

**Deerwood North Property Owners Association
Architectural Control Committee**

Construction Policy and Architectural Guidelines

1. General

A. PURPOSE

The following document describes the charging of Deerwood North Property Owners Association with architectural control through the Architectural Control Committee (herein after ACC), and the individual Covenants, Rules and Regulations that have been adopted and in a form, that describes the Architectural Committee process.

B. SCOPE OF DOCUMENT

These guidelines are meant to provide direction in architectural matters to assist residents in submitting applications, and for the ACC to evaluate completed applications for approval. The activities and responsibilities covered by the ACC includes, but are not necessarily limited to, the following: New home construction, fencing, existing home exterior garage, ancillary building maintenance and property upkeep, any proposed exterior home additions, alterations and improvements and any other activities determined by the Board.

C. APPLICATION PROCEDURE

A Construction Application Form is available by emailing **dhansen@hmitexas.com**. All completed applications are reviewed to confirm that the project is in conformance with Covenants, the Rules and Regulations, and all Architectural Guidelines. By the Covenant, the ACC has 30 days from the confirmed receipt date of the application to render its decision.

Any application for new construction will include a detailed lot plan, a survey, a septic system layout and permit along with any architectural plans w/ exterior elevation, exterior paint selections, full description of any exterior cladding/siding selections, roofing material selection, impact on drainage and proposed landscaping.

Applications for additions or alterations to existing homes should also include exterior paint selections and detailed descriptions of the work to be done – along with any roofing, cladding/siding selections and impact on drainage and proposed landscaping.

All applications must include a starting date and estimated completion date. If unforeseen circumstances should delay the completion of your project, the DNPOA office shall be notified, which in turn, will notify the ACC. The ACC will then contact you for a review of the specifics of the delay. The projected length of the completion time will be a consideration in its approval.

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D. CONFORMANCE WITH DECLARATIONS

All applications will be reviewed to confirm that the project is in complete conformance with the Covenant Declarations.

E. OVERALL APPEARANCE

Consideration will be given to the elements, as listed below, in evaluating the project. The project should generally be compatible with the immediate neighborhood (compatibility is defined as similarities in architectural style, quality of workmanship, use of materials, colors and construction details).

The overall workmanship is an important consideration, as is the quality of the selected materials to be used. Both factors affect the visual quality of the surrounding neighborhood.

F. IMPACT ON NEIGHBORS

Projects should not impinge on an adjoining neighbor's property in terms of access, view, sunlight, drainage or privacy. It is strongly suggested that any changes that may affect an adjoining neighbor(s) be discussed before submitting the application. Submission of neighbor's comments, along with the application, might be appropriate in issues of shared fences, common walls or other structures.

G. ENFORCEMENT, RIGHT OF APPEAL

Failure to obtain Architectural Committee approval before beginning work covered in the document, and/or failure to comply with Architectural Committee decisions, will result in the following:

- A first violation fine of \$500.00, each month, as the fine remains unpaid.
- For each subsequent violation, a fine of \$1,000.00, each month, as the fine remains unpaid.

Residents or builders have the right to appeal any ACC decision to the DNPOA Board by notifying the DNPOA office of their intention to protest. The DNPOA Board will review the appeal at the next regularly scheduled meeting. In the event of special circumstances where any delay in scheduling an appeal would adversely affect the residents' home or property, a special meeting can be requested.

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2. Criteria

A. NEW HOMES

Plans should be submitted to the ACC before any dirt work has begun. All submitted plans will include the following:

- A completed application, \$500.00 application fee and \$2500.00 refundable deposit.
- Waller County Engineering Department Development Permit
- An exact lot fit, showing the house depicting distances to all property lines.
- The square footage of living area (heated and cooled) exclusive of garage, patios, etc.
- Location of any driveways, parking pads, etc.
- Septic permit issued by Waller County w/ plan showing specific location of tanks and drain field.
- Accurate and recent survey.
- Front, rear and side elevations with listed materials to be used.

B. CULVERT INSTALLATION REQUIREMENTS

Center line of the culvert pipe should be 9' from the property line (+/- 1 ft.). The drainage ditch will be re-contoured to provide adequate and proper road drainage. It will be now considered part of the site work and the responsibility of the builder. Each culvert pipe is to be set correctly, and not simply dropped into an approximate final position, to establish and maintain proper drainage. All new culvert placements will require ACC approval before construction can resume.

C. ON-SITE DEBRIS RECEPTACLES

Each active construction site is required to deploy, use and maintain a trash bin, roll-off dumpster or site-built waste enclosure to keep the job site (and surrounding area) safe and clean.

D. VARIATIONS WITH FLOOR PLAN ELEVATIONS

Builders will be required to offer different and varying front elevations (distinctions using architectural details, roof line alteration and material selections) and will be evaluated on an individual basis by the ACC for approval or denial. This improvement is designed to alleviate mass-produced redundancy and encourage the individuality of each property.

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E. REFUNDABLE CONSTRUCTION DEPOSIT

Each new home project is required to submit a refundable \$2500.00 deposit at the application stage. This will ensure that all construction requirements are continually being met and maintained.

F. DAMAGE TO STREETS BY CONTRACTORS OR THEIR AGENTS

Any damage done to the streets of Deerwood North subdivision, or common areas, by any builder or his sub-contractors, would become the responsibility of that builder to repair. Each road will be photographed before construction is allowed to begin, and all photos taken will be archived for later reference. Habitual offenses may affect future construction approvals.

G. ELECTRICAL SERVICE REQUIREMENTS

New construction must show proof of electric service availability. Please remember that the DNPOA Board is under no obligation to extend any special utility easements or road right-of-way requests beyond the original platted utility easements. The DNPOA Board may consider special requests, but retains the right to approve/disapprove based on what the DNPOA Board deems to be in the best interests of Deerwood North and its property owners.

Deerwood new construction is required to access electrical power in one of two ways:

- Connecting to the existing electrical grid - (Entergy). Contact between the electrical service provider and the DNPOA Board must be established, and the details of service connection agreed upon by the POA and service provider, before required ACC approval for construction will be given.

If you plan to connect to the existing grid, but use of the original platted easements is not possible, you must provide all granted easement permissions from each of the property owners whose properties will be affected. All documents must be notarized and submitted along with the original completed Application of Construction. Any building applications will not be accepted, or even considered for approval, that is incomplete.

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3. Architectural Control Committee Powers and Responsibilities

- The Architectural Control Committee can, at any reasonable time, enter and inspect any building or property subject to their jurisdiction. These inspections are used to verify that the project is in complete conformance with the Covenant Declarations.
- The Architectural Control Committee can object to a specific feature, or element, of any proposed change while simultaneously approving the plan.
- A breach or violation of these covenants gives the Architectural Control Committee the right to enter the property and correct the violation at owner's/builders expense.

4. Summary

In an effort to protect property values, ensure an aesthetic quality and preserve natural amenities, the Deerwood North Architectural Control Committee has established this Construction Policy and Architectural Guidelines document, which complements the original Deerwood North Codes, Covenants and Restrictions. These guidelines may be supplemented, by additional amendments, to this original Architectural Guidelines document. If there is a conflict of requirements between these guidelines and the Covenants - the Covenants shall govern.

The Architectural Control Committee shall not be bound by precedent. Variances and amendments to the standards and restrictions may be obtained with DNPOA Board approval. Structures constructed prior to the date of these guidelines are not required to be changed in order to conform to these standards set forth herein. However, any modification or addition to these structures or lots may not be started until these standards are met, and ACC approval is obtained for any desired change to existing structures or lots.

A variance to any architectural guideline, restriction or procedure can only be obtained by ACC approval of a written petition to the Committee. The petition shall state the nature of the variance; which guideline, restriction or procedure wishes waived; and a short statement as to why the variance should be granted.

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