Covenants, Conditions, and Restrictions for each section at Lake Ridge gives further details regarding variances.

The Committee reserves the right to amend these Rules from time to time. Any amendments or revisions to these rules will be published to the members of the Association and, when published, will become a part of these rules as if written herein.

Neither the Association, the Committee, the Board, nor the officers, directors, members, employees, and agents of any of them, will be liable in damages to anyone submitting plans and specifications for approval, or to any Owner by reason of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications. By approving such plans and specifications, neither the Committee nor the Board assumes any responsibility for the design or construction, including without limitation, the civil, structural, mechanical, plumbing, electrical design, methods of construction, or technical suitability of materials.

Every person who submits plans or specifications, and every Owner agrees not to bring any action or suit against the Association, the Committee, the Board, or the officers, directors, members, employees, and agents of any of

them, to recover any such damages and hereby releases all claims, demands and causes of action arising out of or in connection with any judgment, negligence or nonfeasance and hereby waives the provisions of any law which provided that a general release does not extend to claims, demands and causes of action not known at the time the release is given.

These Rules are intended to complement the restrictions of the governing municipalities and the Declaration of Covenants, Conditions and Restrictions. In the event of a conflict between these Rules and such restrictions of the Declaration and governing municipalities, the more restrictive will generally apply. Approval of plans by the Committee does not ensure similar approval by the appropriate municipal authority, nor does approval by a municipal authority ensure approval by the Committee.

## **II. DEFINITIONS**

Any capitalized terms found within these Rules are to be read as defined in the Declaration of Covenants, Conditions, and Restrictions for The Property Owners Association of Lake Ridge. In addition to defined terms contained in the Declaration, other capitalized terms found herein will have the following meaning:

**Applicant** will mean and refer to the Owner or Owner's designated representative of a Tract.

**Application** will mean and refer to the Application for Committee review as provided by the Association, along with the required supporting documentation detailing the Applicant's proposed Project. **An Application and ACC approval is required for any physical or color change or add to the exterior of the dwelling, or other improvements on the property.**

**Association** will mean and refer to the POA of Lake Ridge, a Texas non-profit corporation.

**Board** will mean and refer to the Board of Directors of the Association or Sub-Association as indicated.

**Building Setback** will mean and refer to the areas, defined in these Guidelines and as shown on the recorded Plat, measured from the property line to any structure, which areas must be unobstructed by structures from the ground upward, but which may include surface driveway areas or similar surface improvements.

**Committee** will mean and refer to the Architectural Control Committee of the Association or Sub-Association, as described in the Declaration.

**Common Area** will mean and refer to all real property and any improvements thereto, including, but not limited to private streets within Lake Ridge at Joe Pool Lake or the Subdivision owned by the Association or Sub-Association for the common use and enjoyment of the Owners.

**Declaration** will mean and refer to the Declaration of Covenants, Conditions and Restrictions for Lake Ridge at Joe Pool Lake and Sub-Associations, as filed in the Official Public Records of Dallas and Ellis County, Texas, along with all supplements and amendments, and must include any Declaration of a Sub-Association.

**Dwelling** will mean and refer to any building or structure situated upon a Tract which is intended for use or occupancy as a residence.

**Earth Tones** will mean and refer to warm neutral shades of brown, red, blue, green or derivatives thereof (e.g., beige, tan, gray, etc.). Bright colors are not acceptable and if desired must be approved on a case-by-case basis (e.g., mustard yellow, orange, etc.).

**Easements** will mean either utility or drainage areas on a plat where construction of buildings is prohibited.

**Landscape Plan** will mean and refer to areas, delineated in the Guidelines, and usually adjacent to but within the Site boundaries, which are to be used exclusively for planting, pedestrian paving, or other uses deemed appropriate by the Committee, but excluding buildings, parking lots, and any other item deemed undesirable by the Committee.

**Maintenance** will mean work undertaken to maintain an existing acceptable condition of the dwelling or other property improvements - this doesn't require ACC approval.

**Masonry** will mean and refer to stucco, brick, quarried (natural) stone, cast stone, and man-made stone.

**Modification** will mean changing materials, colors, or configuration of the dwelling or other improvements on the property-requires ACC approval.

**Municipality** will mean and refer to any official, agency, or body of government of the City of Cedar Hill, City of Grand Prairie, Dallas County or Ellis County.

**Outbuildings** will mean and refer to all Accessory Structures except detached garages.

**Procedures** will mean and refer to the Design Application and Review Procedures specified in the Rules.

**Project** will mean and refer to the total scheme of improvement constructed or proposed to be constructed upon any Tract by an Applicant/Owner.

**Properties** will mean and refer to all lots shown on a recorded plat for the Subdivision known as "Lake Ridge at Joe Pool Lake.

**Rules** will mean and refer to these Rules and Regulations Governing Architectural and Design Matters.

**Secretary** will mean and refer to the individual designated by the Committee to assist in the administration and documentation of the Committee's functions as provided for in the Declaration and the Guidelines. It is not a requirement that the Secretary be a committee member.

**Section** will mean and refer to that land identified and referred to in a final recorded plat identified as a "Section" of Lake Ridge at Joe Pool Lake.

**Single Dwelling Unit** will mean a Project which consists of a single individual detached residence located on a Tract with Building Setbacks to the front, rear, and side.

**Site** will mean and refer to each of the lots described in any recorded plat of the Property encumbered by the Declaration or any portion thereof, except the Common Area, and excluding lots dedicated to any municipality or any other governmental entity.

**Street** will mean and refer to the public or private roadways shown on an approved plat or any replat of Lake Ridge at Joe Pool Lake Subdivision.

**Street Line** will mean and refer to that boundary line of a Tract, which is also the boundary line of a Street.

**Sub-Association** will mean and refer to any Texas non-profit corporation formed to act as a property owners association for a specific Section of the Properties.

**Tract** will mean and refer to any plot of land identified as a Tract or home site on the Plat.

### **III.SUBMITTALS**

**3.01 Application for Review.** Applications for Committee review are available at the Association office located at 100 Lake Ridge Parkway, Cedar Hill, Texas 75104 (972.299.5270). Additionally, an application form can be found on the website at [www.lakeridgepoa.org](http://www.lakeridgepoa.org).

**3.02 Submittals.** Each submittal must be submitted electronically. Incomplete submittals will be sufficient reason for disapproval without the benefit of review.

The formal review process will follow these steps:

1. Applicant submits complete Application to the Committee, including all required supporting documentation.
2. Committee will review and provide a written response **through the Property Manager to the homeowner within five business days of the submission posting. This response will be either a written approval or a detailed listing of missing or deficient items in the submission. Homeowner will have 30 days from posting to work through any issues affecting approval. All Applications remaining open after 30 days will be denied and closed. See below for resubmitting.**
3. If a variance is requested, the Committee will request a written statement and/or supporting information from the applicant detailing the reason(s) for the request, the proposed change and will render a decision before the application is reviewed in its entirety for approval.
4. If required, applicant will re-submit the Application with any changes or modifications to the Committee within thirty (30) days of notice to re-submit. If changes/modifications are not received within the 30 days it will result in a new submittal fee.
5. Upon approval the Committee will issue a written approval decision to the Applicant.
6. Submit final approved plans to the appropriate municipality for permit request.
7. Any change or modification to the approved plans must be submitted to the Committee for approval prior to making the change.
8. Upon completion of the Project, the Committee will conduct an on-site review for completion and, upon approval, will issue a written certificate of completion and return the Applicant's construction deposit within ten (10) days of the approval.
9. The Committee will require that the Applicant to complete all deficiency items noted in the Final Inspection before approving as complete. Any agreements between the owner and the builder are not relevant, the Applicant is responsible.

### **NO CONSTRUCTION MAY BE COMMENCED WITHOUT THE APPROVAL OF THE COMMITTEE**

**3.03 Plan Submissions.** All plan submissions must be done electronically and must include the following:

1. **Site Plan** (drawn to a scale of not less than 1" = 20' - 0") showing:

- a. Dimensioned footprint of all structures (existing and proposed).
- b. Property line dimensions, metes and bounds, setback lines.
- c. Easements on recorded plats (Applicant acknowledges that other easements may have been recorded that affect the lot).
- d. North arrow.
- e. Tract and block designations.
- f. Address.
- g. Fencing type, height, and location.
- h. Existing fencing along common property lines with adjacent properties.
- i. Location of driveways, sidewalks, patios, decks, site walls, retaining walls, etc.
- j. Location of site accessories such as trash container storage pad, lighting, play equipment, etc.
- k. Location of proposed pool, decking, structures, and pool equipment; and
- l. Existing trees or tree masses.

2. **Roof Plan** (drawn to a scale of not less than 1/4" = 1' - 0") showing:

- a. Pitches, ridges, and valleys.
- b. Roofing materials; and
- c. Chimneys, skylights, and all roof-mounted equipment.

3. **Floor Plans** (drawn to a scale of not less than 1/4" = 1' - 0") showing:

- a. All room and exterior dimensions.
- b. Door and window locations, sizes, and types.
- c. Exterior light fixture locations and types.
- d. Location and dimensions of balconies, decks, patios, atriums, garages, fireplaces, etc.; and
- e. Plans for all accessory structures.

4. **Elevations** (drawn to a scale of not less than 1/4" = 1' - 0") showing:

- a. Plate heights.
- b. Overall building height as defined in the Declaration.
- c. All exterior finish materials must be clearly indicated.
- d. Chimneys, balconies, railing details, skylights, etc.; and
- e. All sides of the structure(s).

5. **Exterior Finish Material and Color Selections must be submitted showing:**

- a. Roof material and color.
- b. Exterior wall materials and color.
- c. Exterior trim, siding and soffit material and color; and
- d. Exterior door and window material and color.

(Note: *All* material and color selections must be submitted at the same time, partial submittals will not be reviewed).

6. **Landscape Plan** (drawn to a scale of not less than 1" = 20' - 0") showing:

- a. Proposed plant material type, location, and sizes, listed by common and botanical names.
- b. Bed and turf areas.
- c. Existing trees and tree masses to be preserved or removed.
- d. Location and type of trees to be planted.
- e. Irrigation and watering systems.
- f. Arbors, trellis, gazebos, outdoor fireplaces, barbecue pits.
- g. Location of property lines, utility easements, drainage easements, and adjoining streets; and
- h. All proposed improvements (e.g., house footprint, decking, sidewalks, driveways, retaining walls, pools, etc.).

**7. Swimming Pool Plans** (drawn to a scale of not less than 1" = 20' -0") showing:

- a. Location of pool or spa.
- b. Construction access.
- c. Pool equipment location and screening method.
- d. Associated decks, retaining walls, fencing, fountains, etc.
- e. Pool design specifications must be included in the submittal and use of the soils test in the design must be noted, except in the case of fiber-glass shell pools (no soils test required).
- f. Above ground pools will not be approved; and
- g. Screening methods may include solid fencing, walls and/or evergreen planting materials.

**8. Foundation Plan** (drawn to a scale of not less than 1/8"=1'-0") showing:

- a. Copy of the soils test.
- b. Registered professional engineer's signature and stamp evidencing the foundation will meet requirements of the soil for that location.
- c. Fully dimensioned.
- d. Pertinent sections and details, including proposed retaining walls; and
- e. Registered professional engineer's signature and stamp evidencing any retaining wall plan above three (3) feet meets the soil and drainage requirements of the site (if applicable).

**9. Drainage Plan** (drawn to a scale of not less than 1/8"=1'-0") showing:

- a. Show all elevations of contours on a full site plan.
- b. Show the house with arrows depicting the flow of water on the entire site.
- c. Show any areas on the property where fill material will be added.
- d. Show any proposed retaining walls and all top and bottom elevations; and
- e. Registered professional engineer's signature and stamp evidencing the drainage plan meets all applicable municipal and other requirements for the site.

**3.04 Re-submittals.** If a City Permit has not been issued 3 months from the date of the approved final plan submission, then the approval becomes void, and a re-submittal is required. Any modification or change to the approved set of plans must again be submitted to the Committee for review and approval prior to the modification or the change taking place. See also Construction Site Policy (2023), Section 9, on the POA website.

**3.05 Committee Meeting Schedule.** The Committee may meet electronically or in person, as needed when it has received a valid and complete Application for review. All Application documents must be submitted electronically. If a physical meeting is needed, it will be held at a location and time as determined by the Committee.

**3.06 Final Approval.** The Committee's decisions on Applications are based on a simple majority and must not be arbitrary or capricious. The Committee reserves the right, at its sole and absolute discretion, to deny an application if the project is not in keeping with the character of the community. Any denial, deferral, or exception must be substantiated by the Committee in good faith. The Committee may, at its discretion, assist the Applicant by suggesting alternative design solutions, but it is the Applicant's responsibility to ensure governmental compliance.

**3.07 Regulatory Compliance.** Plans submitted for Committee review must comply with all applicable building codes, zoning regulations, and the requirements of all agencies with jurisdiction over the Project. It is the Applicant's responsibility to obtain all necessary permits and to ensure governmental compliance. Regulatory approvals are neither a substitute for nor preclude the authority and responsibility of the Committee for design review. Similarly, Committee approval does not excuse the Applicant from the requirement to obtain necessary governmental approvals. The Association and the Committee will comply with all governmental laws and regulations.

**3.08 Variances.** The Committee may authorize variances from compliance with any of the provisions of the Declarations or these Rules and Regulations when circumstances such as topography, natural obstructions, Tract configuration, Tract size, hardship, aesthetic, or environmental considerations may require a variance. The Committee also reserves the right to grant variances as to the building set-back lines, minimum square footage of the main residence and other unforeseen issues.

The process for reconsideration is detailed in 3.09 below. The Applicant must provide all technical details and design information in support of the variance request to the Committee. The Committee will consider granting or denying a variance based on some type of hardship that exists limiting the Applicant's ability to develop or enjoy the property. The following, but not limited to, criteria will also be utilized as considerations by the Committee:

- (1) The literal interpretation of the Declarations and the Rules and Regulations will create practical difficulty in the development of the affected property.
- (2) The situation is not self-imposed, self-created, nor based on financial considerations.
- (3) The relief sought does not injure the permitted use or enjoyment of adjacent properties.
- (4) The granting of a variance will be in harmony with the spirit of the Declarations and Rules and Regulations; and
- (5) The granting of a variance will be in harmony with the overall character of the community.

**3.09 Variance Application.** To submit a variance request for consideration an Applicant must complete Sections 1-3 of the form "Request for Variance" located on the [lakeridgepoa.org](http://lakeridgepoa.org) website. Incomplete forms, including supporting technical and design information, will not be accepted. The variance request will be evaluated by the Committee within ten (10) days and the Applicant will be notified of the Committee's decision. If the variance request is approved the Committee will proceed with its usual application review for technical and design compliance with these Rules and Regulations. If the variance request is denied the Applicant has the right to appeal the Committee's decision as outlined in 3.10 Appeals of denied applications below.

**3.10 Appeals of Denied Applications.** The Texas Property Code provides for the following actions by a homeowner. From the Document Sec. 209.00505. Architectural Review Authority.

- (1) A decision by the architectural review authority denying an application or request by an owner for the construction of improvements in the subdivision may be appealed to the board. A written notice of the denial must be provided to the owner by certified mail, hand delivery, or electronic delivery. The notice must: (1) describe the basis for the denial in reasonable detail and changes, if any, to the application or improvements required as a condition to approval; and (2) inform the owner that the owner may request a hearing under subsection (e) on or before the 30<sup>th</sup> day after the date the notice was mailed to the owner.

- (2) The board shall hold a hearing under this section not later than the 30<sup>th</sup> day after the date the board receives the owner's request for a hearing and shall notify the owner of the date, time, and place of the hearing not later than the 10<sup>th</sup> day before the date of the hearing. Only one hearing is required under this subsection.
- (3) During a hearing, the board or the designated representative of the property owner's association and the owner or the owner's designated representative will each be provided the opportunity to discuss, verify facts, and resolve the denial of the owner's application or request for the construction of improvements, and the changes, if any, requested by the architectural review authority in the notice provided to the owner under Subsection (d).
- (4) The board or the owner may request a postponement. If requested, a postponement shall be granted for a period of not more than 10 days. Additional postponements may be granted by agreement of the parties.
- (5) The property owners' association or the owner may make an audio recording of the meeting.
- (6) The board may affirm, modify, or reverse, in whole or in part, any decision of the architectural review authority as consistent with the subdivision's declaration.

Added by the Acts 2021, 87<sup>th</sup> Leg., R.S., Ch. 951 (S.B. 1588), Sec. 11, eff. September 1, 2021.

**3.11 Failure to submit.** Notification of the violation or non-compliance with the review procedure will be made in writing following inspection. Any unauthorized construction determined to negatively impact community design standards and found to be unacceptable to the Committee must be corrected or removed within ten (10) days of notification. Failure to affect construction changes to bring the construction in compliance with approved plans will be subject to the conditions set out in the fining policy. See fining policy on the Lake Ridge website and in your closing documents.

**3.12 Completion Date:** Any **project commenced** on any Tract must be completed as **per the steps outlined in the Construction Site Policy, Section 9, effective on 6-20-23. (This Policy is on the POA website). Any project requiring a foundation will have 18 months for completion from foundation pour. For all other projects completion is required within one year from City Permit approval.**

### **III. ARCHITECTURAL RULES AND REGULATIONS**

**4.01 Site Planning and House Orientation.** Structures should be designed to fit site conditions in respect to existing trees to be preserved, topography, shape of the Tract, views, climate, drainage easements and any other significant site features. Retaining and planter walls should be used to help integrate the structure into the topography of the site. The natural hilly terrain features of Lake Ridge should be considered a unique design asset and not ignored.

All drainage plans submitted must show how water flows off the property in the finished state with all additions drawn on the plan (buildings, driveways, walkways, garages, outbuildings, etc.). This must be shown in sufficient detail with elevations, arrows, and contour lines. Anything affecting natural water flow of the original topography must be shown on the plan. This is to include denoting any areas where fill material will be added or retaining walls built. Altering the natural topography of property by use of fill material must be approved by the Committee.

All exposed face of concrete foundations (walls and buildings) must not exceed eight (8) inches above the finished grade. Any foundation exceeding eight (8) inches above the finish grade, due to specific conditions on the lot, must be screened with landscaping.

**4.02 Exterior Wall Construction, Colors, and Materials.** Exterior walls made of brick, stucco or stone must be constructed to the Building Code of the City for that lot. City codes vary between Grand Prairie and Cedar Hill – especially for stucco application. Check with the applicable Building Code authority for their requirements for all proposed exterior construction. All grouting materials used for stone or brick construction should match or complement the masonry being used.

All exterior colors and texture selections will require Committee approval. An example of an inappropriate color is a bright color used for an entire wall surface or roof material. Samples of proposed colors may be required to be painted on a panel for field review if the color has not been previously approved, or if it appears to be out of character with the surrounding homes. Conservative, natural colors are encouraged. Judiciously selected brighter accent colors are permitted if approved by the Committee. Building colors, including trim combinations, are specifically subject to review and approval by the Committee. Approval of a color or material for an individual residence does not necessarily mean blanket approval for another residence in a different location. Each Applicant must obtain Committee approval for all exterior colors.

**4.03 Trim, Soffits, and Secondary Materials.** All materials other than the masonry construction on the exterior shall be cementitious type. Vinyl or wooden trim is not allowed. The use of new synthetic materials can also be approved. Submit mfg., model or line, and specifications with your submission for use of these materials.

**4.04 Roof Accessories and Solar Arrays.** Plumbing stacks and roof vents must be painted to match roofing colors and be installed vertically and as inconspicuously as possible. In most instances, stacks and vents located on front slopes will not be allowed by the Committee.

iiattachment straps will be allowed. Step flashing should be consistently applied with even steps of 90 degrees. Straight-line counter flashing matching the slope of the roof is recommended. All flashing must be painted to blend with adjacent materials, not white or black.

Solar design should be considered in the early design stages. It is preferred that solar panels not be located on the front of the house. Solar panels must be integrated with the building architecture, must conform to the slope of the roof, must have a top edge that is parallel to the roofline and may not extend higher than or beyond the roofline. If they are ground mounted, they must be in the back yard area and cannot extend above the Applicant's fence. All ground mounted arrays must be inside a fenced yard and comply with all setback requirements. Solar panels must be properly maintained. Solar panels which become non-functional or inoperable must be removed or repaired by the owner.

**4.05 Roof Construction, Materials and Accessories.** The roof of any "pitched roof" Dwelling must be of either metal or composition shingle, copper, tile, slate, or standing seam metal. The use of sheet metal or similar materials on either the roof or exterior sides of any Dwelling other than flashing, is hereby prohibited. All shingles will be fiberglass matte, 30-year life, with a Class 3 or 4 impact resistant (IR) rating. Using impact resistant shingles for new construction is a benefit for Lake Ridge homeowners because Texas ranks number one in the country for major hail events with hailstones one inch in diameter (more than double the number two ranked state of Kansas). Impact resistant shingles provide insurance savings and will preserve the condition and aesthetics of roofs in the community. The color of all roofing materials must match the design of the Dwelling and be approved by the Committee.

The roof of any flat roof Dwelling must also have impact resistant properties. The newer technology single layer membrane roofing material made of synthetic rubber or polymer are flexible and elastic and are more impact resistant than the traditional build-up flat roofs. The following three single layer membrane systems have good elasticity and are acceptable impact resistant options:

1. Ethylene Propylene Diene Monomer (EPDM). EPDM membranes are made from a synthetic rubber material and are highly impact resistant.
2. Thermoplastic Polyolefin (TPO). TPO membranes are made from a thermoplastic polymer and are impact resistant.
3. Polyvinyl Chloride (PVC). PVC membranes are made from a thermoplastic polymer reinforced with polyester or fiberglass and are highly impact resistant.

**4.06 Inappropriate Exterior Materials.** The following materials are considered inappropriate and will not be allowed:

1. Sheet metal siding
2. Painted concrete
3. Mirrored glass
4. Ceramic tile
5. Colored masonry
6. Speckled or glazed brick
7. Clear or gold anodized aluminum windows
8. Artificial stone (certain types)
9. Exposed cinder block
10. Concrete brick (any brick with surface-applied, non-integral color)
11. Vinyl siding
12. Log siding
13. Synthetic siding; and
14. Synthetic stucco board

**4.07 Windows, Doors and Shutters.** Windows must be single or double hung. Windows must also be double panel or greater in efficiency quality. Double pane casement windows are acceptable.

Careful attention should be given to the proportion, form, and detail of all windows. Tinted glass of bronze, gray, smoke or frosted may be appropriate in some cases. The Committee may request changes to the exterior elevations to achieve consistency of detailing and expression.

When possible, it is encouraged that dormers provide natural light into the Dwelling's interior. When used in the attic, dormer windows are to be a double-pane window with clear glass on the front pane and an obscure glass on the back pane.

Temporary window coverings must be removed within 60 days of closing or occupying the Dwelling. No sheets or similar items will be allowed at any time, and windows must be covered with approved window coverings (e.g., blinds, drapes, curtains, shutters, etc.). When visible from any street or open space, storm shutters may be installed over openings only with Committee approval. Awnings or shading devices are permitted only if they complement and enhance the general design. Sliding glass or French doors must open onto a useable exterior deck, patio, or balcony. Window and porch screening must be a white, bronze or charcoal. Mill-finish or brightly anodized aluminum will not be allowed.

All front doors must be compatible with the exterior design of the Dwelling.

**4.08 Sport Courts and Equipment.** Sport courts and equipment must be confined to the side and rear yards only. The location must not encroach on the side and rear yard setbacks that exist for the main residence. The size, type,

location, and materials will be reviewed on a case-by-case basis with consideration of the visual and use impact to neighboring properties. Artificial lighting must be shoebox/shielded lights.

Sports equipment must be limited in height to nine (9) feet, except that basketball goals may be of the standard, ten (10) foot height. Basketball goals must be free standing only if used in the front of the house. These are to be kept in good repair and should be put away when not in use. Permanent pole mounted goals can only be used from the front corner of the house rearward. They must use a clear backboard.

**4.09 Garages, Driveways, and Sidewalks.** Each Dwelling must be constructed with a minimum of a two-car garage, which may be detached from the Dwelling. No vehicle entrance of a garage located on a tract may face the street line on which the Dwelling fronts. If the Dwelling is constructed on a corner lot, the Dwelling property must be considered as facing both streets abutting the property and no garage entrance will face either street. All Dwellings utilizing a porte-cochere design, whereby the garage is located behind the porte-cochere, may have a single or two car garage facing the front of the Dwelling. Additional garages must not face fronting streets. If the porte-cochere drive through is closed off with a gate it must be of wrought iron material. Standard garage doors are prohibited on a porte-cochere. Carports are prohibited.

Dwelling driveways constructed with the standard concrete broom brush finish or exposed aggregate do not require special approval. Driveways constructed with "Pavers" must be approved by the Committee. Applicant's will need to submit the style, design, color, underlayment plan and pounds/square inch specifications of the pavers. Pavers must be adjoining with no gaps. Separated pavers with crushed granite, grass or any other material in the joints are prohibited. "Painted" driveways are prohibited.

Sidewalks must conform to the governing city municipality's specifications and regulations. Sidewalks must be built when the Dwelling is constructed. Corner Tracts must construct sidewalks on both sides that front a street. If an Owner replats two lots as one, then that owner must install a sidewalk on the adjacent lot. Any sidewalk damaged by the owner, or any other means, must be immediately repaired at the owner's expense.

**4.10 Mechanical/Utility Equipment.** All services to the Dwelling including, but not limited to, pre-wiring for cable television must be installed underground. All garbage receptacles must be visually screened from public and private views.

Propane tanks must be buried underground. The location of the propane tank must be identified on the site plan and must be confined to the side or back yard. Check your section for specific requirements.

Roof-mounted mechanical and electrical equipment is not permitted, unless specifically approved by the Committee as a written variance.

Window air-conditioning units are not allowed.

**4.11 Satellite Dishes.** Satellite dishes and antennae may not exceed one meter (39.37") in diameter. All satellite dishes and antennae must comply with all applicable state and federal guidelines. Satellite dishes should be placed in the least obtrusive location, preferably in the side or rear yard behind the primary front elevation of the Dwelling and not be placed in prominent visual locations viewable from the street. They must not encroach upon any public right-of-way, Common Area, or adjacent properties.

**4.12 Retaining Walls.** Retaining walls must not alter or impair the surface drainage across adjacent properties, must not parallel property lines of setbacks for long distances and must remain within the property line, and must be setback a minimum of five (5) feet from common property lines with adjacent tracts. Retaining walls higher than

four feet above grade must be an engineered construction. The measurement is to include the foundation height. By way of example a four ft. high wall sitting on a one-foot-high footing is considered to be a five ft. high wall. Engineered plans must show a cross section of proposed design and anchorage details. A professional engineer's signature and stamp is required. For new house construction all retaining walls must be shown on both the drainage plan and site plan. Waterflow with the wall in place must be depicted in the drawing. For standalone wall projects a drainage plan is required for all engineered walls.

The exposed surface of all retaining walls in public view must be faced with natural stone to complement the exterior materials of the Dwelling. Brick facing can be used so long as the brick is the exact brick used on the house. Such a facing must be attached to concrete for structural integrity. No free-standing brick walls are to be used for retaining walls. For houses that have stucco or substantially stucco exteriors stucco applied to structural concrete walls can be approved. The stucco must exactly match the house. Other decorative stone materials may be considered by the Committee. A series of walls and terraces may be required where the topography is steep. Maximum height of any retaining wall will be ten (10) feet. Taller walls may be allowed if justified and approved by the Committee.

Ends of retaining walls must not abruptly terminate but should taper to blend into the landforms. Retaining walls must respond to the existing topography and be formed in a natural way, typically aligned with the site contours.

**4.13 Drainage, Downspouts, Culverts, and Erosion Control.** Each Owner is responsible for surface drainage design and erosion control. Downspouts must not concentrate water flow directly onto adjacent properties. Additional drainage systems, gutters, and/or downspouts may be necessary to assist in the orderly drainage and removal of roof water. Surface water should sheet flow before entering platted drainage easements.

Drainage plans must show the resultant flow of water with all forces acting upon this movement. Specifically, on the plan show all buildings and provide final topography elevations that take into account areas where fill will be added or grading will reduce height.

**4.14 Mailboxes.** Mailboxes must be 100% masonry and match the exterior of the Dwelling. They must be constructed on a reinforced concrete level pad. Mailboxes must meet all applicable postal requirements. Mailboxes, and their bases, are to be set back 8 in. from the street line. Only one mailbox is allowed per dwelling.

**4.15 Exterior Lighting.** Outdoor lighting must be functional and enhance the overall appearance of the Dwelling. Light sources must be unobtrusive or concealed with all light in shades of white (no colored lights). No spillover of light should occur on neighboring properties and lighting must be shielded to prevent glare. Tree uprights should be concealed underground or in shrub masses. Unshielded floodlights and spotlights are prohibited. Exterior flood lights are to be directed away from neighboring homes and yards. Soffit mounted down lighting and building mounted lighting must be subtle and use attractive fixtures and enclosures.

All appropriate decorative lighting and yard displays in the holiday period from October through New Years must be removed by the end of the third week of January.

**4.16 Pools.** No above-ground pools will be permitted. Pool overflow must not impact adjoining properties. Builders must use soil tests results when designing a pool (no soils test required for fiberglass shelled pools). The pool contractor must submit a statement to the effect that the soil testing was taken into consideration when determining whether piers are required, soil injection, or other soil stabilization techniques will be used. All pool plans must receive Committee approval prior to construction.

Pools, spas, and associated decks must be in the side or rear yards of the Tract, may not encroach any easements, and must be located within all building setback lines.

Pool/spa equipment must be fully screened with fencing and located adjacent to the Dwelling unit away from neighboring properties. On Tracts adjoining Common Areas, the equipment must be in the side yard between the front and rear elevations on the opposite side of the Dwelling.

All excess soil must be removed from the Properties or properly disposed of.

All pools must have a permanent fence to completely enclose the pool area. Existing fences must be shown on site plans along with new proposed fencing. Pool applications must include permanent fencing if the existing fencing is not complete. City requirements are a minimum permanent fence height around pools of four (4) feet.

The installation of pools/spas, decks, retaining walls, landscaping, fencing, etc., may not alter or impair the surface drainage on adjacent Tracts.

Above ground spas or hot tubs must be provided with appropriate skirting material and must be screened from street view.

**4.17 Consolidated Lots.** Any Owner of one or more adjoining Tracts (or portions thereof) may, with the prior written approval of the Committee and the governing municipalities, consolidate such Tracts or portions into one building site, with the privilege of placing or constructing improvements on such resulting site, in which case the side setback lines may be measured from the resulting side property lines rather than from the Tract lines as indicated on the Plat. The combination of two tracts requires a re-plat that must be submitted to the governing municipalities, and any utility easements along the original Tract lines must be vacated by the appropriate utilities. The Association will not recognize consolidated Tracts until it is presented with a recorded copy of the replat combining one or more Tracts.

**4.18 Fences and Walls.** All fences must be approved by the Committee prior to installation. For review of the proposed installation, a full site plan delineating the fence location and type is required. The description of the fence must include the height, material, and specifications information for the Committee to review. For fences that have unique designs in compliance with the regulations, an elevation of the fence is necessary for a thorough understanding of the proposed fence. Adding mesh, slats, fabrics, or any other screening material that can be added to wrought iron property line perimeter fencing is prohibited. Existing property line perimeter fencing with these materials in place will only be allowed until such time as the useful life of the screening material is reached. This will be defined as the material coming apart, sagging, faded out by sunlight, or any other state of disrepair so to make it an eyesore in the Community. At that point it is not to be replaced. Additionally, regardless the condition of add-on fencing materials all such attachments must be removed by January 1, 2027.

Preserving the open feel of the rolling topography of Lake Ridge is a key element of both these Rules and the governing Declarations. Thus, it is the intention of the Committee to minimize screening-type fencing within the community to maintain the open rolling feel of the hill country and to allow our community to meet a high level of standards even as time and wear affect the construction materials utilized. In all cases, we encourage the fencing design to be integrated with the architecture of the home. Natural plant screening is encouraged for privacy screening. Unobstructed wrought iron property line perimeter fencing is the predominant fencing allowed.

If any existing fence does not meet the requirements of these Rules, it must be replaced with a compliant fence if it is determined by the Committee that the fence has reached less than 50% of its remaining life or the fence has reached a state of disrepair. If fencing is being constructed for privacy it is preferable that a combination of Type A, B or E fencing in conjunction with landscaping be used to create the desired privacy effect. The use of chain link fencing is never permitted except at active construction sites in compliance with guidelines.

When a homeowner desires to install a fence, there are six basic fence types that are permitted within the development subject to the fencing requirements of each Section or Sub-Association.

**Type A – Wrought Iron with Masonry Columns**

**Type B – Wrought Iron**

**Type C – Vinyl Coated Metal Security**

**Type D – Wrought Iron – Golf Course**

**Type E – Wood – Privacy**

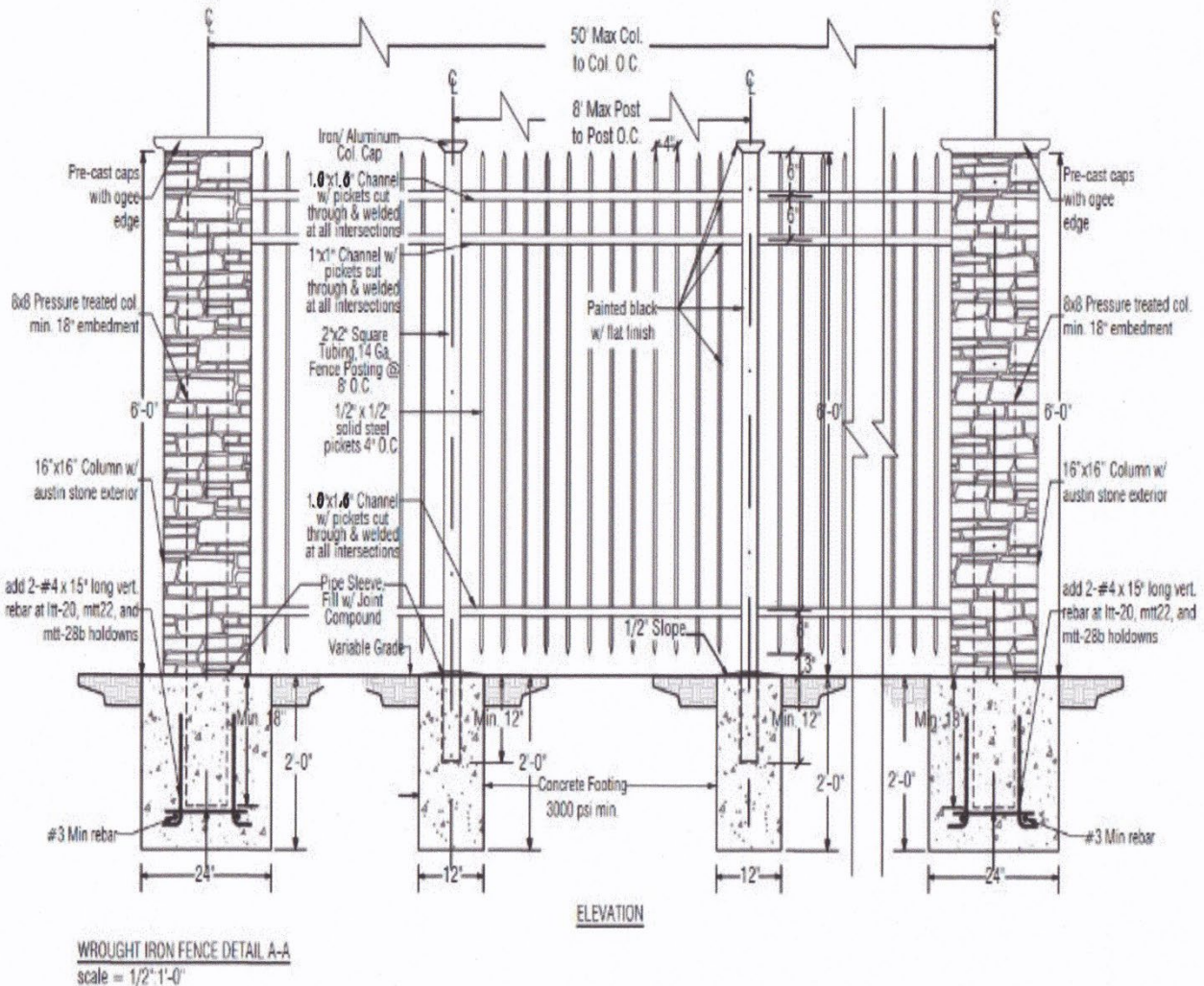
**Type F – Transparent Mesh in Metal Frames**

Each fence and type are described in detail below with the approved and required location of the fence type.

## Type A - Wrought Iron with Masonry Columns

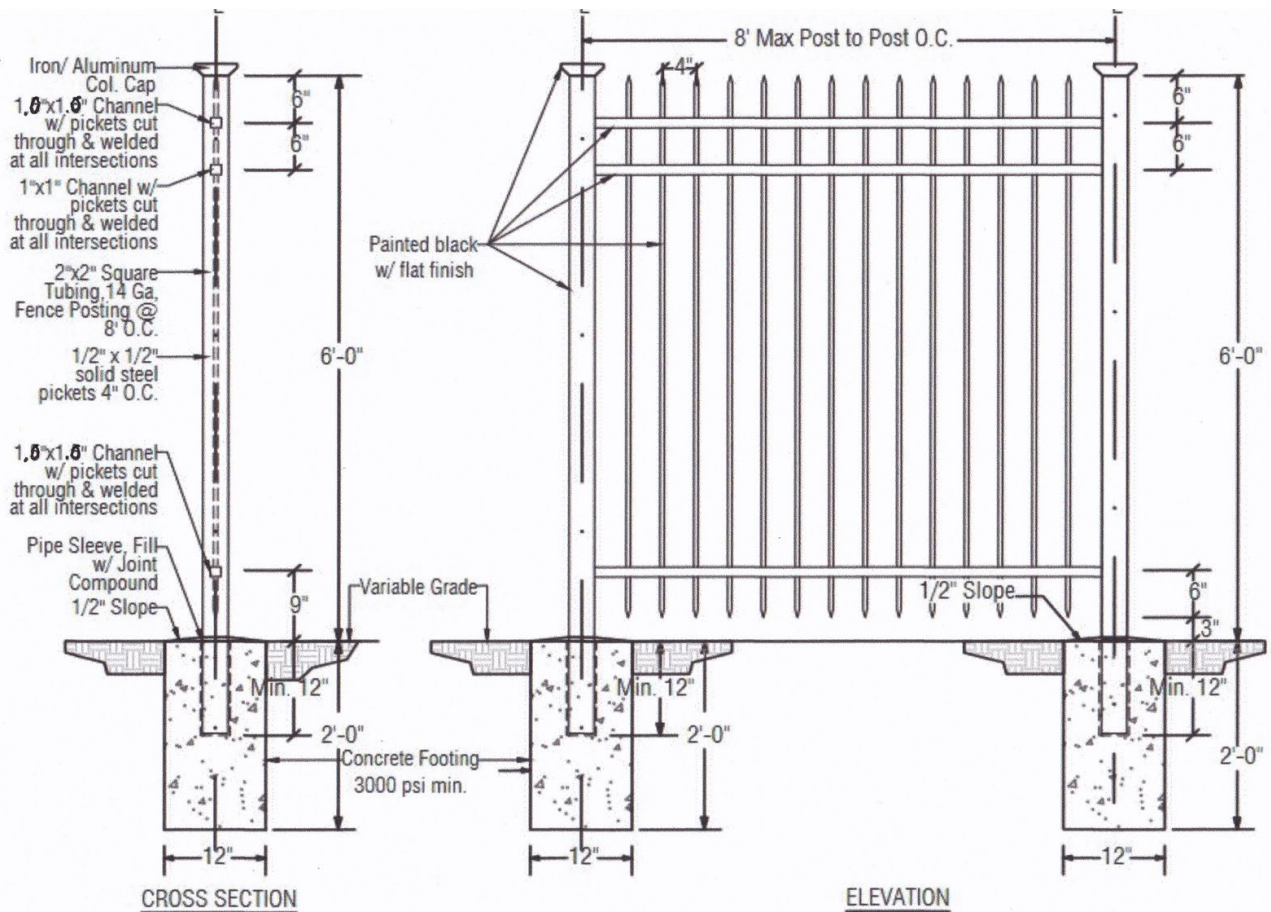
This fence type must be used fronting any street and many common areas as described in the CC&Rs for the following Sections: 6, 7 phase 2, 9 phase 1, 9 phase 2, 15 phase 2, 17 phase 1, 18 A-1, 18 A-2, 18 A-3, 18B, 19, 21, 21B, and 23. Additionally, this fence is to be used for fencing fronting the major thoroughfares of Lake Ridge Parkway, Lakeview Parkway, Prairie View, and Mansfield Road. When in doubt the homeowner must verify the street classification for determining when this fence is required.

The masonry columns must be at least 16"x16" and made of stone, stucco, brick, or a brick and stone combination with concrete piers and pre-cast caps with Ogee edge. The masonry used must match the house exterior or else must be Austin chalk stone. Masonry columns are to be located at a maximum spacing of 50' with internal wrought iron 2"x2" posts at a maximum of 8'-0" spacing and set in minimum 24" deep concrete bases. Bottom and top rails are to be a minimum of 1"x1". Pickets must be a minimum ½" size and spaced 6" or closer. Posts must be anchored in a minimum of 12" diameter x 24" deep concrete bases. Fence height must be 5' for the part of the fence requiring columns. Wrought iron/metal must be a minimum 14-gauge steel painted black with flat finish. Second top rail is optional.



## Type B - Wrought Iron

This fence type must be considered the typical fence for the community. The specifications on this fence include internal wrought iron 2"x 2" posts at a maximum of 8' -0" spacing and set in a minimum of 12" diameter x 24" deep concrete bases. Bottom and top rails must be a minimum 1"x 1" and pickets are to be minimum ½" size and spaced 6" or closer. Wrought iron/metal must be a minimum 14-gauge steel painted black with flat finish. Fence height must be a maximum of 6' front and 8' side and back. Any street facing fence is a maximum of 6'. Second top rail is optional.



## Type C - Vinyl Coated Metal Security Fencing

Because of the similarity to chain link fencing this fence must **ONLY** be used after obtaining specific written approval from the Committee. Because of the characteristics of this type of fence, it will disappear into the background for natural settings, and provide strength and long service life. The only approvals to be issued for this fencing will be for a closeout to a natural, undeveloped area, and not be visible to public view. For a high-quality fence, a 9-gauge fabric construction is recommended, and nothing less than 11-gauge will be accepted. The line posts and top rails that keep the posts straight must have a wall thickness of 15 gauge. Posts are to be set straight in concrete and for a finished look a concrete mow strip is suggested. Fence height must be a maximum of 8'.

Acceptable colors of coated fencing are black, green, and brown. Slats installed within the fencing mesh will not be allowed.

### **Type D - Wrought Iron - Golf Course Fencing**

All properties located on the golf course must be fenced at the back and side property lines adjacent to the course. Only this fence type is allowed. All fence heights are to be 5' and pickets do not extend above top rail and must be black with flat finish with a 12" concrete mow strip. Fence specifications are the same as for type A and B fencing.

### **Type E - Wood Fencing**

This fence type must be used **ONLY** after obtaining specific written approval from the Committee when privacy of a pool or patio area is desired. It cannot be used in Sections 20 and 22A.

#### **Important General Criteria:**

- On corner lots or on lots facing two or more streets, all street (side) yards must be considered front yards and must comply accordingly.
- No fencing can be erected across drainage or sanitary sewer lines.
- Wood fencing is for privacy and not for property line perimeter fencing. The intention is to enclose a pool or patio area. Maximum height is 8 feet. Part of one run of perimeter fencing can be of Type E. This would generally be on one side of the back yard. It still must relate to the privacy plan for a pool or patio area.
- Fence can be cedar or a composite material that looks like cedar and is painted "cedar".
- Fence can be made of vertical or horizontal slats. Slats can be mated at the joint (no gap), can be board on board (also called alternate board, shadow box), or can be constructed with a controlled gap not to exceed 3/4".
- Fence is to be anchored with standard 2" galvanized posts (actual 2-3/8") set in a minimum of 24" deep concrete bases with a maximum spacing of 8'. **All posts will face interior of lot -outside fence to be smooth.**
- Masonry walls may also be used for privacy. Maximum height is 8'. The masonry construction must match the dwelling whether it be stucco, brick, or stone. The structure must be on a solid concrete base one foot wide by 18" to 24" deep depending on the height of the wall.
- **No fencing or walls are allowed past the front corner of the house.**

### **Type F – Transparent Mesh in Metal Frames**

Effective September 1, 2021, the Texas Property Code was updated to authorize child-proof transparent mesh pool fence enclosures (see below example) for added pool safety. These additional pool safety fence enclosures must conform to applicable state or local safety requirements as defined in the Code. They must:

1. Surround the pool or spa.
2. Consist of black transparent mesh or clear panels set in metal frames.
3. Is not more than six (6) feet in height.
4. Is designed to not be climbable.

Colors other than black require Committee approval. This fence type is not an option for property line perimeter fencing.



All fences and walls must be approved by the Committee prior to installation. Fences, including existing wooden fences, must be maintained to the satisfaction of the Committee (Sub-Association or Association, as applicable). Existing wooden fences must be stained to maintain acceptable appearance and to reduce signs of weathering. Fences not in compliance must be removed subject to determination that the fence has reached less than 50% remaining life or has fallen into a state of disrepair. Masonry walls must be kept in repair. They must not be allowed to develop cracks or degrade to leaning.

No fence may be erected across any drainage or sanitary sewer easements. Any improvements that are constructed within easements will be at the Owner's risk, and the Owner will be responsible for the replacement thereof if the improvement must be removed.

**4.19 Build-to-Lines.** The CC&Rs for each Section within Lake Ridge define the minimum setback requirements and must be followed.

Variation of setbacks is encouraged to avoid a "lined-up tract subdivision" appearance.

**4.20 Chimneys.** All prefabricated fireplace units must have an architectural terminal cap. The cap must be an articulated, design element. Spark arrestors are mandatory and must comply with the applicable code requirements. Chimneys on exterior walls must be constructed completely to the ground so as not to appear cantilevered from the building. All flues must be encased.

Chimneys must be integrated with the building architecture. The exterior finish material on all sides of chimneys must be 100% masonry or a cementitious material. The masonry finish must match or complement dominant masonry finish of the Dwelling. Chimneystacks must be detailed with design features appropriate to the architectural style of the Dwelling (e.g., patterned brick or stonework, chimney pots, etc.). At a minimum, the apex of the chimneystack should include a detailed projecting cap (e.g., brick rowlock and soldier course projections).

**4.21 Awnings.** Awnings visible to public view are not permitted.

**4.22 Decks, Porches, and Exterior Stairs.** The design of outside living spaces must be coordinated and integrated with the design of each Dwelling. Decks must not unduly infringe on the privacy of neighboring Tracts. Decks must be appropriately sized and incorporate private screening or plantings to increase the full and effective use of the feature. Decks must be designed to minimize unsightly supporting structures. Landscaping must be incorporated to hide the space between a deck and the ground. **Roofs over patios and decks that are visible to any street must match the dwelling architecture in design, materials, and color.**

Exterior stairs to upper-level deck areas must be integrated with the structure and must be unobtrusive and painted or stained to blend with the Dwelling's trim or exterior color finish.

Decks may be of redwood, cedar, wood/plastic composites (warm neutral brown and gray wood grains) or other specifically approved materials. Pressure treated pine is permitted for the structure only on first floor decks or in areas not exposed to public view. Materials that are 100% plastic are not permitted. The Committee will rule on those on an individual basis.

Patios may be of concrete, concrete pavers, brick, stone, or other specifically approved materials.

**4.23 Animals and Animal Housing.** No animals for the purpose of livestock are permitted. Animal housing, including, but not limited to, dog houses, runs, and other pet enclosures, must be shown on the Application. The Committee will review the proposed size, materials, and siting of the animal housing as well as its impact on neighboring properties. Breeding is not permitted.

Dog runs must be contained within the property lines and privacy fences, but in no event closer than five (5) feet to any property line and hidden from neighboring views and streets. Dog runs must not be in the side or rear yards adjacent to Common Areas.

Chain link fences/gates with black vinyl coating may be permitted for dog runs; however, the fencing must not be visible from street view, Common Areas, or adjoining Tracts. One doghouse/run is allowed per Tract. Dog runs must be well maintained regarding smell and appearance.

**4.24 Outbuildings.** “Outbuilding” structures include, but are not limited to, garden sheds, storage buildings, studios, workshops, hobby shops, gazebos, trellis/arbors and play equipment/houses. All Outbuildings must be indicated on the Application. Appropriate elevations and all other details necessary to illustrate the design of the Outbuilding must be submitted to the Committee with the Application. The Committee may consider, but are not limited to, the design of the structure, size of the structure, visibility of the structure and impact on neighboring Tracts, quality of the materials, composition of the materials, finish and colors when reviewing submissions for Outbuildings. Outbuildings must complement the main Dwelling and its size and can be no more than fifteen (15) percent of the total square footage of the main structure. No metal Outbuildings will be approved. **Outbuildings with an Agri-top roof design are not permitted.** Where applicable, permit(s) from governing municipalities will be required.

Exterior walls of Outbuildings with a cumulative floor area of 120 sq. ft. or less can be wood or masonry construction. Exterior walls, roofing, and windows of Outbuildings with a cumulative floor area exceeding 120 sq. ft. must be an exact match to the main Dwelling. Height of outbuildings is limited to 12 feet at the highest point of the sidewall (known as plate height). The Outbuilding must also match the architecture of the main dwelling. For example, the Outbuilding cannot have a flat roof and the main Dwelling a gabled roof. In the event the original main structure materials are no longer available, materials that most closely match the main Dwelling are permitted for review. Metal walled structures are not allowed. Doors may be metal or wood. The Finish materials and color selections of all elements of the Outbuilding must match that of the main Dwelling in all instances.

Outbuildings on Tracts adjoining Common Areas are restricted to the side yard only, between the front and rear elevations of the main Dwelling on the opposite side from the adjoining Common Area. Outbuildings must not be located within any public utility or sanitary sewer easement. If there are no easements on the side or rear of the lot, then they must not be closer than 10 feet to any property line. All Outbuildings must be positioned on a solid level surface, whether it be natural, or man-made. No Outbuilding is permitted to have any visible space/gap between the base grade and floor. Outbuildings of 120 sq. ft. or less must have a base of treated wood, composite or sit on a concrete or gravel pad to prevent rotting. Outbuildings greater than 120 sq. ft. must have a concrete foundation.

Any Outbuilding that is not masonry construction must be located behind the main Dwelling so that it is not visible from the street. If this is not possible due to topography, corner lot, house design, lot particulars, etc., then the

Outbuilding application must include a landscape plan to increase the aesthetics of the structure and complement the main Dwelling. For all masonry Outbuildings exceeding 120 sq. ft. floor area the application must include a landscape plan that ties it in with the landscaping of the main Dwelling.

Gazebos, trellis/arbors must be attractive without an excess of detail, and be constructed of redwood, cedar, treated wood, wood/plastic composites, or other materials specifically approved by the Committee. Paint, stain, or imbedded colors must be coordinated with and complement those of the Dwelling colors. Gazebo roof materials must be the same composition and match the main Dwelling. Overall height must not exceed 10 feet. Gazebos and trellis/arbors must not exceed 144 sq. ft. in size. Larger sizes may be considered by the Committee depending upon the yard area and proposed location. Gazebos and trellis/arbors must be in the side or rear yards only and must maintain the same setback required for the Dwelling. Gazebos and trellis/arbors must maintain a 10-foot clearance from any other freestanding structures.

Play equipment/houses must not exceed 10 feet in height and are allowed in the rear yards only or screened from street view. Play equipment must not be located any closer than 10 feet to any property line. Awnings or coverings must be earth tone and solid in color. Metal play equipment must be earth tone in color. Wood play equipment should be of redwood, cedar or treated wood. All play equipment must be properly assembled and maintained.

**4.25 Detached Garages.** All detached garages can be no higher than 12 feet at the highest point of the sidewall (plate height). The detached garage plus the number of garage spaces in the main Dwelling cannot exceed five garage spaces. One garage space would have a door 8-10 feet wide and 10 feet tall maximum. A double (two spaces) would be a door 16-18 ft. wide and 10 feet tall maximum. An RV door (one space) would be 10-14 feet wide and 14 feet tall maximum. All detached garage structures must be of masonry construction and exactly match the materials of the main Dwelling. In the event the materials of the main structure are no longer available, materials that most closely match the main Dwelling are permitted for review. All detached garage structures must include windows on at least both side elevations, to include the number of windows befitting the overall square footage of the structure. All detached garage structures must be built on a concrete foundation. For all structures larger than fifteen (15) percent of the main dwelling the foundation must be engineered and have a professional engineer's signature and stamp. The main entry doors of all detached garages must not face the front street of the main Dwelling. For corner lots, the main entry garage doors must face away from both the front facing and side streets of the main Dwelling. A driveway from the detached garage tying it into the existing driveway layout is required. Location on the property is the same as for outbuildings.

**4.26 Building Additions.** Applications for an addition to the living space of a current residence must go through the same process as new housing submissions. The existing plans for site, floor, elevations, drainage, and foundation must be updated to reflect the addition proposed. All documents must be submitted with the Application. Additionally, new submissions may be required for retaining walls or other site reworks to accept the new structure. Adding a covered walkway between an outbuilding or detached garage and the main dwelling do not qualify them as an addition. **Likewise, abutting two buildings does not qualify as a building addition. The new structure must attach to the existing dwelling. The combined new structure must be accessible everywhere from inside the newly combined addition.** The new addition must blend into the existing architecture exactly such that the new structure looks homogeneous in every way. Colors must match the existing Dwelling. Roof pitches and slopes must be the same, heights must be equal, and materials used for the exterior, doors, windows, and roofing must exactly match. The new structure (original plus add on) must comply with all caveats that applied to the original dwelling. This would include limited to one family, number of garage spaces, setbacks, etc. The Committee may require additional documents to verify that the plan will accomplish the task of homogeneity.

**4.27 Trash and Recycle Containers.** Trash and recycle containers must be stored within the garage, or otherwise hidden from view. Trash and recycle containers may only be visible on the designated trash/recycling pickup day(s).

**4.28 Signage.** Signage is allowed as permitted in the Declarations. All Dwellings will have an address block located on the front of the home. Signs identifying the home's builder may be placed on the lot at the time construction begins but must be removed when the Owner Certificate of Occupancy is obtained. No additional signage on structures is allowed.

A single real-estate sign is permitted to advertise the sale of the Tract. The sign must be located within the property lines of the Lot and must be a standard residential real-estate sign.

**4.29 Outdoor Fireplaces, Barbecue, and Fire Pits.** Permanent outdoor fireplaces, barbecue pits and fire pits must be of masonry that blends with the Dwelling. Brick or stone must match the masonry blend of the Dwelling. Fireplaces and pits must be located within the building setback lines and must not encroach any easement. These structures must be in scale with, and integrated into, the design of the house structure, deck, and/or landscape areas, and must be sited in consideration of neighboring properties. The maximum height, excluding chimneys, must not exceed six (6) feet. Height of the chimney must be as required for operation and code compliance. If it is a permanent structure, it must be approved by the Committee.

**4.30 Pool Enclosures.** Any pool enclosure must be constructed like the dwelling roof so that the appearance is merely an extension of the dwelling roof. If the structure is to be without side walls it can be free standing or attached to the main dwelling. Cedar posts or posts covered with cedar planks can be used for the support of the roof. Bricked or stone masonry columns can also be used for the roof support. Metal poles will only be considered if they complement the design of the main dwelling. If the structure is to be enclosed then the walls, windows, and doors must match the main dwelling in appearance and materials used. Enclosures must not violate setback provisions. Height maximum is the same as for other outbuildings.

**4.31 Flagpoles and Flag Display.** Flagpoles must not be erected on the public right of way or on Association common areas. Flagpoles must not exceed 20 feet in height. They must be maintained in a vertical alignment. They must be anchored in concrete according to the manufacturer's specifications for the pole. Flagpole colors are limited to bronze, black, or anodized aluminum. Each lot is limited to one flagpole. Flagpoles attached to the dwelling must be constructed in a permanent manner and be of materials and finish harmonious with the Dwelling. Accent lighting of flagpoles or house mountings shall use up lights to illuminate the flag only. The lighting will be permanently installed. Spillage of light or glare from one property to another must be avoided.

Flags displayed are limited to the flag of the United States of America (displayed in accordance with 4 U.S.C. Sections 5-10), the flag of the State of Texas (in accordance with Chapter 3100, Government Code), or an official or replica flag of any branch of the United States armed services (per Texas Property Code, Section 202.012). Flags are limited to 40 sq. ft. in size.

#### **IV. LANDSCAPING GUIDELINES**

**5.01 General.** A site plan showing the house location, driveway, setbacks, pools, fences, and landscape plan must be submitted as a part of the landscape application. Landscape plans must show existing areas to be left undisturbed, proposed planting areas, sodded areas, irrigation areas and all tree locations.

All landscaping installed by the Applicant must be installed within 30 days of the city inspection final approval. Views from the roadways toward a landscaped yard should complement the appearance of the existing natural vegetation. Native plants and trees, or varieties which do well in the climactic zone of the site, are recommended.

Seeding is not permitted as a lawn grass. In certain areas there is rock outcropping which must be covered or removed prior to planting sod. There should be a minimum of 6 inches of usable soil in all sodded areas. The use of drought resistant landscaping (xeriscaping) and/or gravel or rock ground cover must, to the extent practicable, meet maximum aesthetic compatibility with other landscaping in the Section. Shrubs arranged in a formal hedge line as a buffer device are acceptable.

Landscaping of individual Tracts should result in an overall appearance that has a natural visual unity throughout the Properties. Consideration should be given to the size, form, color, texture, and location of the plantings so that, when mature, the landscaping will be in scale to and complement the Dwelling it surrounds.

**5.02 Required Landscaping.** All required landscaping as listed, must be installed by the Builder or Owner within thirty (30) days of the city inspection final approval. Landscaping must include appropriate flower beds in the front of the Dwelling, sod, and irrigation on both sides of the house to the back corners, and the entire front yard and culvert area. All lots not having any natural tree(s) in the front yard will require at least one tree, **2-inch caliper or larger**, be planted as part of the landscaping plan. Construction will not be deemed completed until all landscaping is complete.

**5.03 Irrigation.** All lots must have automatic irrigation systems installed for all mandated landscaped areas. All irrigation systems must be of an underground, automatic type with pumps and controllers screened from view and maintained in proper working order.

Irrigation systems must be compliant with all local ordinances. Irrigation systems are required to have head-to-head coverage or closer and be of an underground automatic type with a back flow preventer device. Irrigation heads must be placed to prevent over spray onto paved areas or across the Tract property lines. Irrigation systems must be properly maintained and in a state of repair. Blown heads or line ruptures must be immediately repaired. A Licensed Irrigator in the State of Texas must provide irrigation design and installation.

**5.04 Landscaping Features.** Fountains and statuary will be generally limited in height to three (3) feet. Fountains may be larger than three (3) feet in height, depending on the Tract size, location, style, and scale as related to the property improvements. Fountains, statuary, topiaries, and furniture must be approved for material and location and are best suited inside walled garden areas or inside fenced yards located at the rear of the home. Fountains must be maintained according to manufacturer's specifications and kept in working order.

Pole-mounted bird houses may not exceed fifteen (15) feet in height. All poles and posts must be maintained in a vertical and upright manner. The birdhouse must be finished in a color that complements the Dwelling. Bird houses are restricted to backyards only.

**5.05 Vegetable Gardens.** Vegetable gardens may be in the side or rear yards only and must be screened with landscaping or fencing from streets and the Common Areas. Materials that are used for borders must comply with those denoted in 5.06.

**5.06 Earth Tones.** All landscaping features of the nature of "yard art" are limited to the use of rock, paving stones, brick, or natural wood forms. These materials, if painted should incorporate earth tones and not be a standout within the neighborhood. The Committee may require pictorial submission for review.

**5.07 Unimproved Lot Maintenance.** Lot owners who are not yet building, clearing, grading, or otherwise preparing to commence construction must meet the following requirements regarding their lot(s). Each lot must be mowed **based on the weather influenced growing conditions that occur**. Grasses and/or weeds are not allowed to exceed 12 inches in height. For those lots with tree masses close to the fronting street the grasses and/or weeds among the trees must be mowed at least 50 feet back from the street. The Compliance Officer will issue citations for lots not in conformance. Additionally, if problems persist, the Association will have the lot mowed and billed directly to the property owner. The property owner of each lot is required, at their own expense, to provide a visible sign with the full address (number and street name). This is to be done on permanent (waterproof) material and be clear for easy reading. The sign must not exceed three feet in height and be a color that blends with the surrounding foliage.

Note: Unattended and un-mowed lots have been a persistent problem in the Lake Ridge community. Therefore, enforcement of these Rules will be a priority for the Compliance Officer.

## **V. CONSTRUCTION SITE STANDARDS**

All builders and contractors must follow the separate Construction Site Policy established by the Association. It is imperative that all sites be maintained in a clean and tidy manner. Unsightly construction or poorly maintained sites will not be tolerated! All construction materials must be kept within the property lines, maintaining a clean and unobstructed street right-of-way. Materials must be stored in an inconspicuous area and should be kept neat and orderly. The use of adjoining properties for access or storage of materials without the written permission of the adjacent owner is prohibited. Temporary storage structures approved by the Committee may be used to store materials. Storage structures may not be used as living quarters.

Care should be taken when loading trucks and hauling trash to prevent spillage while in transit. Builders will be held responsible for trash and debris falling from construction vehicles. A trash container enclosure will be required on each construction site after the foundation is poured. At the end of each workday, materials must be stored neatly, and all trash placed in the trash enclosure. Trash may not be strewn about the site or piled openly. Builders or contractors will be responsible for cleanup on all lots owned or contracted for by that Builder. Lots that are not cleaned upon notification are subject to fines. If a Dwelling that has requested a final certificate is adjacent to lots that are not clean, the final certificate will be denied, and the construction deposit will not be refunded. Builders and contractors are responsible for controlling erosion on each lot. Care must be taken to use soil control measures such as hay bales (properly installed with staking as necessary), silt fence, hydro mulch, etc., to prevent soil erosion. Streets surrounding each lot must be kept free from soil build-up.

Each construction area is required to be served by a job toilet (e.g., porta potty) for the use of the workers.

Fires are not permitted on residential construction sites under any circumstances.

Before final site review, the construction of the residence must be completed in conformance with the previously approved plans, and the landscaping plan must be installed. The installation of the landscaping must conform to or exceed the plan that was approved. All building debris must be removed from the site and the surrounding area, and the construction-site sign and the temporary power pole must be removed. At this time, the Builder must notify the Association Manager who will then notify the Committee that the site is ready for Final Review. Any unauthorized changes to the previously approved plans must be corrected before Final Review Approval will be issued. This procedure is mandatory, and the construction deposit will not be refunded unless all is complete. Failure to abide by these Rules may also result in the builder being denied permits for future projects within the community. The denial of those permits must follow the principals, superintendents, and sub-contractors of the builder, and will not be confined to the builder or company exclusively.

## **VI. MISCELLANEOUS**

**7.01 Enforcement.** These procedures may be enforced in the same manner as the Declarations are enforced, or by any other method available by law or equity.

**7.02 Waiver, Amendment, and Third-Party Benefit.** The Association's Architectural Control Committee maintains the right from time to time, at its sole discretion, to waive, amend or modify these Rules. The Committee, its agents, representatives, or employees will not be liable for failure to follow these Guidelines as herein defined. These Rules confer no third-party benefits or rights upon any entity, individual, or builder.

**7.03 Non-Liability of the Committee.** Neither the Committee, the Board, nor its respective members, Secretary, successors, assigns, agents, representatives, employees, or attorneys will be liable for damages or otherwise to anyone submitting plans to it for approval, or to any Builder by reason of mistake in judgment, nonfeasance arising out of any action of the Committee with respect to any submission, or for failure to follow these Rules. The Committee functions for the purpose of determining if a project is compliant with the Guidelines as well as CC&R's and the character of the community. They exercise this function through the review and approval of site planning, appearance, architectural vocabulary, and aesthetics. The Committee assumes no responsibility regarding design or construction, including, without limitation, the civil, structural, mechanical, plumbing, electrical design, methods of construction, or technical suitability of materials.

**7.04 Accuracy of Information.** Any person submitting plans to the Committee will be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, grades, elevations, utility locations, retaining walls and other pertinent features of the site or plans.

**7.05 Conflicts with the Declarations.** In the event of a conflict between these Rules and the terms of the Declarations, the latter will prevail. If a question remains a property owner may seek a formal determination from the Committee and the Board.

**7.06 Special Acknowledgment Form for New Construction.** This form is part of the Application and must be signed by the Builder and property owner. It is intended to call special attention to items that have been found to be not followed during the building process. The Committee will be inspecting for many of these on Final Inspection. This form may be updated from time to time by the Committee as warranted.

The information contained in these Rules was compiled using information provided by members of the Committee, Board, and community. Although every effort has been made to ensure accuracy, the Committee cannot assume responsibility for errors or omissions. Homeowners should confirm pertinent information prior to each improvement or construction project to determine compliance to the Declarations and these Rules by submitting plans to the Committee for approval.

### **PROPERTY OWNER'S ASSOCIATION OF LAKE RIDGE**

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Richard G. Conrad, Chair, Architectural Control Committee

Date: \_\_\_\_\_

These **Third** Revised Rules and Regulations governing architectural and design matters of the Property Owners Association of Lake Ridge were approved by a majority of the members of the Architectural Control Committee. The Committee also solicited comments from the POALR Board and Association members prior to approval.

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