

Pecan Meadows Architectural Guidelines

ARCHITECTURAL CONTROL COMMITTEE (ACC)

The purpose of this scope is to outline the Architectural Control Committee responsibilities and to facilitate communications among residents, board members and other Pecan Meadows' committees. Pecan Meadows Board of Directors has delegated authority to the Architectural Control Committee to ensure the homeowners of Pecan Meadows comply with the below provisions of the Articles of Incorporation.

MEETINGS

The Architectural Control Committee (ACC) meets to review the request for change or addition applications submitted by homeowners and assure that the applications meet the guidelines of the association. Members of the ACC include Brad Ruthrauff (Chairperson), Kerstin Boodee, Jeff Zimmerman, Mark Seeley and Todd Eaddy (co-chairperson).

ACC SCOPE

"The Architectural Control Committee shall regulate the external design, appearance and location of lots and structures thereon so as to preserve and enhance values and to maintain a harmonious relationship among structures and property."

OBJECTIVES

The overall objective of this document is to serve as a guide to both the members of the Architectural Control Committee (ACC), and homeowners in maintaining and enhancing a carefully designed environment. These guidelines and standards address improvements for which homeowners will most often submit applications to the Architectural Control Committee (ACC). They are not intended to be all-inclusive or exclusive, but rather serve as a guide to what improvements may be made in the community.

- To provide uniform guidelines to be used by the ACC in reviewing applications.
- To assist homeowners in preparing an acceptable application to the ACC.
- To increase homeowner's awareness and understanding of the Declaration of Covenants, Conditions and Restrictions.
- To describe the organization and procedures involved with the architectural standards established by the Declaration of Covenants, Conditions and Restrictions.
- To illustrate basic design principles, which will aid homeowners in developing exterior improvements that are in harmony with the neighborhood.

EXTERIOR CHANGES

All exterior changes to your home, including the addition of decks, fences, sheds, decorative, or recreational items must be submitted for approval. Refer to your Declaration of Covenants, **Article 8**, before you plan to make any change to the exterior of your home.

SUBMIT REQUEST FOR APPROVAL

Failure to submit a request for approval for your project can result in any combination of actions against the homeowner and the property including:

- Requiring the homeowner to remove or un-do the unapproved work
- The imposition of fees and or fines
- Legal action against the homeowner and or tenant

APPROVAL FORMS

To obtain copies of the Request for Approval Form contact the below committee members:

- Brad Ruthrauff – 3302 Pecan Meadows or call 972-899-2255
- Kerstin Boodee – 5316 Singing Brook or call 972-899-3032
- Jeff Zimmerman – 5108 Singing Brook
- Mark Seeley – 5301 Bayberry
- Todd Eaddy - 3305 Pecan Meadows or 972-410-0414

Give your request for approval to one of the committee members listed above.

Whether hardcopy, electronic or fax, please ensure your plans and drawing are included with your application.

REVIEW PROCESS

The Architectural Control committee (ACC) reviews all applications in a 2-part process: In the first part of the process, the chairperson of the committee inspects the home sites of every application received in the prior week. He makes a preliminary approval or denial of the applications. In the second part of the process, the entire committee meets to discuss each application and ratify or reject the decision of the chairperson.

Turnaround time for approval:

Applications are approved approximately 10 days after they are received depending on the extent of the scope of work.

Becoming an ACC team member:

ACC meetings are open to Pecan Meadows homeowners. Pecan Meadows homeowners who are in good standing may send a letter to the board asking to join the ACC. Membership for this committee will not exceed five active members.

ARCHITECTURAL MODIFICATIONS REQUIRING ACC APPROVAL

All exterior alterations require the approval of the ACC:

"No improvements, alterations, repairs, change of paint colors or other work which in any way alters the exterior of any lot or common area or the improvements located thereon from its natural or improved state, shall be made or done without the prior approval of the Architectural Control Committee. No building, residence or other structure, fence or wall, in lieu thereof, shall be commenced, erected, maintained, improved, altered, made or done on such property without the prior written approval of the Architectural Control Committee."

The previous paragraph explicitly states that any change, permanent or temporary, to the exterior appearance of one's property must be approved by the ACC. Further, once a plan is approved it must be followed or a modification must be approved by the ACC.

Each application is reviewed on an individual basis. There are not any "automatic" approvals, unless provided for specifically in these guidelines. For example, a homeowner who wishes to construct a fence identical to one already approved by the ACC is still required to submit an application.

ACC approval does not negate the requirement to comply with County, City and State building codes and/or regulations.

DESIGN CONTROLS

The purpose of design controls is to assure residents that the standards of design quality will be maintained. This in turn protects property values and enhances the community's overall environment.

The authority for maintaining the quality of design in the community is founded in the Declaration of Covenants, Conditions and Restrictions, which are a part of the deed to every property.

As a homeowner, you should have received a copy of the Declaration of Covenants, Conditions and Restrictions in the homeowner's document package at settlement or before. These covenants are binding on all homeowner's current and future. These covenants should be fully understood by each homeowner.

ACC REVIEW CRITERIA

Design Compatibility: The proposed improvement must be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials, color and construction details.

Location and Impact on Neighbors: When a proposed alteration has possible impact on adjacent property, it is suggested that the applicant discuss the proposal with neighbors prior to making an application to the ACC. It may be appropriate in some cases to submit neighbor comments along with the ACC application.

Scale: The size of the proposed alteration should relate well to adjacent structures and its surroundings.

Color: Color may be used to soften or intensify visual impact. Parts of the addition that are similar to the existing house such as roofs, siding and trim should be matching in color.

Materials: Continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.

For example, horizontal siding on the original house should be reflected in an addition. On the other hand, an addition with siding may be compatible with a brick house.

Workmanship: Workmanship is another standard, which is applied to all exterior alterations. The quality of work should be equal to or better than that of the community. Poor practices, besides causing the owner problems, can be visually objectionable to others. Poor workmanship can also create safety hazards.

Timing: Projects shall be completed within six months depending on the project scope from the date of approval; otherwise it could become a nuisance and safety hazard for neighbors and the community.

FORMAT FOR ACC

Approval Submissions: A sample of the form, which must be used in applying for approvals, is attached as exhibit "A." Generally, the following items should be a part of every application.

A Site Plan: A site plan is most easily prepared by submitting a copy of the house location plat. Proposed changes should be indicated including dimensions and distances from adjacent property and houses.

Material and Color: Samples of the materials and colors to be used and an indication of the existing colors and materials should be provided. Where materials and/or colors are compatible but different from those of the existing structures, samples of color chips should be submitted for clarity.

Drawings and Photographs: A graphic description should be provided, and may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal. Relationships of major architectural features such as existing and proposed roof lines, window sizes and alignment, building heights, roof slopes, exterior elevations for proposed structure, and if appropriate. In any case, the sketch or photograph should be accompanied by a written description.

Review Procedures: All applications shall be submitted to the ACC, whether it is permanent or temporary. The application will be reviewed for completeness. If the application is complete the review process may begin. If not, a Request for "Additional Information" form will be provided to the Homeowner. If additional information is not received within ten (10) days of the date of the form, the application will be automatically denied. The ACC has ten (10) days to review a completed application and provide a decision to the applicant. Failure to receive written notification within ten (10) days does not in itself constitute automatic approval. The homeowner must contact the ACC chairman regarding the status of the request. The ACC will send a written response to all requests.

Appeal of an ACC Decision: An appeal procedure exists. An appeal may be made if it appears - that the following situations occurred:

- Proper procedures were not followed during the administration and review process.
- The ACC decision was arbitrary and had no rational basis.

-To initiate the appeals procedure, the applicants or other affected residents must submit a request in writing within ten (10) days from the date of notice from the ACC. All appeals will be

submitted directly to one of the Pecan Meadows Board of Directors listed below. The Homeowner also will be notified that if he/she does appeal to the Board of Directors, he/she has the right to legal counsel at the appeal. If the homeowner chooses to have legal counsel present, he/she must notify the Board President of this intent ten (10) business days in advance by certified mail.

Susan Johnson 469-293-5110 seanandsusanj@verizon.com 5300 Singing Brook

Joanne Saberre 972-899-3850 harsab@airmail.net 5100 Singing Brook

Brad Ruthrauff 972-899-2255 rifffraf@aol.com 3302 Pecan Meadows (Board President)

ENFORCEMENT PROCEDURES

The following procedures will be taken by the Board of Directors to enforce the rules and regulations as set forth in these guidelines:

All Owners and Residents of Pecan Meadows shall comply with all the provisions of the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions, the By-Laws, and all Rules and Regulations. Failure to comply with the aforementioned documents shall be grounds for an action to recover damages or for injunctive relief, for assessment of rules violation charges, foreclosure of liens or any other legal or equitable relief deemed appropriate.

In the event any rule or regulation of the Pecan Meadows Homeowners Association is violated, the owner shall be notified by certified mail, return receipt requested.

In any instance where the violation presents a health or safety hazard, the Board of Directors may take immediate action, at the owner's expense, to correct the violation. Notification to the owner of the action taken and the costs incurred will be made by certified mail, return receipt requested.

The owner shall have the right to appeal any violation citation. The request for appeal must be submitted in writing, and received by Pecan Meadows Board of Directors within ten (10) days of receipt of the violation notice.

In the event the owner does not bring the violation into compliance within ten (10) days, or submit a request for appeal within ten (10) days of the receipt of the violation, the Board of Directors may proceed with enforcement procedures.

Failure of the Board of Directors to enforce any provision, covenant, restriction, or rule and regulation shall in no event be deemed a waiver of the right to do so thereafter.

GUIDELINES

The guidelines that follow address a broad range of exterior alterations for which homeowners frequently submit an application to the ACC. It would be impossible to address each specific design condition. As a result, these guidelines present the principal factors that should be considered when developing a design. More specifically, these guidelines define the limits to size, quality of construction, location, materials and color based on the intended use and relationship to adjoining properties rather than focusing on a particular construction detail or a specific design alternative. As stated earlier, all projects, depending on the scope, are to be completed within six months from date of approval.

The individual merits of each application will always be considered by the ACC. The use of these guidelines should assist the homeowner in gaining timely ACC approval. The applicant who follows the guidelines should expect approval or rationale as to why the application was not approved.

These guidelines are not intended to restrict the homeowner in the design of a well thought out alternative approach as long as general guidelines are followed.

AMENDMENTS BY THE BOARD OF DIRECTORS

The HOA Board of Directors will conduct an annual evaluation to determine if the guidelines need to be amended. It is anticipated that any changes would not involve substantive changes of the existing guidelines.

Fences: Fencing can be used to separate property, provide security or visual privacy, or to architecturally define space. In achieving any one of these goals, a barrier is created which has both a visual and a physical impact on the boundaries of common land and properties of adjacent homeowners. Careful consideration should be given to the basic fencing concept and the manner in which the concept is executed.

No front yard fences shall be allowed. Fencing should be compatible with the applicant's house, but it should also be appropriate for its intended purpose.

All fences shall be made of wrought iron and painted or pressure treated or stained wood. Other material will also be considered. Recommend that all fencing be six-foot alternating board-on-board privacy fencing. However, alternative heights may be permitted.

Chain-link fencing or wire fencing of any kind is prohibited.

Storage Sheds: Storage sheds can aesthetically affect both individual property and the neighborhood. As a result, all storage sheds shall be compatible with both the architecture and landscape surrounding the house.

A. Building materials shall be compatible with the applicant's house in color and material or match a natural wood fence and must be located in rear yards where they will be visually unobtrusive. Shingles on shed roof shall be compatible with shingles on house.

B. The shed shall be designed to respect the "visual rights" and aesthetic interests of neighborhood properties. All such approved structures shall be located in the rear yard of any property in a location selected to minimize impact on neighboring property. Sheds shall not exceed 8x10 feet in floor space for each residence. Sheds shall not be higher than eight (8) feet at the top of the roofline.

Patio and Deck Location: Patios and decks shall be located in rear yards. Side yard locations will be evaluated on their individual merits for detached homes and end-unit attached homes. When patio or deck schemes include other exterior changes, such as fencing, lights, plantings, etc., other appropriate sections of these guidelines shall be consulted prior to application.

Ground Level Patios: Rear yard, ground level patios need not have ACC approval if it is contained within a six-foot privacy fence and gate. If it can be viewed at eye level by neighbors, it must have ACC approval.

Trellises Arbors: Lattice privacy screening on decks may be approved by the ACC if installed in conformance with the following criteria:

A. Screening shall not be installed as a freestanding wall or as a fence.

B. Latticework shall be installed with framing.

C. Latticework shall be incorporated as a part of the overall deck design and connected to the structure.

D. Latticework shall not be installed in place of deck railing.

Any request for screening will be reviewed on a case-by-case basis and should be incorporated into the overall design of the deck or patio. In general, anything of this nature must be approved by the ACC.

Storm And Screen: Front and side service doors shall be full view or modified full view, straight forward, clear, unfrosted, uncolored glass and without ornamentation such as scallops, scrolls and imitation gate hinges. Rear storm doors shall meet the same requirements unless they are enclosed by a six-foot privacy fence and not in view at eye level. Storm or screen doors shall be painted the same color as the entry door behind them or the surrounding wood trim. No security doors shall be permitted. Storm and screen doors should meet ACC approval. All storm doors and changes in house or garage doors must be approved. Storm and screen window frames must match the trim of the house. No covering or objects shall be permitted on the exterior (outside) doors or windows.

Awnings and trellises must be approved by the ACC.

Major alterations are generally considered to be those that substantially alter the existing structure either by subtraction and/or addition. Major building alterations include, but are not limited to, construction of driveways, garages, porches, greenhouses, rooms, fireplaces, chimneys, and other additions to a home.

More specifically, the design of major alterations shall be compatible in scale, materials and color with the applicant's house and adjacent houses. Pitched roofs shall match the slope of the roof on the applicant's house. New windows and doors shall match the type used in the applicant's house and shall be located in a manner that shall relate well to the location of exterior openings in the existing house.

Construction materials shall be stored so that the impact on neighboring properties is minimized. Excess material shall be immediately removed after completion of construction.

Antennas: No exterior antenna, satellite dish, over 24 inches in diameter or other device for the transmission or reception of radio or television signals or any other form of electromagnetic radiation shall be permitted without the prior written approval of the ACC.

The application for such a device shall be approved by the ACC if the proposed device will not be visible from the surrounding lots, streets, or common areas of the community; otherwise, the application for such a device shall be disfavored.

Notwithstanding the disfavor of such devices, the ACC retains the power to approve an application for such a device if the applicant satisfies the following criteria:

- A.** The device is twenty-four (24) inches or less in its dimension
- B.** The device is located in an area on the lot where it is compatible with the natural setting of the home.
- C.** The device is designed to resemble other structures, devices, or improvements otherwise allowed by these guidelines or is adequately obscured from view by an acceptable visual barrier.
- D.** The device is of a color and material which are reasonably compatible with the color and materials of the home; and
- E.** The device does not adversely affect the view or lifestyle of neighbors, the electromagnetic reception of the radios or television sets of neighbors, or the **value** of the homes of neighbors.

The ACC reserves the power to conditionally approve applications for such devices. Applicants may be required to install visual barriers, such as lattice or landscaping, around the device in order to diminish any adverse visual effect that may be caused by the installation of the device.

Color: Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing and other appurtenant structures. Change of exterior color for any home shall relate to the existing colors of the houses in the immediate area and shall be in conformance with established neighborhood colors. All color changes need be approved by the ACC. Repainting or staining a specific object to match its original color need not be submitted.

Flag Pole: Homeowners wishing temporary flagpole staffs which do not exceed six (6) feet in length and are attached at an incline to the house or dwelling unit need not have an application.

Fire Places: All fireplaces above fence line need ACC approval.

A/C Units: Air-conditioning units from windows or built into existing walls are prohibited.

Exterior ground units may be added to or relocated only when they do not interfere visually with neighbors. Exterior ground units shall be oriented so as not to discharge hot air onto neighbors' property.

Gutters: Gutters and downspouts shall match those existing in color and design and shall not adversely affect drainage on adjacent properties.

Attic Ventilators: Attic ventilators or other mechanical devices requiring penetration of the roof shall be as small in size as functionally possible and shall match the roof or be mill finish.

Mailboxes: Mailboxes are a functional necessity, not a decorative item. Mailboxes shall be maintained in a neat and working condition. Any mailboxes other than the approved standard mailbox must be approved by the ACC.

Pools: Above ground pools are prohibited. Temporary kiddie's pools shall be permitted in rear yards only.

PET ENCLOSURES

Pet enclosures shall be compatible with the applicant's house in color and material or match a natural wood fence. Pet enclosures shall not exceed the height of the yard fence. These enclosures shall be located in back of the house and no closer than ten (10) feet from any property line. Alternative building materials will be considered on a case-by-case basis. Applications will be reviewed on a case-by-case basis.

TRASH CANS AND RECYCLING BINS

Containers shall not be placed for pickup prior to 7:00 PM on the evening prior to pickup and shall be removed no later than 7:00 PM of the evening of the pickup. Trash must be in securely tied plastic bags and placed inside trash container and must be placed at curbside. At all other times trash containers/recycling bins shall be kept as inconspicuous as possible.

Each resident is responsible for picking up litter on his property and preventing windblown debris from originating on other property.