

**Wortham Village C.A.I.  
Architectural Review Committee  
Review Guidelines**

It is the general purpose of the Architectural Review Committee (ARC) 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 lot itself.

**Procedure**

A "Request for Home Improvement Approval Form" must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications (i.e. building materials), building permits, locations of the proposed improvements must be indicated on a copy of the survey, etc. and must be included with the application. Failure to supply information will result in a delay.

The architectural review forms are available from the management company. The ARC cannot respond to verbal requests for approval — all applications must be made in writing.

The ARC has 20 business days, excluding holidays, from the date of receipt of an application in which to respond. If additional information is required by the ARC, the application process will be extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process. No construction should begin prior to the approval. Additionally, should your application be submitted after the fact of construction, the ARC is not required to provide approval and you may be required to remove said improvements.

If an application is not approved, the ARC will state in their letter why such approval was denied. If an applicant wishes to discuss or appeal a decision made by the ARC, the Designated Representative should be contacted in writing.

**Guidelines**

The following are guidelines adopted by the ARC to specify their standards, requirements and thought process used in evaluating an application. The guidelines may be amended from time to time as the circumstances, conditions or opinions of the ARC dictate. It should be noted that each application is considered on its own merit and that the ARC may grant a variance from the guidelines and/or from certain provisions of the Covenants, Conditions and Restrictions. The ARC has the right to deviate approval for a similar improvement based on the proximity of a property to a main boulevard, the visual relativity of the site to the overall development, and any other factors deemed appropriate by the ARC. As an example, a home located on a perimeter of the development may be permitted to have a certain styled storage building, whereas on a main entry boulevard and depending on the configuration of the lot, this same item may not be approved. The intent being to maintain overall integrity within areas of higher visual impact.

It should also be noted that ARC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ARC 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 improvement. However, the guidelines should be dated and a chronological book be retained to evidence the process for review over time.

**1.0 Lawn Storage Buildings**

- 1.1 A "storage building" is defined as any structure which is not attached to the main structure. This definition does not include bonafide additions to the main residence or garages wherein

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an actual opening to the main structure exists, but does include storage sheds, gazebos, and playhouses/forts.

1.2 The ARC 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, however, the ARC will approve small prefabricated metal storage buildings providing the color blends with the main residence.
- c. It should be no higher than eight feet (8') from the ground to the highest point, and a maximum of 10' x 12', floor space. Structure must be placed and maintained in the back yard, a minimum of three feet (3') off the rear property line and distance from the 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 three feet (3'), regardless of visibility. Location must also be far enough away from fence to allow for drainage to occur entirely on the owner's lot.
- d. If not visible from the street a storage structure may be placed in the side yard (*behind fence*) provided 3' minimum setbacks are observed.
- e. Playhouse/fort must be no higher than eight feet (8') maximum, and centered in back yard to protect neighbor's privacy. It shall also be placed so as not to be visible from the fronting street.
- f. Gazebo — Freestanding — must review on a case-by-case basis.

**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 the mounting structure must be painted to match the shingle color.
- 2.3 Backboard must be regulation size and of neutral color.
- 2.4 Must be mounted on garage or freestanding pole.

**3.0 Patio Cover**

- 3.1 All patio covers will be reviewed on a case-by-case basis and must adhere to the following guidelines.
- 3.2 Should be constructed of materials which compliment the main structure.
- 3.3 If attached to a one story house, must be integrated into existing roof line (*flush with eaves*), and if it is to be shingled, shingles must match roof. Entire patio cover and posts should be trimmed out to match house. Supports must be painted wood or treated wood. 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.

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**3.5** Patio construction materials are as follows:

- a. Painted wood will match trim of house,
  - b. Natural pressure treated wood such as cedar, pine, fir, redwood, may be used. Pine must be painted or stained. All improvements must be maintained in good repair.
  - c. All patio cover material (*i.e., wood, lattice, etc.*) must be completely framed in so that no raw edges of material are visible.
  - d. All prefab aluminum covers will be reviewed on a case-by-case basis.
- 3.6 Patio covers must be situated on the lot to provide drainage solely into the owner's lot. No proposed patio cover shall be located nearer than five feet (5') away from side of lot line.

**4.0** Room Additions

- 4.1 Exterior materials and colors should match the house as much as possible.
- 4.2 Detailed plans must be submitted to the ARC.
- 4.3 On individual basis. Size and shape will depend on architectural style and layout of home, size of lot, and how well room addition integrates with existing home. Roof of addition must integrate with existing roof line so as to appear to have been part of the original home. The addition must be opened to the main structure and be serviced by central heat/AC and electrical. Room additions may be denied for other reasons (*i.e., structural integrity, architectural suitability, etc.*).

**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 ARC approval. A paint sample must be submitted.
- 5.2 Other earth tone blend colors will be considered. The color of neighboring homes will be taken into consideration along with the applicant's house brick features.

**6.0** Storm Windows and Storm Doors

- 6.1 No screen doors on house front.
- 6.2 Providing the frames of these are of a color compatible with the exterior house colors, storm windows and doors should receive ARC approval.

**7.0** Decks

- 7.1 Decks should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot.
- 7.2 Deck cannot be higher than 18" above grade.
- 7.3 Stain should match or compliment the house.

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**8.0 Swimming Pools and Spas**

- 8.1 Location of pool and deck is the owner's responsibility. Any pool or spa should be located at least five feet (5') from a side or rear lot line and maintain proper drainage on lot.
- 8.2 Above ground pools will receive special consideration. Above ground pools are acceptable provided it is not over four feet (4') in height. Decking around pool cannot be over 18" above ground so as to insure privacy of neighbors. If there is a walkway around pool, it cannot be higher than the wall of the pool. Railings for walkway cannot be visible above the fence. It must also be five feet (5') from the side and rear fences.
- 8.3 Only those pools completely enclosed within a fenced area will be approved.
- 8.4 Pool pumps and equipment must be screened within the fenced perimeter and not visible from the fronting street.
- 8.5 Pool enclosures will be reviewed on an individual basis.

**9.0 Solar Screens**

- 9.1 Solar screens allowed on windows a swatch must accompany the application form.
- 9.2 Colors and manufacturers must be acceptable to ARC for both screens and panels.
- 9.3 Solar film must be non-reflective type.
- 9.4 No solar water heaters will be approved.

**10.0 Fence and Fence Extensions**

- 10.1 Case-by-case.
- 10.2 No higher than eight feet (8') and granted on a limited basis only.
- 10.3 Cedar, treated pine, fir, and redwood only, for side and rear fencing.
- 10.4 No painting of fence.
- 10.5 No split rail or chain link fencing permitted.
- 10.6 Fence extension requests should be submitted by all affected neighbors sharing the fence.
- 10.7 No fence may extend so as to encroach in front of a building line.
- 10.8 If both neighbors do not concur as to a proposed fence extension, the ARC will examine the affect 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 ARC has the right to reject the application.
- 10.9 Replacement or repairs of fence made with similar materials and construction details as used in original fence do not require ARC approval.
- 10.10 Wrought iron fences and gates adjacent to and across driveways will be considered.

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10.11 Fence extensions which are visible from the street will be installed picket side out.

**11.0 Decorations**

- 11.1 On front lawns of lots and on any portion of a lot visible from any street, all decorative appurtenances placed, such as sculptures, birdbaths, birdhouses, fountains, benches and gates or other decorative embellishments must be approved in writing by the ARC.

**12.0 Exterior Lighting**

- 12.1 Additional exterior lighting (*white or off-white color only*) should not be a wattage or lumen count which will affect neighboring homes.
- 12.2 Directional lights or flood lights must be aimed so as not to shine in the windows of neighboring homes.
- 12.3 All landscape lighting should receive ARC approval.
- 12.4 Yard lights may be gas or electric. Maximum height six feet (6'). May be in front or back. Gas or electric lights must be black, brown, or white depending on color of house; determination of suitable color will be the decision of the ARC.

**13.0 Outdoor Carpeting**

- 13.1 Can only be installed on back porch area — no walkways, etc.
- 13.2 Visibility from street will not be considered.

**14.0 Birdhouses**

- 14.1 Must be in the middle of back yard and not visible from the fronting street.
- 14.2 Reasonable height, length, and width.

**15.0 Landscaping**

- 15.1 Timbers, bricks, stone (*native Texas stone*), flower bed borders, landscape lights, trellises and sprinklers may be approved subject to ARC review.
- 15.2 Must compliment style and architecture of home and conform to color scheme of immediate neighborhood.

**16.0 Swing Sets**

- 16.1 Maximum height of ten feet (10').
- 16.2 Location will be considered for neighbors privacy.

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**17.0 Window Air Conditioners**

- 17.1 Must not be visible from street and must be below fence line.
- 17.2 Only for garage use.

**18.0 Burglar Bars**

- 18.1 Will be reviewed on a case-by-case basis.

**19.0 Siding and Gutters**

- 19.1 Gutters must be kept in good repair.
- 19.2 Gutters will be the same color as house, or will compliment house color.
- 19.3 Siding will be approved on a case-by-case basis.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW  
THE STATE OF TEXAS }  
COUNTY OF HARRIS }  
I hereby certify that this instrument was FILED in File Number  
Sequence on the date and at the time stamped hereon by me; and was  
duly RECORDED, in the Official Public Records of Real Property of  
Harris County, Texas on

DEC 28 1999



*Beverly B. Huffman*  
COUNTY CLERK  
HARRIS COUNTY TEXAS

*Beverly B. Huffman*  
COUNTY CLERK  
HARRIS COUNTY TEXAS

1999 DEC 28 PM 4:04

FILED

RECORDER'S MEMORANDUM

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