

# **LAKES OF PINE FOREST**

**Harris County, Texas**

**Builder Guidelines**

**Builder Guidelines and Construction Standards  
For Single-Family Residences**

Adopted by the  
Architectural Review Committee  
("ARC")

# LAKES OF PINE FOREST

## Builder Guidelines

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RP 089-89-0228

### **Purpose of Guidelines**

The Builder Guidelines have been established for the use by third party builders in the Lakes of Pine Forest community. They are aimed at ensuring an attractive, coordinated physical environment both during and after construction. However, certain standards have been adopted for key elements to provide continuity and to maintain overall quality. The property owner should familiarize himself and his building team with the requirements of the Builder Guidelines and confirm that he has the latest revision.

Remember that Lakes of Pine Forest is located within the City of Houston Extra Territorial Jurisdiction ("ETJ") and may, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its ETJ. The City of Houston, and Harris County, or any other applicable governmental agency, should be contacted at the beginning of the building process to insure compliance with all applicable regulations. Compliance with all governmental regulations is the obligation of the third party builder, and, in the case of any conflict with these Builder Guidelines, the other governmental regulations shall control.

The Architectural Review Committee (the "ARC") of Lakes of Pine Forest reserves the right to modify and change the Builder Guidelines as well as grant variances to the Builder Guidelines.

**SECTION 1**

**SITE LAYOUT**

## 1.1 General

The builder/owner is to construct homes and maintain individual lots in a manner prescribed by the Master Declaration of Covenants, Conditions and Restrictions, any supplements or amendments thereto, the recorded plat/replats, rules and regulations of the Lakes of Pine Forest Homeowners Association, Inc. and these Builder Guidelines.

Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, and etc. is required of the builder/owner. Ties to utilities are the responsibility of the builder/owner.

The builder/owner shall comply with any and all ordinances that may be in effect from any other governmental agency having applicable jurisdiction.

RP 089-89-0230

## **1.2 Building Setbacks**

*All front, rear and side set backs will be as shown on the recorded final plats for each section of Lakes of Pine Forest and/or will be as the current Ordinances of the City of Houston stipulate.*

### 1.3 Driveways

The builder is required to construct a driveway into the street right-of-way to connect to the existing street. Such driveway shall be placed in accordance with Harris County requirements, as well as meet ADA Guidelines.

Proposed driveways shall be poured and the curb shall be "saw-cut" in accordance with the requirements of Harris County, as applicable. The builder is responsible for the street and curb improvements adjacent to the builder's Lots and builder will not cause any damage to the such improvements, except to install the driveways in accordance with the requirements of Harris County.

#### 1.4 Pools & Spas

Above ground spas and/or hot tubs must be screened from public view by fencing as required in Section 1.5 herein. Above ground pools will not be allowed.

Swimming pool appurtenances such as rock waterfalls, slides, and diving boards must not be over six feet (6') in height. Skimmer nets, long handle brushes, pool chemicals, filters, pumps, heaters, plumbing, etc. must be stored so as to not be visible from public view.

Pool walls shall not encroach on any utility easement. If pool plumbing is required in the utility easements, *contact the appropriate utility company before digging.* Wood or concrete pool decks may be placed on utility easements, but are subject to removal by utility companies in the future.



## 1.5 Fences

All yards on each lot in Lakes of Pine Forest is required to be fenced upon the completion on the home on such lot by builder.

A minimum fence setback of ten feet (10') from the front façade of the house is required unless otherwise approved by the ARC.

Fence height shall be six feet (6') unless approved by ARC.

Fences are only to be constructed with 1 x 6 pickets of #2 cedar. Posts and rails (3) will be constructed with treated #2 southern yellow pine or steel material. No paint, stain, sealer of any type may be applied to wood fences.

Wood fences on common rear lot lines and common side lot lines shall be a "good neighbor" type fence. Alternating eight foot panels of solid pickets and exposed rails are intended to provide a uniform attractive fence to each abutting property.

The "finished" side of the fence must always be the side exposed to public view on corners. Rear lot fences constructed along Queenston Boulevard shall have the "finished" side to the house side.

All fencing installed on lake front lots, which front or abut the lake shall be of a steel material as shown in the detail 1.5.2. Panels bolted instead of welded to posts are required for ease of maintenance. Steel should be primed and painted semi-gloss black. Posts are to be set in concrete as detailed. Steel fencing can be attached to masonry wall or brick columns. It is not to be attached to any wood fencing. In this situation, the steel fence is to be terminated with a three-inch (3") square [post adjacent to the wood post. No material (i.e., screening, wire mesh) shall be attached to the steel fence.

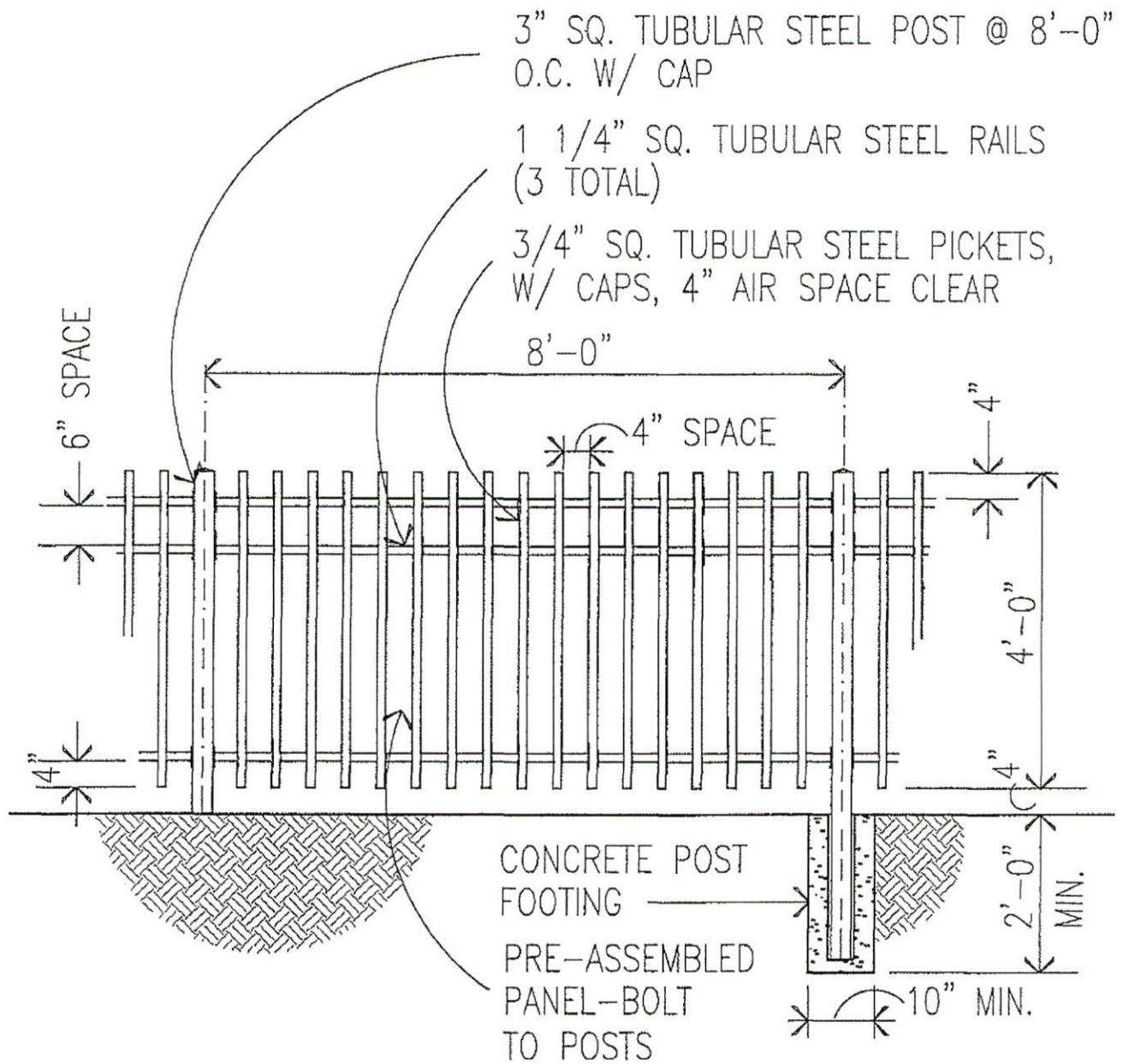
Diagonal and horizontal fencing is strictly prohibited

No used material may be used to construct any fence

All fences are to be kept in good repair.

Electric meters, A/C units, and other facilities located on the street side of a lot are to be placed behind the fence or screened by landscaping.

Side yard gates are discouraged on the street side of a lot.



## ELEVATION

### 1.5.2 TYPICAL STEEL FENCE DETAIL

SCALE: NTS

## 1.6 Lot Drainage

It will be the responsibility of each builder to provide adequate drainage for each lot in conformance with the drainage plan.

The builder must establish a drainage pattern upon completion of the house to insure that each lot has positive drainage away from the house foundation and drain to an adjacent street Lot or common area.

The builder must establish a drainage pattern upon completion of the house. It is the homeowner's responsibility to maintain these drainage patterns and not alter the flow of water from their lot.

**SECTION 2**

**ARCHITECTURE**

## 2.1 General

The following guidelines are not intended to limit the creativity of the architects or builders in their design or construction of homes in Lakes of Pine Forest. They are intended to provide a basis for design concepts, forms, and materials to create a comfortable living environment while fitting into the overall sense of community.

The builder/owner shall be responsible for installation and maintenance of the area within the public street right-of-way (between the back of the street curb and property lines).

Each builder/owner shall be responsible for street cleaning and trash pickup in the area immediately adjacent to where the home is being constructed.

## 2.11 Minimum Floor Area

The following floor area requirements must be adhered to unless otherwise approved by the ARC.

55' wide lots	1500 square feet to 2800 square feet
65' wide lots	2400 square feet to unlimited square feet <b>2100 square feet (1 story home)</b>

These requirements meet or exceed the minimum requirements set forth in the Master Declaration of Covenants, Conditions and Restrictions, and any supplements or amendments thereto, and may be modified by the ARC.

The floor area is to be calculated as the total square footage of the air conditioned floor area of any single-family residence exclusive of open porches, garages, or breezeways.



## 2.2 Elevation Repetition

Location of house designs should be carefully reviewed to avoid excessive repetition in the street scene. The intent is to avoid the negative "look-alike" effect of frequent repetition, but still allow sufficient latitude in satisfying market demand.

A floor plan may be repeated with the same front elevation no more than every fourth lot on the same side of the street or the fourth house across the street in both directions. Masonry, as defined herein, and trim colors should vary in this situation.

A floor plan may be repeated with a different front elevation on every third lot.

Identical brick, stone, or stucco selections are prohibited on homes which are adjacent to one another unless approved in writing by the ARC. However, in stances where stone and stucco are accents to the elevation and not the primary Masonry material, stone and stucco can be duplicated.

The ARC reserves the right to reject an elevation that closely resembles that of a nearby house or in any way detracts from the overall street scene.

## 2.3 Exterior Materials

Samples of all finished materials must be submitted by the builder to the ARC for approval.

Soft subdued paint colors as approved by the ARC should be used. Bold primary colors are prohibited. Each builder is required to submit a color palette to the ARC for approval.

Brick and stone selections must be approved by the ARC prior to installation. Repetition of Masonry, as defined below, materials will not be permitted on adjacent houses.

Unless otherwise approved by the ARC, at least 75 percent of the exterior first floor walls and 25 percent of the second floor walls, excluding windows and gables, must be of brick, stone, or stucco construction. **Except that all homes constructed on lakefront lots (lot which fronts or abuts) must include brick, stone, or stucco construction on the first floor of the rear elevation.** The balance of the exterior walls must be of a Masonry material as defined below. The 75 percent requirement is expressed in the Master Restrictions or Supplemental Restrictions for each section of development.

In Masonry construction, all mortar joints are to be tooled with mortar color complementary to the brick color.

Gable ends of a uniform material tend to be more appealing than those which change at the eve line and are strongly encouraged.

High contrast trim or material variation should be avoided in favor of those which are chosen to blend the elements and color.

"Masonry", as defined for purposes of these Builder Guidelines, shall be considered materials of brick, stone, stucco or Hardi-Plank® siding.

No aluminum siding shall be permitted as an approved exterior material in Lakes of Pine Forest.

Roofs on all buildings in Lakes of Pine Forest shall be covered with fiberglass composition shingles with a life of no less than twenty-five (25) years. The color of any shingles shall be of wood tone, earthtone or in harmony with earthtones and shall be subject to approval of the ARC. Any other type of roofing material may be used only if approved in writing by the ARC prior to installation.

Flat roofs are not permitted in Lakes of Pine Forest. Major roof planes shall be no steeper than 6:12. For limited specific areas of the roof, the maximum roof pitch shall be 12:12.

All residential dwellings constructed on the lots in Lakes of Pine Forest shall have a cast stone address plaque installed into the front elevation thus giving the community a consistent theme for such plaques. Any other type of address plaque must be approved by the ARC prior to installation.

No window in any residential dwelling or other approved improvement that is visible from any other lot, residence, street or common area may be covered with any aluminum foil or other reflective material. Window coverings must be compatible with the design and color of the residence and the overall appearance of the community. The ARC shall have the sole authority to determine whether particular window coverings are compatible with the design and color of the residence and the overall appearance of the community.



### **2.31 Chimneys**

The height of the chimney should be in proportion to the roof line and adhere to the fire codes.

Exposed metal flues are not allowed. They may be used only when clad with material complementary to the house.

## 2.4 Exterior Lighting

The builder/owner may install and maintain lighting on individual lots in a manner so as to not cause distraction, nuisance, or be unsightly.

Ground lighting or decorative light fixtures are acceptable. Decorative fixtures must be of high quality materials and workmanship, and be in scale with the residence.

Free-standing decorative fixtures are acceptable with ARC approval. Mercury vapor lights, when used for special landscape lighting affect (hung in trees as up or down lights), is permissible only with prior approval from the ARC.

Incandescent, low voltage incandescent, metal halide, quartz, and natural gas lights are acceptable.

Spotlights are to be directed to avoid light spill onto any adjacent property.

## 2.5 Screening

All meters, air conditioning units, etc. are to be placed away from public view, preferably in the rear or fenced side yards. In the absence of a completely fenced side yard, meters, air conditioners, etc. must be screened from view.

Wood fences and/or shrubs are acceptable screening materials.

Hedges may be used for screens if plants are mature enough and spaced close enough to provide adequate screening. Screening with plants is to be accomplished with the initial installation and not to assumed growth at maturity. Staggered spacing of shrubs for hedges makes a good screen.

## **2.6 Roof Top Antenna & Satellite Dish**

The roof, as a design element, should be kept as visually unobstructed as possible.

No roof top antenna will be permitted on the outside of a residence. All antenna must be concealed within the attic or otherwise completely concealed.

Installation of any satellite dish requires prior written approval from the ARC.

All satellite dishes in excess of one (1) meter in size shall be located in a fenced back yard with no part of the dish visible above the top of the fence. It is recommended that all satellite dishes less than one (1) meter in size be installed so as not to be visible from the street directly in front of the house.

## **2.61 Roof Protrusions**

Vent stacks and other necessary roof protrusions, where possible, should be located to be away from view from the adjacent street. All vent stacks and flashing are to be painted to match color of shingles. Shingles are to be overlapped at valleys so that no valley flashing is exposed.

## **2.62 Roof Gutters and Downspouts**

Gutters and downspouts are not required. If used, however, they should be integrated with the architectural design in color, shape, and location.

If gutters are not used, positive drainage away from the house should be provided.

Downspouts are to be located to provide a clean, unobtrusive appearance, terminated by either splash blocks or drained underground to appropriate termination.

### **2.63 A/C Equipment**

No window or roof top HVAC equipment is permissible. Extreme care should be taken in the location of condensers to avoid noise infiltration of adjoining bedrooms and other "quiet" zones.

## **2.7 Carports**

No carports shall be constructed on any lot in Lakes of Pine Forest. With the prior written consent of the ARC, a porte cochere may be approved; however any approved porte cochere will be an addition to and not a replacement of the garage requirement stipulated in the Master Declaration of Covenants, Conditions and Restrictions and any supplements or amendments thereto.



## 2.8 Outbuildings

Provided the express written consent of the ARC is secured prior to installation and placement on a Lot, one (1) lawn storage building and/or one (1) children's playhouse, each limited in maximum height to eight (8) feet from the ground to the highest point of the structure, and each limited size to a maximum of 100 square feet of floor area, may be placed on a lot. The roof of any outbuilding shall be the same color of the house on the lot on which it is located. In no case can the outbuilding be placed in a utility easement; within five (5) feet of a side property line; or within ten (10) feet of the back property line. Additionally, no outbuilding structure of any type is permitted unless the specific Lot involved is completely enclosed by fencing in accordance with Section 1.5 herein. Otherwise, no building or structure of any kind (except for a residence or garage) shall ever be placed or erected on any lot within Lakes of Pine Forest.

## 2.9 Playground Equipment

No jungle gyms, swing sets, basketball goals or similar playground equipment shall be erected or installed on any lot without prior written approval of the ARC. These items shall be positioned on the lot so as not to be visible from any street. Any playground equipment or other play areas or equipment furnished by the Lakes of Pine Forest Homeowners Association, Inc. or in behalf of such association shall be used at the risk of the user, and the association or the entity who supplied such equipment shall not be held liable to any person for any claim, damage, or injury occurring thereon or related to the use thereof.

# **SECTION 3**

## **LANDSCAPE**

### 3.1 Minimum Landscape Requirements

A single row of foundation planting is not acceptable.

Planting beds are to be curvilinear with varied widths, with the shrub mass in tiers, smaller shrubs and ground cover in the front and larger shrubs in the rear of the beds. Grouping of shrubs of the same species provide a substantial look. Avoiding planting shrubs at a constant distance from the foundation.

Mulch all planting beds with 2" deep shredded dark hardwood, pine bark mulch or Cypress bark mulch.

No gravel of any size or color is permitted for use or substitution for shrubs, ground cover, mulch, or grass lawns, except as might be necessary for drainage. Specimen boulders and rock borders are permitted.

All front yards shall be fully sodded with St. Augustine, Bermuda or other grasses approved by ARC to cover the entire front yard and side yards up to the fence less any landscaped area. **All rear yards of lots which front or abut the lake shall also be fully sodded as described above.**

A minimum of two "yard" trees with a minimum size of 2" caliper shall be planted in the front of each lot. **A minimum of two additional "yard" trees with a minimum size of 2" caliper shall be planted in the rear yards of all lots which front or abut the lake.** The required species of the trees shall come from the list in Section 3.2. Caliper sizing shall be measured three (3) feet from the base of the tree.

The builder shall install, at a minimum, the following landscaping package prior to the home being occupied by a homebuyer:

Eight (8)	Five (5) gallon shrubs
Twenty (20)	One (1) gallon shrubs

The shrubs to be used shall be from the list found in Section 3.21.

### 3.2 Plant Material - Trees

The following is a list of plant material considered to be appropriate for Lakes of Pine Forest. Other plant material may be used, but priority should be given to plants from this palette. Palm trees, yucca and cactus may be acceptable. Individual planting plans which include these plants must be submitted to the ARC.

#### YARD TREES

Live Oak  
Red Oak  
Burr Oak  
Water Oak  
Bradford Pear  
Cedar Elm  
Pecan  
Bald Cypress  
Magnolia  
Chinese Pistache  
Slash Pine  
Loblolly Pine  
Sweet Gum

#### ORNAMENTAL TREES

Crape Myrtle  
Wax Myrtle  
Red Bud  
Evergreen Pear  
Ligustrum  
Yaupon  
Chinese Parasol Tree  
River Birch  
Parsley Hawthorn  
Mexican Plum  
Majestic Indian Hawthorn  
Photinia Tree  
Saucer Tree  
American Holly  
Golden Raintree

### 3.21 Plant Material - Shrubs

Shrubs shall be planted at spacing appropriate with the size of the plant and in accordance with acceptable industry standards.

#### SHRUBS

Dwarf Yaupon  
Dwarf Pyracantha  
Dwarf Chinese Holly  
Dwarf Crape Myrtle  
Dwarf Gardenia  
Dwarf Nandina "Purpurea" & "Harbor"  
Dwarf Pittosporum  
Dwarf Juniper "Bar Harbor" & "Buffalo"  
Eleagnus  
Pyracantha  
Pittosporum  
Variegated Pittosporum  
Philodendron  
Cleyera  
Fatsia  
Compact Nandina  
Nandina  
Photinia "Frazeri"  
Azalea Karume Varieties  
Azalea Indica Varieties  
Abelia  
Indian Hawthorn "Clara" "Snowwhite" "Ballerina"  
Gardenia  
Camellia  
Texas Silverleaf  
Ligustrum  
Italian Jasmine  
Oleander  
Pineapple Guava  
Laurel Leaf Cocculus  
Possum Haw  
Pampass Grass

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### 3.22 Plant Material – Ground Cover & Vines

Ground cover shall be planted at a spacing appropriate with size of plant and in accordance with industry standards.

#### GROUND COVER & VINES

English Ivy  
Algerian Ivy  
Japanese Star Jasmine  
Chinese Star Jasmine  
Climbing Fig  
Carolina Jasmine  
Monkey Grass  
Liriope/Variiegated Liriope  
Sprengerl Fern  
Boston Fern  
"New Gold" Lantana  
Ajuga  
Holly Fern  
Honeysuckle  
Trumpet Creeper  
Sedum  
Chinese Wisteria  
Wood Fern

# **SECTION 4**

## **BUILDER SIGNAGE**



#### **4.1 Builder Signage – Lots**

One sign per single family lot is allowed until occupancy.

The sign may be a 24" x 36" panel displaying the builder's name and/or logo or trademark. Color graphics must be submitted to ARC.

Information to be conveyed:

Name of Builder

Phone Number-Builders Sales Office

In addition, one construction address sign not to exceed 18" x 24" shall be allowed on each lot during construction of the home.

# **SECTION 5**

**MODEL HOMES/SALES OFFICE**

## 5.1 Presentation

With the exception of sales offices in a garage, the models should be presented as much as possible as the finished product would be sold.

Planters, flowerpots, benches, and other small decorations can provide a sense of scale and "lived in" appearance. The use of annual flowers is encouraged.

It is expected that the landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of the Builder Guidelines.

If planting beds are extended from one lot to another to create a park like atmosphere, care is to be taken to not block the drainage down side lot lines.

## 5.2 Signage/Fencing

Each model home shall be permitted one sign to, display the name of the builder. The sign face shall not exceed six feet (6') in width and four feet (4') in height. The total height above the existing lot grade may not be more than five feet six inches (5' 6"). If placed on corner lots, locate the sign within the property line and within the side set back lines.

Graphics on the sign may include: builder name, logo, and/or slogan, price range, phone number, and business hours. Signs may not be internally lighted.

Sign colors are to be selected to enhance quality. Color samples should be submitted to the ARC prior to building signs.

Signs designating model names, sales office, entrances, and exists may not exceed twelve inches (12") in height and eighteen inches (18") in width.

"Trap" fencing is permitted, but must be of wrought iron design. As a temporary fence, the trap fence may be installed on the property line. Other types of fencing may be given consideration by the ARC if the overall concept of the model home park requires a variance.

U.S. and Texas flags are permitted with prior approval from the ARC.

Exterior fluorescent lighting is prohibited. Exterior landscaping lighting highlighting the key elements of the home and yard, is encouraged.

### 5.3 Sales Office

When model homes are no longer used for sales purposes, they are to be converted to standard residences. The ARC is to approve all aspects of the conversion. Sales offices must be put in condition of typical homes in the builder product line. Garages constructed for use as sales offices must be converted back to a standard garage.

Meandering sidewalks on lots are to be removed, unless they are tastefully incorporated into the final design for finished lots. Off street parking lots are to be removed after closing model units.

## **5.4     Parking**

Off street parking is permitted but not required in model parks.

# **SECTION 6**

## **ARC SUBMITTALS**

## 6.1 General

The submittal of plans and specifications to the Architectural Review Committee provides a review process to ensure conformance to the guidelines and standards adopted by the ARC.

All new construction, modification, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the ARC prior to commencement of any construction activity. The ARC reserves the right to alter the review process in order to ensure a thorough review of all submissions while accommodating the needs of builders and property owners.

The plans and specifications for a home must be approved in writing by the ARC before construction of a residence can begin.

Submittals shall be sent to the attention of:

**Lakes of Pine Forest**  
**Architectural Review Committee**  
c/o \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_



## 6.2 Requirements – Production Builders

The ARC will consider pre-approval of standard builder plans and landscaping specifications for each home to be constructed in Lakes of Pine Forest. The builder shall provide the ARC with the following information for the pre-approval process:

- (a) Floor plans of the first and second floors
- (b) All contemplated front elevations and all side elevations of each floor plan
- (c) Standard landscaping package specifications

If the builder wishes to add a floor plan to the pre-approved list, the builder shall submit items (a) and (b) above of such floor plan to the ARC for approval.

Prior to construction of each residence the builder shall submit to the ARC the submittal form, as found, in Section 6.3 of the Builder Guidelines, where the builder shall indicate the floor plan, elevation, brick and trim color to be used on such residence. Builder shall not commence construction of any residence without the ARC's written approval of the floor plan, elevation, brick selection and trim color of the residence to be built of an individual lot.

## **6.3      ARC Submittal Form**

**SEE ATTACHED FORM**

## LAKES OF PINE FOREST ARC Submittal Form

Owner/Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Job/Address: \_\_\_\_\_

Job/Legal: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Contractor: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Architect/Designer: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Class of Work: \_\_\_\_\_ New \_\_\_\_\_ Addition \_\_\_\_\_ Repair  
Other \_\_\_\_\_

If New Construction: Floor Plan \_\_\_\_\_ Elevation \_\_\_\_\_  
Brick \_\_\_\_\_ Trim Color \_\_\_\_\_

Work Description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Variance Requested: \_\_\_\_\_

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

ARC Member: \_\_\_\_\_

### RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

RP 089-89-0269

FILED

2013 DEC 17 AM 8:59

*Stan Stansitt*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

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 herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris  
County, Texas.

DEC 17 2013



*Stan Stansitt*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

BOARD RESOLUTION OF  
LAKES OF PINE FOREST HOMEOWNERS ASSOCIATION, INC.  
Regarding Amendment of  
Builder Guidelines for the Purpose of Filing  
in the County Real Property Records

DATED: May, 1st, 2020.

STATE OF TEXAS                   §  
  §  
COUNTY OF HARRIS           §

I, Harold Vance, President of LAKES OF PINE FOREST HOMEOWNERS ASSOCIATION, INC. (hereinafter referred to as the "Association"), do hereby certify that at a meeting of the Board of Directors of the Association, which was held on the 23rd day of April, 2020, with a quorum present and remaining throughout, and being duly authorized to transact business, the following resolution was made regarding the adoption of amendments to the Builder Guidelines.

AMENDMENT TO BUILDER GUIDELINES

WHEREAS, the Association is a Texas non-profit corporation governed by the Texas Property Code, specifically Sections 201-211;

WHEREAS, the Builder Guidelines of the Association were adopted and filed in the Real Property Records of Harris County, Texas on August 25, 2015 under Harris County, Texas Clerk's File No. 20150385900;

WHEREAS, Tex. Prop. Code 204.010 provides that the Association may regulate the use, maintenance, repair, replacement, modification, and appearance of the subdivision;

WHEREAS, at a meeting of Board of Directors of the Association, on April 23, 2020, 2020, the Board of Directors of the Association approved an Amendment to the Builder Guidelines of the Association whereby the following modifications shall be made;

THEREFORE, the following language shall be removed from Section 1.5 of the Association's Builder Guidelines filed for record under County Clerk File Number 20150385900:

**1.5 FENCES**

*All yards on each lot in Lakes of Pine Forest are required to be fenced upon the completion on the home on such lot by builder.*

*A minimum fence setback of ten feet (10') from the front facade of the house is required unless otherwise approved by the ARC.*

*Fence height shall be six feet (6') unless approved by ARC.*



Fences are only to be constructed with 1 x 6 pickets of #2 Cedar. Posts and rails (3) will be constructed with treated #2 southern yellow pine or steel material. No paint, stain, sealer of any type may be applied to wood fences.

Wood fences on common rear lot lines and common side lot lines shall be a "good neighbor" type fence. Alternating eight foot panels of solid pickets and exposed rails are intended to provide a uniform attractive fence to each abutting property.

The "finished" side of the fence must always be the side exposed to public view on corners. Rear lot fences constructed along Queenston Boulevard shall have the "finished" side to the house side.

All fencing installed on lake front lots, which front or abut the lake shall be of a steel material as shown in the detail 1.5.2. Panels bolted instead of welded to posts are required for ease of maintenance. Steel should be primed and painted semi-gloss black. Posts are to be set in concrete as detailed. Steel fencing can be attached to masonry wall or brick columns. It is not to be attached to any wood fencing. In this situation, the steel fence is to be terminated with a three inch (3") square post adjacent to the wood post. No material (i.e., screening, wire mesh) shall be attached to the steel fence.

Diagonal and horizontal fencing is strictly prohibited.

No used material may be used to construct any fence.

All fences are to be kept in good repair.

Electric meters, A/C units, and other facilities located on the street side of a lot are to be placed behind the fence or screened by landscaping.

Side yard gates are discouraged on the street side of a lot.

AND, IN ITS STEAD, the following language shall be inserted into the Builder Guidelines:

### **1.5 FENCES**

All yards on each lot in Lakes of Pine Forest are required to be fenced. Ownership of said fence passes with title to such Lot and it shall be the Lot owner's responsibility to maintain said fence. The maintenance and repair of a fence located between properties shall be the joint responsibility of the Owners of the appurtenant Lots.

Homeowner fences must be maintained to promote uniformity of quality and appearance within the Association. Natural cedar weathering is the uniform look.

### INTERIOR FENCES

Owners must ensure that their fencing conforms to a minimum fence setback of ten feet (10') from the front facade of the house unless otherwise approved by the ARC.

Fence height shall not exceed six feet (6') unless approved by ARC.

Fences may only be constructed with 1 x 6 pickets of #2 Cedar. Posts (4x4) and rails may only be constructed with treated #2 southern yellow pine or steel material. No paint, stain, or sealer of any type may be applied to wood fences.

Wood fences on common rear lot lines and common side lot lines shall be a "good neighbor" type fences, where alternating eight foot panels of solid pickets and exposed rails are intended to provide a uniform attractive appearance to each abutting property, with alternating panels of pickets facing inwards towards each appurtenant property.

The "finished" side of the fence must always be the side exposed to public view on corners. ""

Corner subdivision lots having a street on only one side shall treat boundary fences as interior fences (except Queenston and Windsong lots – as described herein below).

### PERIMETER FENCES along Queenston (East) and Windsong (West)

This section applies to fences along Queenston, Windsong, and entryway corner lots into the first interior street.

Owners must ensure that their fencing conforms to a minimum fence setback of ten feet (10') from the front facade of the house unless otherwise approved by the ARC.

Fences may only be constructed with 1 x 6 pickets of #2 Cedar. Posts (4x4) and rails may only be constructed with treated #2 southern yellow pine or steel material. A base board (2x6) and top cap (2x6) with trim (1x2) are required. No paint, stain, or sealer of any type may be applied to wood fences. The Finished Height of Perimeter Fences is 80", and should match adjacent fence heights for uniformity.

Wood fences on common side lot lines shall be a "good neighbor" type fence, where alternating eight foot panels of solid pickets and exposed rails are intended to provide a uniform attractive appearance to each abutting property, with alternating panels of pickets facing inwards towards each appurtenant property.

The "finished" side of the fence must always be the side exposed to public view on Queenston, Windsong, side street sides of lots Queenston and Windsong properties, and diagonal sections along Queenston's north end.

Wood fencing along Windsong is the responsibility of the appurtenant homeowner. Brick columns are responsibility of and shall be maintained by the Association.

#### PERIMETER FENCES along North and South of Lakes of Pine Forest

Fences may only be constructed with 1 x 6 pickets of #2 Cedar. Posts (4x4) and rails may be constructed with treated #2 southern yellow pine or steel material. No top caps are permitted. Base boards /rot boards or additional base boards may be allowed if request is made to the ARC.

#### **LAKE FRONT METAL FENCES**

All fencing installed on lots which front or abut the lake ("Lakefront Lots") shall be steel, as shown in diagram 1.5.2., attached. For ease of maintenance, panels must be bolted instead of welded to posts. Steel must be primed and painted semi-gloss black. Posts must be set in concrete as detailed. Steel fencing may be attached to masonry wall or brick columns. It may not be attached to wood fencing. In this situation, the steel fence must be terminated with a three-inch (3") square post adjacent to the wood post. No material (i.e., screening, wire mesh) may be attached to the steel fence.

All gates on metal fences must be finished / secured with a matching hasp, handle or knob, and kept in good working order.

#### **GENERAL**

Diagonal and horizontal fencing is strictly prohibited.

Fences must be made from all new materials.

All fences must be kept in good repair.



Electric meters, A/C units, and other facilities located on the street side of a lot must be placed behind the fence or screened by landscaping.

Side yard gates are discouraged on the street side of a lot.

### MAINTENANCE, REPAIR AND REPLACEMENT

In the event an Owner or occupant of any Lot fails to maintain their fencing and such failure continues after sixty (60) days written notice from the Association, Declarant, its successors or assigns, or the Association may take remedial action. Specifically, without liability to the Owner or occupant in trespass or otherwise, they may enter upon said Lot and cause the fence to be repaired or maintained or to do any other thing necessary to secure compliance with these Builders Guidelines. The Owner or occupant of such lot may be charged for the cost of such work.

IT IS, HEREBY, RESOLVED that the Board of Directors of the Association adopts this formal resolution for the purpose of adopting amendments to the Association's Builder Guidelines and for filing in the Real Property Records of Harris County, Texas.

Dated: 5/1/20

Harold Vance  
President

STATE OF TEXAS

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ACKNOWLEDGMENT

COUNTY OF HARRIS

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This instrument was acknowledged before me on the 1st day of may, 2020, by Harold Vance, as President of LAKES OF PINE FOREST HOMEOWNERS ASSOCIATION, INC., on behalf of said corporation.

Pamela Hummel  
Notary Public in and for the State of Texas

