

8. Height of Fences. Perimeter fences may not exceed six feet six inches (6' 6") in height, measured from the ground, with or without a rot board. A rot board at the bottom of a fence shall not exceed six inches (6") in width. Fences between the house and garage shall be not less than four feet (4') in height nor more than six feet (6') in height, not including rotboard.

9. Attachments. No improvement or structure of any type may be attached to a fence unless otherwise provided by these Guidelines.

C. Swimming Pools and Spas

An application for the construction of a swimming pool, spa or jacuzzi must include a plot plan showing the proposed location of the swimming pool, spa or jacuzzi in relation to the property lines, building lines, existing structures and existing or proposed fences. If any trees are to be removed or relocated, the trees to be removed or relocated must be identified. The application must also include a timetable for the construction of the pool, spa or jacuzzi. No swimming pool, spa or jacuzzi shall be approved unless the area in which the pool is to be located is either enclosed by a six foot (6') fence constructed of wood with a maximum of three inches (3") between each bar or such a fence is proposed to be constructed in conjunction with the swimming pool and there is an underground drainage system. Spas and jacuzzis must also have an adequate drainage system installed according to the requirements of applicable City of Houston codes. Under no circumstances shall water from a swimming pool, spa or jacuzzi be permitted to drain onto the surface of the lot on which the swimming pool, spa or jacuzzi is situated or onto any adjacent lot. During construction, the pool area shall be enclosed with a temporary fence or barrier, unless a fence already exists. If a portion of an existing fence is removed during construction, a temporary fence or barrier must be erected to fully enclose the area in which construction is taking place. Further, no building materials shall be kept or stored in the street overnight. Excavated material shall either be used on site or immediately removed from the premises by the pool contractor. The construction of all swimming pools must be in compliance with the National Electrical Code and include the installation of a ground fault circuit interrupter, all in compliance with City of Houston codes. No swimming pool may be enclosed with a screen or other type of enclosure. There shall be no above ground pools.

D. Outbuildings

Any type of building that exists on a lot but is not attached to the residential dwelling on the lot, other than the dwelling itself, a detached garage, a gazebo and a play structure, shall be considered an outbuilding, including tool and/or storage buildings. Only one (1) outbuilding not exceeding ten feet (10') in length, ten feet (10') in width and eight feet six inches (8'6") in height shall be permitted on a lot. The type, quality and color of the materials used in the construction of an outbuilding shall be harmonious with the quality and color of the materials used in the construction of the residential dwelling on the lot. The roof of an outbuilding shall conform to the provisions relating to roofing materials set forth in the Protective Covenants and these Guidelines and must be compatible with the color and type of materials used in the construction of the residential dwelling on the lot. An outbuilding must be located in the back yard of the lot enclosed by a fence. The outbuilding may not be closer than three feet (3') from any property line; on a corner lot, the outbuilding must be nearer to the interior property line than the property line adjacent to the side street. The ACC cannot consent to any structure being located on a utility easement.

E. Gazebos, Pavilions and Spa Enclosures

For purposes hereof, gazebos, pavilions and spa enclosures shall be defined as free standing, framed structures with lattice-type walls, not intended or permitted to be used for any type of storage. These typically are circular or octagonal shaped structures. There are two approved types of structures:

- a. Conical shaped (peaked) roofed structures. These structures cannot exceed ten feet (10') in overall height measured from the ground and the horizontal supports cannot exceed eight feet (8') in height measured from the ground.
- b. Flat lattice (arbor type) roofed structures. These cannot exceed eight feet (8') in overall height measured from the ground.

For these types of structures, the footprint area may not exceed one hundred (100) square feet (typically 10' by 10'). All structures must have a permanent roof that complies with the requirements of the Protective Covenants and these Guidelines. The materials used in construction of the structure shall be harmonious with the standard, type, quality and color of the materials used in the construction of the residential dwelling on the lot. Louvered or trellis style structure roofs may be allowed if the design of the roof and the quality of materials are approved by the ACC. Pressure treated wood may be stained or painted. Water and electricity may be permitted upon approval and according to the National Electrical Code. All pipes and cables must be underground. These structures must be located a minimum of six feet (6') from the rear and side property lines. No structure shall impede drainage on the lot or cause water to flow onto an adjacent lot.

F. Children's Play Structures

For the purposes hereof, a children's play structure shall mean any type of children's swing set, play set, climbing structure, slide, or raised play set. A maximum of two (2) children's play structures are allowed on a residential lot. The maximum dimensions for each play structure are twelve feet (12') in height with a maximum of six feet (6') in height for the play platform. Tarpaulin colors will only be approved if harmonious with the color of the residential dwelling. No play structure may be located nearer than six feet (6') from any property line. Additionally, any play structure with support members and a tarpaulin above eight feet (8') in height must be located at least ten feet (10') from any common property line separating the lot from another residential lot. No play structure shall be approved for construction on any utility easement. No play structure shall impede drainage on the lot or cause water to flow onto any adjacent lot.

G. Patio Covers

The standard, type, quality and color of the materials used in the construction of a patio cover must be harmonious with the standard, type, quality and color of the materials used in the construction of the residential dwelling on the lot. Color and quality of corrugated roofs for patio covers must be approved by the Architectural Control Committee. If siding is used on a patio cover, the siding material must be of the same type, quality, and color as the siding on the residential dwelling. Roofing materials on a patio cover shall conform to the provisions relating to roofing materials set forth in the Protective Covenants and these Guidelines. Louvered or trellis style patio cover roofs may be allowed as long as the quality and color of the materials is approved by the ACC. Pressure treated wood may be stained or painted provided the color shall conform to the provisions relating to painting set forth in these Guidelines. Any patio cover which is not attached to the residential dwelling shall be subject to the Guidelines set forth herein for gazebos, pavilions or spa enclosures.

A patio cover may not encroach on any utility or drainage easement, nor shall it violate the building set back lines applicable to the residential dwelling on any lot. Patio covers may not interfere with drainage or cause water to flow onto any adjacent lot.

A patio cover must be adequately supported and constructed of appropriate materials so that the patio cover has no visible sagging or warping. These requirements also apply to any lattice attached to the sides of the structure.

A patio cover which is attached to the residential dwelling must be securely attached at a height not less than seven feet (7') nor more than twelve feet (12') from the ground. A patio cover which is attached to a detached garage or breezeway must be securely attached below the eaves of the structure at a height of not less than seven feet (7') nor more than nine feet (9') above the ground.

The roof of a patio cover (other than arbor or trellis type) must be covered with shingles that comply with the roofing guidelines set forth herein, and must have a minimum of 3:12 slope. In cases where it is not possible to have a minimum 3:12 slope (e.g. patio covers attached to a single-story dwelling), the ACC may approve a flat type roof with a modified membrane type roofing material provided the color and appearance of the roof is substantially similar to and compatible with the roof on the residential dwelling. Corrugated fiberglass type materials are not acceptable and will not be approved.