

**FOX RUN MAINTENANCE ASSOCIATION  
ARCHITECTURAL CONTROL COMMITTEE  
GUIDELINES**

The Architectural Control Committee (ACC) was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Covenants, Conditions and Restrictions provide that "No building, fence, wall, structure, improvement, exterior appurtenance, or exterior corporeal hereditament, except landscaping, (landscaping defined as "living plants, trees, shrubs, flowers, etc, and utilization of non-living material necessary for growth: i.e., bark, mulch, etc.) Trellises, window box arbors, and permanent brick borders must have Architectural Control Committee approval. Landscape timbers and bricks without mortar do not need ACC approval unless they exceed a height of one (1) foot. No work shall be commenced, erected placed or altered on any Lot, not shall any exterior addition to or change or alteration, other than landscaping be made to the Lot improvements, appurtenances, or corporeal hereditaments until the construction plans and specifications describing the nature, kind, shape, height, materials and a plot plan showing the location of same, have been approved in writing."

It is the general purpose of the ACC to approve or disapprove applications made to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lots itself. Landscaping does not require ACC approval unless specifically referenced in the deed restrictions.

**Procedure**

A "Request for Home Improvement Approval Form" must be completed in its entirety and mailed to the: address indicated at the top of form. All pertinent information such as plans, Specifications, building permits, locations indicated on a copy of the survey, etc, should be included with the application.

These forms are available from your Deed Restrictions Committee. The ACC cannot respond to verbal requests for approval - all applications must be made in writing.

The ACC has thirty days from the date of receipt of an application in which to respond. If additional information is required by the ACC, the application process will be extended accordingly. Plans for the implementation of the proposed improvements should allow for the time required to complete the approval process.

If an application is not approved, the ACC will state in their letter why such approval was denied and what type of applications changes, if any, would alter that decision. If an applicant wishes to discuss or appeal a decision made by the ACC Committee, the Designated Representative should be contacted at a specified number.

**Guidelines**

The following are guidelines adopted by the ACC to specify their standards, requirements and thought processes used in evaluating an application. These guidelines will be amended from time to time as the circumstances, conditions or opinions of the ACC dictate. It should be noted that each application is considered on its own merit and that the ACC may grant a variance from these guidelines and/or from certain provisions of the CCRs.

It should also be noted that ACC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ACC approval, the Board of Directors has the legal right to enforce its removal.

Because guidelines may change from time to time, it is highly recommended that they are not published and distributed to the homeowners. Instead, they should be used by committee members only for the processing of applications. This reduces the possibility of homeowners following obsolete guidelines in their home improvements.

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### **1.0 Outbuildings**

1.1 An "outbuilding" is defined as any structures which are attached to the main structure. This definition does not include bonafide additions to the main residence garages, but does include storage sheds, gazebos, and playhouse/forts.

1.2 The ACC will consider the following:

- a. The colors should match/blend with the predominant exterior colors of the main residence.

- b. Materials should match those of the main residence in both size and color. Plywood should not be used as siding. Material designed to be used for exterior siding should be used as siding. However, the ACC will approve small prefabricated metal storage buildings providing the color blends with the main residence.
- c. It should have a peaked roof no higher than eight feet (8') from the ground to the highest point, and a maximum of 120 square foot of floor space. A maximum of 10' x 12' of floor space is recommended. Structure must be kept a minimum of three feet (3') off rear property line and distance from side fence will be determined based on visibility from the street in front of the lot. At no time, however, will that distance from side fence be less than 3 feet, regardless of visibility. Location must also be far enough away from fence for drainage to occur entirely on the owner's lot.
- d. Storage buildings placed on a concrete slab on top of a utility easement will require letters of Consent to Encroach as it will not be considered portable. HL&P currently charges \$125.00 for this consent letter. If a storage building is not on the utility easement, but on a slab, and can be moved, the ACC will consider it as portable.
- e. No storage building can be built up against any side or rear wall of a home unless its maximum height is less than 6 feet and it is not visible above the fence. It must also comply with all the other requirements for proper construction, size and location.
- f. If under six feet (6'), it may be placed in side yard provided three feet (3') minimum is observed.
- g. Playhouse/fort must be no higher than eight feet 8' maximum. If fort has a platform, then platform can be no higher than four feet 4' off ground and centered in back yard to protect neighbor's privacy.
- h. Gazebo - Freestanding- Must be at least five (5') feet away from house. Case-by-case with a maximum height at peak of eleven (11') and must be three (3') off side and back fence.

## 2.0 Basketball Goals

- 2.1 The basketball goal backboard, net and post must be maintained in excellent condition at all times.
- 2.2 If the backboard is mounted onto the roof by use of a small, triangular metal mounting structure, the structure must be painted to match the shingle color.
- 2.3 Backboard must be regulation size and color. Poles must be painted white, black or a color that blends with the house.
- 2.4 Must be mounted on garage or placed on the side of the driveway on a pole. It may be mounted in the back yard if there is enough room to accommodate it.

2.5 If any complaints are received within one (1) year after installation, the basketball goal will be subject to immediate removal at the request of the ACC.

### 3.0 Patio Cover

- 3.1 Should be constructed of materials with compliment the main structure.
- 3.2 Prefab covers made of aluminum may be approved providing they are of an earth tone color – unfinished aluminum will not receive ACC approval. All metal must be painted and certain structures using fiberglass roofing and wood frame may be allowed to go unpainted, provided treated wood is used.
- 3.3 If attached to house, must be integrated into existing roof line (flush with eaves), and if it is to be shingled the shingles must match roof. Entire patio cover and posts should be trimmed out to match house. Supports must be painted wooden or metal columns No pipe is allowed.
- 3.4 At no time, however, shall a shingled roof be allowed with an unpainted frame. Frame will have to be painted to match trim of house, whether treated or untreated wood is used.
- 3.5 Patio construction materials are as follows:
  - a. Painted aluminum (to match trim of house)
  - b. Painted wood (to match trim of house)
  - c. Natural pressure treated wood such as cedar, fir, redwood may be used. Treated pine must be painted or stained.
  - d. Fiberglass is acceptable and earth tone colors such as tan, brown, beige or clear may be used. No green or yellow is allowed. Edges of fiberglass must not be visible from surrounding properties or from the street. General Notes: All patio cover material, i.e. fiberglass, corrugated aluminum, metal, wood, lattice, must be completely framed in so that no raw edges of material are visible.
  - e. If canvas is used as roofing material on a patio cover, it must be an earth tone color and the structure must be located where it is not visible from the street in front of the house. Also, the canvas must be kept in quality condition or its removal will be requested by the ACC. No blues, greens or bright yellows allowed for residential use.
- 3.6 Patio covers may not encroach into utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 3.7 Patio covers must be situated on the lot to provide drainage solely into the owner's lot. If a proposed patio cover location is less than five feet (5') away from a side lot line, the ACC will require that it be guttered with downspouts if it is to be a solid cover.

#### 4.0 Room Additions

- 4.1 Exterior materials and colors should match the house much as possible.
- 4.2 Detailed plans must be submitted to the ACC.
- 4.3 Room additions may not encroach into any utility easement unless the utility companied involved have granted their written consent to such encroachment.
- 4.4 On an individual basis, size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrated with existing home. Addition of a storage area will not quality as a bonafide room addition must show a room of reasonable size to constitute a legitimate request for a room addition. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home. Room additions cannot exceed one-third of the remaining back yard, but may be denied for other reasons, i.e. structural integrity, architectural suitability, etc., even it is does only use one-third of the remaining yard.
- 4.5 Building permits as required by the municipality (city, county, etc.) must be submitted with the Request ,for Home Improvement Approval form. In some instances, the ACC will grant approval with the provision that a copy of the permit must be received by the ACC within thirty (30) days of the approval letter.

#### 5.0 Exterior Painting

- 5.1 Earth tone colors were most often used when homes were constructed. In general, an earth tone color should receive ACC approval.
- 5.2 Other earth tone blend colors will be considered. The color of the other subdivision homes will be taken into consideration along with the applicant's house brick features.

#### 6.0 Storm Windows and Storm/Screen Doors

- 6.1 Providing the frames of these are of a color compatible with the exterior house colors, storm windows and storm or screen doors should receive ACC approval.

#### 7.0 Decks

- 7.1 Decks may not encroach into any utility easement unless the utility companied involved have granted their written consent to such encroachment.
- 7.2 Decks should not be situated on the may pose a problem to the effective lot or neighboring lot.
- 7.3 Decks cannot be higher than 18"

7.4 Paint should match the house.

## 8.0 Swimming Pools and Spas

8.1 No pool or spa of any type may encroach into any utility easement unless the utility companies involved have granted their written consent agreement. Consents must be received prior to approval. NOTE: HL&P currently charges \$125.00 for this consent letter.

8.2 Ideally, any pool or spa should be located at least five feet (5') from a side and rear lot line to maintain proper drainage on lot. However, a minimum of three feet (3') will be allowed in some instances.

8.3 Above ground pools will receive special consideration. An above ground pool will be acceptable provided it is not over four (4') foot in height. Decking around pool cannot be over eighteen (18") inches above ground to ensure privacy of neighbors. If there is a walkway around pool, it cannot be wider than two (2') feet, nor higher than the wall of the pool. Railings for walkway cannot be visible above a six (6') foot fence. It must also be three feet to five feet (3' – 5') from the side and rear fences.

## 9.0 Solar Panels

9.1 The ACC will approve solar panels which are unobtrusive and which blend in with the roof shingle color.

9.2 Parabolic solar collectors which are not mounted so as be flush with the roof will not be approved.

9.3 Solar panel frames should be bronze or black in color in order to best blend in with the shingles. All unfurnished aluminum must be painted the color of the shingles.

9.4 No solar panel should be mounted so that it extends above the roof line.

9.5 The ACC would prefer to have solar panels mounted on the back roof of a house rather than mounted on stands to the side or front roof.

9.6 Solar screens will be allowed on windows.

9.7 Colors and manufacturers must be acceptable to ACC for both screens and panels.

9.8 Solar film must be non-reflective type.

## 10.0 Satellite Dishes

10.1 Maximum height of nine (9') feet. If below six (6') feet and not visible from street should be at least five (5') feet from side and at least eight (8') feet from back fence but not on utility easement without a consent to encroach letter.

## 11.0 Fence and Fence Extensions

- 11.1 Case by case.
- 11.2 No higher than six (6') and granted on limited basis only. Consents from all affected neighbors must be submitted in order to be considered for height extension.
- 11.3 No painting~ staining, or varnishing of fence. Clear weatherproofing is allowed.
- 11.4 Cedar only.
- 11.5 No split rail fences or decorative fencing permitted in the front yard.
- 11.6 Fence extension requests should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.
- 11.7 No fence may extend so as to encroach across the front building line.
- 11.8 If both neighbors do not concur as to a proposed fence extension the ACC will examine the effect the fence extension will have on both properties. If one party will suffer detrimentally from the extension (i.e. will totally enclose a bay window) the ACC will reject the application.
- 11.9 Only fence extensions which will be installed picket side out shall be considered by the ACC.
- 11.10 Replacement or repairs of fence must be made with similar materials and construction details as used in original fence.

## 12.0 Decorations

- 12.1 On front lawns of lots and on any portion of a lot visible from any street, there shall be no decorative accessories placed such as sculptures, birdbaths, birdhouses, fountains, or other decorative embellishments unless such specific items have been approved in writing by the Architectural Control Committee. (Deed Restrictions, Article IV, Section 1, Approval of Building Plans. "No building, fence, wall structure, improvement, exterior accessories, or exterior physical hereditament, except landscaping (landscaping defined as "living plants, trees, shrubs, flowers, etc.") and utilization of nonliving materials necessary for growth i.e., bark mulch, etc., trellises, window boxes, arbors, and permanent brick borders must have ACC approval.")
- 12.2 Benches, burglar bars and gates will be reviewed on an individual basis.
- 12.3 House numbers may be placed on house or mailbox, but not on any type of freestanding structure in front yard.

### 13.0 Exterior Lighting

- 13.1 Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.
- 13.2 Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.
- 13.3 Low voltage landscape lighting should receive ACC approval.
- 13.4 Yard lights may be gas or electric, single lamp only. Maximum height of six (6') feet. May be in front or back. Gas or electric light posts must be black, brown, or white, depending on color of house and determination of suitable color will be the decision.

### 14.0 Mailboxes

- 14.1 In sections where communal mailboxes are not in use, changes or improvements made to the initial mailbox will require ACC approval.
- 14.2 Replacement of the original pole with a wooden post should receive ACC approval. If the post is to be painted or stained, a paint sample must be included with the application. The ACC will consider the effect a painted or stained post will have on the street. If the proposed color will not readily blend in with the surrounding materials that portion of the application will be denied.
- 14.3 Bricked mailbox stands should receive approval providing the brick matches the house, the stand is appropriate in size and design and will meet U.S. Post Office requirements. A specific sketch should be included with the application.
- 14.4 In sections of subdivisions which use the communal mailboxes, applications for the installation of individual mailboxes will be disapproved.

### 15.0 Wind Turbines

- 15.1 Wind turbines should be mounted in the rear portion of the roof so that they are not visible from the front or above the roof line.
- 15.2 The wind turbines should either be a color which will blend with the shingle color or unfinished aluminum.

### 16.0 Outdoor Carpeting

- 16.1 Can only be installed on porch area-no walkways, etc.
- 16.2 Earth tone colors preferable & acceptable.
- 16.3 Visibility from street will be considered.



17.0 Burglar Bars

17.1 Acceptable provided in harmony with the house.

17.2 Painted to match exterior trim.

18.0 Birdhouses

18.1 Maximum preferred

18.2 Mounted on two (2") inch diameter metal pipe painted white or black, or color to blend with house. Galvanized acceptable.

18.3 Must be placed in the back yard.

19.0 Landscaping

19.1 Timbers, bricks, stones, (use native Texas stone), flower bed borders, landscape lights, trellises and sprinklers must complement style and architecture of home, and conform to color scheme of neighborhood.

20.0 Antennas

20.1 Back side of house, lower than roof line and must not be visible from the street in front of house.

21.0 Swing Sets

21.1 Maximum height of eight (8') foot.

21.2 Location will be considered for neighbor's privacy.

22.0 Driveway Extensions/Sidewalks

22.1 Case by case.

22.2 No closer than three (3') feet to property line and sometimes up to five (5') feet. Driveway extensions can extend no nearer to property line than three (3') foot and five (5') foot in certain instances.

22.3 A driveway extension should not be wider than the front width of the garage.

22.4 All sidewalks in the side yard must be no greater than thirty-six (36") inches wide and no closer than six (6") inches to property line. Thirty (30") inch wide is the recommended width for the standard five (5') foot side yard.

23.0 Garage Conversions. Carports. Detached Garages

23.1 Conversions-are permitted provided there are no exterior changes to garage.

24.0 Window Air Conditioners

24.1 Must not be visible from street and must be below fence line.

25.00 Window Shades/Awnings

25.1 Canvas awnings will not be permitted to be installed on windows to reduce solar exposure unless they are on the back side of house on an interior lot and not visible at all from the street. When allowed, they must be earth tone colors, no blues, greens, etc. and must be kept in excellent condition at all times or will be subject to immediate removal upon notification by the HOA of their unacceptable condition.

25.2 Awnings will still be allowed for use on playhouse and patio covers, provided they also comply with above mentioned requirements for proper location and color.

25.3 Metal and wooden slat-type shades may be allowed by the ACC if they are deemed necessary in reduction of solar exposure and installation on appropriate windows will be determined by the ACC. At no time, however, will they be allowed on windows on the fronts of homes.