

Windermere Homeowners Association

Architectural Control Approval Guidelines

The CCRs (deed restrictions) require written Architectural Control approval for *all exterior changes* to your home and all additions of structures, both temporary and permanent. [Note: You do *not* need approval to maintain the existing approved exterior appearance or any approved structure. Maintenance is not a change. For example, you do not need – and should not seek – approval to repaint or re-roof your home the same colors the builder used or to replace a deteriorated 6-foot wood-picket fence with a new one of the same type. You also do not need approval for routine replacement of shrubs and ordinary landscape maintenance.]

You are required to obtain written approval before the exterior change is made or structure added. You are strongly advised to obtain written approval BEFORE you buy any materials or BEFORE you engage a contractor. One objective of the formal approval process is to alert you to any CCR issues with your proposed change or structure and to give you the opportunity to get these issues resolved prior to the expenditure of time, money, and effort on your part. If you choose to ignore this common-sense requirement, you risk causing yourself added expense and aggravation in the event your change or structure is noncompliant with the CCRs. The WHOA (as well as any other homeowner) has the right under the CCRs to enforce against any noncompliant change or structure. This can subject you to fines until the change or structure is reversed or removed or otherwise brought into compliance with the CCRs. The WHOA is required by the Texas Property Code to inform title companies, Realtors, and buyers of any known noncompliant conditions at the time your house is for sale. Such notice might have adverse financial and legal consequences to you. To avoid all these problems, it is in your interest to obtain prior written approval for any planned changes or structures and/or to seek written approval now for any changes or structures previously added without approval.

To apply for Architectural Control approval, you need to submit an *accurate description* of your proposed change or structure that is sufficiently detailed so a reviewer can understand clearly what you seek to do and, specifically, *what it will look like* when completed. Depending on the change or structure, the description might range from as little as a few sentences to a half-page or more. Include all sketches, diagrams, and pictures needed for clarity. For example, if you propose to repaint your house a different color, include the color sample from the store with your application. For ALL proposed added structures, you must include a photocopy of the lot survey (given to you at closing) with the structure footprint sketched in its proposed location. To be approved, the structure location needs to comply with all setbacks and easements shown on the survey. Applications that lack details necessary to make a decision will not result in approval unless and until the necessary details are furnished. NO APPLICATIONS IN VIOLATION OF THESE GUIDELINES OR WHOA BOARD RESOLUTIONS WILL BE APPROVED.

ARCHITECTURAL APPROVAL SUBMITTAL PROCESS:

To submit your project for consideration by the Architectural Review Committee (ARC), please go to your Town Square account, click on the Architectural Review tab, and follow the guidelines. Paper or scanned applications are not reviewed by the Architectural Review Committee. The ARC has thirty (30) days from the receipt of a complete application to issue an approval/disapproval decision, and you will receive their decision directly via email. If your completed application is denied, you may appeal the decision to the full Board at either of the next two regularly scheduled Board meetings. Appeal is most useful in cases of such novelty or complexity that further discussion is beneficial. If your proposal is approved, you have three (3) months to complete the work. If you cannot complete the work within three months, please contact the WHOA.

General guidelines for most common requests:

Exterior paint – Colors: colors common to, and appropriate for, the neighborhood will be approved. Fluorescent colors, “loud” colors, or colors not appropriate for the neighborhood will not be approved. Painting over masonry is rarely a good idea but may be allowed if the colors are appropriate for the rest of the house.

Roofing – Colors: same rules as house colors. Materials: composition shingles and quality metal roofing (but *not* corrugated steel or aluminum) generally are approved. Wood shingles will not be approved. All roofing on a lot must match – a mix of composition shingles and metal roofing will not be approved.

Basketball goals – Not approved. Current policy is to not enforce against goals placed at least half-way up a driveway so that users would remain on the homeowner’s driveway. Never allowed at or near curb or alleyway where users would be in the street or alley right of way.

Fences – Standard Windermere fence is a six-foot wood-picket privacy fence with either wood 4x4 posts or metal posts. [Metal posts are more durable.] Fence height must be six feet nominal (i.e., use 6-foot pickets). Legacy chain-link or other not-approved metal fences must be replaced with a six-foot wood-picket fence or an approved masonry fence. Existing wood or masonry fences must be maintained or replaced; removal of an existing fence (except for legacy chain-link or other not-approved metal fences) is not approved or allowed. Use of masonry in fence requires prior written approval. Picadilly Ridge owners who back up to the common perimeter fence are solely responsible for maintaining their respective portion of the fence, including the masonry columns, to the original design standards of that fence.

Satellite antennas – The 18-inch “pizza dish”-type satellite antenna common for DirectTV and similar services is allowed *without written approval*. Anything larger requires approval if it is visible above the fence. Large dishes must be positioned so that their visibility from the street and other lots is minimized. Include a copy of your survey showing location and all setbacks and easements.

Sheds/Outbuildings – No more than two outbuildings may be approved for any one lot. If only one outbuilding on a lot, size restricted to 144 square feet. If two outbuildings are on a lot, *neither one* shall exceed 100 square feet. Size measured from external wall dimensions. If you already have an outbuilding larger than 100 square feet (up to 144 square feet), a second outbuilding *will not be approved*. Height is limited to what ACC finds reasonable for a given floor plan. Colors: Prefabricated or ready-to-assemble kits for metal or vinyl sheds need to have conservative colors. Assembled-on-site: colors and roofing to match existing house paint and roofing as closely as possible. Must not violate any setbacks or easements. Include a copy of your survey showing all setbacks and easements with the footprint plotted. Must state square footage of any pre-existing outbuilding on application. All outbuildings in violation of these provisions must be removed.

Patios, decks – Generally approved if design, materials, and construction is of high quality. Must not violate any setbacks or easements. Include a copy of your survey showing location and all setbacks and easements.

Patio/deck covers – Generally approved if design, materials, and construction is of high quality. If painted, colors to match house. Roofing to match house. Homeowner responsible for all liability, safety, and drainage issues. Must not violate any setbacks or easements. Include a copy of your survey showing location and all setbacks and easements.

Garage conversions (garage door intact when viewed from outside) – Allowed but not recommended. Garage conversions may have a negative impact on both your resale value and time-on-market. The best way to do this is to leave in all the door-opening hardware intact so that either you or a future owner/buyer could easily convert back to normal garage use. No approval necessary as long as *no exterior change* to house is made.

Garage conversions (garage door replaced with wall when viewed from outside) – Not approved. Garage conversions may have a negative impact on both your resale value and time-on-market. If you must convert your garage, best way is to leave the garage door intact (see above).

Room additions – Allowed but not recommended. [Generally more cost-effective to sell and buy a larger house. Difficult to pin new slab to existing builder-engineered slab. Slab-to-slab joint creates entry line for moisture and termites. Extending plumbing, electricity, and HVAC difficult.] Completed addition should look like it was always part of the original construction. Materials and colors to match original construction. Homeowner is responsible for all governmental building permit and building code requirements. Must not violate any setbacks or easements. Include a copy of your survey showing all setbacks and easements with the footprint plotted.