

Wendover County

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HOLSTON

77218

15555 N. BARRETS

LANDING

SUITE 162

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LEGAL DISCLAIMER

The following Winchester Country Maintenance Association, Inc. ("WCMA") Architectural Review Committee Guidelines ("Guidelines") have been presented by the Architectural Review Committee ("ARC") and adopted by WCMA in accordance with the Winchester Country Covenants, Conditions and Restrictions ("CC&R's"). The Guidelines are to be used by the ARC to aid in the review and approval process of Requests for Home Improvement Approval Forms ("Requests"). The Guidelines may be amended from time to time, without notice, as the circumstances, conditions or opinions of the ARC dictate.

Each Request will be considered on its own merit and approval will be on an individual basis. The ARC has the right to deviate approval for similar improvements based on the proximity of a property to a main boulevard or the visual relativity of the site to the overall development. Because the guidelines may change, the property owner should contact WCMA, or its appointed representative, in order to obtain the most current issue of the Guidelines regarding the particular improvement to be considered prior to submitting a Request.

The ARC's approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ARC approval, the WCMA Board of Directors has the legal right to enforce its removal. If an applicant wishes to discuss or appeal a decision made by the ARC, WCMA should be contacted in writing at the address on the Request.

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## ARCHITECTURAL REVIEW COMMITTEE GUIDELINES

The Architectural Review Committee, consisting of 5 property owners in Winchester Country, was created to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. The Covenants, Conditions and Restrictions ("CC&Rs") provide that "no building or improvement of any character shall be erected, placed, added or altered on any lot affected ...until the building plans and specifications and a site plan showing the location of the proposed structure or structures have been submitted and approved " by the ARC as complying with the CC&R's "as to use, quality of workmanship and materials, harmony of exterior design and exterior colors with existing and proposed structures, and location of improvements with respect to topography, finished grade elevation and lot boundary lines and building lines."

It is the general purpose of the ARC to approve or disapprove Requests submitted to it for proposed alterations, additions or changes to be made to the exterior of the house and/or lot itself. Landscaping does not require ARC approval except as defined in Section 17 hereafter.

### Procedure

A Request must be completed in its entirety and mailed to the address indicated on the form. All pertinent information such as plans, specifications, building permits, location of the proposed improvements indicated on a copy of the survey, etc. should be included with the Request.

Committee members requests should be submitted to the WCMA Board of Directors for review and approval. Board members requests should be reviewed and approved by at least three (3) committee members.

The Requests are available from WCMA's management company Planned Community Management Inc. ("PCMI"). The ARC cannot and will not respond to verbal requests for approval--all requests must be made in writing.

The ARC has thirty (30) days from the date of receipt of a Request in which to respond. If additional information is required by the ARC, the Request process may 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 receiving approval. The ARC is not required to approve Requests submitted after the fact of construction. The property owner may be required to remove said improvements if they do not comply with the CC&R's.

Because Guidelines may change from time to time, it is highly recommended that property owners contact PCMI for an updated copy of the Guidelines affecting proposed changes prior to making a Request.

## GUIDELINES

### 1.0 Outbuildings

- 1.1 An "outbuilding" 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 garage wherein an actual opening to the main structure exists, but does include, but not limited to, storage sheds, gazebos, and playhouses/forts.
- 1.2 The ARC will consider the following:
  - a. The structure's colors should complement the predominant exterior color of the main structure.
  - b. Materials should match those of the main structure in size; however, the ARC will consider prefabricated metal storage buildings, provided the color complements the main structure.
  - c. It should have a peaked roof no higher than eight feet (8') from the ground to the highest point, and a maximum of 10' X 12' floor space. Structure must not be visible from the fronting street and must be placed a distance from the fence which complies with CC&R's specific to the section in which the property is located. 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. As a storage building placed on a concrete slab is not considered portable, it cannot be placed in the utility easement without letters of Consent to Encroach from the appropriate utility companies. (HL&P charges a fee for this consent letter.)
  - e. No storage building can be built up against any side or rear wall of a home unless its maximum height is less than six feet (6') and is not visible above the fence. It must also comply with all the other requirements for property construction, size and location. It shall be placed so as not to be visible from the fronting street.
  - f. If under six feet (6'), storage structure may be placed in side yard, provided three foot (3') minimum setbacks are observed.
  - g. Playhouse/fort must be no higher than twelve feet (12'). If fort has a platform, then platform can be no higher than 48 inches (48") above ground.
  - h. Gazebo - Freestanding - Must be at least six feet (6') away from house. Must review on a case-by-case basis with a maximum height at peak of eleven feet (11') and must comply with CC&R's specific to the appropriate section in which the property is located.

1.3 Outbuildings shall be reviewed on an individual basis only.

### 2.0 Patio Covers

- 2.1 Must be constructed of materials which complement the main structure.
- 2.2 Prefab covers made of aluminium may be approved provided they are of an earth tone color. Unfinished aluminum will not receive ARC approval. All metal must be painted, however, certain structures using fiberglass roofing and wood framing may be allowed to go unpainted, provided treated wood is used.

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- 2.3 If attached to main structure, must be integrated into existing roof line, and if it is to be shingled, shingles must match roof. Entire patio cover and posts should be trimmed out to match trim of house whether treated or untreated wood is used.
- 2.5 Patio cover 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 pine or wood such as cedar, fir, or redwood may remain unpainted. Treated pine must be painted or stained.
  - d. Fiberglass and canvas are acceptable when an earth tone color, such as tan, brown, beige or clear, that complements the main structure is used. No green or yellow is allowed. (Green is reserved for Commercial use only and is not allowed for residential use.) Edges of the fiberglass must not be visible from surrounding properties or from the fronting street. Covers must be securely fastened in a manner that will withstand frequent windstorms. ARC may give conditional approval when fiberglass or canvas is used.
  - e. The patio cover and construction materials must be maintained in quality condition or their removal will be requested by WCMA.
- 2.6 Requests for patio covers which encroach into any utility easement must be submitted with consent letters from the utility companies affected. (HL&P charges a fee for consent letters.)
- 2.7 Patio covers must be situated on the lot to provide drainage solely into the owner's lot. If a proposed patio cover is to be a solid cover and its location is less than five feet (5') away from side lot line, the ARC will require that it be guttered with downspouts.
- 2.8 Patio covers shall be reviewed on an individual basis only.

### 3.0 Decks

- 3.1 Requests for decks which encroach into any utility easement must be submitted with consent letters from the utility companies affected. (HL&P charges a fee for consent letters.)
- 3.2 Decks should be situated on the lot so they do not pose a problem to the effective drainage of the lot or neighboring lot.
- 3.3 In order to assure the privacy of neighboring property owners, decks cannot be higher than 18 inches (18") above grade.
- 3.4 Paint or stain should match or complement the house
- 3.5 Natural pressure treated wood such as cedar, fir, or redwood may remain unpainted. Treated pine must be painted or stained.
- 3.6 Decks shall be reviewed on an individual basis only.

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#### **4.0 Room Additions**

- 4.1 Exterior materials and colors should match the house.
- 4.2 Detailed building plans, specifications & site plans must be submitted to the ARC.
- 4.3 Requests for room additions which encroach into any utility easement must be submitted with consent letters from the utility companies affected. (HL&P charges a fee for consent letters.)
- 4.4 Building permits as required by the applicable municipality (city, county, etc.) must be submitted with the Request. In some instances, the ARC will grant approval with the provision that a copy of the permit be received by the ARC within thirty (30) days of the conditional approval letter.
- 4.5 Size and shape will be considered based on the architectural style and layout of the main structure, size of lot, and how well the proposed addition integrates with the existing structure. Plans for room additions must show a room of reasonable size to constitute a bonafide request for a room addition. (Addition of a storage area will not qualify as a bonafide room addition and will not be permitted.) The addition must be opened to the main structure and be serviced by central AC/ heat and electrical. Room additions may be denied for reasons that include, but are not limited to structural integrity, architectural suitability, etc.
- 4.6 Roof of addition must integrate with existing roof line so as to appear to have been part of the original structure and shingles should match those on existing structure.
- 4.7 Room additions shall be reviewed on an individual basis only.

#### **5.0 Exterior Painting**

- 5.1 All exterior painting, even when using the same color as existing paint, must receive ARC approval.
- 5.2 Earth tone colors are most often used when homes are constructed. An earth tone color should receive ARC approval. Earth tone blend colors will be considered.
- 5.3 Along with the applicant's house brick features, the color of neighboring homes will be taken into consideration.
- 5.4 Exterior Painting shall be reviewed on an individual basis only.

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

- 6.1 Frames of storm windows and storm/screen doors should be a color compatible with the exterior house colors.
- 6.2 Storm Windows and Storm/Screen Doors shall be reviewed on an individual basis only.

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## 7.0 Basketball Goals

- 7.1 Must be mounted on garage or placed on the side of driveway, recognizing a setback of a minimum to correspond with building line.
- 7.2 If the backboard is mounted onto the roof by use of a small, triangular mounting structure, the mounting structure must be painted to match the shingle color.
- 7.3 Backboard must be regulation size and color.
- 7.4 The basketball goal backboard, net and post must be maintained in excellent condition at all times.
- 7.5 Basketball Goals shall be reviewed on an individual basis only.

## 8.0 Swimming Pools and Spas

- 8.1 Requests for swimming pools and spas which encroach into any utility easement must be submitted with consent letters from the utility companies affected. (HL&P charges a fee for consent letters.) Pool decking which extends into the easements also requires a consent letter.
- 8.2 Structure(s), including pumps and other equipment, must not be visible from the fronting street and must be placed a distance from the fence which complies with CC&R's in which the property is located. At no time, however, will that distance from the rear fence be less than five feet (5') and from the side fence be less than three feet (3'), regardless of visibility. Location must also be far enough away from fence to allow from drainage to occur entirely on the owner's lot.
- 8.3 Only those pools completely enclosed within a fenced area, with a locked gate, may be approved.
- 8.4 Pool enclosures will be reviewed on an individual basis and height should not exceed six feet (6').
- 8.5 Above ground pools must meet all of the above requirements.
  - a. Decking shall not exceed specifications set forth in Section 3.0 concerning decks.
  - b. Must be kept in excellent repair.
- 8.5 Swimming Pools and Spas shall be reviewed on an individual basis only.

## 9.0 Satellite Dishes

- 9.1 Maximum diameter of ten feet (10'). Perimeter must be completely fenced to approved the installation of a dish.
- 9.2 Must be placed in rear/back side of house and not visible from street.
- 9.3 Satellite Dishes shall be reviewed on an individual basis only.

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#### **10.0 Fence and Fence Extensions**

- 10.1 Must extend from grade level to six feet (6') above grade, unless otherwise approved by the ARC, and must be constructed consistent with the individual CC&R's for the section in which the property is located.
- 10.2 No painting, staining, or varnishing of fence.
- 10.3 Fence extension requests should be submitted by both neighbors sharing the side lot line and fence, except in the case of a corner lot.
- 10.4 No fence may extend so as to encroach in front of a building line.
- 10.5 Approved fences will be installed picket side out where visible from any street.
- 10.6 Replacement or repairs of fences must be made with similar materials and construction as used in original fence.
- 10.7 Fencing shall be uniform throughout the development. Wrought iron may be used in areas of decorative use in sections across driveways or where used across a building line so long as there are no items, storage or otherwise visible from a fronting street.
- 10.8 Fence materials used for landscaping purposes may not exceed three feet (3') in height.
- 10.9 Fence and Fence Extensions shall be reviewed on an individual basis only.

#### **11.0 Exterior Lighting**

- 11.1 Additional exterior lighting should not be of a wattage or lumen count which will affect neighboring homes.
- 11.2 Directional lights or floodlights must be aimed so as not to shine in the windows of neighboring homes.
- 11.3 Low voltage landscape lighting should receive ARC approval.
- 11.4 Security, mercury vapor, or fluorescent lights must be attached to the front of the house, preferably the garage. Mercury vapor, fluorescent, and sodium halide may be permitted in back as long as it in no way shines onto adjacent property.
- 11.5 Yard lamps may be gas or electric and may be placed in front or back of main structure. They must be on a single lamp pole, maximum height may not exceed eight feet (8'), and must complement color of main structure.
- 11.6 Exterior lighting shall be reviewed on an individual basis only.

#### **12.0 Mailboxes**

- 12.1 In sections where communal mailbox are not in use, changes or improvements made to the property site mailbox will require ARC approval.

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- 12.2 Replacement of the original pole with a wooden post should receive ARC approval. If the post is to be painted or stained, a paint sample must be included with the Request. The ARC will consider the effect a painted or stained post will have on the street. If the proposed color will not complement the main structure and blend in with the surrounding materials, that portion of the application will be denied.
- 12.3 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 must be included with the Request.
- 12.4 In sections which use the communal mailboxes, Requests for the installation of individual mailboxes will be denied.
- 12.5 Mailboxes shall be reviewed on an individual basis only.

### 13.0 Wind Turbines

- 13.1 Wind Turbines should be located on rear of house.
- 13.2 Wind Turbines will be reviewed on an individual basis only.

### 14.0 Outdoor Carpeting

- 14.1 Can only be installed on porch area (no walkways, etc.)
- 14.2 Earth tone colors acceptable. But, specifically, no green or blue carpet will be approved.
- 14.3 Visibility from street will be considered.
- 14.4 Exterior carpeting will be reviewed on an individual basis only.

### 15.0 Burglar Bars

- 15.1 Acceptable provided they are in harmony with house.
- 15.2 Painted to match exterior trim.
- 15.3 Burglar Bars will be reviewed on an individual basis only.

### 16.0 Birdhouses

- 16.1 Maximum height is twelve feet (12').
- 16.2 Mounted on 2" diameter metal pipe painted white or black.
- 16.3 Must not be visible from the fronting street.
- 16.4 Birdhouses will be reviewed on an individual basis only.

### 17.0 Landscaping

- 17.1 Timbers, bricks, stone (native Texas stone), flowerbed borders, landscape lights, trellises, fences and sprinklers are subject to ARC approval.

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- 17.2 Lawn decorations, such as sculptures, birdbaths, fountains, benches or other decorative embellishments, higher than 12 inches (12") cannot be placed on front lawn of lots or on any portion of a lot visible from any street without ARC approval.
- 17.3 House numbers may be placed on house or mailbox, but not as any type of free-standing structure in front yard.
- 17.4 Must complement style and architecture of home and conform to color scheme of immediate neighborhood.
- 17.5 Landscaping will be reviewed on an individual basis.

**18.0 Antennas**

- 18.1 Must be installed on back side of house, lower than center roofline and must not be visible from the front street.
- 18.2 Antennas will be reviewed on an individual basis.

**19.0 Swing Sets**

- 19.1 Maximum height of eight feet (8').
- 19.2 Location will be considered for neighbors' privacy.
- 19.3 May not be visible from fronting street.
- 19.4 Swing Sets will be reviewed on an individual basis.

**20.0 Driveway Extensions/Sidewalks**

- 20.1 Must be constructed in a way which complies with CC&R's specific to the section in which the property is located.
- 20.2 All sidewalks in the side yard must be no greater than 48 inches (48") wide.
- 20.3 Driveway Extensions/Sidewalks will be reviewed on an individual basis only.

**21.0 Garages and Garage Conversions**

- 21.1 Conversions are not permitted without ARC approval.
- 21.2 All garages must be capable of housing a minimum of two (2) cars at all times and must have an operational garage door.
- 21.3 All garages must have an access driveway.
- 21.4 Garages and Garage Conversions will be reviewed on an individual basis only.

**22.0 Window Shades/Awnings**

- 22.1 Canvas awnings will not be permitted to be installed on windows to reduce solar exposure unless they are the back side of the house on an interior lot and not visible at all from the fronting street. On a corner lot or lot that backs onto a street, canvas awnings will not be permitted at all.

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When allowed, they must be earth tone colors, and must be kept in excellent condition at all times or will be subject to immediate removal upon notification by WCMA of their unacceptable condition.

- 22.2 Awnings will still be allowed for use on playhouses and patio covers, provided they also comply with aforementioned requirements for proper location and color.
- 22.3 Metal and wooden slat-type shades may be allowed by the ARC if they are deemed necessary in reduction of solar exposure and installation on appropriate windows will be determined by the ARC. At no time, however, will they be allowed on windows on the fronts of homes.
- 22.4 Window Shades/Awnings will be considered on an individual basis only.

### 23.0 Window Air Conditioners

- 23.1 Must not be visible from any street and must be below fence line.
- 23.2 Window Air Conditioners will be considered on an individual basis only.