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**WINDSTONE COLONY**  
**BUILDER GUIDELINES**  
for  
**SECTIONS ONE AND TWO**  
**(Reserves A & E)**

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**I. INTRODUCTION**

Windstone Colony is a residential development of Windstone Development, Ltd. The objective of these builder guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony and over which Windstone Development, Ltd. will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Development, Ltd. Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, builders must comply with any other governmental agency (i.e., MUD, EPA) having applicable jurisdiction.

Windstone Colony is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony be of the highest quality. As a minimum, builders will be required to warrant compliance with the Southern Building Code.

The builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builders guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the builder/owner. Ties to utilities are the responsibility of the builder.

## II. NEIGHBORHOOD PLANNING ELEMENTS

Residential development within Windstone Colony is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The builder of corner lots shall be responsible for the right-of-way for both streets.

### Living Areas

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living area requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages.

<u>Windstone Colony, Section 1 (Reserve A)</u>	
Minimum living area, single story	1400 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2850 sq. ft.
<u>Windstone Colony, Section 2 (Reserve E)</u>	
Minimum living area, single story	1600 sq. ft.
Minimum living area, two-story	1700 sq. ft.
Maximum living area	3100 sq. ft.

### Site Massing and Exterior Elevations

- \* If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

### Housing Plan and Elevation Repetition

The following three scenarios represents Windstone Colony guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).

- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

### **Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for a specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* 20 foot front yard setback lines on typical lots in Section 1;
- \* 25 foot front yard setback lines on typical lots in Section 2;
- \* 20 foot front yard setback lines on typical cul-de-sac lots;
- \* 5 foot side yard setback lines on typical lots;
- \* 10 foot side yard setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three (3) foot side yard building setback line;
- \* 15 foot rear building setback line (except for detached garages).

Pools, spas, decks and walkways, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.



- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

#### Utility Easements

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven (7) foot wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries and non-residential tracts typically contain a fourteen (14) foot wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### III. SITE MAINTENANCE DURING CONSTRUCTION

Each lot in Windstone Colony shall be maintained in a neat, clean and orderly condition by the builder during construction. The builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### Sediment Control

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all builders in Windstone Colony are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, one of three basic sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a builder has not maintained his sediment or drainage course, the builder will be assessed the cost of clean up.

Builders may choose any of the following sediment control methods:

- \* Standard rectangular bales of hay, firm bound, may be placed as described below and behind the curb of the street, along the entire frontage of the lot. Bales shall be placed in a continuous r.o.w., with ends tightly abutting the adjacent bales. Vehicular access to the construction area should be limited to designated entries, where gaps may be created by offsetting and overlapping r.o.w.s in such a way as to intercept the storm water sheet flow. Each bale shall be embedded in the soil a minimum of four (4) inches. Bales shall be securely anchored in place by stakes or rebars driven through the bales. The first stake in each bale shall be angled toward the previously laid bale to force the bales together (see Illustration III-1). Daily inspection should be made the contractor. Repair or replacement shall be made promptly as needed;
- \* Temporary sediment fencing may be constructed on the site out of wire mesh and burlap (see Illustration III-1), or a commercially manufactured fencing product (such as Enviro Fence) may be used. Whichever fencing material is selected, it shall be securely anchored below the surface elevation of the ground so that any storm water sheet flow must pass through the fence material or be trapped behind it; and,
- \* A continuous strip of solid grass sod, three (3) feet in width, may be planted behind the curb and along the sides of driveways (if existing). Also, side yard swales should be fully sodded to accommodate sheet flow drainage from the rear lot area.

#### Protection of Existing Trees and Development

Trees existing on individual building sites should be evaluated carefully to determine their

desirability and suitability to the proposed design. No trees measuring six (6) inches in caliper at a point six (6) inches above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible ideally, at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches, or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured on the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and,
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

#### Temporary Buildings

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C.. All temporary buildings must be placed a minimum of 25 feet off of the street r.o.w.; no temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### IV. LOT ELEMENTS

##### Grading and Drainage

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

##### Lot Coverage

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed 60 percent of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

##### Driveways

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four (4) inches thick over a sand base. A #6, six (6) inch by six (6) inch woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or man holes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two (2) feet from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be 12 feet in width (see Illustration II-2).
- \* Driveways serving attached two car garages facing the street shall be 16 feet in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no

circumstance may an entire front yard be paved as a driveway.

### Sidewalks

Sidewalks are required along both sides of local residential streets within Windstone Colony and are to be constructed by the lot builder in accordance with the specifications shown in Illustration IV-2.

- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### Walkways

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway at least three (3) feet in width and no more than five (5) feet in width shall be provided from the front door of the residence to the street curb or the driveway.
- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two (2) feet in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.



### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area (minimum 3 feet) for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be approved by the A.R.C. and may require screening from public view.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six (6) feet in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.

### **Lot Fencing**

The builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To insure compatibility of fence design throughout Windstone Colony, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.
- \* A maximum fence height of 6'-0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single sided hinged gate shall be installed in the most appropriate side yard (see Illustration IV-3).

- \* Side yard fences should be setback from the front elevation of the house a minimum of 10 feet and be coordinated to avoid offsets with the fencing on the adjacent lots.
- \* All pickets are to be attached with eight (8) penny screw shank nails.

The following information represents the fencing standards for the different lot types found within Windstone Colony.

#### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six (6) feet in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven (7) foot panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

#### **Typical Corner Lot**

- \* The fencing located on the exterior lot side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall consist of treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* The upgraded wood fence must be located five (5) feet from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of 15 feet past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

#### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum 15 feet past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six (6) foot upgraded wood fence (see Illustration IV-7).

### **Greenbelt Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt shall be constructed with a six (6) foot high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point 10 feet behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six (6) foot upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls**

Developer will provide a six (6) foot wood upgrade fence with or without brick columns along the rear or side property line where residential lots back or side to the perimeter of the project. At sideyard fence junctions, builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension. Floodlighting shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor security lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscape lighting affect (such as affixed to trees as up and down lights) is permissible.

### **Screening**

- \* Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

## Landscaping

The builder is responsible for landscaping all areas on his property and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days-after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

### Lots 49' in Width and Less

\* Minimum planting bed specifications include:

- a. Minimum planting bed width is four (4) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 12 larger shrubs (minimum five (5) gallon), 15 smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of planting may be utilized within a front yard.

### Lots 50' to 64' in Width

\* Minimum planting bed specifications include:

- a. Minimum planting bed width is five (5) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 16 larger shrubs (minimum five (5) gallon), 20 smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of planting may be utilized within a front yard.

### Lots 65' in Width and Over

\* Minimum planting bed specifications include:

- a. Minimum planting bed width is five (5) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 20 larger shrubs (minimum five (5) gallon), 25 smaller shrubs (minimum one (1) gallon) and two (2) 15 gallon specimens.



- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of planting may be utilized within a front yard.

- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are ryerson steel and horizontal timber (2 inches by 4 inches, 2 inches by 6 inches, 4 inches by 4 inches, and 4 inches by 6 inches).
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for drainage purposes. Specimen boulders are permitted.
- \* The front lawn of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* Tree requirements are as follows:

<u>Lot Width</u>	<u>Trees Required</u>	<u>Type</u>	<u>Caliper</u>	<u>Height</u>
49' or less	1	1 Hardwood	4"	12'
50' – 64'	2	1 Hardwood	4"	12'
		1 Ornamental	N/A	
65' and over	3	2 Hardwoods	4"	14'
		1 Ornamental	N/A	

- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, two (2) inches in diameter by six (6) feet long.
- \* After completion of landscaping, builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time builder shall use his best efforts to notify owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:
  - a. Adequate watering;
  - b. Appropriate fertilization;
  - c. Pruning;
  - d. Mowing;
  - e. Weed control in lawns and planting beds;
  - f. Seasonal mulching of planting beds;
  - g. Insect and disease control;



- h. Replacement of diseased or dead plant materials; and,
- i. Warranty of all planting materials.

### **Corner Lots**

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding, and/or sprigging is prohibited.
- \* One additional hardwood tree in front/side yard.
- \* Three (3) ornamental trees in 15 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point 10 feet from the rear property line or driveway, if applicable, on fifteen (15) foot centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### **Greenbelt Lots**

Supplemental landscaping specifications for all greenbelt lots include the following:

- \* One tree, minimum four (4) inch caliper when measured six (6) inches above the ground, must be planted in the rear yard of all lots abutting a greenbelt. The tree should be planted on the greenbelt side of the lot no further than 20 feet from the property line abutting the greenbelt.
- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

### **Master Plant List**

A residential lot master plant list to be used by builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## V. HOUSING

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony be of the highest quality; as a minimum, builders are required to warrant compliance with the Southern Building Code.

### Foundations

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agency.

### Exterior Materials

Single-family residences within Windstone Colony must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Changes in materials should have a logical relationship to the changes in the form of the house.

Exterior lots are defined as those lots that back or side to the following roadways: Keith Harrow Blvd., Windstone Drive, Wind Sand Drive and Wind Mark Drive. All other lots are classified as interior.

#### Interior Lots

- \* One story product – Shall be 100% masonry on three sides
- \* Two story product – Shall be 100% masonry front elevation; 50% masonry on two sides

#### Exterior Lots

- \* One story product – Shall be 100% masonry
- \* Two story product – Shall be 100% masonry (unless precluded by Southern Building Code)

Samples of all exterior building materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony must comply with the following standards and/or guidelines.

### Masonry

- \* **Stone**  
The use of any type of stone on the exterior of a residence must be approved by The A.R.C. to ensure architectural compatibility within the neighborhood.
- \* **Brick**  
Brick used on residences in Windstone Colony shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards For Brick compiled by the American Society for Testing and Materials under designation C216-87.
- \* **Mortar Joints**  
All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

### Hardi Plank

- \* Hardi plank must be used for all siding product or in conjunction with masonry. Only hardiplank will be acceptable for such use.
- \* Wood siding is prohibited.
- \* Vinyl siding is prohibited.
- \* **Trim**  
All wood trim shall be smooth, high quality finish-grade stock and must be stained or painted as approved by A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

### Stucco

- \* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

### Metal

- \* Exposed metals shall be anodized aluminum, bronzer, copper or painted galvanized steel.

### Synthetic Materials

- \* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of A.R.C.

### **Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than 8 feet in height. All privacy walls must have A.R.C. approval.

### **Window Treatment**

- \* Metal windows must be used and the finish shall compliment the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side facade, or on any facade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of A.R.C.

### **Roof Treatment**

#### Materials

- \* Roofing materials used on all homes shall be as a minimum PRESTIQUE II of a black or brown color range.
- \* Wood shingles are strictly prohibited.

#### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in 12, except where a deck is called for.

#### Chimneys

- \* All fireplace chimneys located on the exterior portion of a dwelling unit shall be constructed of brick or stone. Prefabricated metal fireplaces and metal flues may be used but their chimneys must be masonry clad to present the appearance of traditional masonry chimneys.
- \* Fireplace chimneys located in the interior portion of a dwelling unit must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

#### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate.

#### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

#### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs affecting pedestrian entrances and walkways. Rain gutters and

drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.

- \* Where gutters are not used, positive drainage away from the structure should be provided.

### Garages

- \* Garages cannot exceed the residential lots main dwelling in height nor stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence is acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage space is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage or manual garage door openers must be installed on all garage doors.

### Exterior Lighting Fixtures

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

### Exterior Color Schemes

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the



A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

**Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by A.R.C.

**Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggest visual deterioration of a residence.

## VI. MODEL HOME PARKS/SALES CENTERS

Model home parks and sales centers should be representative of the type of neighborhood environment the builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

### Location

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

### Models

- \* The architectural controls and design guidelines established for all residences in Windstone Colony shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

### Site Improvements

- \* Sidewalks do not necessarily need to be placed two feet inside the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

### Parking

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

**VII. SIGNAGE****Model Home Park Signage**

- \* Signage for model home parks shall be approved by the Declarant, and shall conform to the city of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* See Illustration VII-1 for Windstone Colony logo and logo type.

**Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include builder's name and/or logo or trademark. Colors and graphics shall be submitted to A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## VIII. SUBMISSION AND APPROVAL

### General

The official submittal of plans and specifications to the Architectural Review committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony by reviewing residential design and plotting submissions and working with our builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

John R. Deboben  
Windstone Development  
5005 Riverway, Suite 150  
Houston, TX 77056

### Requirements

#### Initial Review

The builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in two phases prior to the construction of or any exterior improvement upon any residential lot or parcel

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

#### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing

3. Preliminary plans including:
  - a. Floor plans @  $\frac{1}{4}$  in. = 1'-0" minimum scale
  - b. Exterior elevations  $\frac{1}{4}$  in. = 1' - 0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
  - a. Final architectural plans of drawings listed under Phase I above.
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blueline prints and supplementary specifications. Only complete sets will be reviewed.

*On-Going Review*

The builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
  - a. Production
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Construction documents and specifications for variations from standard
  - a. Floor plans @  $\frac{1}{4}$  in. = 1' minimum scale
  - b. Exterior elevations  $\frac{1}{4}$  in. = 1' minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

The builder or his agent has complete responsibility for compliance with all governing codes and ordinances.

For builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.



**A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

Initial ReviewPhase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

Phase II

Construction Documents	15 Days
------------------------	---------

On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

**IX. PROJECT INFORMATION**

Developer and Project Management:  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, TX 77056

Engineer:  
Sherrington, Inc.  
11210 Steeplecrest Drive, Suite 207  
Houston, TX 77065

Land Planner:  
Kerry R. Gilbert & Associates, Inc.  
15810 Park Ten Place, Suite 160  
Houston, TX 77084

Landscape Architect:  
Robert E. Forsythe  
2230 Shadowdale  
Houston, TX 77043

X. APPENDIX

**XI. ILLUSTRATIONS**

## RESIDENTIAL LOT MASTER PLANT LIST - A1

## TREES

Botanical Name

Acer rubrum  
 Betula nigra  
 Carya illinoensis & vars.  
 Cersis canadensis & vars.  
 Crataegus marshallii  
 Crataegus spathulata  
 Fraxinus pennsylvanica vars.  
 Ilex decidua  
 Ilex opaca & vars.  
 Ilex vomitoria  
 Koelreuteria bipinnata  
 Lagerstroemia indica vars.  
 Liquidambar styraciflua & vars.  
 Ligustrum japonicum (tree form)  
 Magnolia grandiflora & vars.  
 Magnolia soulangiana & vars.  
 Magnolia virginiana  
 Myrica cerifera  
 Parkinsonia aculeata  
 Platanus occidentalis  
 Prunus caroliniana  
 Pyrus calleryana & vars.  
 Quercus falcata & vars.  
 Quercus nigra  
 Quercus nuttallii  
 Quercus phellos  
 Quercus shumardi  
 Quercus texana  
 Quercus virginiana  
 Sapium sebiferum  
 Taxodium distichum  
 Ulmus crassifolia

Common Name

Red Maple  
 River Birch  
 Pecan  
 Redbud  
 Parsley Leaf Hawthorn  
 Little Hip Hawthorn  
 Green Ash  
 Possumhaw  
 American Holly  
 Yaupon Holly  
 Goldenrain Tree  
 Crapemyrtle  
 Sweetgum  
 Wax Leaf Ligustrum  
 Southern Magnolia  
 Saucer Magnolia  
 Sweet Bay Magnolia  
 Southern Bayberry  
 Retama  
 Sycamore  
 Cherry Laurel  
 Callery Pear  
 Southern Red Oak  
 Water Oak  
 Nuttall Oak  
 Willow Oak  
 Shumard Oak  
 Texas Red Oak  
 Live Oak  
 Chinese Tallow  
 Bald Cypress  
 Evergreen Elm

## SHRUBS

Botanical Name

Berberis thunbergii "Crimson Pygmy"  
 Barberry  
 Buxus microphylla japonica  
 Camellia sasanqua vars.  
 Chamaerops humilis  
 Palm  
 Cleyera japonica  
 Cycas revoluta

Common Name

Crimson Pygmy  
 Japanese Boxwood  
 Sasanqua Camellia  
 Mediterranean Fan  
 Japanese Cleyera  
 King Sago Palm



Elaeagnus pungens vars.  
 Eriobotrya x "Coppertone"  
 Fatsia japonica  
 Feijoa sellowiana  
 Gardenia jasminoides "Radicans"  
 Ilex cornuta vars.  
 Ilex dedidua  
 Ilex vomitoria & vars.  
 Juniperus spp. & vars.  
 Lagerstroemia indica (dwarf vars.)  
 Ligustrum japonicum & vars.  
 Ligustrum sinense "Variegatum"  
 Mahonia bealei  
 Michelia figo  
 Myrica cerifera  
 Nandina domestica & vars.  
 Nandina domestica "Compacta"  
 Nerium oleander (hardy vars.)  
 Photinia Fraseri  
 Pittosporum tobira & vars.  
 Pyracantha spp. & vars.  
 Raphiolepis indica vars.  
 Rododendrom (Azalea) spp. & vars.  
 Viburnum japonicum  
 Viburnum odoratissimum  
 Viburnum suspensum  
 Viburnum tinus & vars.  
 Xylosma congestum  
 Yucca spp. & vars.

Elaeagnus  
 Coppertone Loquat  
 Fatsia  
 Pineapple Guava  
 Dwarf Gardenia  
 Chinese Holly  
 Possumhaw  
 Yaupon Holly  
 Juniper  
 Dwarf Crapemyrtle  
 Wax Leaf Ligustrum  
 Variegated Privet  
 Leatherleaf Mahonia  
 Banana Shrub  
 Southern Bayberry  
 Nandina  
 Compact Nandina  
 Oleander  
 Fraser's Photinia  
 Pittosporum  
 Pyracantha  
 Indian Hawthorn  
 Azalea  
 Japanese Viburnum  
 Sweet Viburnum  
 Sandankwa Viburnum  
 Laurustinus Viburnum  
 Shiny Xylosma  
 Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
 Asparagus sprengeri  
 Berberis thunbergii "Crimson Pygmy"  
 Barberry  
 Cyrtomium falcatum  
 Gardenia jasminoides "Radicans"  
 Hedera canariensis & vars.  
 Hedera helix & vars.  
 Juniperus spp. & vars.  
 Liriope muscari & vars.  
 Lonicera japonica chinensis  
 Honeysuckle  
 Lonicera japonica "Halliana"  
 Nandina domestica "Harbour Dwarf"  
 Ophiopogon japonicus  
 Ophiopogon japonicus "Nanus"  
 Pyracantha "Red Elf"  
 Pyracantha "Ruby Mound"

### Common Name

Ajuga  
 Sprenger Asparagus  
 Crimson Pygmy  
 Holly Fern  
 Dwarf Gardenia  
 Algerian Ivy  
 English Ivy  
 Juniper  
 Liriope  
 Purple Japanese  
 Hall's Honeysuckle  
 Harbour Dwarf Nandina  
 Monkey Grass  
 Dwarf Monkey Grass  
 Red Elf Pyracantha  
 Ruby Mound

Pyracantha  
 Trachelospermum asiaticum & vars.  
 Trachelospermum jasminoides & vars.

Japanese Star Jasmine  
 Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
 Cynodon hybrids  
 Festuca arundinacea  
 Lolium multiflorum  
 Stenotaphrum sercurdatum & hybrids

### Common Name

Common Bermuda  
 Hybrid Bermuda  
 Tall Fescue Ky-31  
 Annual Rye Grass  
 St. Augustine Grass

## VINES

### Botanical Name

Bignoia capreolata  
 Clematis dioscoreifolia  
 Campsis radicans  
 Clytostoma callistegioides  
 Ficus pumila  
 Gelsemium sempervirens  
 Lonicera japonica chinensis  
 Honeysuckle  
 Lonicera japonica "Halliana"  
 Lonicera sempervirens & vars.  
 Millettia reticulata  
 Rosa banksiae  
 Rose  
 Wisteria sinensis

### Common Name

Crossvine  
 Sweet Autumn Clematis  
 Trumpet Creeper  
 Lavender Trumpet Vine  
 Climbing Fig Vine  
 Carolina Jassamine  
 Purple Japanese  
  
 Hall's Honeysuckle  
 Trumpet Honeysuckle  
 Evergreen Wisteria  
 Yellow Lady Banks'  
  
 Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikarti  
 Chrysanthemum maximums vars.  
 Coreopsis spp. & vars.  
 Cyrtomium falcatum  
 Fern spp.  
 Gerbera jamesonii vars.  
 Hymenocallis spp.  
 Hemerocallis vars.  
 Iris vars.  
 Tulbaghia violacia

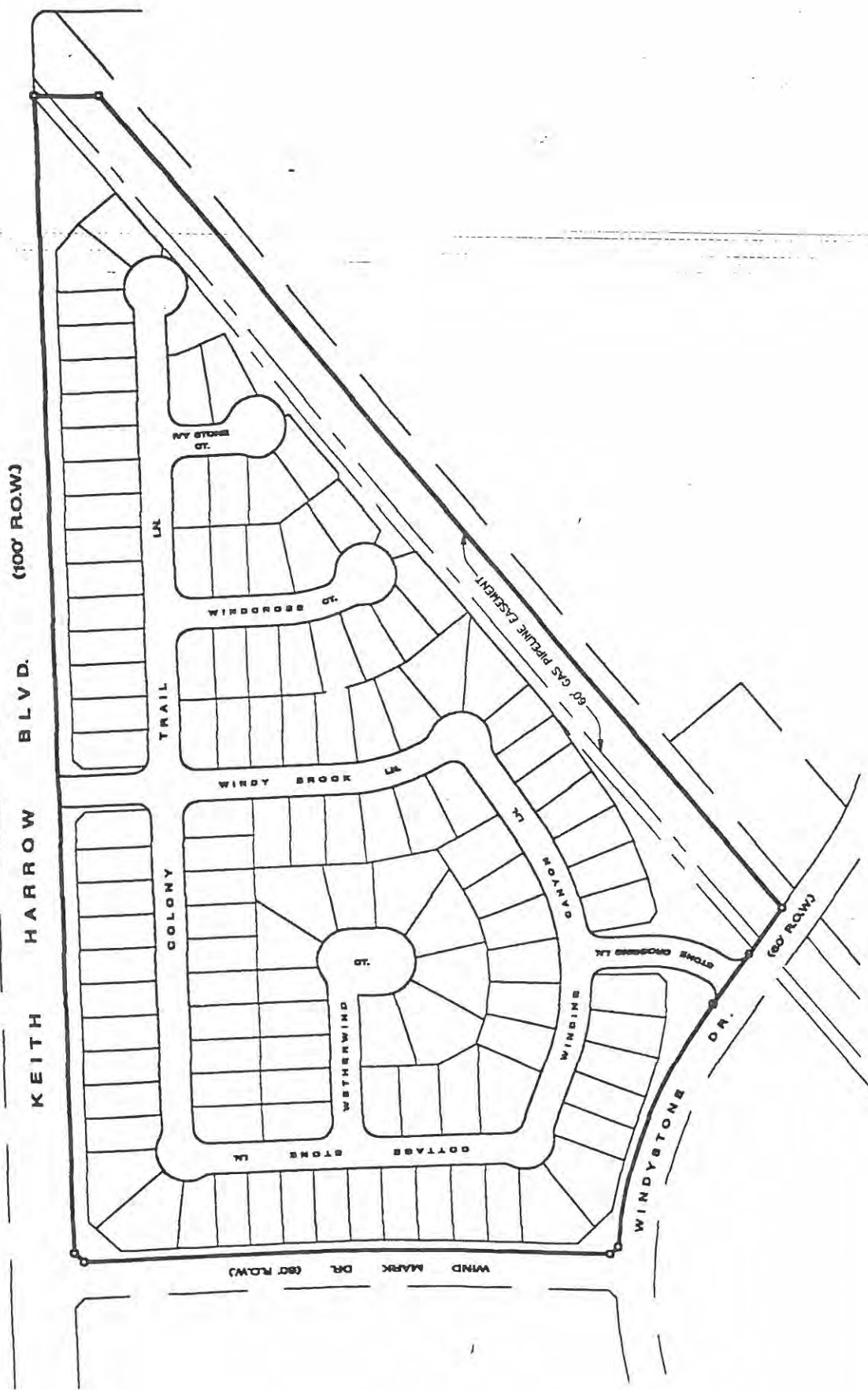
### Common Name

Frikarti Aster  
 Shasta Daisy  
 Coreopsis  
 Holly Fern  
 Fern  
 Gerbera Daisy  
 Basketflower  
 Daylily  
 Louisiana Iris  
 Society Garlic



NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

WINDSTONE COLONY SECTION ONE, RESERVE A

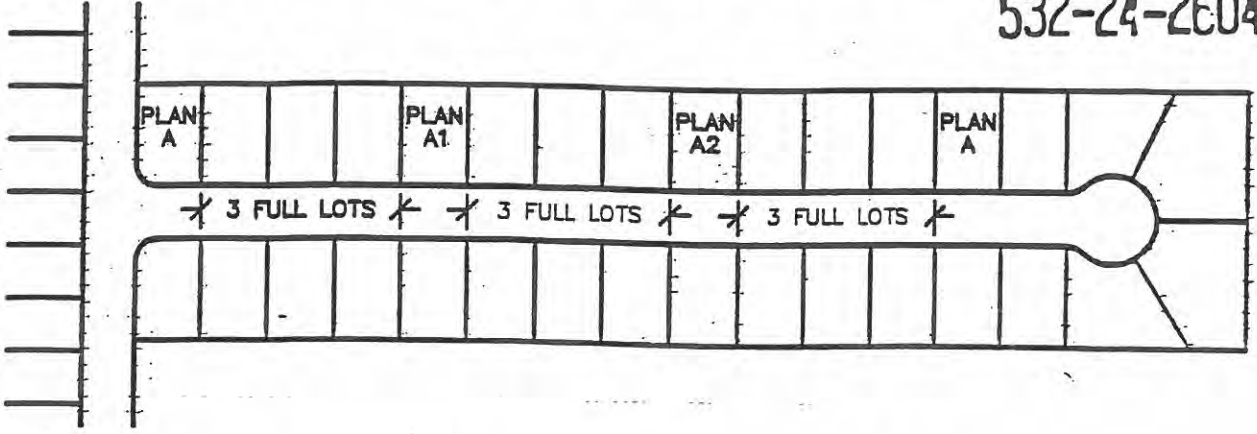


NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

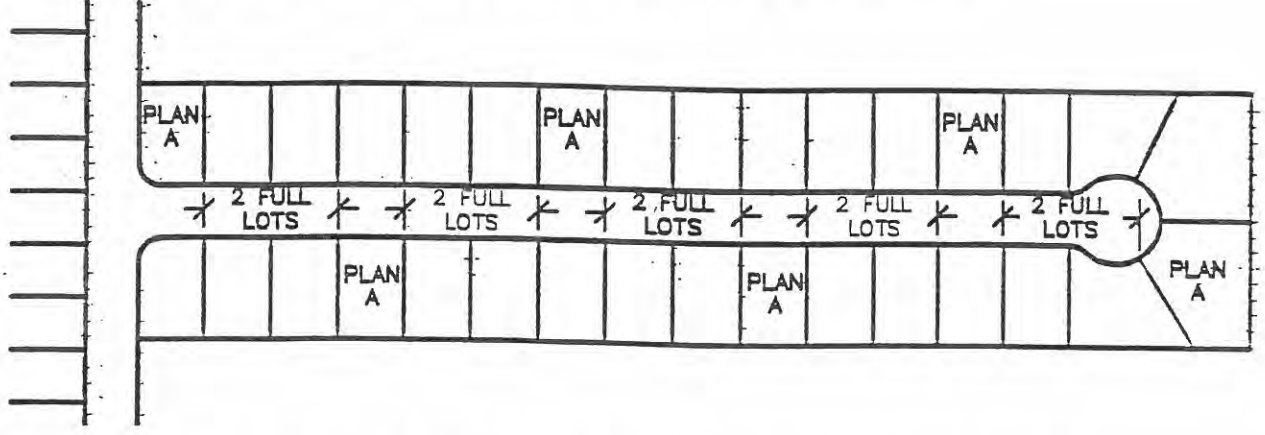
WINDSTONE COLONY SECTION TWO, RESERVE E

**1 SAME PLAN, DIFFERENT ELEVATION, SAME SIDE**

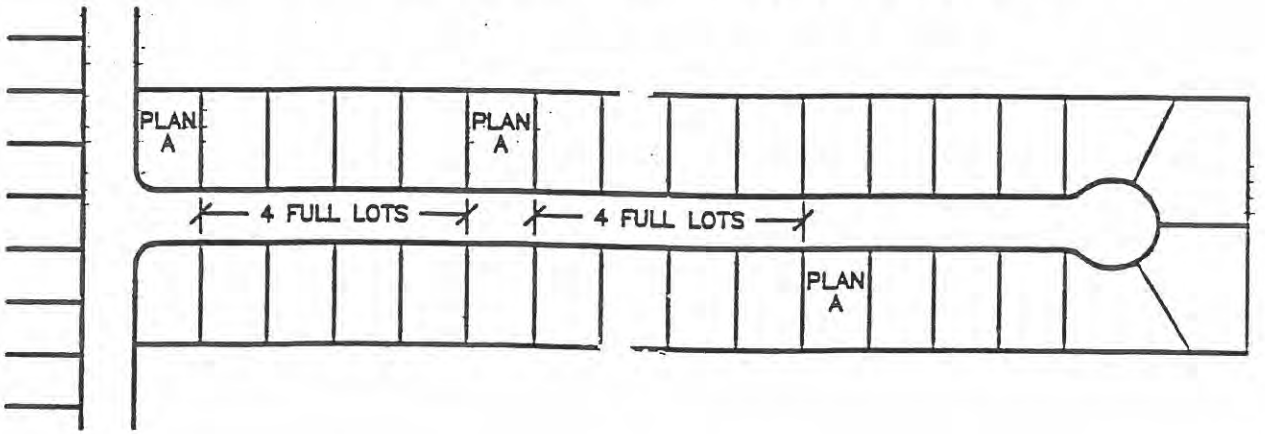
532-24-2604



**2 SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE**



**3 SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE**

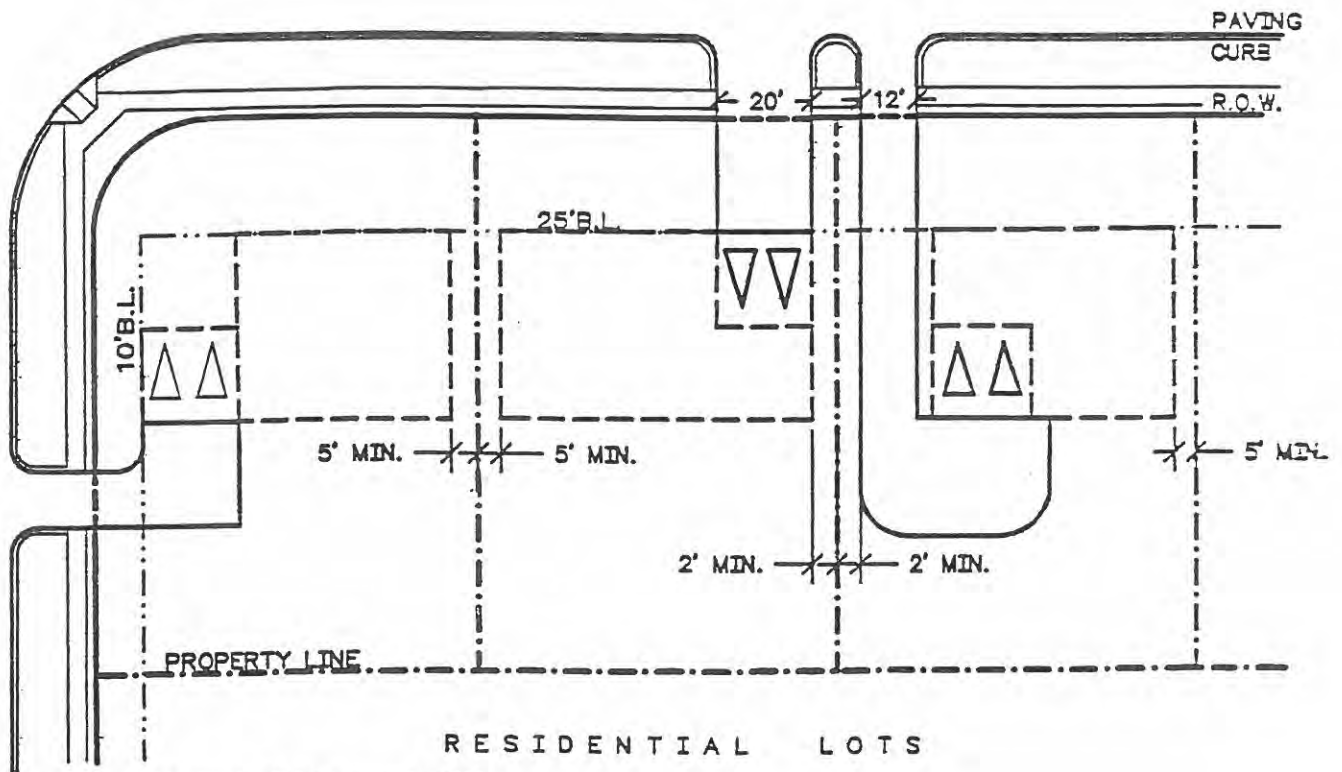
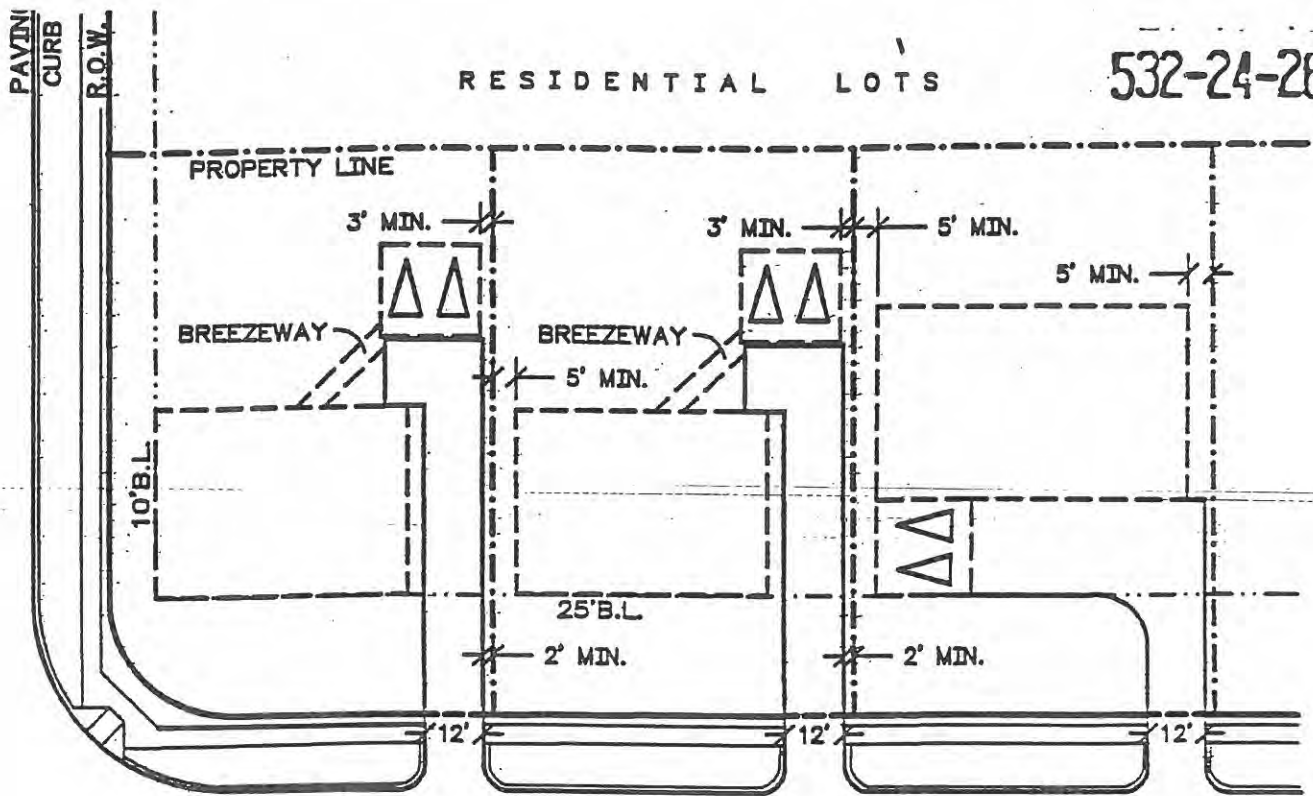


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**HOUSING PLAN AND  
ELEVATION REPETITION**

ILLUSTRATION II-1



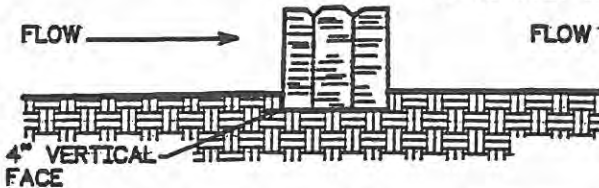


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**GARAGE AND  
 DRIVEWAY PLACEMENT**

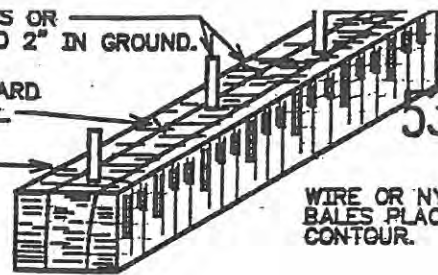
**EMBEDDING DETAIL**

FLOW →



ANGLE FIRST STAKE TOWARD PREVIOUSLY LAID BAIL.

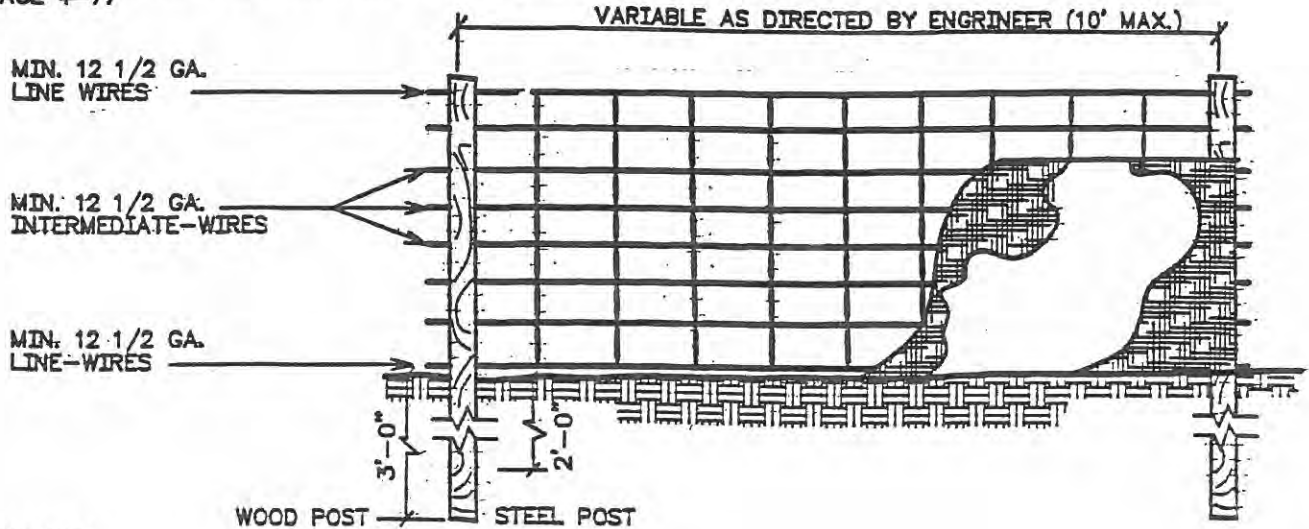
FLOW →



WIRE OR NYLON BOUND BALES PLACED ON THE CONTOUR.

532-24-2606

SOURCE:  
**EROSION AND SEDIMENT CONTROL GUIDELINES FOR DEVELOPING AREAS IN TEXAS, U.S. DEPT. OF AGRICULTURE SOIL CONSERVATION SERVICE FIG. 4-B, PAGE 4-77**



SOURCE:  
 CITY OF GREENVILLE, N.C.  
**MANUAL OF STANDARD DESIGNS AND DETAILS STD. NO. 20.05**

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

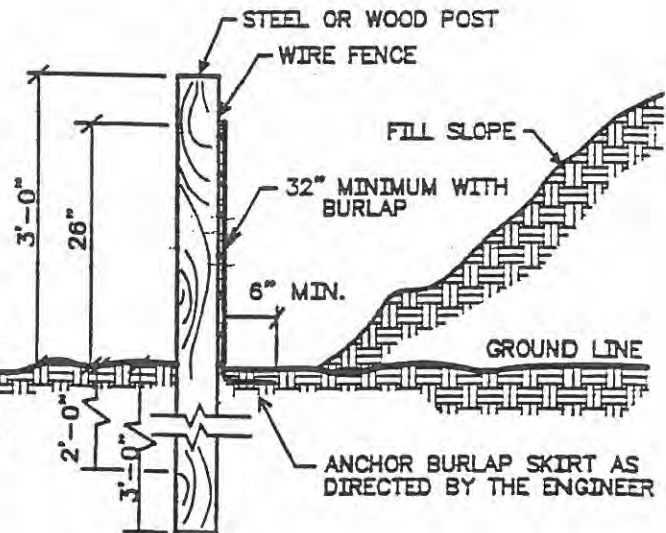
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

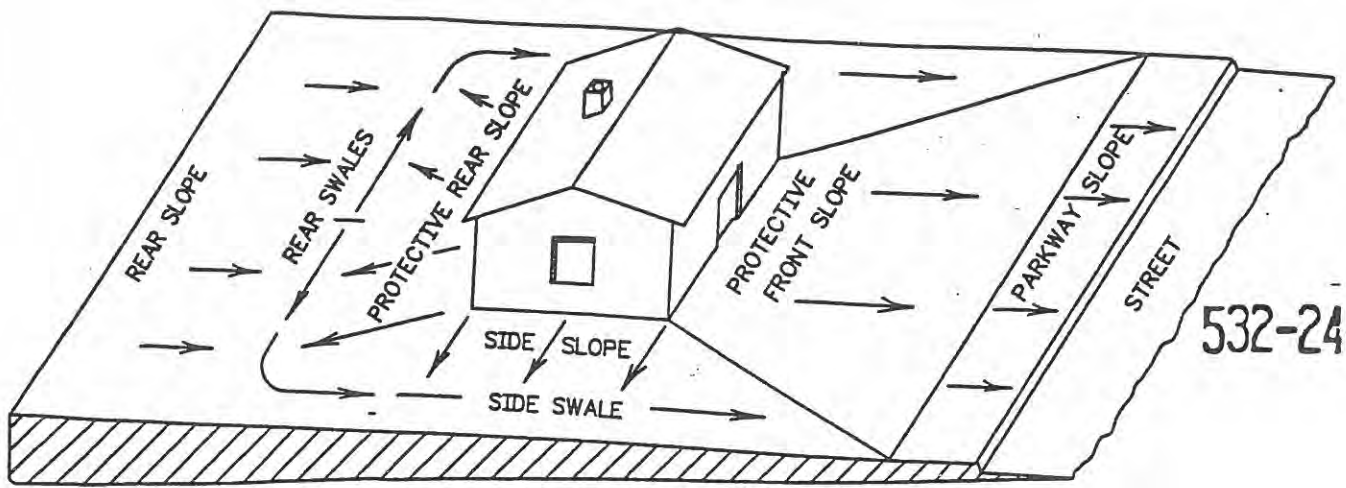
SOURCE:  
 CITY OF GREENVILLE, N.C.  
**MANUAL OF STANDARD DESIGNS AND DETAILS STD. NO. 20.05**

**NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.**



**TEMPORARY SEDIMENT CONTROL**

**ILLUSTRATION III-1**

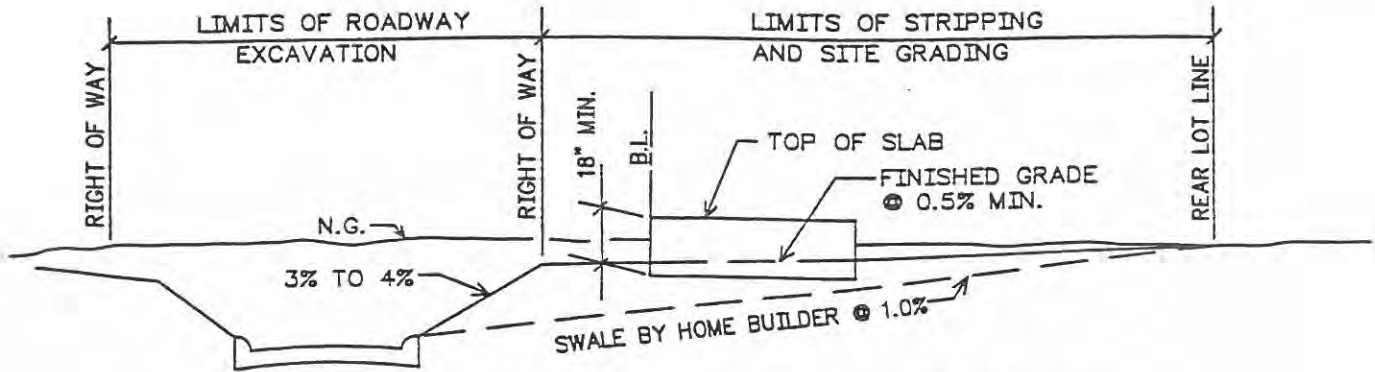


532-24-261

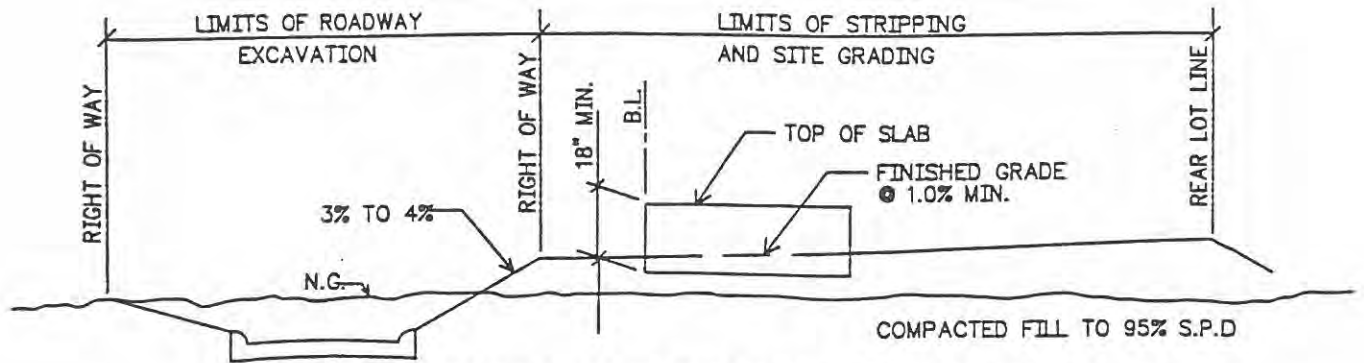
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**F.H.A. LOT GRADING TYPE "A"**



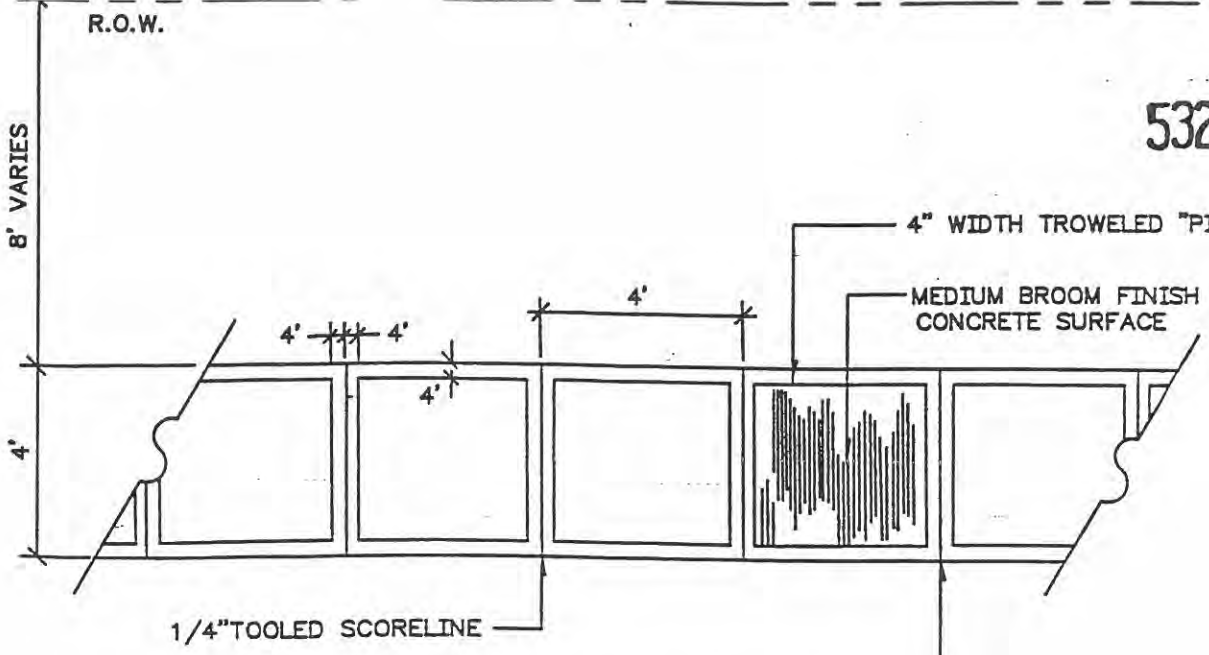
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18" F.H.A. BLOCK GRADING, TYPE "A"**



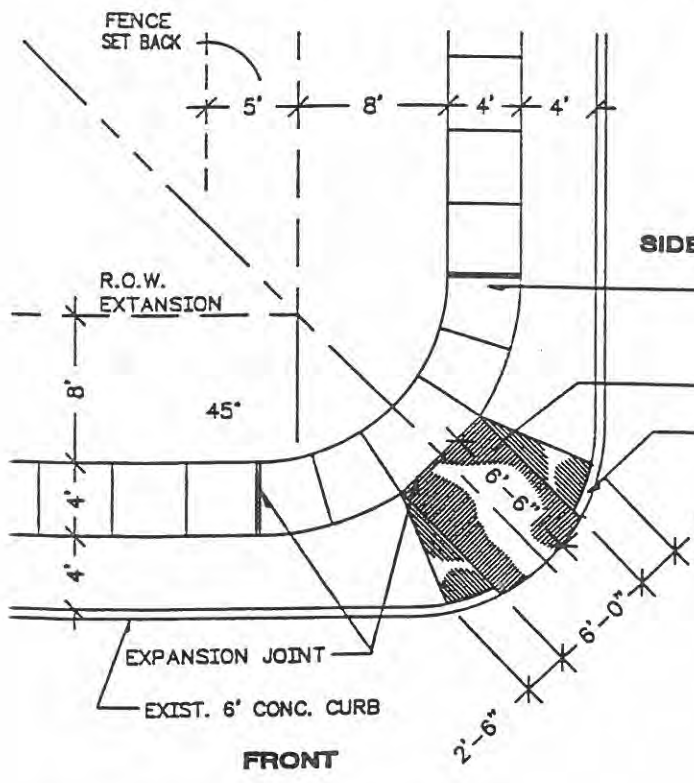
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18" F.H.A. BLOCK GRADING, TYPE "T"**

NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**



EXPANSION JOINT 16" O.C. (4' SIDEWALK). EXPANSION JOINT MATERIAL TO BE 1 X 4 C.C.A. TREATED WOOD WITH POLYURETHANE SURFACE SEALANT



NOTE:  
 1) HANDICAPPED ACCESS IS REQUIRED ON ALL PUBLIC SIDEWALKS.

RAMP: ROLLED TRANSITION PAVING (BOTH SIDES)

SAWCUT AND REMOVES 6" WIDTH OF EXISTING CONCRETE PAVEMENT. LEAVE REBAR EXPOSED WHERE APPLICABLE. (CLEAN) BITUMINOUS SEALER APPLIED TO ENTIRE SAWCUT FACE OF EXISTING PAVEMENT PRIOR TO POURING NEW WALK RAMP.

SECTION AT HANDICAP RAMP  
 FOR "SECTION DETAIL" SEE (ILLUSTRATION II-9) HANDICAPPED RAMP DETAIL

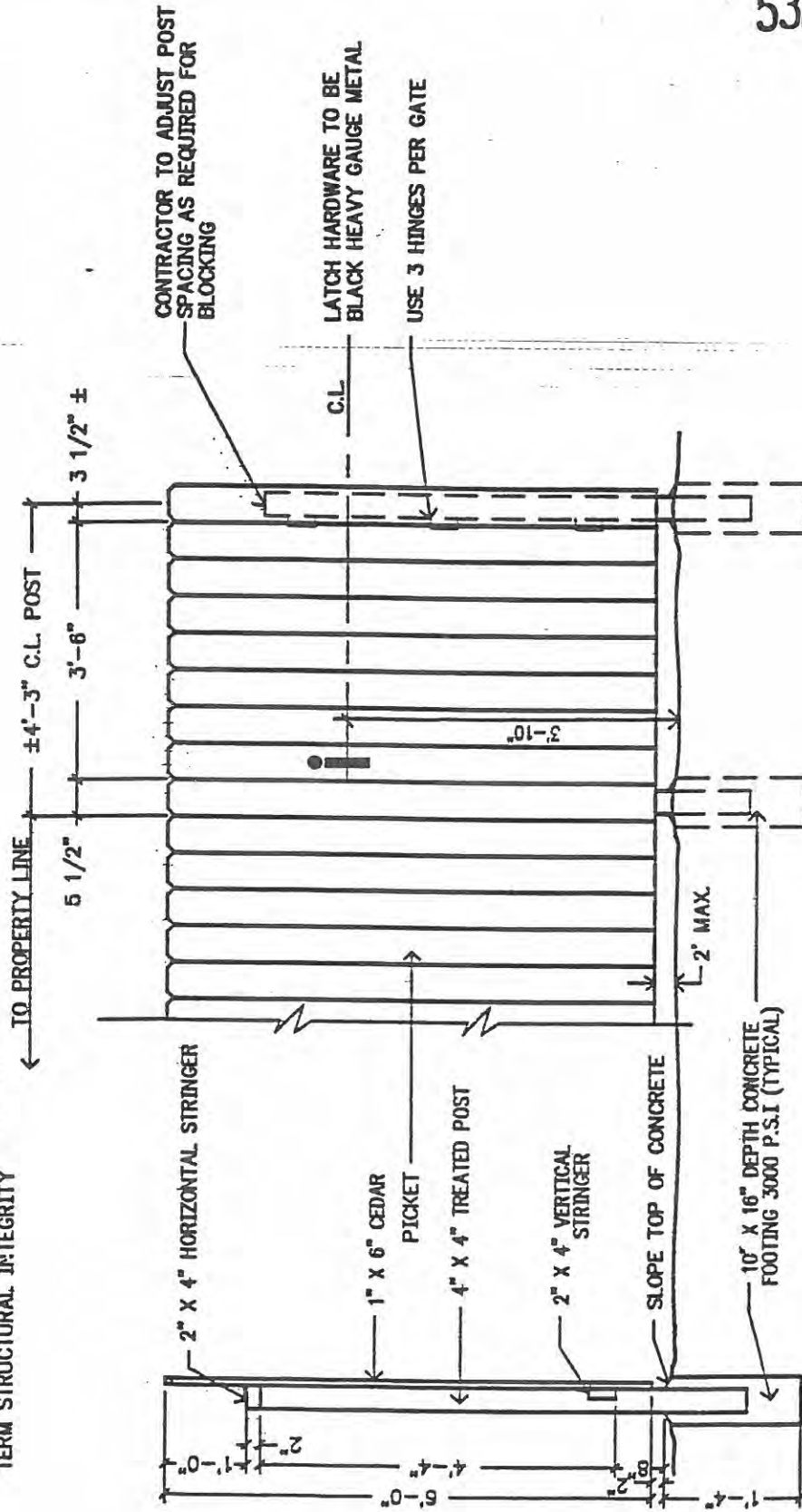
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEWALK DETAIL**



NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRANCHING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

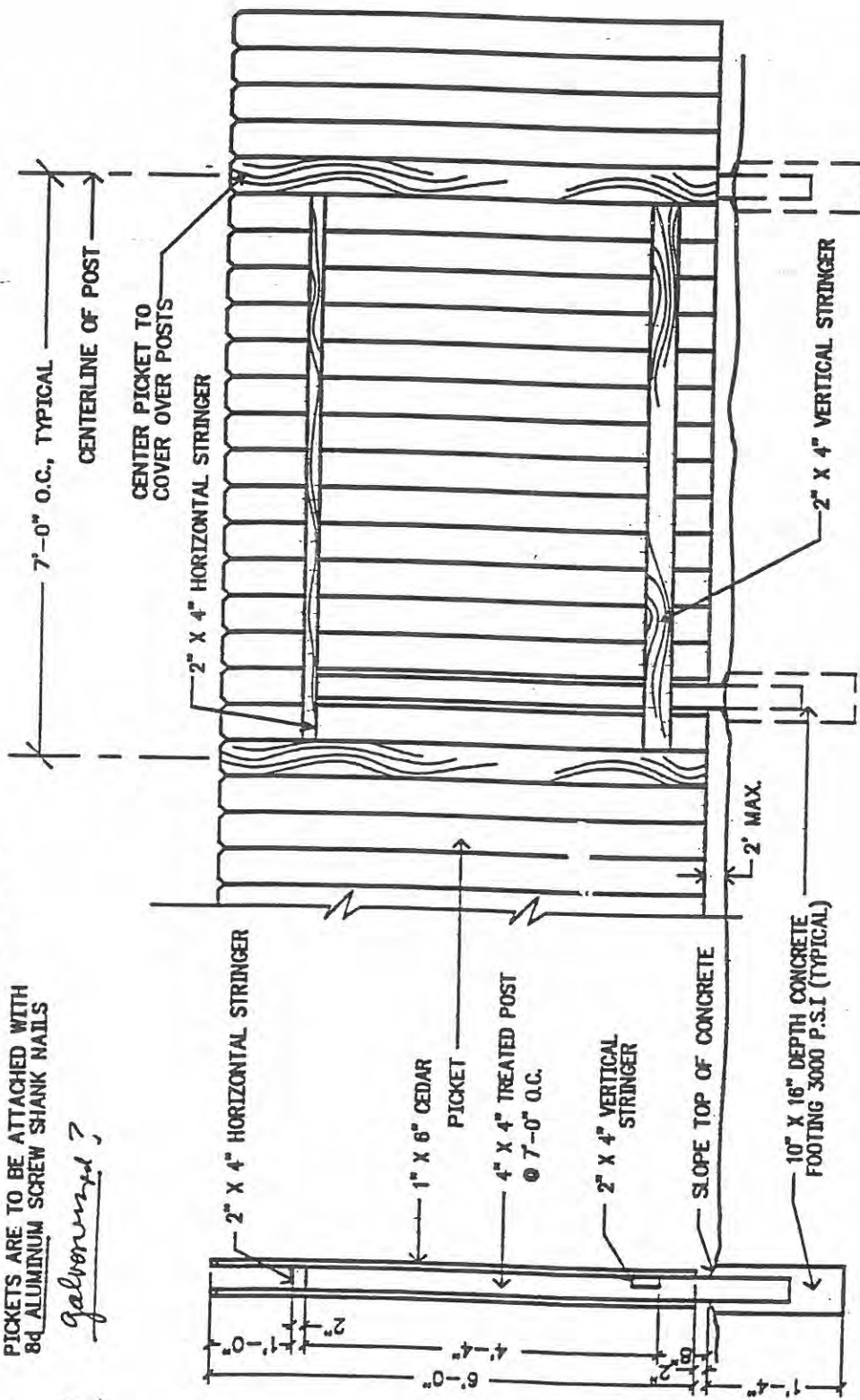
STANDARD RESIDENTIAL HINGED GATE



NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS

? galvanized?

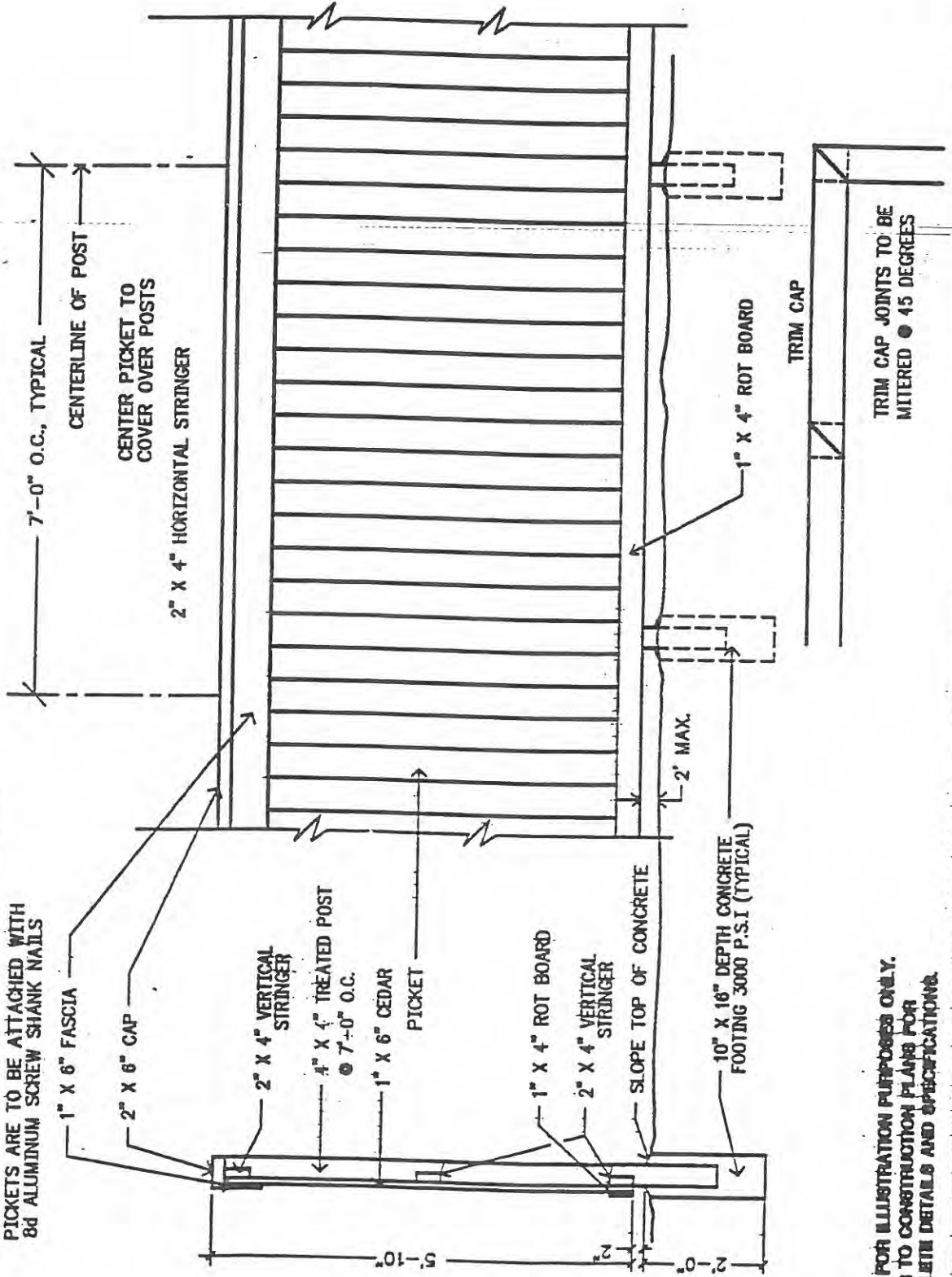


NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE

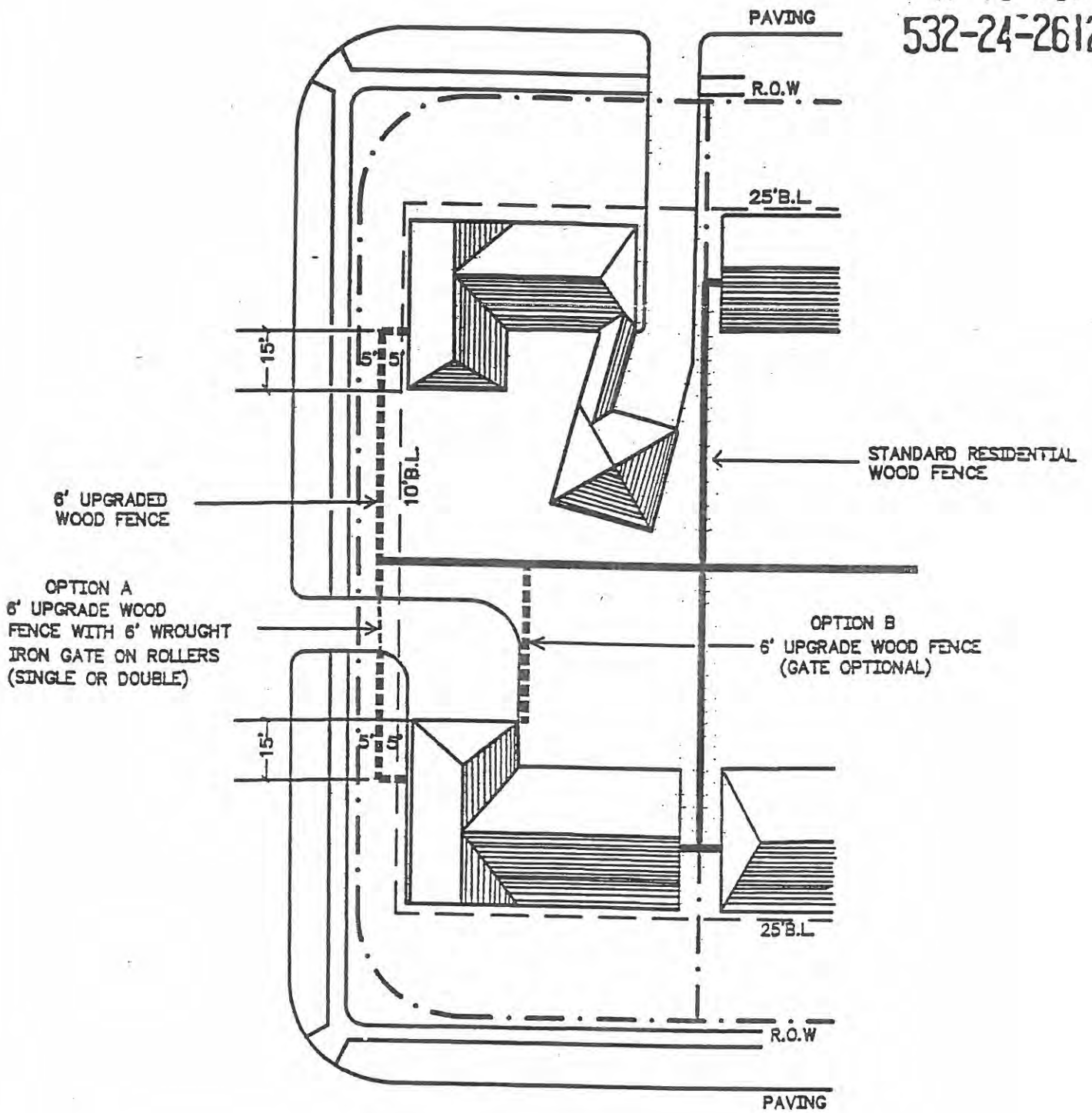
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- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

6' UPGRADED WOOD FENCE



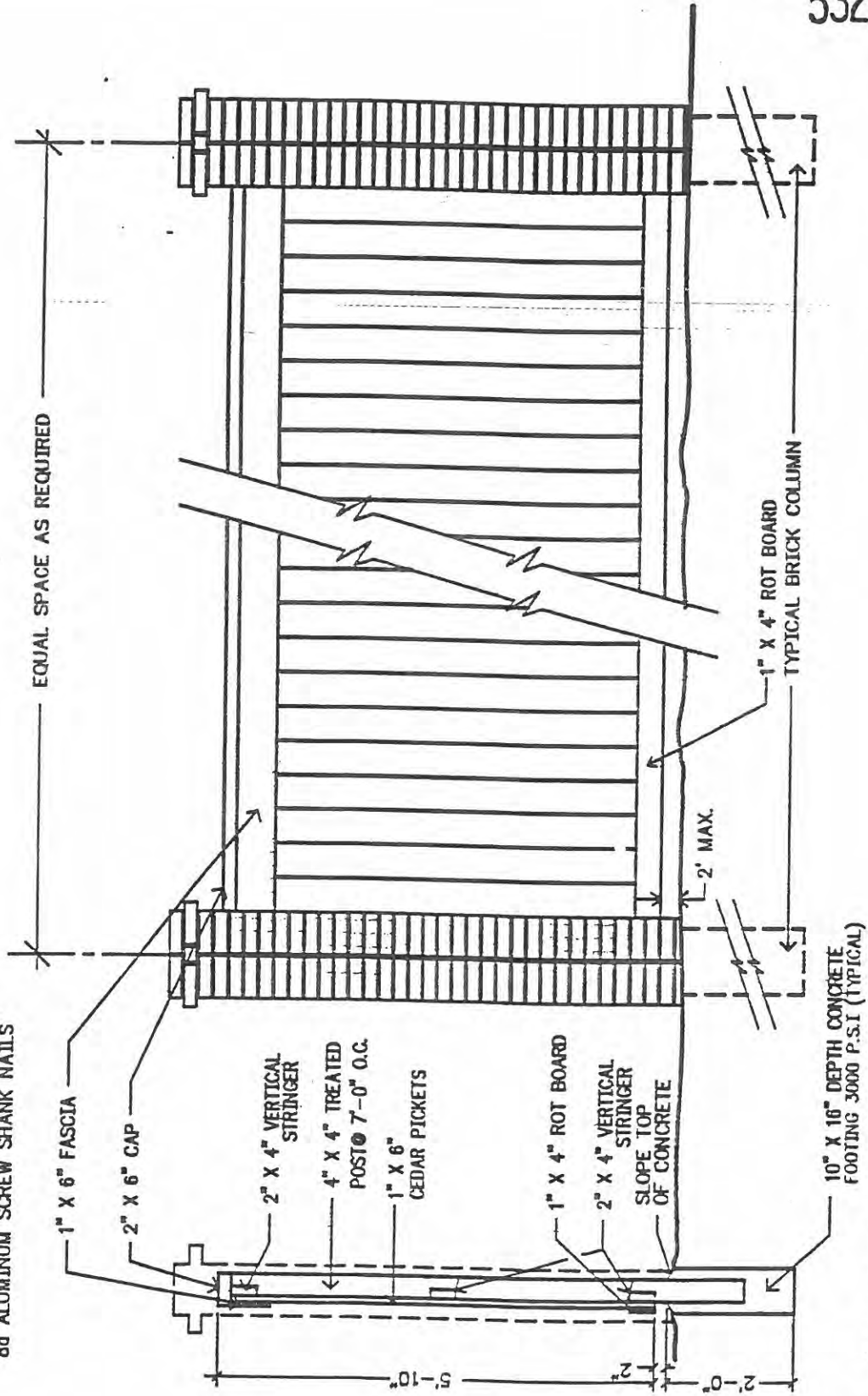
NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

### SIDELOT FENCING SETBACK/ CORNER LOTS

ILLUSTRATION IV-8

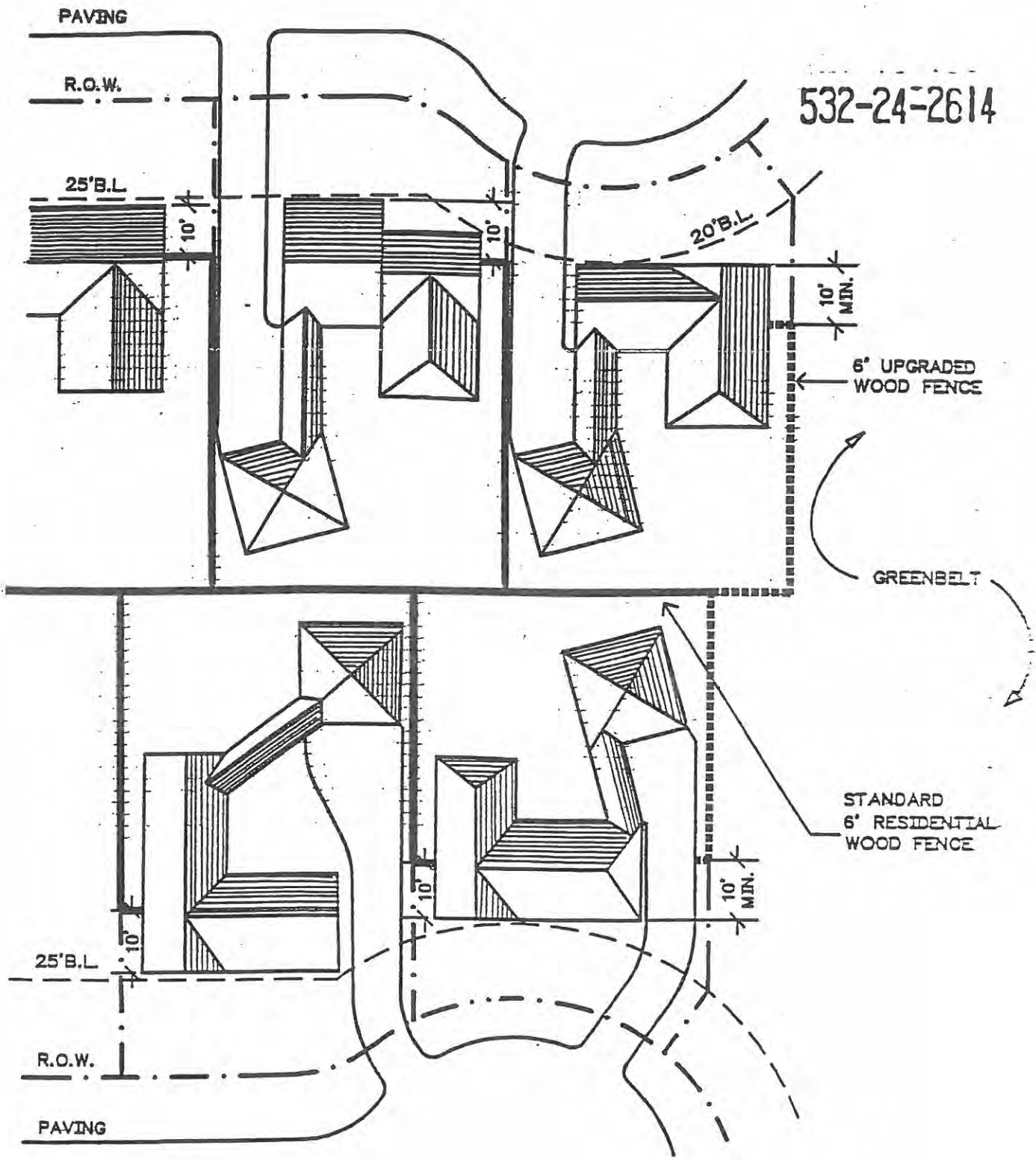
NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

6' UPGRADED WOOD FENCE WITH BRICK COLUMNS

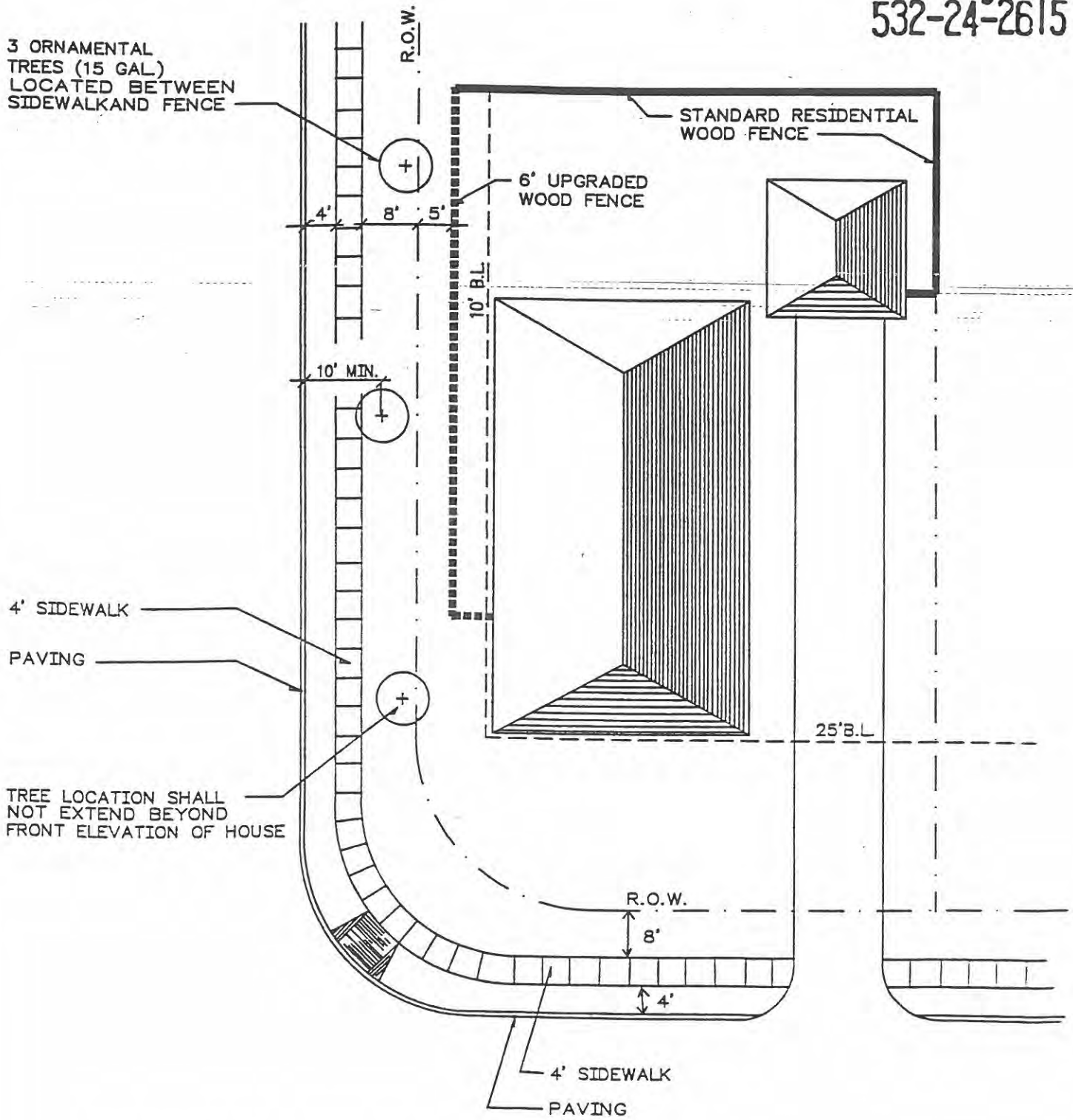


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEYARD FENCING SETBACK /  
 GREENBELT LOTS**

**ILLUSTRATION IV-8**

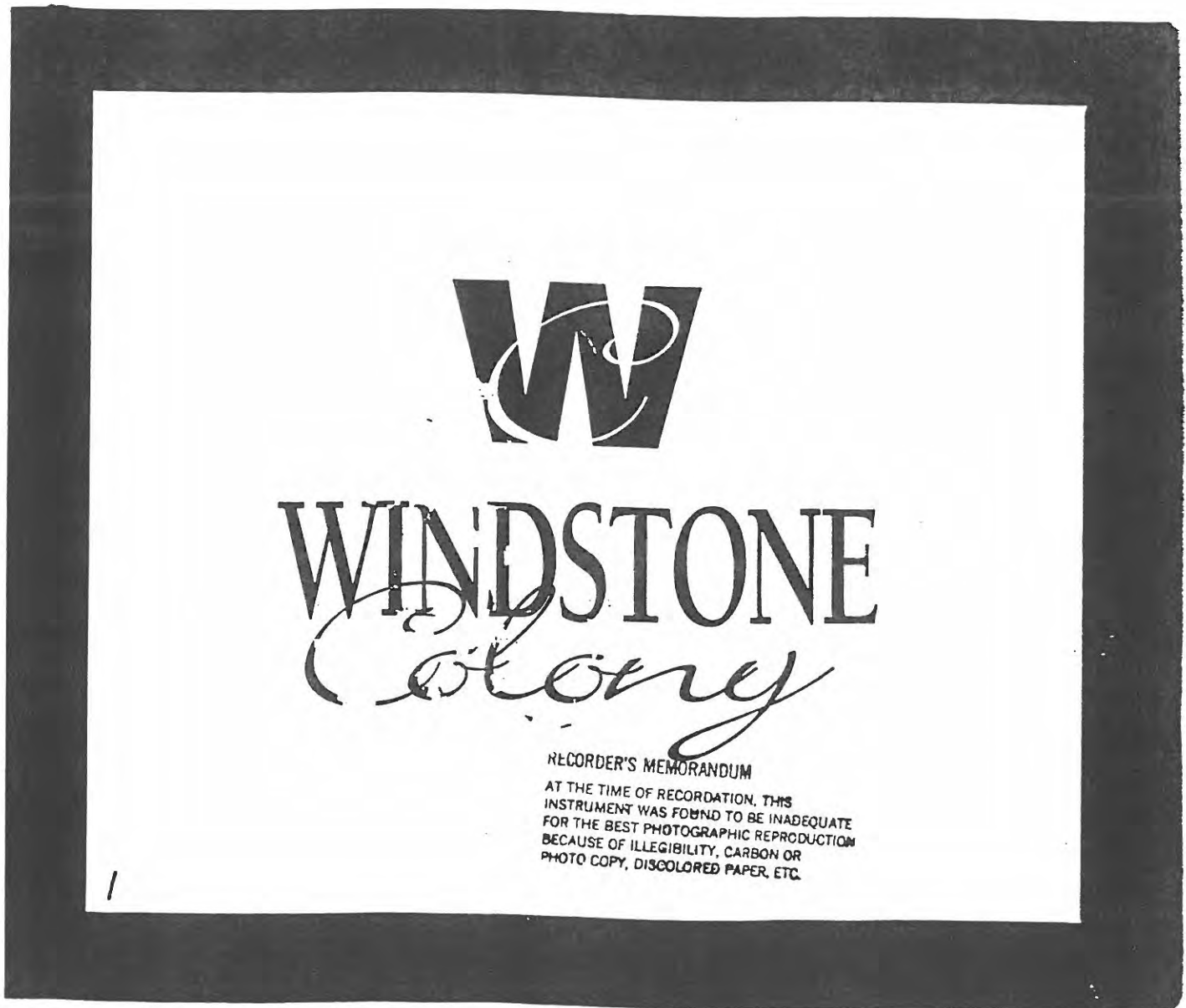




NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

### CORNER LOT LANDSCAPING

ILLUSTRATION VII-1



WINDSTONE  
*Colony*

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.

1

HARRIS COUNTY TEXAS  
COUNTY CLERK

*Benny B. Kofman*



MAY 11 2000

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL  
PROPERTY BECAUSE OF COLOR OR RACE IS VOID 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 on

FILED

2000 MAY 11 AM 10:52

*Benny B. Kofman*

COUNTY CLERK  
HARRIS COUNTY TEXAS

532-24-2617

**WINDSTONE COLONY**  
**SECTIONS THREE AND FOUR**  
**Reserves B and D**

August 1, 2001

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**Residential Design Guidelines**

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**WINDSTONE COLONY**  
**SECTIONS THREE AND FOUR**  
**(RESERVES B and D)**  
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\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE \*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE DEVELOPMENT, L.T.D. ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION.

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**WINDSTONE COLONY BUILDER GUIDELINES**  
for  
**SECTIONS THREE AND FOUR**  
(Reserves B & D)

I. **INTRODUCTION**

Windstone Colony is a residential development of Windstone Development, Ltd. The objective of these Builder guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony and over which Windstone Development, Ltd. will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Development, Ltd. Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, EPA) having applicable jurisdiction.

Builders within Windstone Colony are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## II. NEIGHBORHOOD PLANNING ELEMENTS

Residential development within Windstone Colony is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The builder of corner lots shall be responsible for the right-of-way for both streets.

### Living Areas

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living area requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages.

#### Windstone Colony, Section 3 (Reserve B)

Minimum living area, single story	1400 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2850 sq. ft.

#### Windstone Colony, Section 4 (Reserve D)

Minimum living area, single story	1600 sq. ft.
Minimum living area, two-story	1700 sq. ft.
Maximum living area	3100 sq. ft.

### Site Massing and Exterior Elevations

- \* If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

### Housing Plan and Elevation Repetition

The following three scenarios represent Windstone Colony guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two

(2) full lots must be skipped (see Illustration II-1).

- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

### **Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for a specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* 20 foot front yard setback lines on typical lots in Section 3
- \* 25 foot front yard setback lines on typical lots in Section 4;
- \* 20 foot front yard setback lines on typical cul-de-sac lots;
- \* 5 foot side yard setback lines on typical lots;
- \* 10 foot side yard setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three (3) foot side yard building setback line;
- \* 15 foot rear building setback line (except for detached garages).

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and

must be placed on the opposite lot side from the side street.

- \* See Illustration II-2 for all typical garage placements.

### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven (7) foot wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries and non-residential tracts typically contain a fourteen (14) foot wide utility easement. Encroachment of structures upon the utility easement is prohibited.



### III. SITE MAINTENANCE DURING CONSTRUCTION

Each lot in Windstone Colony shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, one of three basic sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment or drainage course, the Builder will be assessed the cost of clean up.

Builders may choose any of the following sediment control methods:

- \* Standard rectangular bales of hay, firm bound, may be placed as described below and behind the curb of the street, along the entire frontage of the lot. Bales shall be placed in a continuous r.o.w., with ends tightly abutting the adjacent bales. Vehicular access to the construction area should be limited to designated entries, where gaps may be created by offsetting and overlapping r.o.w.s in such a way as to intercept the storm water sheet flow. Each bale shall be embedded in the soil a minimum of four (4) inches. Bales shall be securely anchored in place by stakes or rebar driven through the bales. The first stake in each bale shall be angled toward the previously laid bale to force the bales together (see Illustration III-1). Daily inspection should be made the contractor. Repair or replacement shall be made promptly as needed;
- \* Temporary sediment fencing may be constructed on the site out of wire mesh and burlap (see Illustration III-1), or a commercially manufactured fencing product (such as EnviroFence) may be used. Whichever fencing material is selected, it shall be securely anchored below the surface elevation of the ground so that any storm water sheet flow must pass through the fence material or be trapped behind it; and,
- \* A continuous strip of solid grass sod, three (3) feet in width, may be planted behind the curb and along the sides of driveways (if existing). Also, side yard swales should be fully sodded to accommodate sheet flow drainage from the rear lot area.
- \* Hydromulching with adequate protection that meets or exceeds NPDES approval.

## Protection of Existing Trees and Development

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six (6) inches in caliper at a point six (6) inches above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible ideally, at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches, or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured on the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and,
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

## Temporary Buildings

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C.. All temporary buildings must be placed a minimum of 25 feet off of the street r.o.w.; no temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### IV. LOT ELEMENTS

##### Grading and Drainage

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

##### Lot Coverage

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed 60 percent of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

##### Driveways

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four (4) inches thick over a sand base. A #6, six (6) inch by six (6) inch woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or man holes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two (2) feet from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be 12 feet in width (see Illustration II-2).
- \* Driveways serving attached two car garages facing the street shall be a minimum of 16 feet in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no

circumstance may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony and are to be constructed by the lot builder in accordance with the specifications shown in Illustration IV-2.

- \* All sidewalks within Windstone Colony must conform to all applicable City of Houston rules and regulations and to the Americans With Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway at least three (3) feet in width and no more than five (5) feet in width shall be provided from the front door of the residence to the street curb or the driveway.
- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two (2) feet in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

## **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area (minimum 3 feet) for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six (6) feet in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.
- \* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven (7) in height at its highest elevation.
  - Structure must not exceed eighty (80) square feet in size.
  - Structure must be constructed of brick hardiplank or wood. If constructed of wood, two coats of a neutral color of paint is required at the time of construction.
  - Roof must be the same color and type as the main dwelling.
  - Structure must be unobstructed from public view.

## **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Must be unobstructed to public view.
- \* Must not exceed (9) feet in height when attached to the roof of the main dwelling.
- \* Must not exceed seven (7) feet in height if not attached to the roof of the main dwelling.



## **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To insure compatibility of fence design throughout Windstone Colony, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.
- \* A maximum fence height of 6'-0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single sided hinged gate shall be installed in the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found within Windstone Colony.

### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six (6) feet in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven (7) foot panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

### **Typical Corner Lot**

- \* The fencing located on the exterior lot side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall consist of treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* The upgraded wood fence must be located five (5) feet from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of 15 feet past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum 15 feet past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six (6) foot upgraded wood fence (see Illustration IV-7).

### **Greenbelt Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt shall be constructed with a six (6) foot high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point 10 feet behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six (6) foot upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls**

Developer will provide a six (6) foot wood upgrade fence with or without brick columns along the rear or side property line where residential lots back or side to the perimeter of the project. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension

and shall not illuminate areas beyond the limits of the property line.

- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor security lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscape lighting affect (such as affixed to trees as up and down lights) is permissible.

### Screening

- \* Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

### Landscaping

The Builder is responsible for landscaping all areas on his property and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

#### Lots 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four (4) feet from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 12 larger shrubs (minimum five (5) gallon), 15 smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of planting may be utilized within a front yard.

#### Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five (5) feet from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 16 larger shrubs (minimum five (5) gallon), 20

- smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of planting may be utilized within a front yard.

Lots 65' in Width and Over

\* Minimum planting bed specifications include:

- a. Minimum planting bed width is five (5) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 20 larger shrubs (minimum five (5) gallon), 25 smaller shrubs (minimum one (1) gallon) and two (2) 15 gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of planting may be utilized within a front yard.

\* Isolated tree planting is not permitted between the sidewalk and street.

\* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are ryerson steel and horizontal timber (2 inches by 4 inches, 2 inches by 6 inches, 4 inches by 4 inches, and 4 inches by 6 inches).

\* All planting beds are to be mulched with shredded pine bark.

\* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for drainage purposes. Specimen boulders are permitted.

\* The front lawn of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.

\* Tree requirements are as follows:

<u>Lot Width</u>	<u>Trees Required</u>	<u>Type</u>	<u>Caliper</u>	<u>Height</u>
49' or less	1	1 Hardwood	4"	12'
50' – 64'	2	1 Hardwood 1 Ornamental	4" N/A	12'
65' and over	3	2 Hardwoods 1 Ornamental	4" N/A	14'

\* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

\* Tree stakes must be made out of wood, 2 inches in diameter by 6 feet long.

- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use his best efforts to notify owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:
  - a. Adequate watering;
  - b. Appropriate fertilization;
  - c. Pruning;
  - d. Mowing;
  - e. Weed control in lawns and planting beds;
  - f. Seasonal mulching of planting beds;
  - g. Insect and disease control;
  - h. Replacement of diseased or dead plant materials; and,
  - i. Warranty of all planting materials.

### Corner Lots

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding, and/or sprigging is prohibited.
- \* One additional hardwood tree in front/side yard.
- \* Three (3) ornamental trees in 15 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point 10 feet from the rear property line or driveway, if applicable, on fifteen (15) foot centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### Greenbelt Lots

Supplemental landscaping specifications for all greenbelt lots include the following:

- \* One tree, minimum four (4) inch caliper when measured six (6) inches above the ground, must be planted in the rear yard of all lots abutting a greenbelt. The tree should be planted on the greenbelt side of the lot no further than 20 feet from the property line abutting the greenbelt.
- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

### Master Plant List

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.



## V. HOUSING

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony be of the highest quality; as a minimum, Builders are required to warrant compliance with the Southern Building Code.

### Foundations

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agency.

### Exterior Materials

Single-family residences within Windstone Colony must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Changes in materials should have a logical relationship to the changes in the form of the house.

Exterior lots are defined as those lots that back or side to the following roadways: Keith Harrow Blvd., Windystone Drive, Wind Sand Drive, Post Meadow Drive and Wind Mark Drive. All other lots are classified as interior.

#### Interior Lots

- \* One story product – Shall be 100% masonry on three sides
- \* Two story product – Shall be 100% masonry front elevation; 50% masonry on two sides

#### Exterior Lots

- \* One story product – Shall be 100% masonry
- \* Two story product – Shall be 100% masonry (unless precluded by Southern Building Code)

Samples of all exterior building materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony must comply with the following standards and/or guidelines.

#### Masonry

- \* Stone  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.

- \* **Brick**  
Brick used on residences in Windstone Colony shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards For Brick compiled by the American Society for Testing and Materials under designation C216-87.
- \* **Mortar Joints**  
All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

#### Hardi Plank

- \* Hardi plank must be used for all siding product or in conjunction with masonry. Only hardiplank will be acceptable for such use.
- \* Wood siding is prohibited.
- \* Vinyl siding is prohibited.
- \* **Trim**  
All wood trim shall be smooth, high quality finish-grade stock and must be stained or painted as approved by A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

#### Stucco

- \* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

#### Metal

- \* Exposed metals shall be anodized aluminum, bronzer, copper or painted galvanized steel.

#### Synthetic Materials

- \* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of A.R.C.

#### **Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than 8 feet in height. All privacy walls must have A.R.C. approval.

#### **Window Treatment**

- \* Metal windows must be used and the finish shall compliment the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side facade, or on any facade which is visible from a public street, golf course or common area.

- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of A.R.C.

## **Roof Treatment**

### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather grey.
- \* Wood shingles are strictly prohibited.

### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in 12, except where a deck is called for.

### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plane.

### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor stories.

- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence is acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage space is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage or manual garage door openers must be installed on all garage doors.

#### **Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

#### **Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

#### **Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by A.R.C.

#### **Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggest visual deterioration of a residence.

## VI. MODEL HOME PARKS/SALES CENTERS

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

### Location

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

### Models

- \* The architectural controls and design guidelines established for all residences in Windstone Colony shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

### Site Improvements

- \* Sidewalks do not necessarily need to be placed two feet inside the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

### Parking

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

## **VII. SIGNAGE**

### **Model Home Park Signage**

- \* Signage for model home parks shall be approved by the Declarant, and shall conform to the city of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* See Illustration VII-1 for Windstone Colony logo and logo type.

### **Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.



## VIII. SUBMISSION AND APPROVAL

### Architectural Review Committee

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by Windstone Development, Ltd. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

### General

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

John R. Deboen  
Windstone Development  
5005 Riverway, Suite 150  
Houston, TX 77056

### Requirements

#### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in two phases prior to the construction of or any exterior improvement upon any residential lot or parcel

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Preliminary plans including:
  - a. Floor plans @ ¼ in. = 1'-0" minimum scale
  - b. Exterior elevations ¼ in. = 1' - 0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
  - a. Final architectural plans of drawings listed under Phase I above.
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

*On-Going Review*

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
  - a. Production
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Construction documents and specifications for variations from standard
  - a. Floor plans @ ¼ in. = 1' minimum scale
  - b. Exterior elevations ¼ in. = 1' minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

**A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

Initial Review

Phase I

Plan Submittal Form  
Schematic Site Plan  
Preliminary Building Development Plans                      15 Days

Phase II

Construction Documents    15 Days

On-Going Review

Plan Submittal Form  
Schematic site plan  
Construction documents    7 Days  
(if applicable)

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

**IX. PROJECT INFORMATION**

Developer and Project Management:  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, TX 77056

Engineer:  
Sherrington, Inc.  
11210 Steeplecrest Drive, Suite 207  
Houston, TX 77065

Land Planner:  
Kerry R. Gilbert & Associates, Inc.  
15810 Park Ten Place, Suite 160  
Houston, TX 77084

Landscape Architect:  
Robert E. Forsythe  
2230 Shadowdale  
Houston, TX 77043

X. APPENDIX

# RESIDENTIAL LOT MASTER PLANT LIST - A1

## TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer rubrum</i>	Red Maple
<i>Betula nigra</i>	River Birch
<i>Carya illinoensis</i> & vars.	Pecan
<i>Cercis canadensis</i> & vars.	Redbud
<i>Crataegus marshallii</i>	Parsley Leaf Hawthorn
<i>Crataegus spathulata</i>	Little Hip Hawthorn
<i>Fraxinus pennsylvanica</i> vars.	Green Ash
<i>Ilex decidua</i>	Possumhaw
<i>Ilex opaca</i> & vars.	American Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Koelreuteria bipinnata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> vars.	Crapemyrtle
<i>Liquidambar styraciflua</i> & vars.	Sweetgum
<i>Ligustrum japonicum</i> (tree form)	Wax Leaf Ligustrum
<i>Magnolia grandiflora</i> & vars.	Southern Magnolia
<i>Magnolia soulangiana</i> & vars.	Saucer Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Myrica cerifera</i>	Southern Bayberry
<i>Parkinsonia aculeata</i>	Retama
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Pyrus calleryana</i> & vars.	Callery Pear
<i>Quercus falcata</i> & vars.	Southern Red Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus shumardi</i>	Shumard Oak
<i>Quercus texana</i>	Texas Red Oak
<i>Quercus virginiana</i>	Live Oak
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus crassifolia</i>	Evergreen Elm

## SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
<i>Berberis thunbergii</i> "Crimson Pygmy"	Crimson Pygmy
Barberry	
<i>Buxus microphylla japonica</i>	Japanese Boxwood
<i>Camellia sasanqua</i> vars.	Sasanqua Camellia
<i>Chamaerops humilis</i>	Mediterranean Fan
Palm	
<i>Cleyera japonica</i>	Japanese Cleyera
<i>Cycas revoluta</i>	King Sago Palm



Elaeagnus pungens vars.  
 Eriobotrya x "Coppertone"  
 Fatsia japonica  
 Feijoa sellowiana  
 Gardenia jasminoides "Radicans"  
 Ilex cornuta vars.  
 Ilex dedidua  
 Ilex vomitoria & vars.  
 Juniperus spp. & vars.  
 Lagerstroemia indica (dwarf vars.)  
 Ligustrum japonicum & vars.  
 Ligustrum sinense "Variegatum"  
 Mahonia bealei  
 Michelia figo  
 Myrica cerifera  
 Nandina domestica & vars.  
 Nandina domestica "Compacta"  
 Nerium oleander (hardy vars.)  
 Photinia Fraseri  
 Pittosporum tobira & vars.  
 Pyracantha spp. & vars.  
 Raphiolepis indica vars.  
 Rododendrom (Azalea) spp. & vars.  
 Viburnum japonicum  
 Viburnum odoratissimum  
 Viburnum suspensum  
 Viburnum tinus & vars.  
 Xylosma congestum  
 Yucca spp. & vars.

Elaeagnus  
 Coppertone Loquat  
 Fatsia  
 Pineapple Guava  
 Dwarf Gardenia  
 Chinese Holly  
 Possumhaw  
 Yaupon Holly  
 Juniper  
 Dwarf Crapemyrtle  
 Wax Leaf Ligustrum  
 Variegated Privet  
 Leatherleaf Mahonia  
 Banana Shrub  
 Southern Bayberry  
 Nandina  
 Compact Nandina  
 Oleander  
 Fraser's Photinia  
 Pittosporum  
 Pyracantha  
 Indian Hawthorn  
 Azalea  
 Japanese Viburnum  
 Sweet Viburnum  
 Sandankwa Viburnum  
 Laurustinus Viburnum  
 Shiny Xylosma  
 Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
 Asparagus sprengeri  
 Berberis thunbergii "Crimson Pygmy"  
 Barberry  
 Cyrtomium falcatum  
 Gardenia jasminoides "Radicans"  
 Hedera canariensis & vars.  
 Hedera helix & vars.  
 Juniperus spp. & vars.  
 Liriope muscari & vars.  
 Lonicera japonica chinensis  
 Honeysuckle  
 Lonicera japonica "Halliana"  
 Nandina domestica "Harbour Dwarf"  
 Ophiopogon japonicus  
 Ophiopogon japonicus "Nanus"  
 Pyracantha "Red Elf"  
 Pyracantha "Ruby Mound"

### Common Name

Ajuga  
 Sprenger Asparagus  
 Crimson Pygmy  
 Holly Fern  
 Dwarf Gardenia  
 Algerian Ivy  
 English Ivy  
 Juniper  
 Liriope  
 Purple Japanese  
 Hall's Honeysuckle  
 Harbour Dwarf Nandina  
 Monkey Grass  
 Dwarf Monkey Grass  
 Red Elf Pyracantha  
 Ruby Mound

Pyracantha  
Trachelospermum asiaticum & vars.  
Trachelospermum jasminoides & vars.

Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdatum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue Ky-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignoia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Honeysuckle  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Millettia reticulata  
Rosa banksiae  
Rose  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jassamine  
Purple Japanese  
  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks'  
  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikarti  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Frikarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting (March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta bogonia  
Marigolds  
Portulaca

### Fall Planting (October/November)

Calendula  
Pansy  
Snapdragons  
Dainthus  
Mums

Harris County  
Beverly B. Kaufman  
County Clerk

03/03/03 300080926  
W466340 \$97.00

WINDSTONE COLONY SUBDIVISION

WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.  
SECRETARY'S CERTIFICATE

I, the undersigned, do hereby certify:

(1) I am the duly elected and acting secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation ("Association"), and,

(2) Attached hereto is a true and correct copy of the Builder Guidelines adopted by the Windstone Colony Architectural Control Committee for Section Five of Windstone Colony.

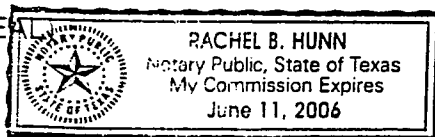
IN WITNESS WHEREOF, I have hereunto subscribed my name on this 28th day of February, 2003.

Cindy Patterson  
Secretary

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

This instrument was acknowledged on this 28th day of February, 2003 by Cynthia Patterson, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation.

(SEAL)



Rachel B. Hunn  
Notary Public in and for  
the State of Texas

After Recording, Return To:  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, Texas 77056

\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE \*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE DEVELOPMENT, L.T.D. ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION.

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**WINDSTONE COLONY BUILDER GUIDELINES**  
for  
**SECTION Five**  
**(Reserve C)**

I. INTRODUCTION

Windstone Colony is a residential development of Windstone Development, Ltd. The objective of these Builder guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony and over which Windstone Development, Ltd. will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Development, Ltd. Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, EPA) having applicable jurisdiction.

Builders within Windstone Colony are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## II. NEIGHBORHOOD PLANNING ELEMENTS

Residential development within Windstone Colony is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The builder of corner lots shall be responsible for the right-of-way for both streets.

### Living Areas

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living area requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages.

#### Windstone Colony, Section 5 (Reserve C)

Minimum living area, single story	1400 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2850 sq. ft.

### Site Massing and Exterior Elevations

- \* If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.



### Housing Plan and Elevation Repetition

The following three scenarios represent Windstone Colony guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

### Building Setback Lines

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for a specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* 20 foot front yard setback lines on typical lots in Section 5
- \* 20 foot front yard setback lines on typical cul-de-sac lots;
- \* 5 foot side yard setback lines on typical lots;
- \* 10 foot side yard setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three (3) foot side yard building setback line;
- \* 15 foot rear building setback line (except for detached garages).

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven (7) foot wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries and non-residential tracts typically contain a fourteen (14) foot wide utility easement. Encroachment of structures upon the utility easement is prohibited.

## **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, one of three basic sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment or drainage course, the Builder will be assessed the cost of clean up.

Builders may choose any of the following sediment control methods:

- Standard rectangular bales of hay, firm bound, may be placed as described below and behind the curb of the street, along the entire frontage of the lot. Bales shall be placed in a continuous r.o.w., with ends tightly abutting the adjacent bales. Vehicular access to the construction area should be limited to designated entries, where gaps may be created by offsetting and overlapping r.o.w.s in such a way as to intercept the storm water sheet flow. Each bale shall be embedded in the soil a minimum of four (4) inches. Bales shall be securely anchored in place by stakes or rebars driven through the bales. The first stake in each bale shall be angled toward the previously laid bale to force the bales together (see Illustration III-1). Daily inspection should be made the contractor. Repair or replacement shall be made promptly as needed; and
- Temporary sediment fencing may be constructed on the site out of wire mesh and burlap (see Illustration III-1), or a commercially manufactured fencing product (such as EnviroFence) may be used. Whichever fencing material is selected, it shall be securely anchored below the surface elevation of the ground so that any storm water sheet flow must pass through the fence material or be trapped behind it.

#### **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six (6) inches in caliper at a point six (6) inches above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible ideally, at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches, or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be

poured on the ground near the dripline of the trees;

- \* Protection fences shall not be removed without approval of the A.R.C.; and,
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

#### **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C.. All temporary buildings must be placed a minimum of 25 feet off of the street r.o.w.; no temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

### **IV. LOT ELEMENTS**

#### **Grading and Drainage**

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

#### **Lot Coverage**

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed 60 percent of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

#### **Driveways**

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four (4) inches thick over a sand base. A #6, six (6) inch by six (6) inch woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.

- \* Driveways should not be constructed over inlets or man holes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two (2) feet from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be 12 feet in width (see Illustration II-2).
- \* Driveways serving attached two car garages facing the street shall be a minimum of 16 feet in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no circumstance may an entire front yard be paved as a driveway.

#### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony and are to be constructed by the lot builder in accordance with the specifications shown in Illustration IV-2.

- \* All sidewalks within Windstone Colony must conform to all applicable City of Houston rules and regulations and to the Americans With Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

#### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway at least three (3) feet in width and no more than five (5) feet in width shall be provided from the front door of the residence to the street curb or the driveway.

- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two (2) feet in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

#### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area (minimum 3 feet) for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six (6) feet in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.
- \* All other structures including gazebos, storage buildings, playhouses, decks greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven (7) in height at its highest elevation.
  - Structure must not exceed eighty (80) square feet in size.
  - Structure must be constructed of brick, hardiplank or wood. If

constructed of wood, two coats of a neutral color of paint is required at the time of construction.

- Roof must be the same color and type as the main dwelling.
- Structure must be unobstructed from public view.

#### **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Must be unobstructed to public view.
- \* Must not exceed (9) feet in height when attached to the roof of the main dwelling.
- \* Must not exceed seven (7) feet in height if not attached to the roof of the main dwelling.

#### **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To insure compatibility of fence design throughout Windstone Colony, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.
- \* A maximum fence height of 6'-0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single sided hinged gate shall be installed in the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found within Windstone Colony.

#### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six (6) feet in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven (7) foot panels and exposed rails along common interior lot lines to provide a uniform, attractive



fence to each abutting property.

#### **Typical Corner Lot**

- \* The fencing located on the exterior lot side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall consist of treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* The upgraded wood fence must be located five (5) feet from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of 15 feet past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

#### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum 15 feet past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six (6) foot upgraded wood fence (see Illustration IV-7).

#### **Greenbelt Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt shall be constructed with a six (6) foot high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two (2) inches by six (6) inches. Trim cap joints are to be mitered at 45 degrees.
- \* Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point 10 feet behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be

incorporated into the six (6) foot upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls**

Developer will provide a six (6) foot wood upgrade fence with or without brick columns along the rear or side property line where residential lots back or side to the perimeter of the project. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor security lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscape lighting affect (such as affixed to trees as up and down lights) is permissible.

### **Screening**

- \* Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

### **Landscaping**

The Builder is responsible for landscaping all areas on his property and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

#### Lots 49' in Width and Less

- \* Minimum planting bed specifications include:

- a. Minimum planting bed width is four (4) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 12 larger shrubs (minimum five (5) gallon), 15 smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of planting may be utilized within a front yard.

Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:

- a. Minimum planting bed width is five (5) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 16 larger shrubs (minimum five (5) gallon), 20 smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of planting may be utilized within a front yard.

Lots 65' in Width and Over

- \* Minimum planting bed specifications include:

- a. Minimum planting bed width is five (5) feet from the house foundation. Curvilinear planting beds are encouraged.
- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 20 larger shrubs (minimum five (5) gallon), 25 smaller shrubs (minimum one (1) gallon) and two (2) 15 gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of planting may be utilized within a front yard.

- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are ryerson steel and horizontal timber (2 inches by 4 inches, 2 inches by 6 inches, 4 inches by 4 inches, and 4 inches by 6 inches).
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for drainage purposes. Specimen boulders are permitted.
- \* The front lawn of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.

- \* Tree requirements are as follows:

<u>Lot Width</u>	<u>Trees Required</u>	<u>Type</u>	<u>Caliper</u>	<u>Height</u>
49' or less	1	1 Hardwood	4"	12'
50' – 64'	2	1 Hardwood 1 Ornamental	4" N/A	12'
65' and over	3	2 Hardwoods 1 Ornamental	4" N/A	14'

- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, 2 inches in diameter by 6 feet long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use his best efforts to notify owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:
  - Adequate watering;
  - Appropriate fertilization;
  - Pruning;
  - Mowing;
  - Weed control in lawns and planting beds;
  - Seasonal mulching of planting beds;
  - Insect and disease control;
  - Replacement of diseased or dead plant materials; and,
  - Warranty of all planting materials.

### Corner Lots

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding, and/or sprigging is prohibited.
- \* One additional hardwood tree in front/side yard.
- \* Three (3) ornamental trees in 15 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point 10 feet from the rear property line or driveway, if applicable, on fifteen (15) foot centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### Greenbelt Lots

Supplemental landscaping specifications for all greenbelt lots include the following:

- \* One tree, minimum four (4) inch caliper when measured six (6) inches above the ground, must be planted in the rear yard of all lots abutting a greenbelt. The tree should be planted on the greenbelt side of the lot no further than 20 feet from the property line abutting the greenbelt.
- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

#### **Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

### **V. HOUSING**

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony be of the highest quality; as a minimum, Builders are required to warrant compliance with the Southern Building Code.

#### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agency.

#### **Exterior Materials**

Single-family residences within Windstone Colony must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Changes in materials should have a logical relationship to the changes in the form of the house.

Exterior lots are defined as those lots that back or side to the following roadways: Daisy Meadow Drive, Windstone Drive and Post Meadow Drive. All other lots are classified as interior.

#### Interior Lots

- \* One story product – Shall be 100% masonry on three sides
- \* Two story product – Shall be 100% masonry front elevation; 50% masonry on two sides

#### Exterior Lots

- \* One story product – Shall be 100% masonry
- \* Two story product – Shall be 100% masonry (unless precluded by Southern Building Code)

Samples of all exterior building materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony must comply with the following standards and/or guidelines.

#### Masonry

- \* Stone  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.
- \* Brick  
Brick used on residences in Windstone Colony shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards For Brick compiled by the American Society for Testing and Materials under designation C216-87.
- \* Mortar Joints  
All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

#### Hardi Plank

- \* Hardi plank must be used for all siding product or in conjunction with masonry. Only hardiplank will be acceptable for such use.
- \* Wood siding is prohibited.
- \* Vinyl siding is prohibited.
- \* Trim  
All wood trim shall be smooth, high quality finish-grade stock and must be stained or painted as approved by A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

#### Stucco

- \* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

#### Metal

- \* Exposed metals shall be anodized aluminum, bronzer, copper or painted galvanized steel.

### Synthetic Materials

- \* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of A.R.C.

### **Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than 8 feet in height. All privacy walls must have A.R.C. approval.

### **Window Treatment**

- \* Metal windows must be used and the finish shall compliment the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side facade, or on any facade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of A.R.C.

### **Roof Treatment**

#### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather grey.
- \* Wood shingles are strictly prohibited.

#### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in 12, except where a deck is called for.

#### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

#### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate.



### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence is acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage space is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage or manual garage door openers must be installed on all garage doors.

### **Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

### **Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

### **Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by A.R.C.

### **Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggest visual deterioration of a residence.

## **VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

### **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

### **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

regulations governing the planned development and improvement of all tracts within Windstone Colony and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

### **General**

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
C/o VanMor Properties, Inc.  
1505 Highway 6 South, Suite 100  
Houston, Texas 77077

### **Requirements**

#### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in two phases prior to the construction of or any exterior improvement upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

#### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)

2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Preliminary plans including:
  - a. Floor plans @ 1/4 in. = 1'-0" minimum scale
  - b. Exterior elevations 1/4 in. = 1' - 0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
  - a. Final architectural plans of drawings listed under Phase I above.
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blueline prints and supplementary specifications. Only complete sets will be reviewed.

*On-Going Review*

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
  - a. Production
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Construction documents and specifications for variations from standard
  - a. Floor plans @ 1/4in. = 1' minimum scale
  - b. Exterior elevations 1/4 in. = 1' minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

### **A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

#### Initial Review

##### Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

##### Phase II

Construction Documents	15 Days
------------------------	---------

#### On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

IX. PROJECT INFORMATION

Developer and Project Management:  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, TX 77056

Engineer:  
Sherrington, Inc.  
11210 Steeplecrest Drive, Suite 207  
Houston, TX 77065

Land Planner:  
Kerry R. Gilbert & Associates, Inc.  
15810 Park Ten Place, Suite 160  
Houston, TX 77084

Landscape Architect:  
Robert E. Forsythe  
2230 Shadowdale  
Houston, TX 77043

## Site Improvements

- \* Sidewalks do not necessarily need to be placed two feet inside the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

## Parking

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

## VII. SIGNAGE

### Model Home Park Signage

- \* Signage for model home parks shall be approved by the Declarant, and shall conform to the city of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* See Illustration VII-1 for Windstone Colony logo and logo type.

### Builder / Lot Signage

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## VIII. SUBMISSION AND APPROVAL

### Architectural Review Committee

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by Windstone Development, Ltd. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and

X. APPENDIX



## RESIDENTIAL LOT MASTER PLANT LIST - A1

### TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer rubrum</i>	Red Maple
<i>Betula nigra</i>	River Birch
<i>Carya illinoensis</i> & vars.	Pecan
<i>Cercis canadensis</i> & vars.	Redbud
<i>Crataegus marshallii</i>	Parsley Leaf Hawthorn
<i>Crataegus spathulata</i>	Little Hip Hawthorn
<i>Fraxinus pennsylvanica</i> vars.	Green Ash
<i>Ilex decidua</i>	Possumhaw
<i>Ilex opaca</i> & vars.	American Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Koelreuteria bipinnata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> vars.	Crapemyrtle
<i>Liquidambar styraciflua</i> & vars.	Sweetgum
<i>Ligustrum japonicum</i> (tree form)	Wax Leaf Ligustrum
<i>Magnolia grandiflora</i> & vars.	Southern Magnolia
<i>Magnolia soulangiana</i> & vars.	Saucer Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Myrica cerifera</i>	Southern Bayberry
<i>Parkinsonia aculeata</i>	Retama
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Pyrus calleryana</i> & vars.	Callery Pear
<i>Quercus falcata</i> & vars.	Southern Red Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus shumardi</i>	Shumard Oak
<i>Quercus texana</i>	Texas Red Oak
<i>Quercus virginiana</i>	Live Oak
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus crassifolia</i>	Evergreen Elm

### SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
<i>Berberis thunbergii</i> "Crimson Pygmy"	Crimson Pygmy
Barberry	
<i>Buxus microphylla japonica</i>	Japanese Boxwood
<i>Camellia sasanqua</i> vars.	Sasanqua Camellia
<i>Chamaerops humilis</i>	Mediterranean Fan
Palm	
<i>Cleyera japonica</i>	Japanese Cleyera
<i>Cycas revoluta</i>	King Sago Palm

Elaeagnus pungens vars.  
 Eriobotrya x "Coppertone"  
 Fatsia japonica  
 Feijoa sellowiana  
 Gardenia jasminoides "Radicans"  
 Ilex cornuta vars.  
 Ilex dedidua  
 Ilex vomitoria & vars.  
 Juniperus spp. & vars.  
 Lagerstroemia indica (dwarf vars.)  
 Ligustrum japonicum & vars.  
 Ligustrum sinense "Variegatum"  
 Mahonia bealei  
 Michelia figo  
 Myrica cerifera  
 Nandina domestica & vars.  
 Nandina domestica "Compacta"  
 Nerium oleander (hardy vars.)  
 Photinia Fraseri  
 Pittosporum tobira & vars.  
 Pyracantha spp. & vars.  
 Raphiolepis indica vars.  
 Rododendrom (Azalea) spp. & vars.  
 Viburnum japonicum  
 Viburnum odoratissimum  
 Viburnum suspensum  
 Viburnum tinus & vars.  
 Xylosma congestum  
 Yucca spp. & vars.

Elaeagnus  
 Coppertone Loquat  
 Fatsia  
 Pineapple Guava  
 Dwarf Gardenia  
 Chinese Holly  
 Possumhaw  
 Yaupon Holly  
 Juniper  
 Dwarf Crape Myrtle  
 Wax Leaf Ligustrum  
 Variegated Privet  
 Leatherleaf Mahonia  
 Banana Shrub  
 Southern Bayberry  
 Nandina  
 Compact Nandina  
 Oleander  
 Fraser's Photinia  
 Pittosporum  
 Pyracantha  
 Indian Hawthorn  
 Azalea  
 Japanese Viburnum  
 Sweet Viburnum  
 Sandankwa Viburnum  
 Laurustinus Viburnum  
 Shiny Xylosma  
 Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
 Asparagus sprengeri  
 Berberis thunbergii "Crimson Pygmy"  
 Barberry  
 Cyrtomium falcatum  
 Gardenia jasminoides "Radicans"  
 Hedera canariensis & vars.  
 Hedera helix & vars.  
 Juniperus spp. & vars.  
 Liriope muscari & vars.  
 Lonicera japonica chinensis  
 Honeysuckle  
 Lonicera japonica "Halliana"  
 Nandina domestica "Harbour Dwarf"  
 Ophiopogon japonicus  
 Ophiopogon japonicus "Nanus"  
 Pyracantha "Red Elf"  
 Pyracantha "Ruby Mound"

### Common Name

Ajuga  
 Sprenger Asparagus  
 Crimson Pygmy  
 Holly Fern  
 Dwarf Gardenia  
 Algerian Ivy  
 English Ivy  
 Juniper  
 Liriope  
 Purple Japanese  
 Hall's Honeysuckle  
 Harbour Dwarf Nandina  
 Monkey Grass  
 Dwarf Monkey Grass  
 Red Elf Pyracantha  
 Ruby Mound

Pyracantha  
Trachelospermum asiaticum & vars.  
Trachelospermum jasminoides & vars.

Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdatum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue Ky-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignoia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Honeysuckle  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Milletia reticulata  
Rosa banksiae  
Rose  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jassamine  
Purple Japanese  
  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks'  
  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikarti  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Frikarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

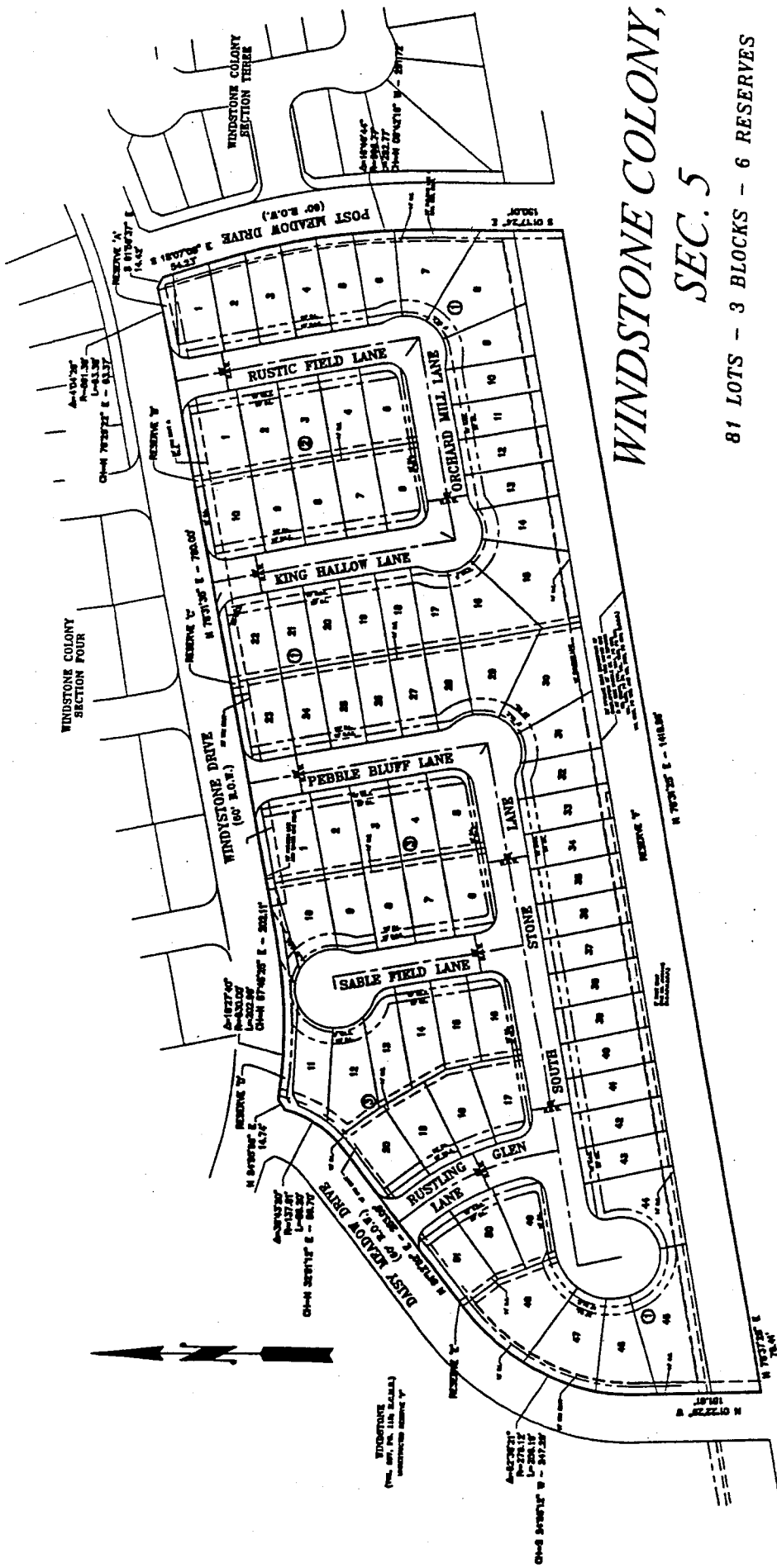
### Spring Planting (March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta bogonia  
Marigolds  
Portulaca

### Fall Planting (October/November)

Calendula  
Pansy  
Snapdragons  
Dainthus  
Mums

XI. ILLUSTRATIONS



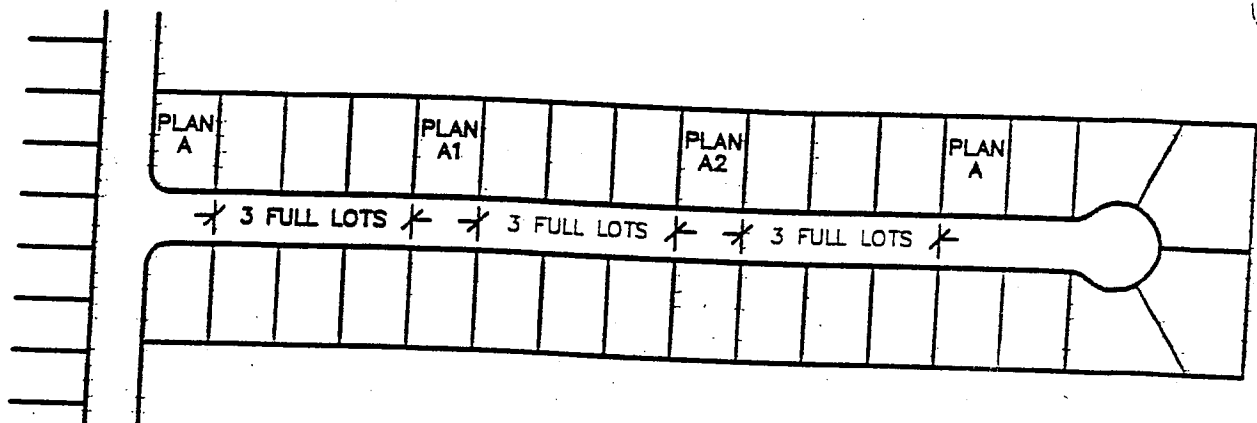
*WINDSTONE COLONY,  
SEC. 5*

81 LOTS - 3 BLOCKS - 6 RESERVES

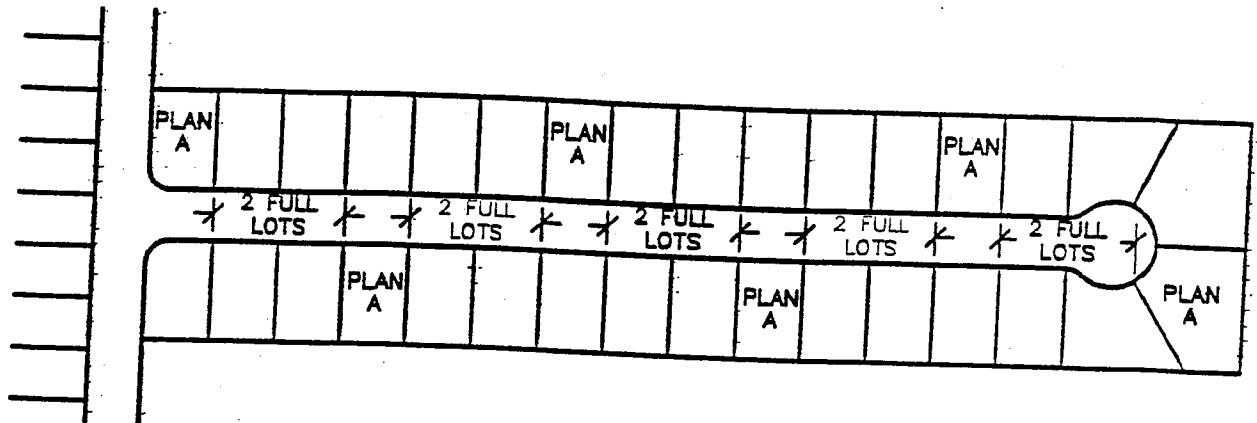
**WINDSTONE COLONY, SECTION FIVE  
RESERVE C**

ILLUSTRATION I-1A

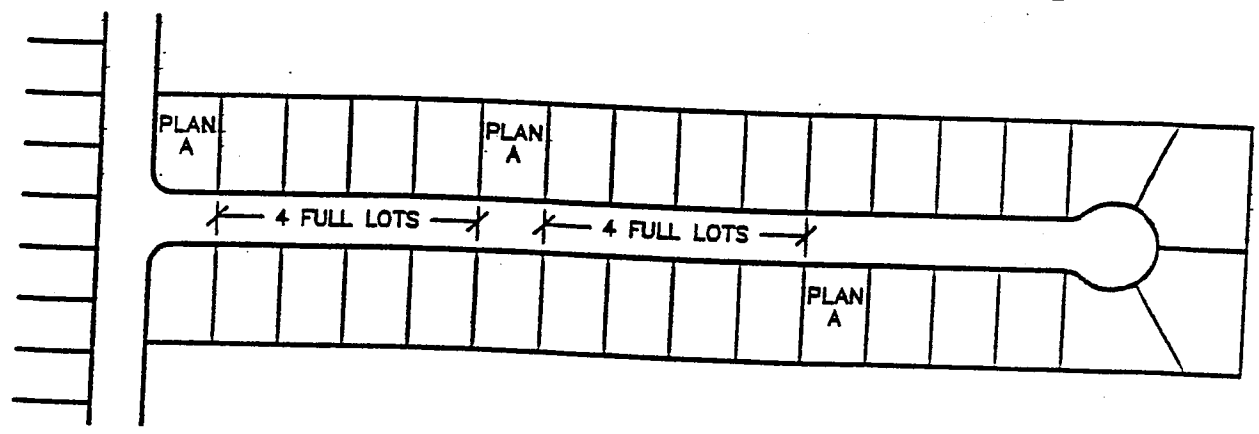
**1. SAME PLAN, DIFFERENT ELEVATION, SAME SIDE**



**2. SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE**



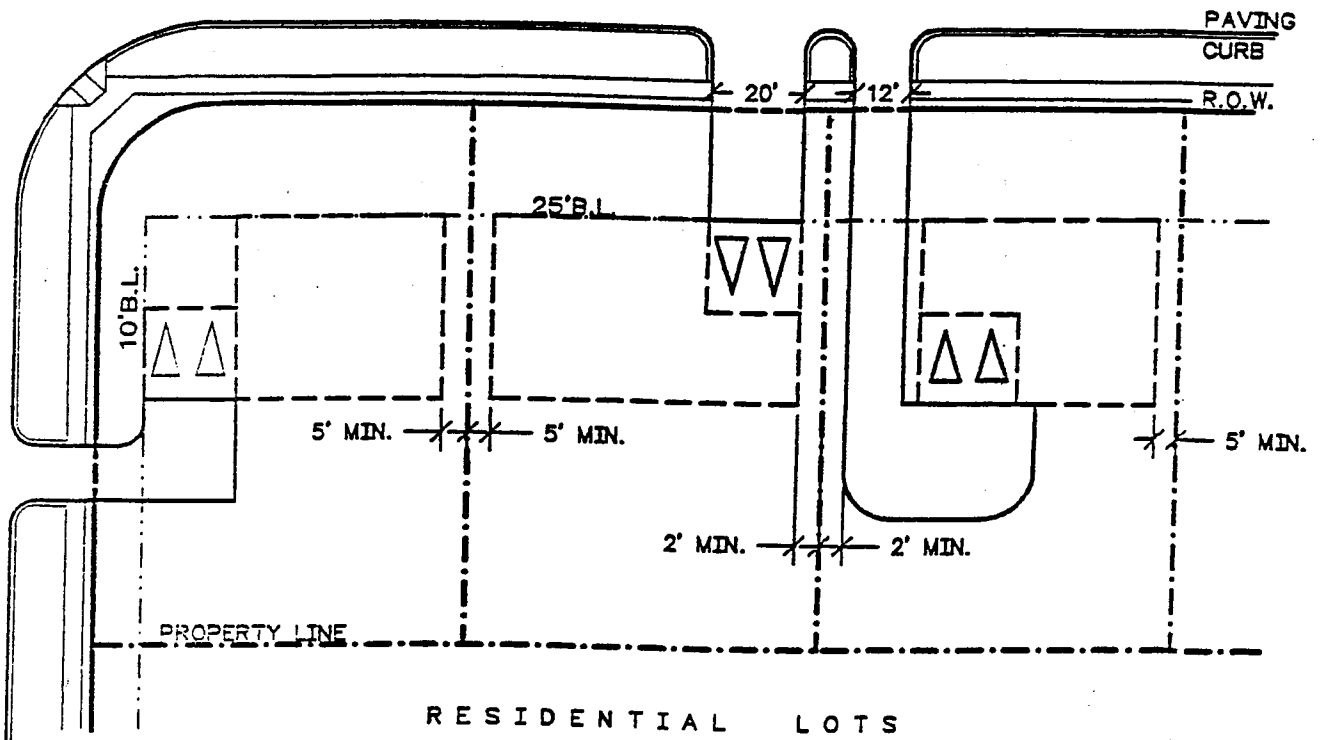
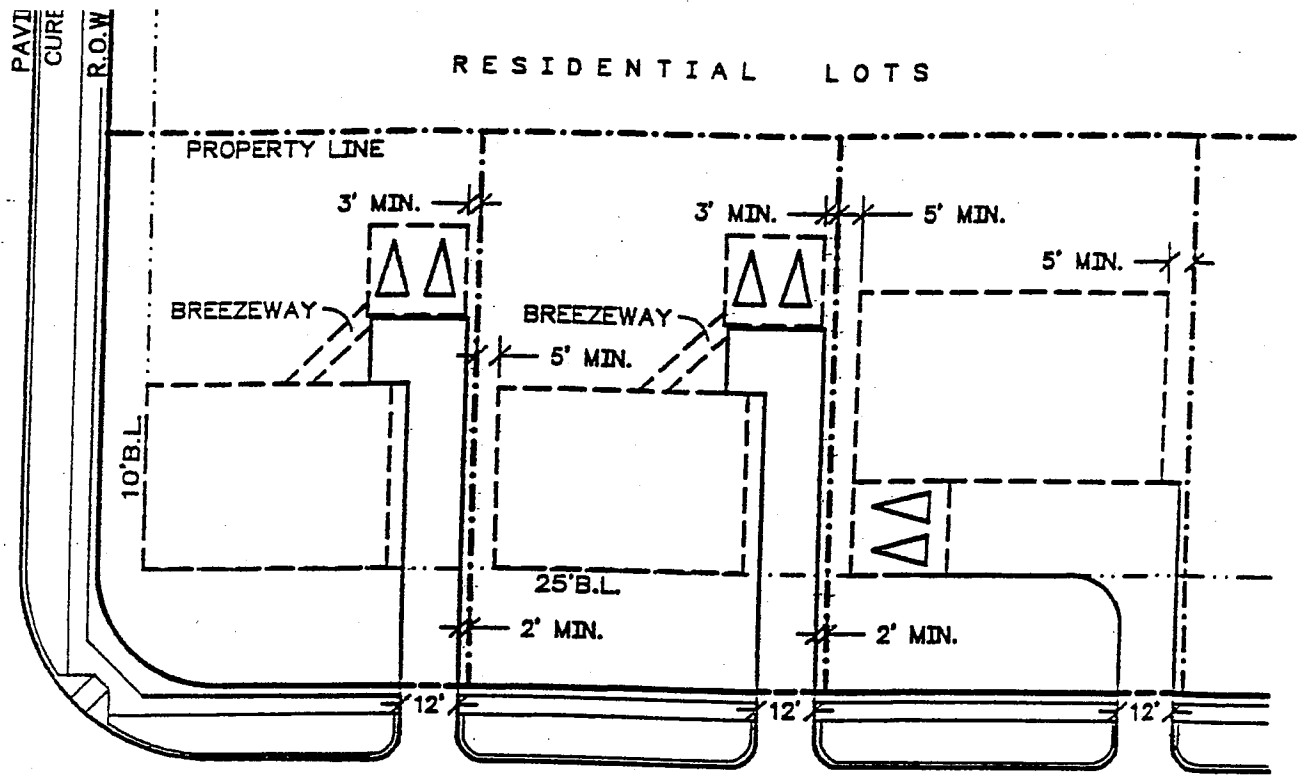
**3. SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE**



**NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.**

**HOUSING PLAN AND  
ELEVATION REPETITION**

**ILLUSTRATION II-1**



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

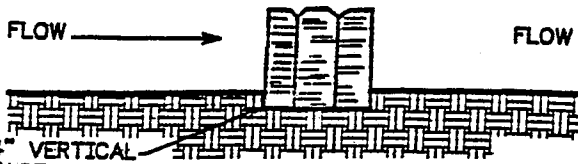
**GARAGE AND  
 DRIVEWAY PLACEMENT**

**ILLUSTRATION II-2**



**EMBEDDING DETAIL**

FLOW →



4" VERTICAL FACE

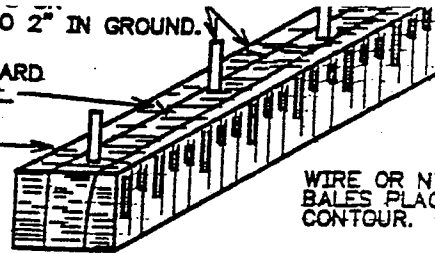
SOURCE:

EROSION AND SEDIMENT CONTROL GUIDELINES FOR DEVELOPING AREAS IN TEXAS, U.S. DEPT. OF AGRICULTURE SOIL CONSERVATION SERVICE FIG. 4-8, PAGE 4-77

2"x2" STAKES 1 1/2" TO 2" IN GROUND.

ANGLE FIRST STAKE TOWARD PREVIOUSLY LAID BAIL

FLOW →



WIRE OR NYLON BOUND BALES PLACED ON THE CONTOUR.

MIN. 12 1/2 GA. LINE WIRES

MIN. 12 1/2 GA. INTERMEDIATE WIRES

MIN. 12 1/2 GA. LINE WIRES

VARIABLE AS DIRECTED BY ENGINEER (10' MAX.)

3'-0"

2'-0"

WOOD POST

STEEL POST

SOURCE:

CITY OF GREENVILLE, N.C. MANUAL OF STANDARD DESIGNS AND DETAILS STD. NO. 20.05

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

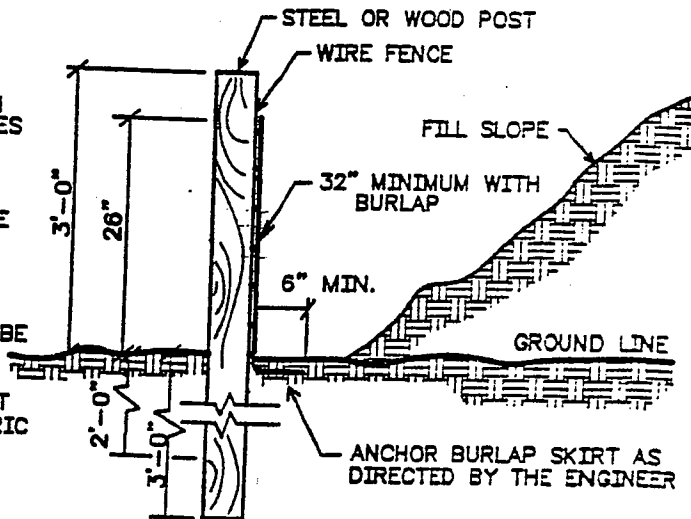
WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

SOURCE:

CITY OF GREENVILLE, N.C. MANUAL OF STANDARD DESIGNS AND DETAILS STD. NO. 20.05

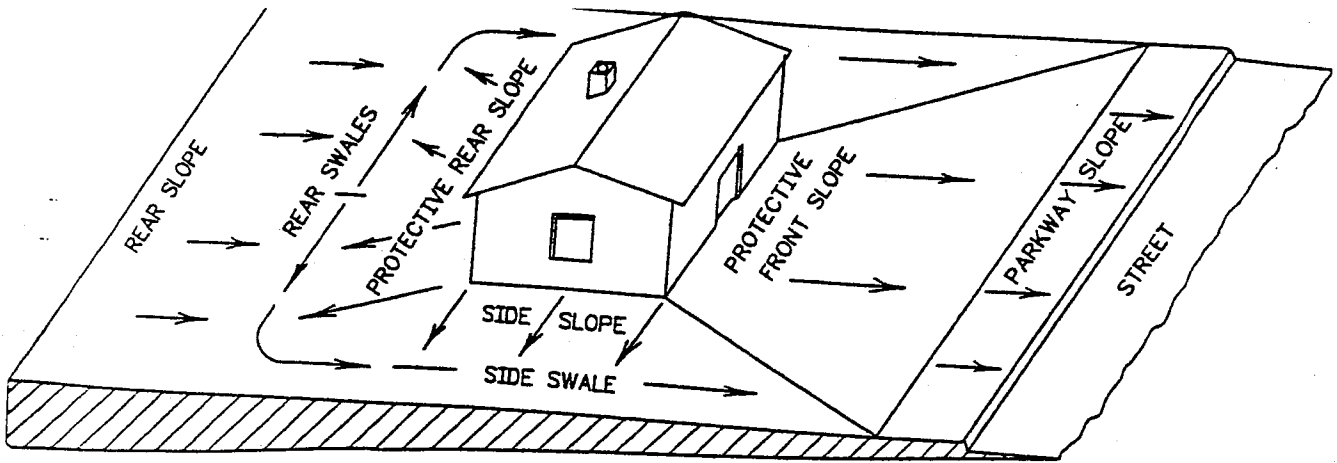
**NOTE FOR ILLUSTRATION PURPOSES ONLY.**

**REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.**



**TEMPORARY SEDIMENT CONTROL**

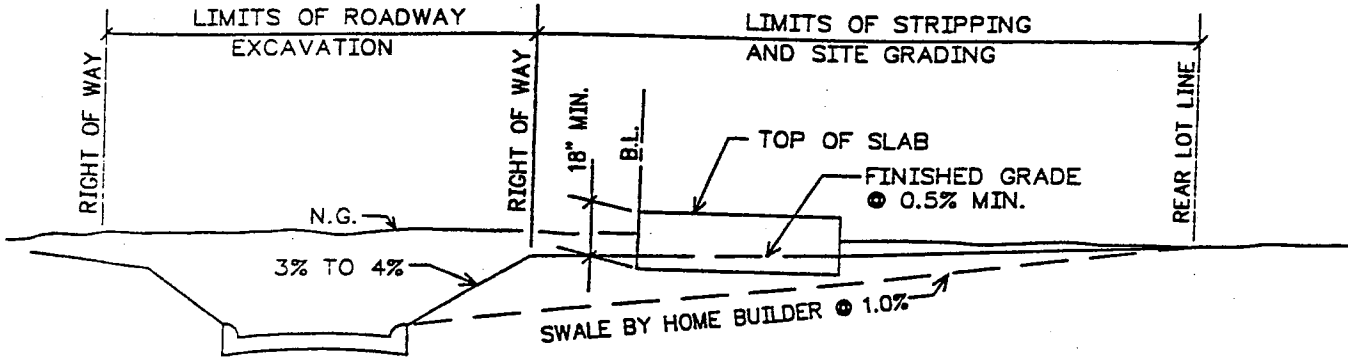
**ILLUSTRATION III-1**



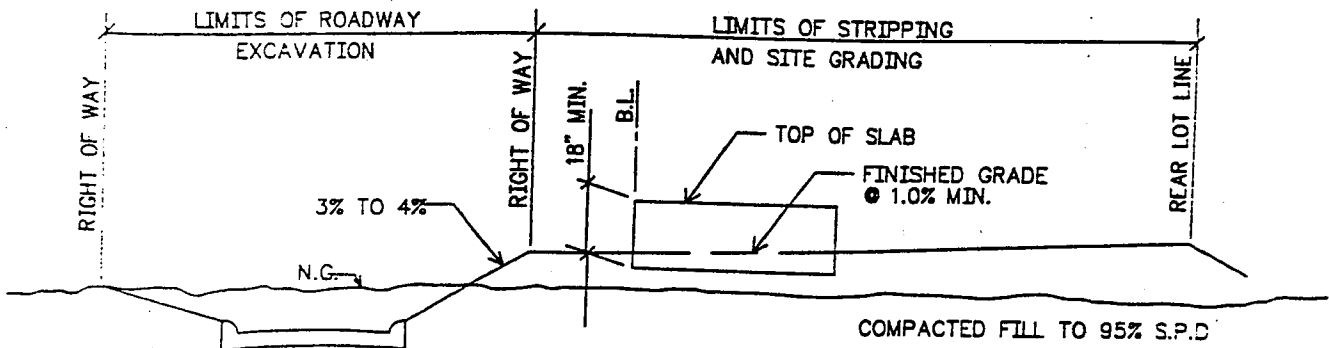
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**FHA LOT GRADING TYPE "A"**



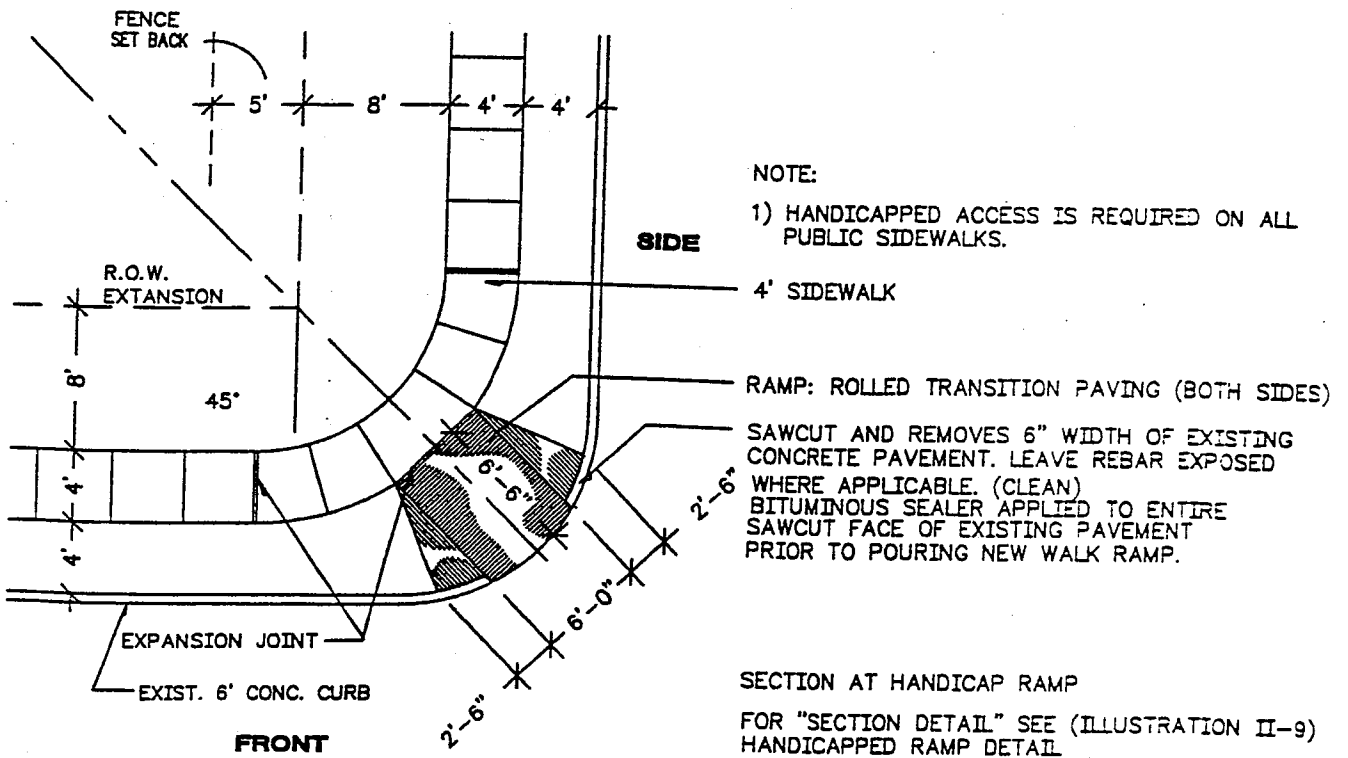
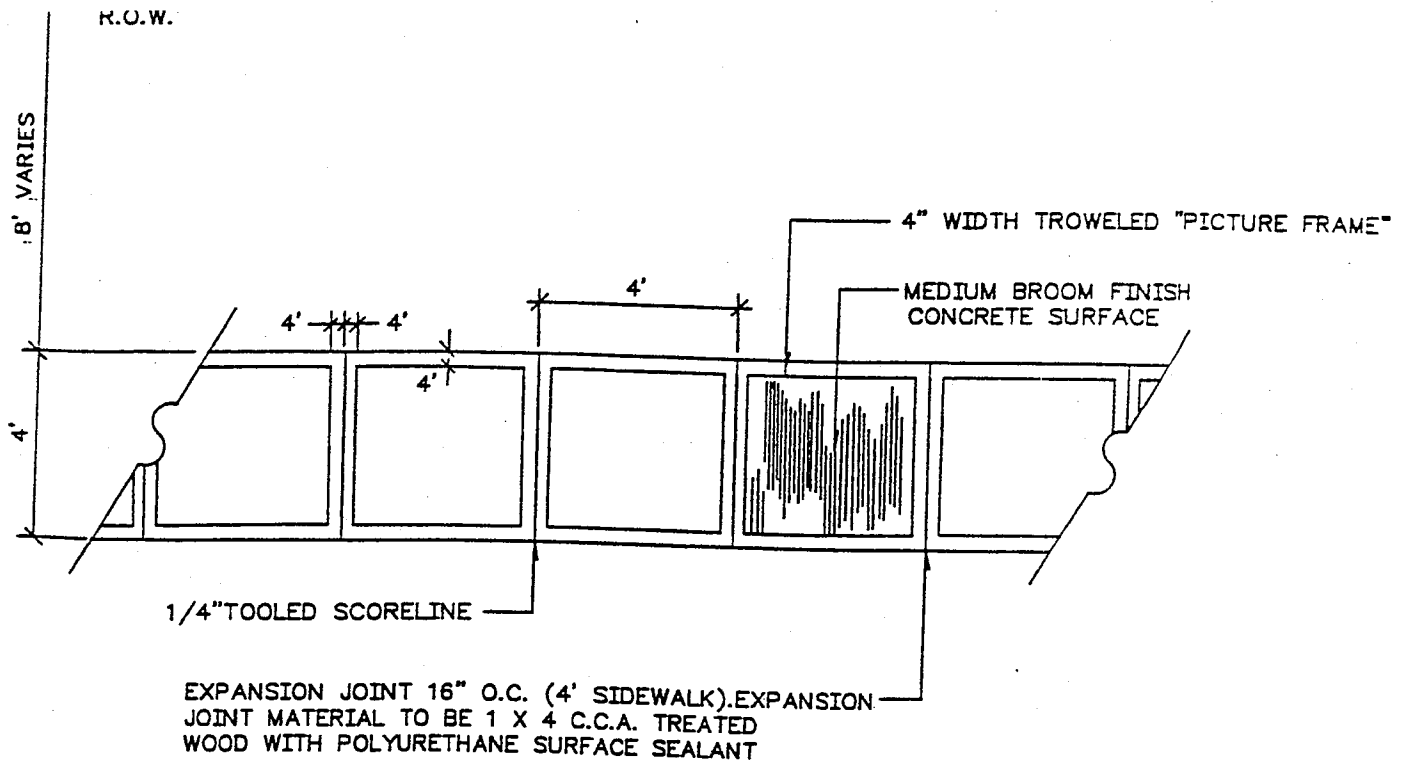
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18" FHA BLOCK GRADING, TYPE T**



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18" FHA BLOCK GRADING, TYPE T**

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**



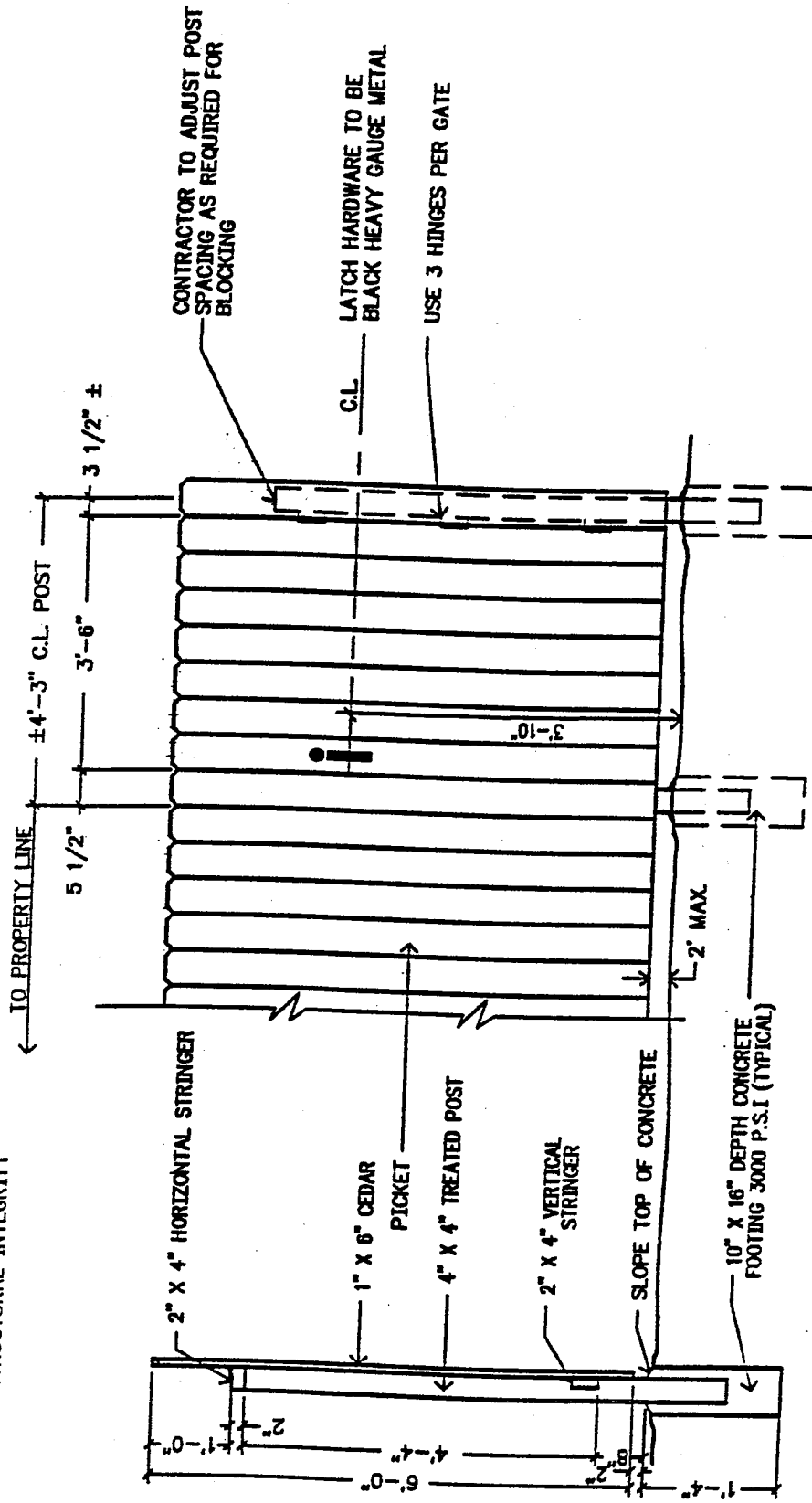
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

## SIDEWALK DETAIL

ILLUSTRATION IV-2

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRANCHING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



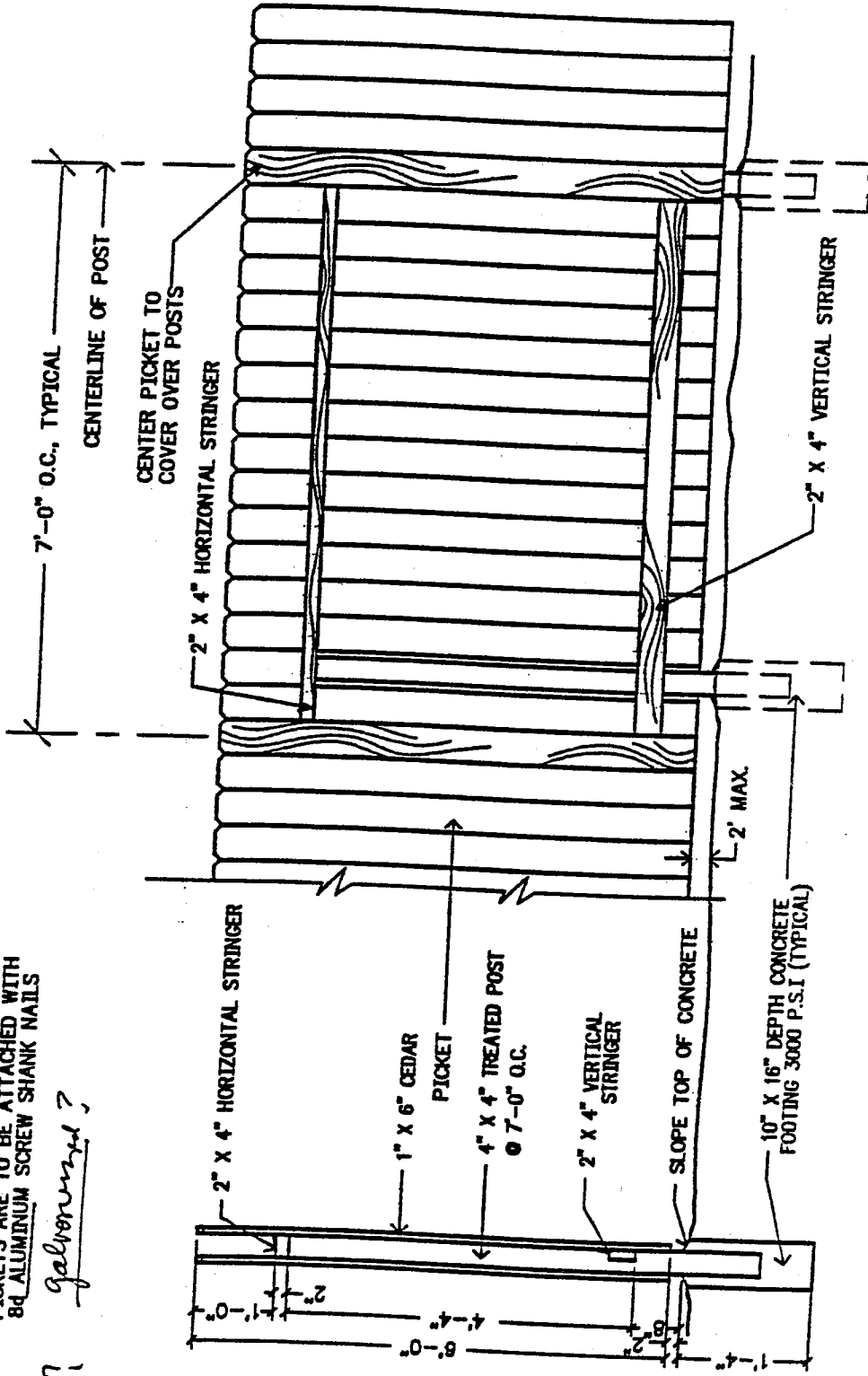
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL HINGED GATE

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS

7 galvanized?

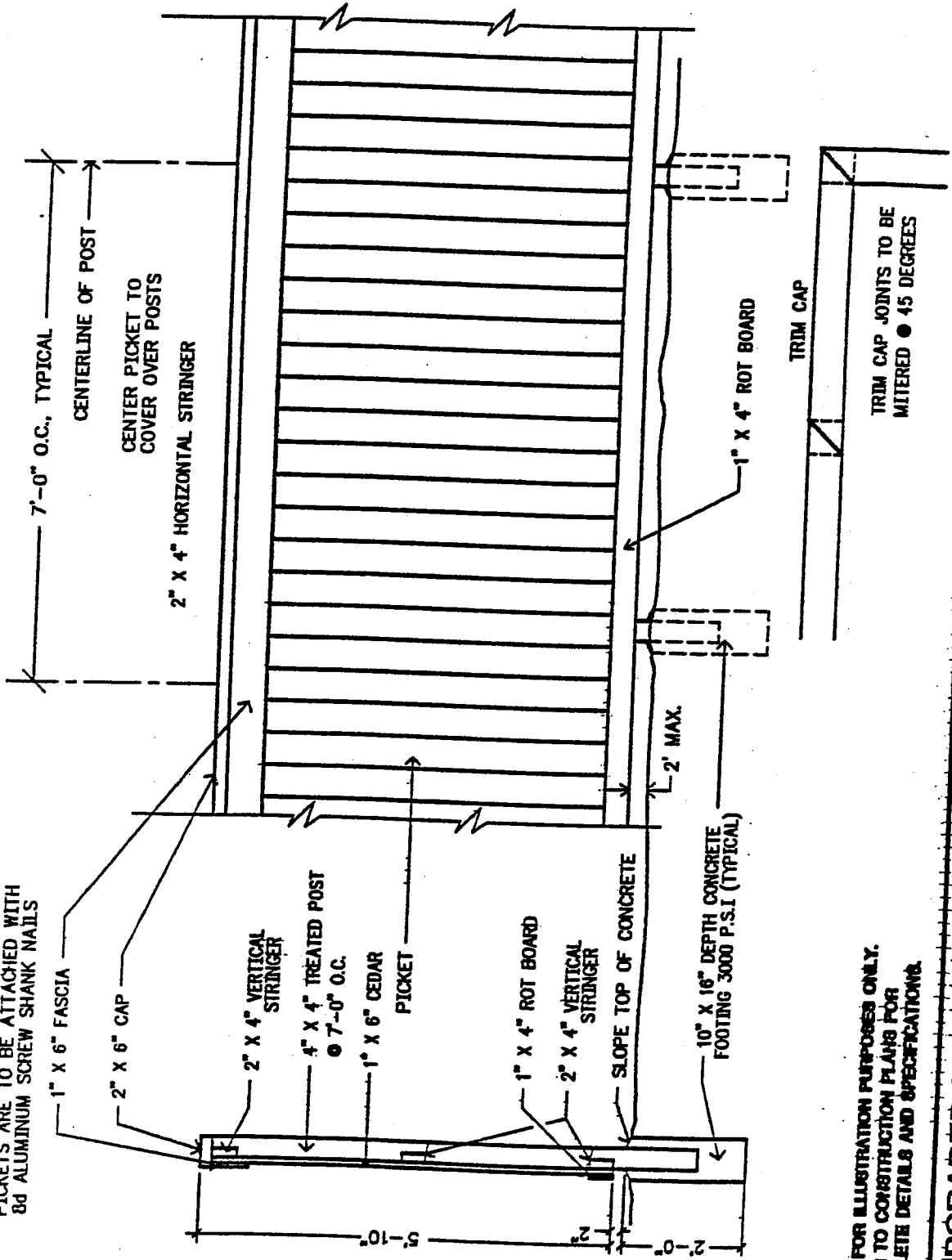


NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE

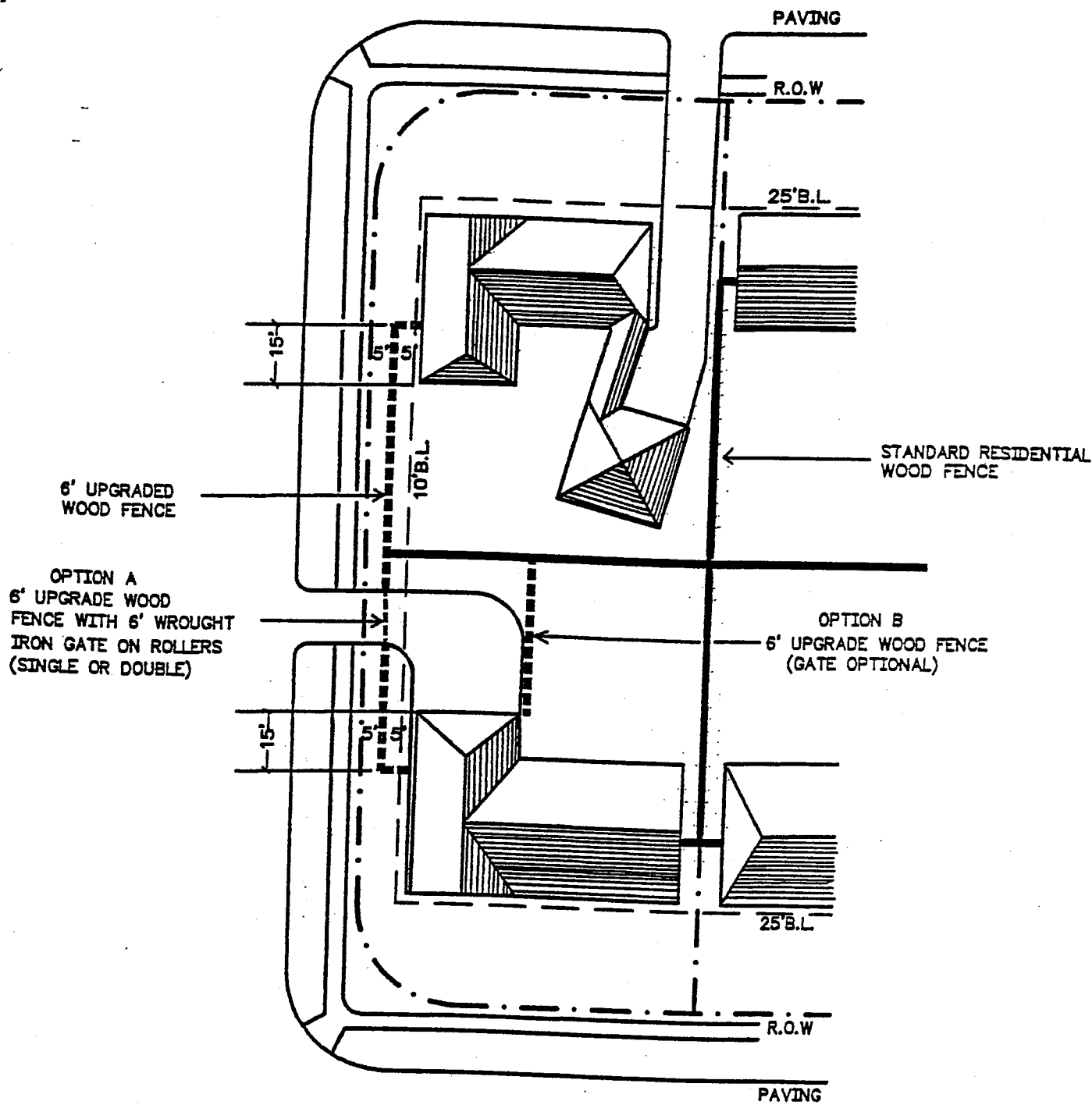
NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

6' UPGRADED WOOD FENCE



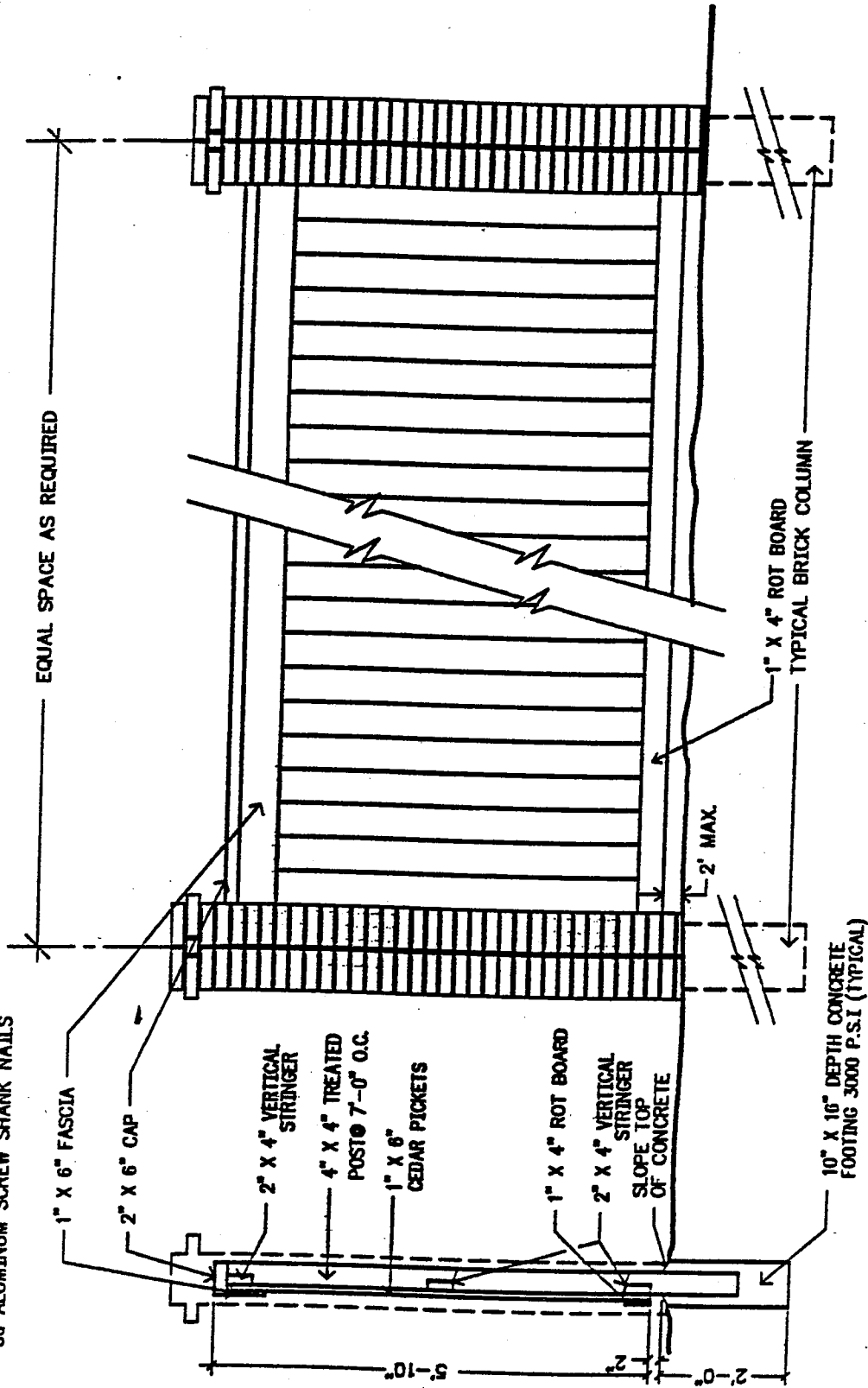
**NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.**

**SIDELOT FENCING SETBACK/  
CORNER LOTS**

**ILLUSTRATION IV-6**

NOTES:

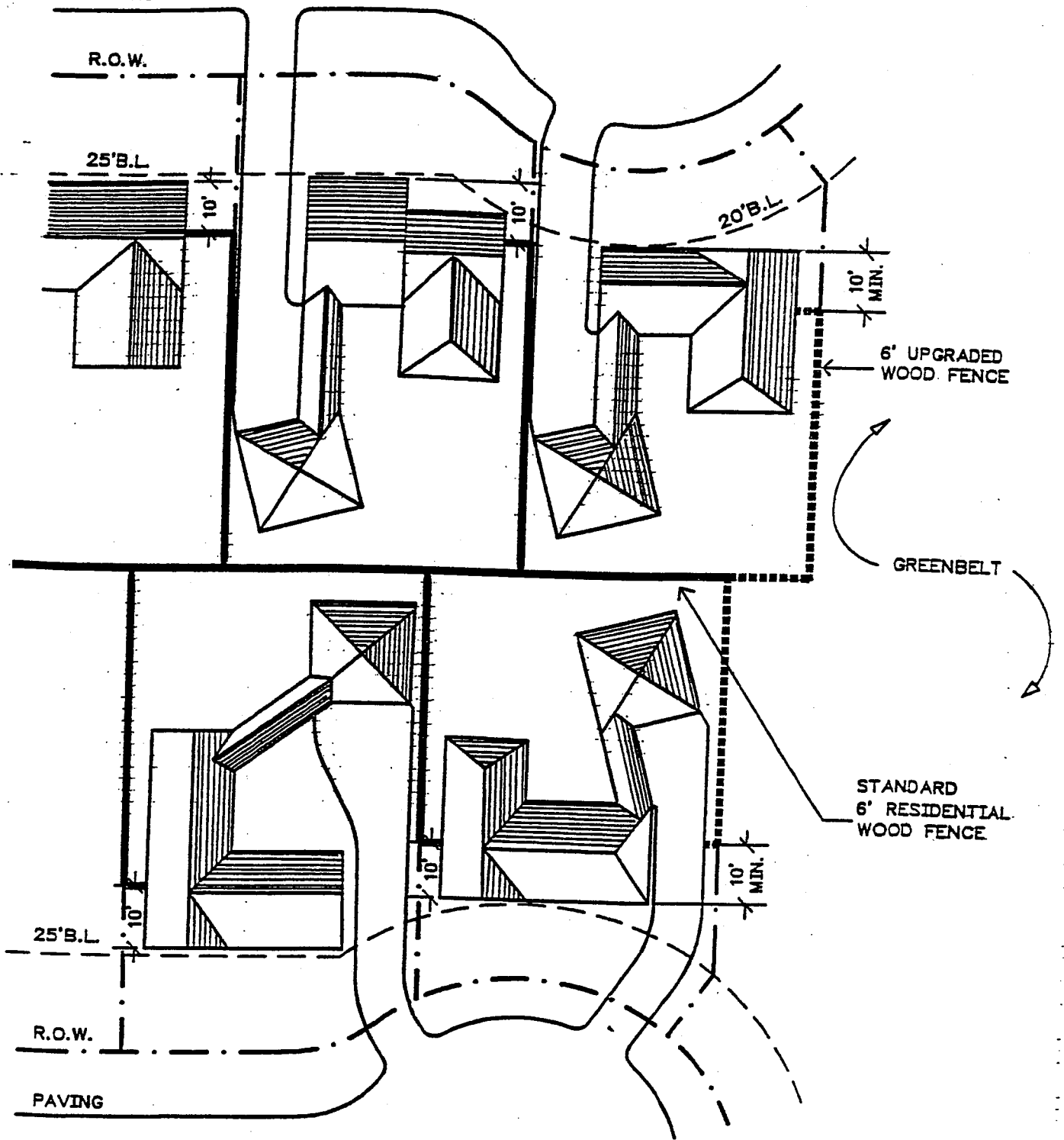
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE WITH  
BRICK COLUMNS**

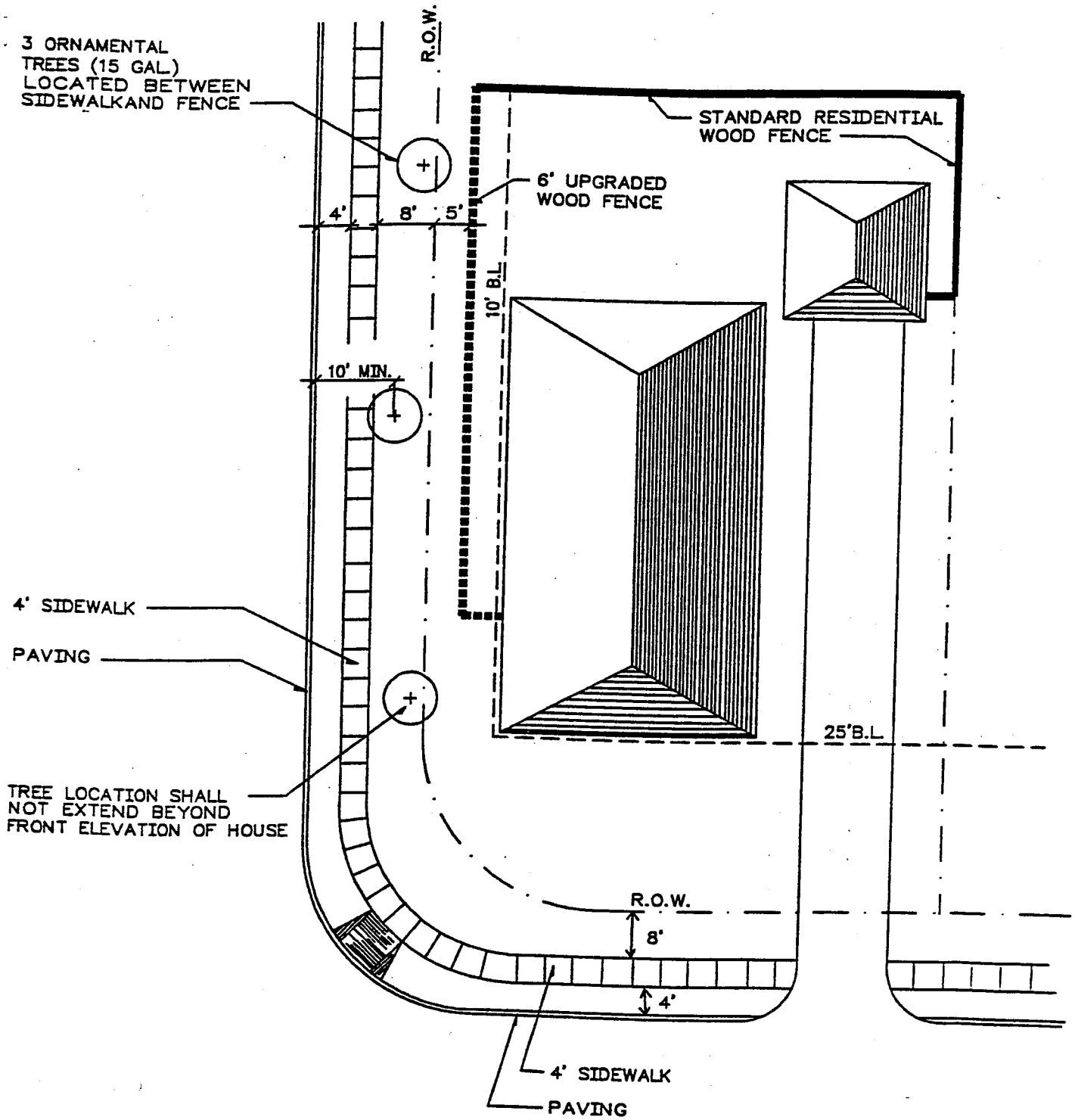




NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

## SIDEYARD FENCING SETBACK / GREENBELT LOTS

ILLUSTRATION IV-8

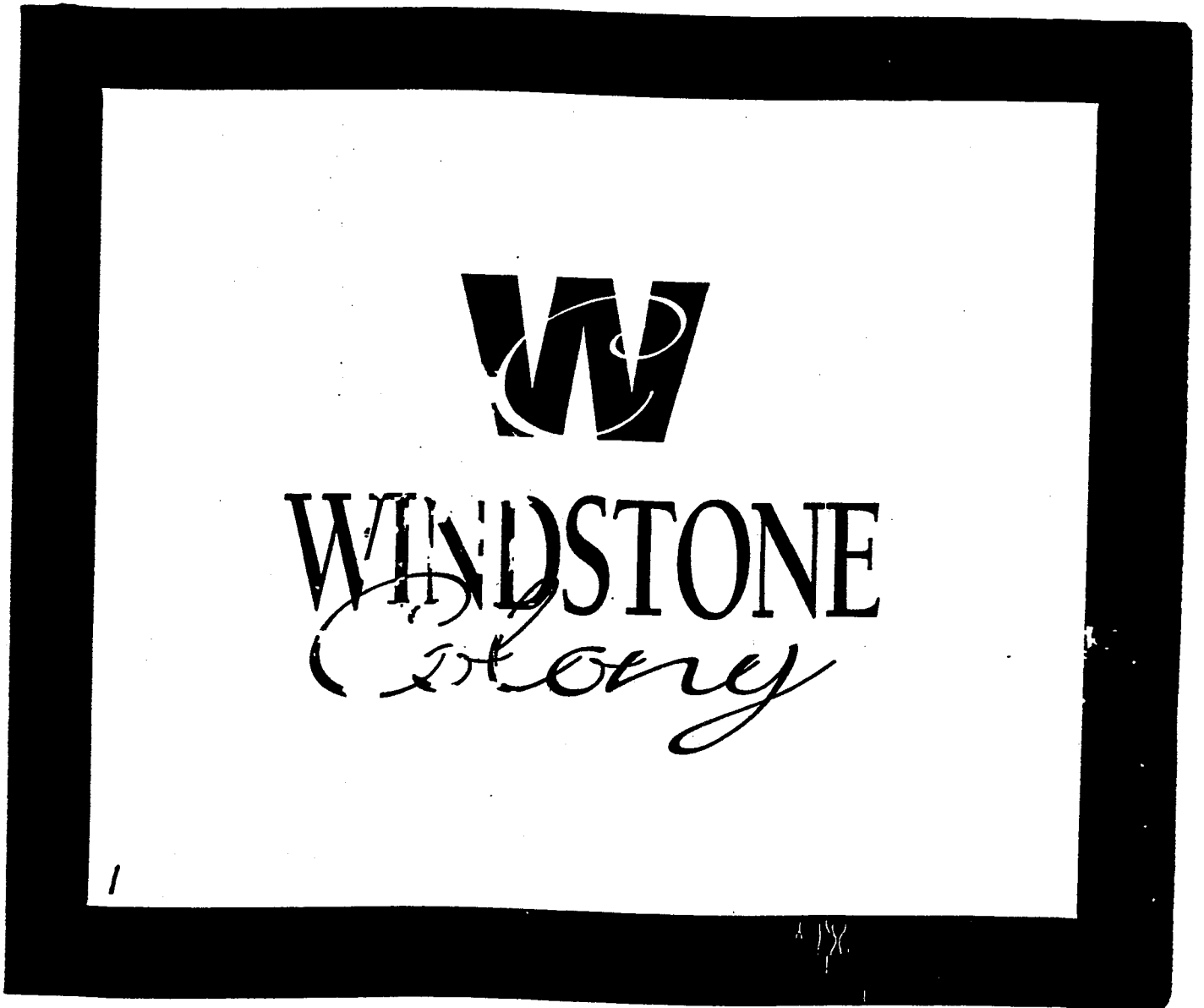


NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**CORNER LOT LANDSCAPING**

ILLUSTRATION IV-9

ILLUSTRATION VII-1



**ILLUSTRATION VII-2**

**WILL BE**

**BUILDER LOT SIGN**

WINDSTONE COLONY SUBDIVISION

WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.  
SECRETARY'S CERTIFICATE

I, the undersigned, do hereby certify:

(1) I am the duly elected and acting secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation ("Association"), and,

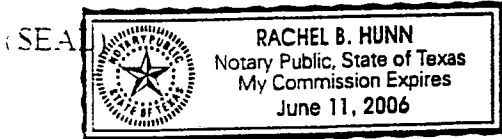
(2) Attached hereto is a true and correct copy of the Builder Guidelines adopted by the Windstone Colony Architectural Control Committee for Sections Six and Seven of Windstone Colony.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this 29<sup>th</sup> day of January, 2004.

*Cynthia Patterson*  
Cynthia Patterson, Secretary

THE STATE OF TEXAS   §  
                                  §  
COUNTY OF HARRIS   §

This instrument was acknowledged on this 29<sup>th</sup> day of January, 2004 by Cynthia Patterson, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation.



*Rachel B. Hunn*  
Notary Public in and for  
the State of Texas

After Recording, Return To:  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, Texas 77056

\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE \*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION.

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**BUILDER GUIDELINES**  
for  
***WINDSTONE COLONY***  
**SECTIONS SIX AND SEVEN**  
**(Reserves G and I)**

**I. INTRODUCTION**

Windstone Colony is a residential development of Windstone Development, Ltd. The objective of these Builder guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony and over which **Windstone Colony Architectural Review Committee (A.R.C.)** will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.

Builders within Windstone Colony are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## **II. NEIGHBORHOOD PLANNING ELEMENTS**

Residential development within Windstone Colony is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living area requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages.

**Windstone Colony, Section 6 and 7 (Reserves G and I)**

Minimum living area, single story	1400 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2850 sq. ft.

**Site Massing and Exterior Elevations**

- \* If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

**Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

**Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for a specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to



the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* 20 foot front yard setback lines on typical lots
- \* 20 foot front yard setback lines on typical cul-de-sac lots;
- \* 5 foot side yard setback lines on typical lots;
- \* 10 foot side yard setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three (3) foot side yard building setback line;
- \* 14 foot rear building setback line (except for detached garages); and
- \* Twenty-Five foot (25') rear building line on those lots abutting Fry Road in Section 7.

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the

distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.

- \* Generally, interior lots contain a seven (7) foot wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries and non-residential tracts typically contain a fourteen (14) foot wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### III. SITE MAINTENANCE DURING CONSTRUCTION

Each lot in Windstone Colony shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, one of three basic sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment or drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.

## **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six (6) inches in caliper at a point six (6) inches above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible ideally, at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches, or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured on the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.: and,
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

## **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of

permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C. All temporary buildings must be placed a minimum of 25 feet off of the street r.o.w.; no temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### IV. LOT ELEMENTS

##### Grading and Drainage

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

##### Lot Coverage

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

##### Driveways

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6"x6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be

approved by the A.R.C. Asphalt paving is prohibited.

- \* Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two feet (2') from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).
- \* Driveways serving attached two car garages facing the street shall be a minimum of sixteen feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no circumstance may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony and are to be constructed by the lot builder in accordance with the specifications shown in Illustration IV-2.

- \* All sidewalks within Windstone Colony must conform to all applicable City of Houston rules and regulations and to the Americans With Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.

- \* Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.
- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area minimum three feet (3') for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.

- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.
- \* All other structures including gazebos, storage buildings, playhouses, decks greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven feet (7') in height at its highest elevation.
  - Structure must not exceed eighty (80) square feet in size.
  - Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint is required at the time of construction.
  - Roof must be the same color and type as the main dwelling.
  - Structure must be unobstructed from public view.

### **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view.
- \* Must not exceed nine feet (9') in height when attached to the roof of the main dwelling.

- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

### **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To insure compatibility of fence design throughout Windstone Colony, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.
- \* A maximum fence height of 6'-0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single sided hinged gate shall be installed in the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found within Windstone Colony.

### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six (6) feet in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven (7) foot panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.



### **Typical Corner Lot**

- \* The fencing located on the exterior lot side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The 2' x 6' trim cap shall consist of treated cedar with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1' x 4' rot board must also be included.
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum 15 feet past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Greenbelt Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt shall be constructed with a six foot (6') high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6'. Trim cap joints are to be mitered at 45 degrees.

- \* Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls**

Developer will provide a six (6) foot wood upgrade fence with or without brick columns along the rear or side property line where residential lots back or side to the perimeter of the project. However, Builder shall reimburse Developer Eight and 50/100<sup>th</sup> Dollars (\$8.50) per linear foot where Developer has constructed special fencing in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscape lighting affect (such as affixed to trees as up and down lights) is permissible.

## **Screening**

Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

## **Landscaping**

The Builder is responsible for landscaping all areas on his property and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

### Lots 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twelve larger shrubs (minimum 5 gallon), fifteen smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of planting may be utilized within a front yard.

### Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs

shall include a minimum of sixteen larger shrubs (minimum 5 gallon), twenty smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.

- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of planting may be utilized within a front yard.

#### Lots 65' in Width and Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twenty larger shrubs (minimum 5 gallon), twenty-five smaller shrubs (minimum 1 gallon) and two 15 gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of planting may be utilized within a front yard.
  
- \* Isolated tree planting is not permitted between the sidewalk and street.
  
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are ryerson steel and horizontal timber (2" x 4", 2" x 6", 4 " x 4", and 4" x 6").
  
- \* All planting beds are to be mulched with shredded pine bark.
  
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for drainage purposes. Specimen boulders are permitted.
  
- \* The front lawn of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
  
- \* Tree requirements are as follows:

<u>Lot Width</u>	<u>Trees Required</u>	<u>Type</u>	<u>Caliper</u>	<u>Height</u>
49' or less	1	1 Hardwood	4"	12'
50' – 64'	2	1 Hardwood	4"	12'
		1 Ornamental	N/A	
65' and over	3	2 Hardwoods	4"	14'
		1 Ornamental	N/A	

- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, 2 inches in diameter by 6 feet long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use his best efforts to notify owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:
  - a. Adequate watering;
  - b. Appropriate fertilization;
  - c. Pruning;
  - d. Mowing;
  - e. Weed control in lawns and planting beds;
  - f. Seasonal mulching of planting beds;
  - g. Insect and disease control;
  - h. Replacement of diseased or dead plant materials; and,
  - i. Warranty of all planting materials.

### **Corner Lots**

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* One additional hardwood tree in front/side yard.
- \* Three (3) ornamental trees in 15 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point 10 feet from the rear property line or driveway, if applicable, on fifteen (15) foot centers, equidistant between the sidewalk and fence along

the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### **Greenbelt Lots**

Supplemental landscaping specifications for all greenbelt lots include the following:

- \* One tree, minimum four inch (4") caliper when measured six inches (6") above the ground, must be planted in the rear yard of all lots abutting a greenbelt. The tree should be planted on the greenbelt side of the lot no further than 20 feet from the property line abutting the greenbelt.
- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

### **Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## **V. HOUSING**

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony be of the highest quality; as a minimum, Builders are required to warrant compliance with the Southern Building Code.

### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.

- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agency.

### **Exterior Materials**

Single-family residences within Windstone Colony **must** be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. **A minimal amount of hardi plank may be used on front and side elevations for accent or structural purposes.** Changes in materials should have a logical relationship to the changes in the form of the house.

Exterior lots are defined as those lots that back or side to the following roadways: Windstone Drive and Fry Road. All other lots are classified as interior.

#### Interior Lots

- \* One story product – Shall be 100% masonry on three sides
- \* Two story product – Shall be 100% masonry front elevation; 50% masonry on two sides

#### Exterior Lots

- \* One story product – Shall be 100% masonry
- \* Two story product – Shall be 100% masonry, unless precluded by Southern Building Code

Samples of all exterior building materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony must comply with the following standards and/or guidelines.

### Masonry

- \* **Stone**  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.
- \* **Brick**  
Brick used on residences in Windstone Colony shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards For Brick compiled by the American Society for Testing and Materials under designation C216-87.

\* **Mortar Joints**

All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

**Hardi Plank**

\* Hardi plank siding must be used for all siding product or in conjunction with masonry. Only hardiplank will be acceptable for such use.

\* Wood siding is prohibited.

\* Vinyl siding is prohibited.

\* **Trim**

All wood trim shall be smooth, high quality finish-grade stock and must be stained or painted as approved by A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

**Stucco**

\* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

**Metal**

\* Exposed metals shall be anodized aluminum, bronzer, copper or painted galvanized steel.

**Synthetic Materials**

\* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of A.R.C.

**Privacy Walls**

\* Privacy walls must match dwelling unit materials and shall be no more than 8 feet in height. All privacy walls must have A.R.C. approval.

**Window Treatment**

\* Metal windows must be used and the finish shall compliment the color and architectural style of the house.



- \* No reflective glass or glazing will be allowed on any front or side facade, or on any facade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

## **Roof Treatment**

### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82. Type 1; minimum 20 year warranty; color: weather gray.
- \* Wood shingles are strictly prohibited.

### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in 12, except where a deck is called for.

### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate.

### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence is acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage space is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

### **Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

### **Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

### **Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by A.R.C.

### **Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

## **VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

### **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

## Models

- \* The architectural controls and design guidelines established for all residences in Windstone Colony shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

## Site Improvements

- \* Sidewalks do not necessarily need to be placed two feet inside the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

## Parking

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

## **VII. SIGNAGE**

### **Model Home Park Signage**

- \* Signage for model home parks shall be approved by the Declarant, and shall conform to the city of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* See Illustration VII-1 for Windstone Colony logo and logo type.

### **Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## **VIII. SUBMISSION AND APPROVAL**

### **Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by the Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

## **General**

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
1505 Highway 6 South, Suite 110  
Houston, Texas 77077

## **Requirements**

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in two phases prior to the construction of or any exterior improvement upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
  
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)

- c. Utility service locations
  - d. Siting of improvements/fencing
3. Preliminary plans including:
- a. Floor plans @ 1/4 in. = 1'-0" minimum scale
  - b. Exterior elevations 1/4 in. = 1' - 0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
- a. Final architectural plans of drawings listed under Phase I above.
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blueline prints and supplementary specifications. Only complete sets will be reviewed.

*On-Going Review*

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

- 1. Plan Submittal Form (see enclosed)
  - a. Production
- 2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
- 3. Construction documents and specifications for variations from standard
  - a. Floor plans @ 1/4in. = 1' minimum scale
  - b. Exterior elevations 1/4 in. = 1' minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

### **A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

#### **Initial Review**

##### **Phase I**

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

##### **Phase II**

Construction Documents	15 Days
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#### **On-Going Review**

Plan Submittal Form	
Schematic site plan	
Construction documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.



### **Approval Not A Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed improvements. Such approvals and design guidelines shall in no event be construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence or nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

## IX. PROJECT INFORMATION

Developer and Project Management:  
**Windstone Development, Ltd.**  
5005 Riverway, Suite 150  
Houston, TX 77056

Engineer:  
**Sherrington, Inc.**  
11210 Steeplecrest Drive, Suite 207  
Houston, TX 77065

Land Planner:  
**Kerry R. Gilbert & Associates, Inc.**  
15810 Park Ten Place, Suite 160  
Houston, TX 77084

Landscape Architect:  
**Robert E. Forsythe**  
2230 Shadowdale  
Houston, TX 77043

**X. APPENDIX**

## RESIDENTIAL LOT MASTER PLANT LIST - A1

### TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer rubrum</i>	Red Maple
<i>Betula nigra</i>	River Birch
<i>Carya illinoensis</i> & vars.	Pecan
<i>Cercis canadensis</i> & vars.	Redbud
<i>Crataegus marshallii</i>	Parsley Leaf Hawthorn
<i>Crataegus spathulata</i>	Little Hip Hawthorn
<i>Fraxinus pennsylvanica</i> vars.	Green Ash
<i>Ilex decidua</i>	Possumhaw
<i>Ilex opaca</i> & vars.	American Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Koelreuteria bipinnata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> vars.	Crapemyrtle
<i>Liquidambar styraciflua</i> & vars.	Sweetgum
<i>Ligustrum japonicum</i> (tree form)	Wax Leaf Ligustrum
<i>Magnolia grandiflora</i> & vars.	Southern Magnolia
<i>Magnolia soulangiana</i> & vars.	Saucer Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Myrica cerifera</i>	Southern Bayberry
<i>Parkinsonia aculeata</i>	Retama
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Pyrus calleryana</i> & vars.	Callery Pear
<i>Quercus falcata</i> & vars.	Southern Red Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus shumardi</i>	Shumard Oak
<i>Quercus texana</i>	Texas Red Oak
<i>Quercus virginiana</i>	Live Oak
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Taxodium districhum</i>	Bald Cypress
<i>Ulmus crassifolia</i>	Evergreen Elm

## SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
Berberis thunbergii "Crimson Pygmy"	Crimson Pygmy Barberry
Buxus microphylla japonica	Japanese Boxwood
Camellia sasanqua vars.	Sasanqua Camellia
Chamaerops humilis	Mediterranean Fan Palm
Cleyera japonica	Japanese Cleyera
Cycas revoluta	King Sago Palm
Elaeagnus pungens vars.	Elaeagnus
Eriobotrya x "Coppertone"	Coppertone Loquat
Fatsia japonica	Fatsia
Feijoa sellowiana	Pineapple Guava
Gardenia jasminoides "Radicans"	Dwarf Gardenia
Ilex cornuta vars.	Chinese Holly
Ilex dedidua	Possumhaw
Ilex vomitoria & vars.	Yaupon Holly
Juniperus spp. & vars.	Juniper
Lagerstroemia indica (dwarf vars.)	Dwarf Crape Myrtle
Ligustrum japonicum & vars.	Wax Leaf Ligustrum
Ligustrum sinense "Variegatum"	Variegated Privet
Mahonia bealei	Leatherleaf Mahonia
Michelia figo	Banana Shrub
Myrica cerifera	Southern Bayberry
Nandina domestica & vars.	Nandina
Nandina domestica "Compacta"	Compact Nandina
Nerium oleander (hardy vars.)	Oleander
Photinia Fraseri	Fraser's Photinia
Pittosporum tobira & vars.	Pittosporum
Pyracantha spp. & vars.	Pyracantha
Raphiolepis indica vars.	Indian Hawthorn
Rhododendrom (Azalea) spp. & vars.	Azalea
Viburnum japonicum	Japanese Viburnum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Viburnum tinus & vars.	Laurustinus Viburnum
Xylosma congestum	Shiny Xylosma
Yucca spp. & vars.	Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
Asparagus sprengeri  
Berberis thunbergii "Crimson Pygmy"  
Cyrtomium falcatum  
Gardenia jasminoides "Radicans"  
Hedera canariensis & vars.  
Hedera helix & vars.  
Juniperus spp. & vars.  
Liriope muscari & vars.  
Lonicera japonica chinensis  
Honeysuckle  
Lonicera japonica "Halliana"  
Nandina domestica "Harbour Dwarf"  
Ophiopogon japonicus  
Ophiopogon japonicus "Nanus"  
Pyracantha "Red Elf"  
Pyracantha "Ruby Mound"  
Trachelospermum asiaticum & vars.  
Trachelospermum jasminoides & vars.

### Common Name

Ajuga  
Sprenger Asparagus  
Crimson Pygmy Barberry  
Holly Fern  
Dwarf Gardenia  
Algerian Ivy  
English Ivy  
Juniper  
Liriope  
Purple Japanese  
  
Hall's Honeysuckle  
Harbour Dwarf Nandina  
Monkey Grass  
Dwarf Monkey Grass  
Red Elf Pyracantha  
Ruby Mound Pyracantha  
Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdatum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue Ky-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignonia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Millettia reticulata  
Rosa banksiae  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jassamine  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks' Rose  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikartii  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Frikarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting

#### (March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta bogonia  
Marigolds  
Portulaca

### Fall Planting

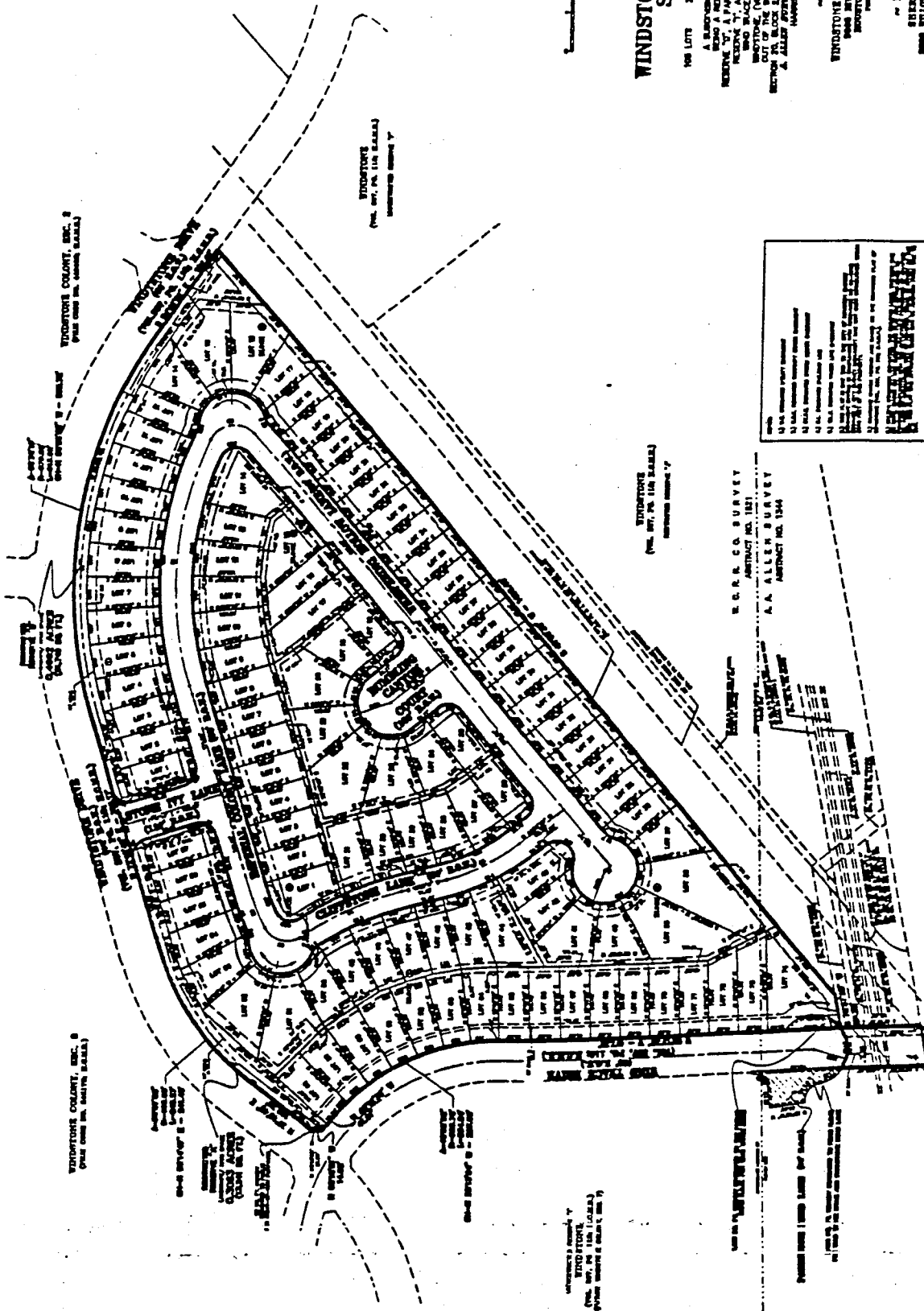
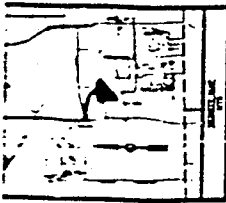
#### (October/November)

Calendula  
Pansy  
Snapdragons  
Dainthus  
Mums

## XI. LIST OF ILLUSTRATIONS

- I-1 Windstone Colony, Section Six
- I-2 Windstone Colony, Section Seven
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Sidelot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Sideyard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony logo and logo type.





WINDSTONE  
(Plat No. 118 (SARAS))  
SURVEYED NOVEMBER 17

### WINDSTONE COLONY SEC. 6

THE LOTS 2 BLOCKS 3 RESIDING  
A SUBDIVISION OF LAND TO BE  
KNOWN AS A TRACT OF LAND TO BE  
KNOWN AS A PARTIAL REPLAT OF UNDEVELOPED  
RESIDING LOTS AND A PARTIAL PLAT OF  
UNDEVELOPED RESIDING LOTS IN  
WINDSTONE, (VCL 87) (PLAT OF LAY-  
OUT OF THE E.C. & C. COMPANY BLOCK,  
SECTION 11, BLOCK 2, ABSTRACT 1047, 1048, 1049  
IN TARRANT COUNTY, TEXAS) PLAT NO. 118A

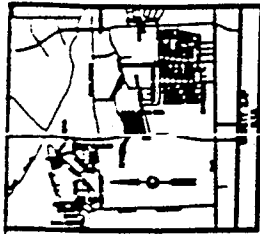
BY ORDER OF  
WINDSTONE DEVELOPMENT, LTD.  
1000 WINDSTONE DRIVE  
DALLAS, TEXAS 75216

BY ENGINEER  
GREENINGTON, INC.  
1500 YELLOW PLACE SOUTH  
DALLAS, TEXAS 75216

BY SURVEYOR  
TELLS ENGINEERING AND MAPPING  
LAWIS CARTERS BROS.  
PLANTING, TEXAS 77447



ILLUSTRATION I-1



1. ALL DIMENSIONS SHOWN ON THIS PLAN ARE TO BE CONSIDERED AS APPROXIMATE AND SUBJECT TO THE FINAL SURVEY AND RECORD. THE SURVEYOR'S OFFICE SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE SURVEY AND RECORD. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE ARCHITECTURAL DRAWINGS OR THE CONSTRUCTION THEREOF. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE TITLE OR THE VALIDITY OF THE INTERESTS THEREIN. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE LEGAL DESCRIPTION OF THE PROPERTY. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE LEGAL DESCRIPTION OF THE PROPERTY. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE LEGAL DESCRIPTION OF THE PROPERTY.

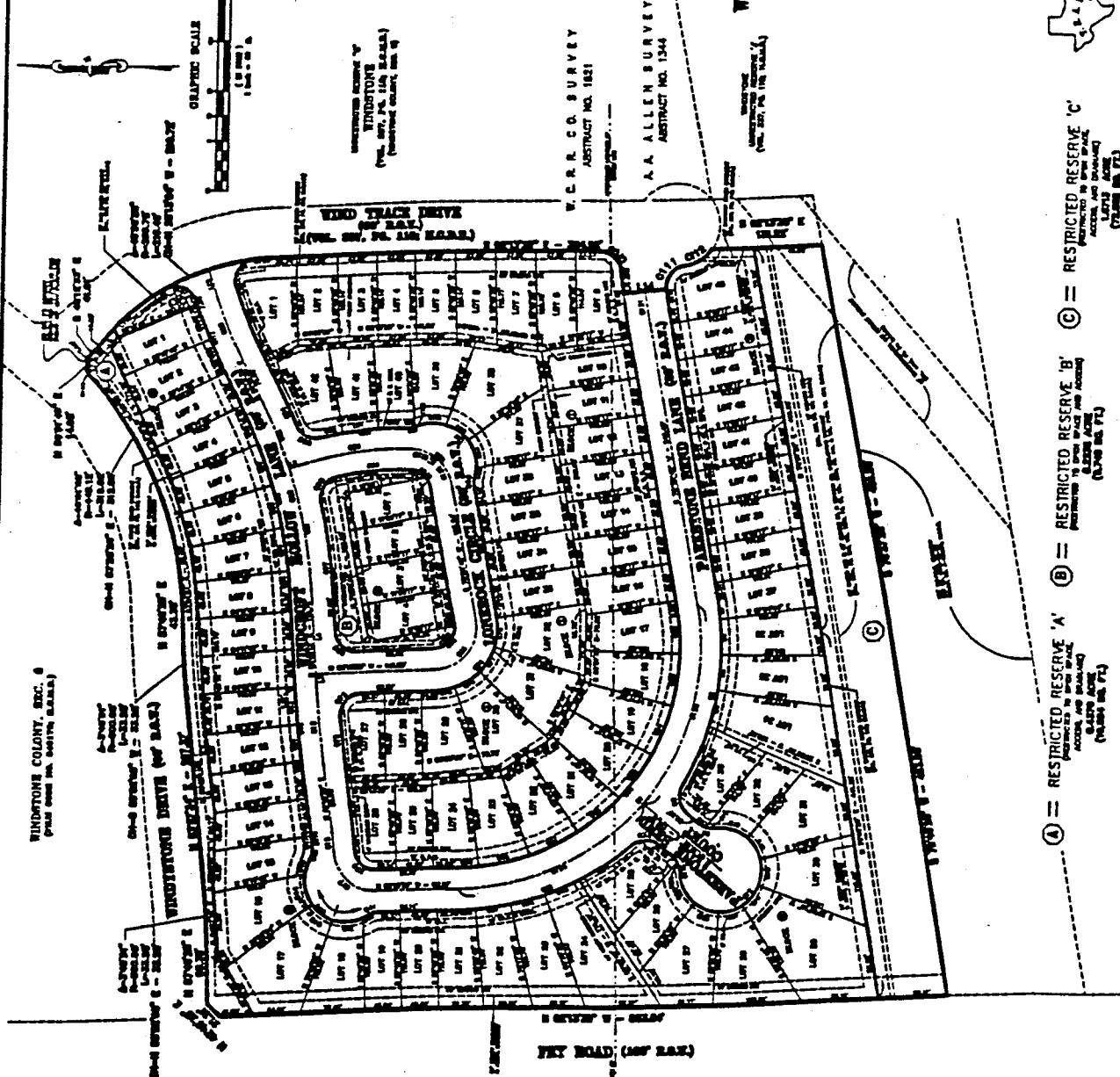
**WINDSTONE COLONY, SEC. 7**

91 LOTS - 8 BLOCKS - 8 SUBDIVISIONS  
 A SUBDIVISION OF 11.344 ACRES, BEING A PARTIAL  
 REPLAT OF UNRESTRICTED RESERVE 'C' (VOL. 207, PG.  
 118, N.G.M.A.)  
 OUT OF THE BLOCK COMPANY'S SURVEY, BLOCK 2,  
 SECTION 7, TARRANT COUNTY, TEXAS, ABSTRACT NO. 1344,  
 TARRANT COUNTY, TEXAS

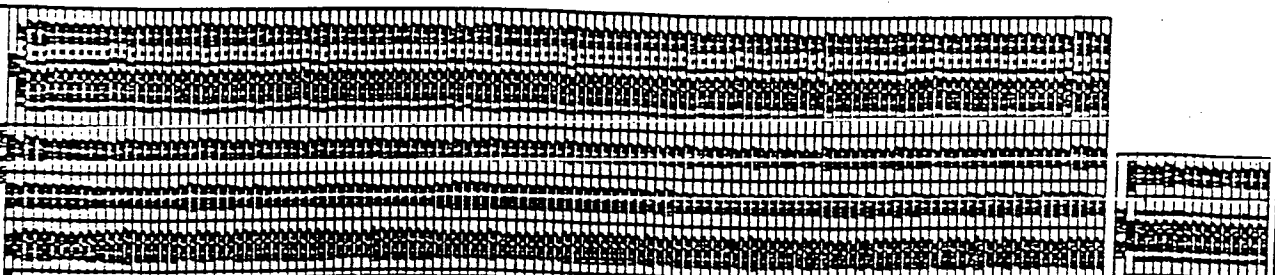
**WINDSTONE DEVELOPMENT, LTD.**  
 8008 INTERSTATE, SUITE 104  
 DALLAS, TEXAS 75218  
 PHONE: 754-2111

**ENGINEERING BY**  
 ERNESTINGTON, INC.  
 3808 YELLOW PAGES HOTEL, 4409  
 DOWNTOWN, TEXAS 77119  
 PHONE: 754-2111

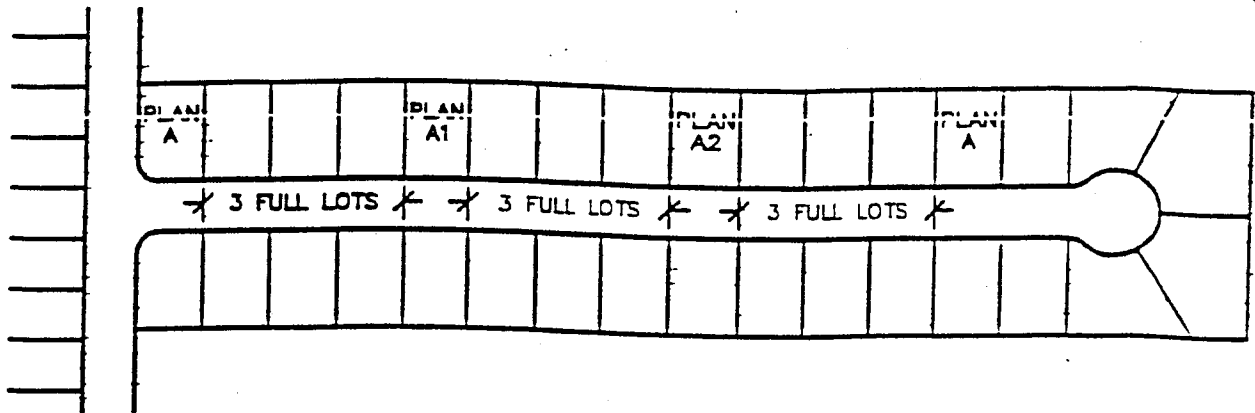
**REGISTERED BY**  
 TEXAS ENGINEERING AND MAPPING  
 1818 COMPTON BLDG.  
 DALLAS, TEXAS 75201  
 PHONE: 754-2111



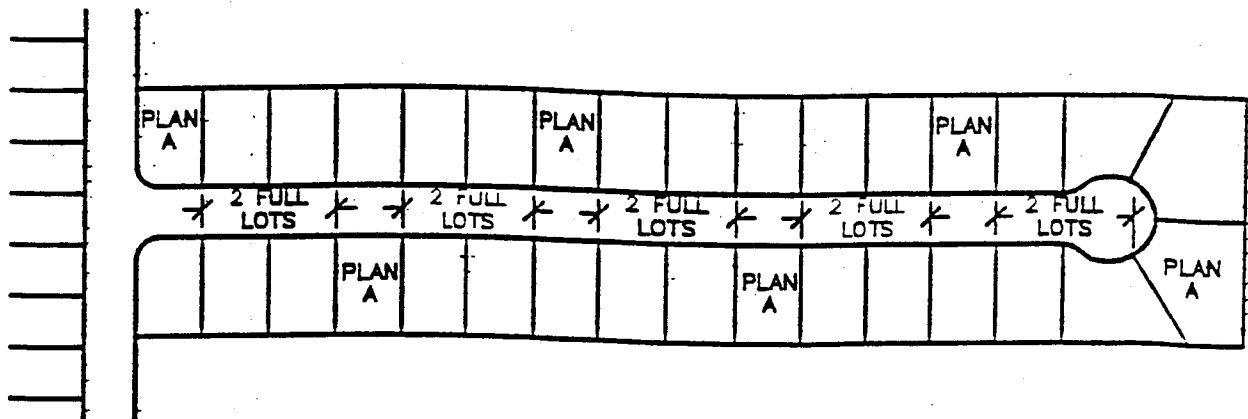
(A) = RESTRICTED RESERVE 'A'  
 (B) = RESTRICTED RESERVE 'B'  
 (C) = RESTRICTED RESERVE 'C'



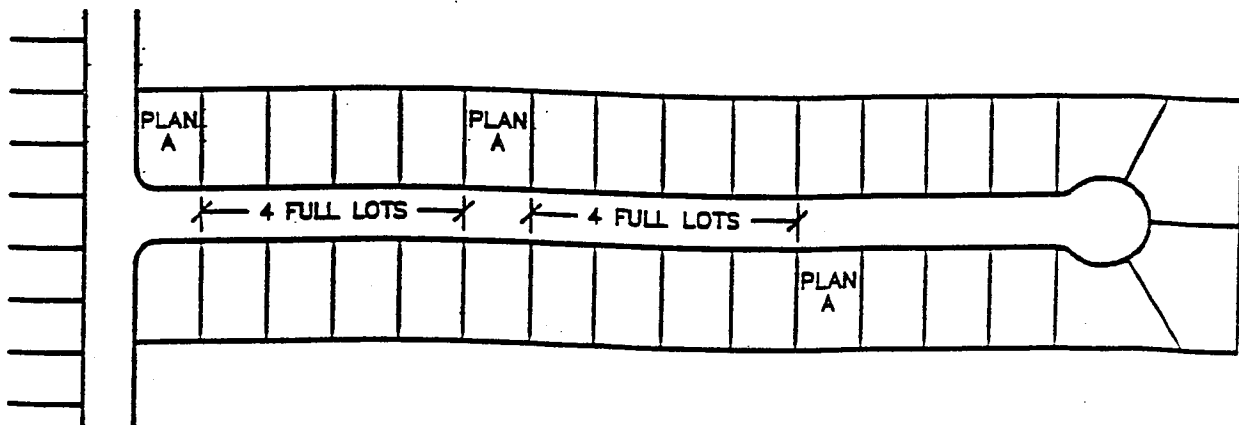
**1 SAME PLAN, DIFFERENT ELEVATION, SAME SIDE**



**2 SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE**



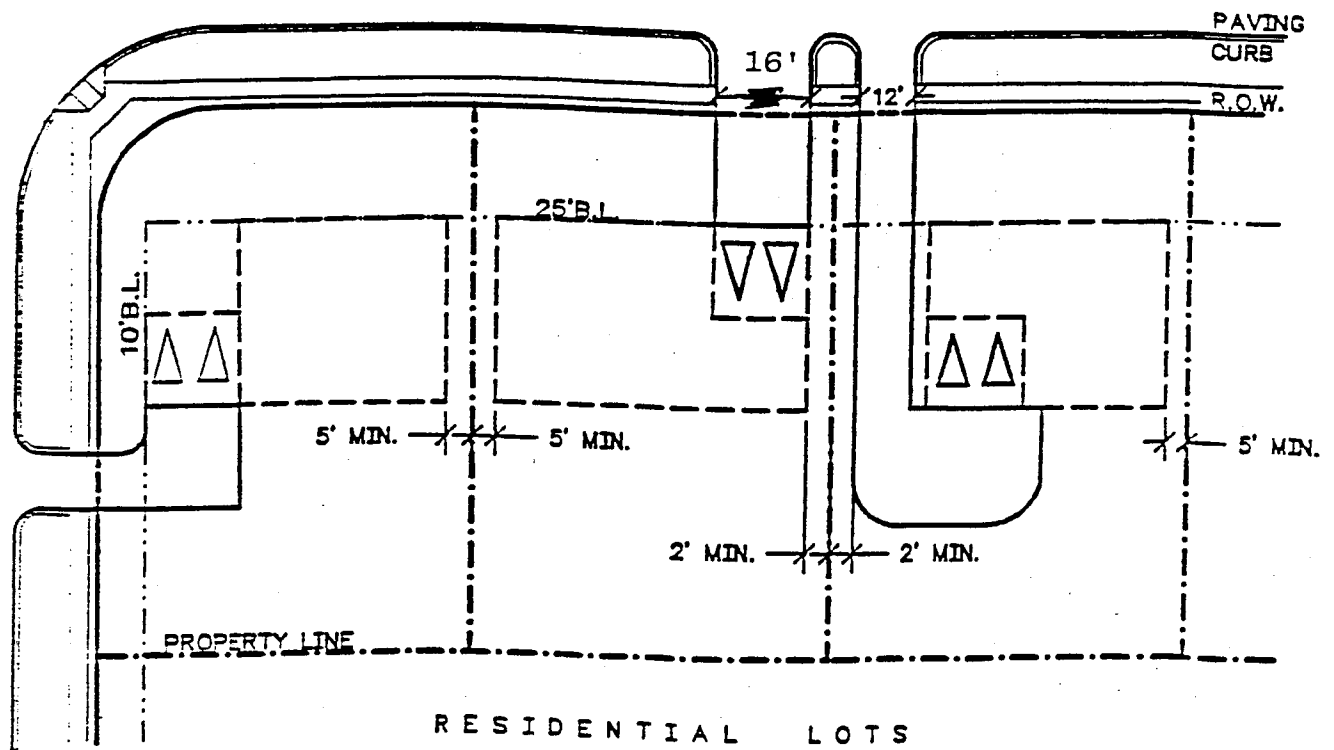
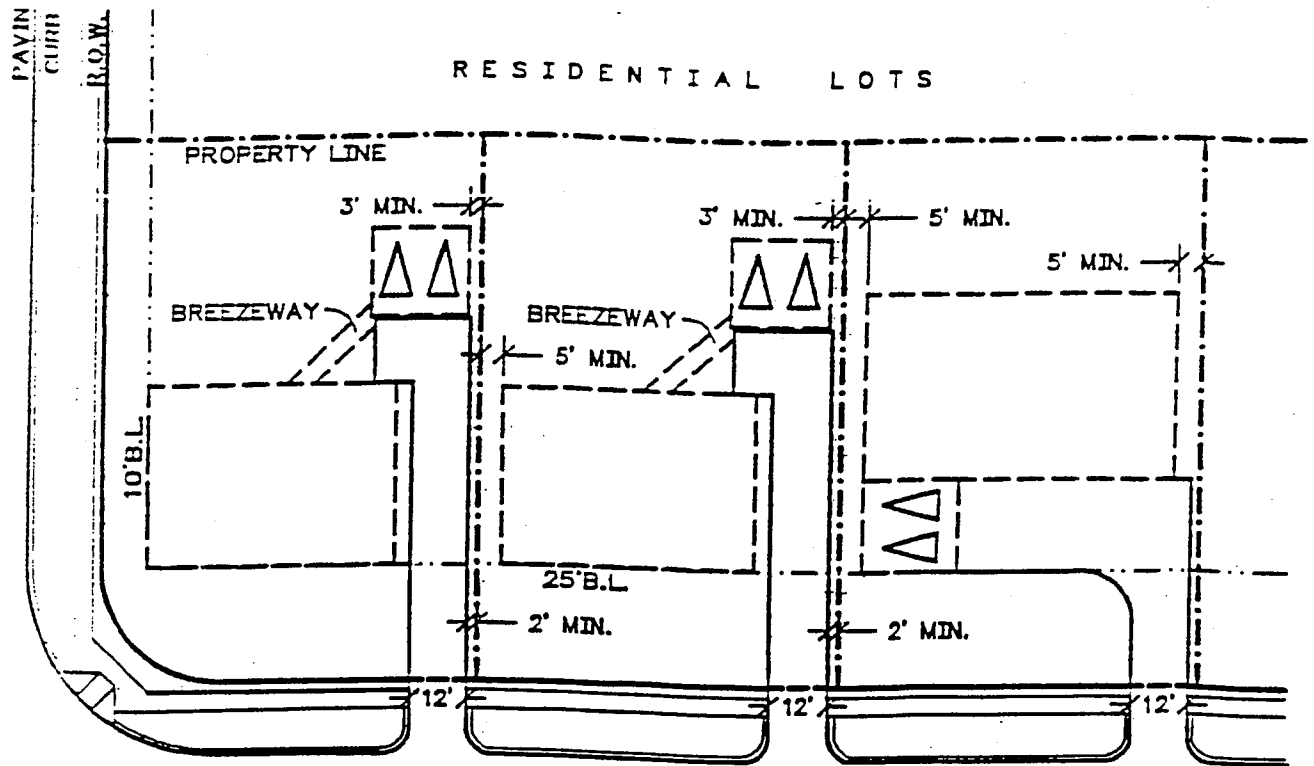
**3 SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE**



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**HOUSING PLAN AND  
ELEVATION REPETITION**

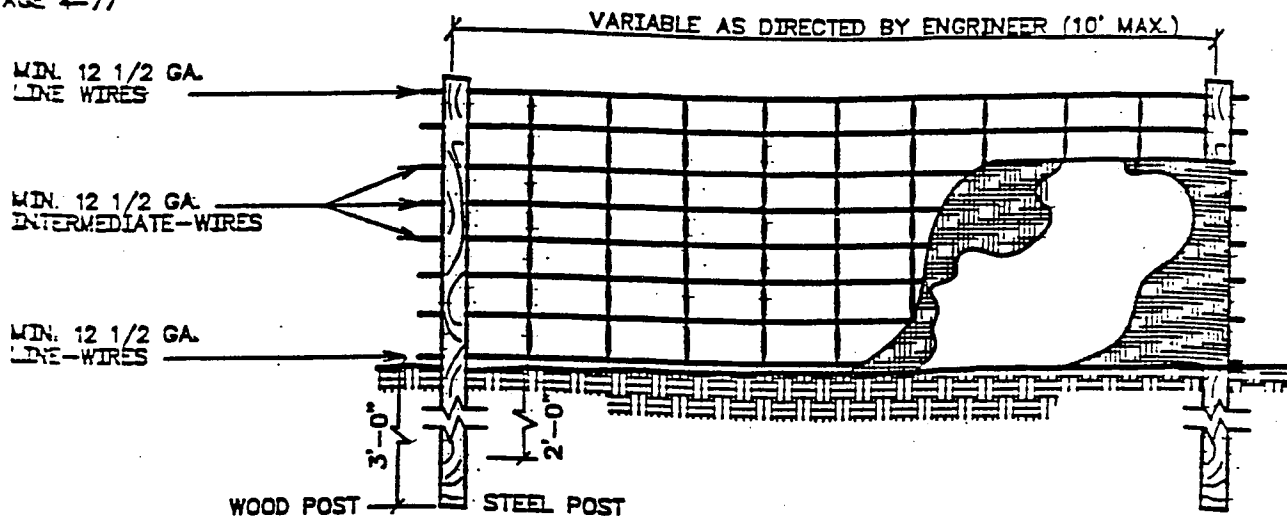
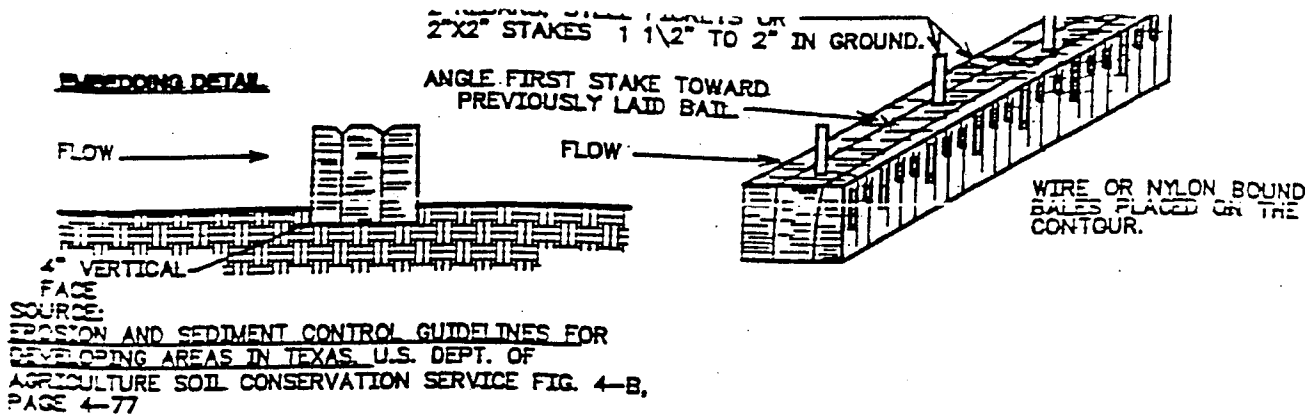
**ILLUSTRATION II-1**



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

## GARAGE AND DRIVEWAY PLACEMENT

ILLUSTRATION II-2



SOURCE:  
CITY OF GREENVILLE, N.C.  
MANUAL OF STANDARD DESIGNS AND DETAILS  
STE. NO. 20.05

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

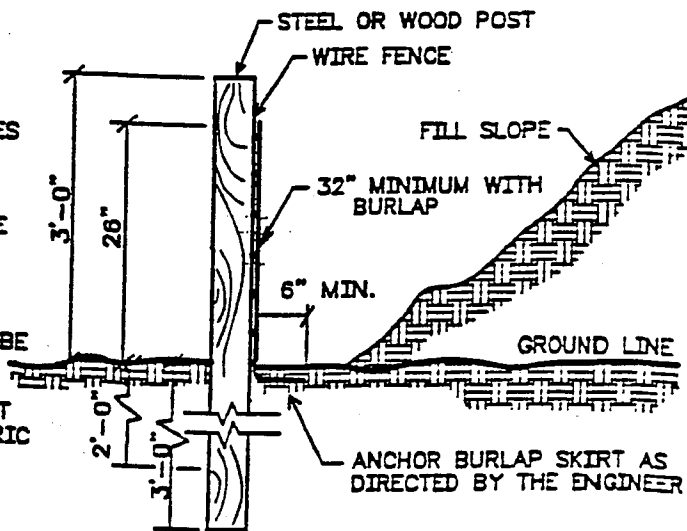
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

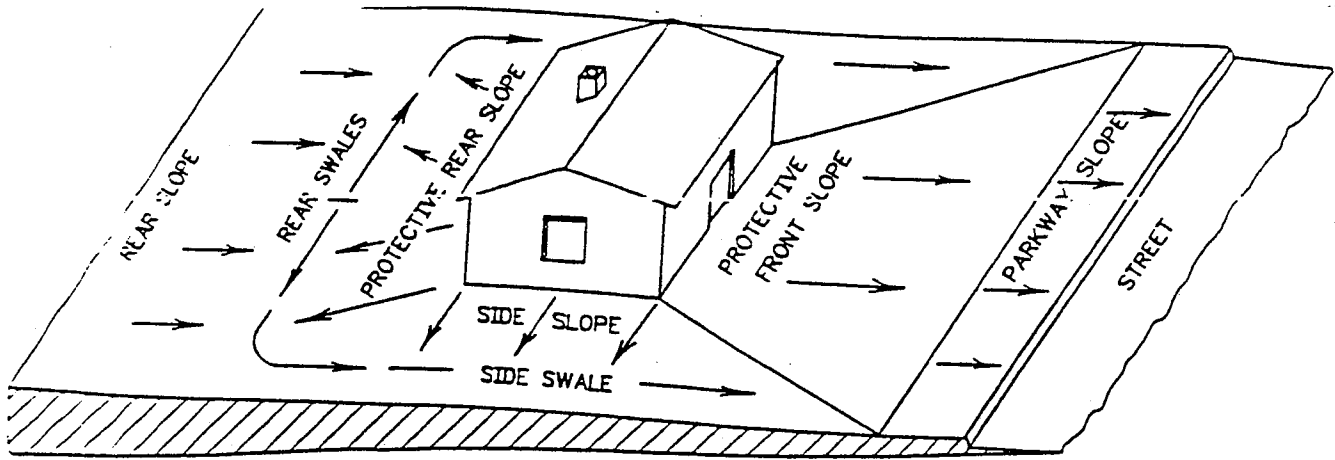
WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

SOURCE:  
CITY OF GREENVILLE, N.C.  
MANUAL OF STANDARD DESIGNS AND DETAILS  
STE. NO. 20.05

NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.



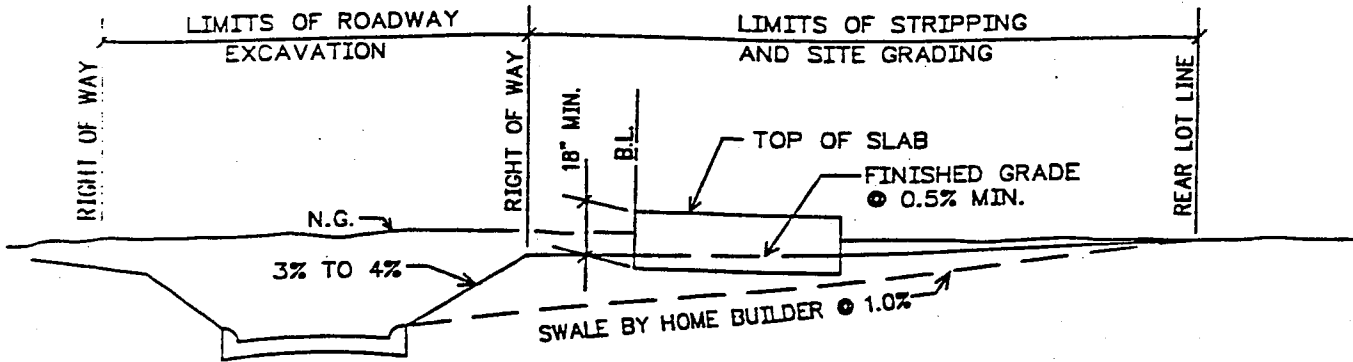
**TEMPORARY SEDIMENT CONTROL**



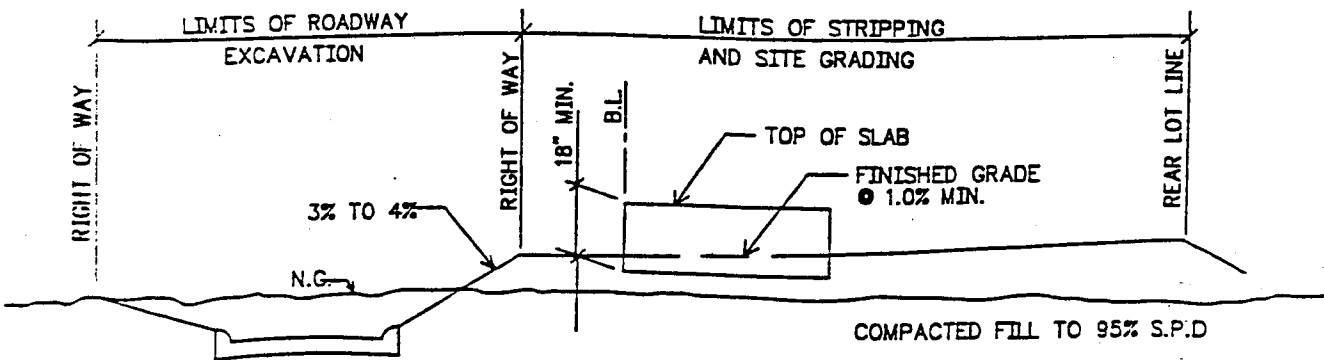
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**FHA LOT GRADING TYPE "A"**



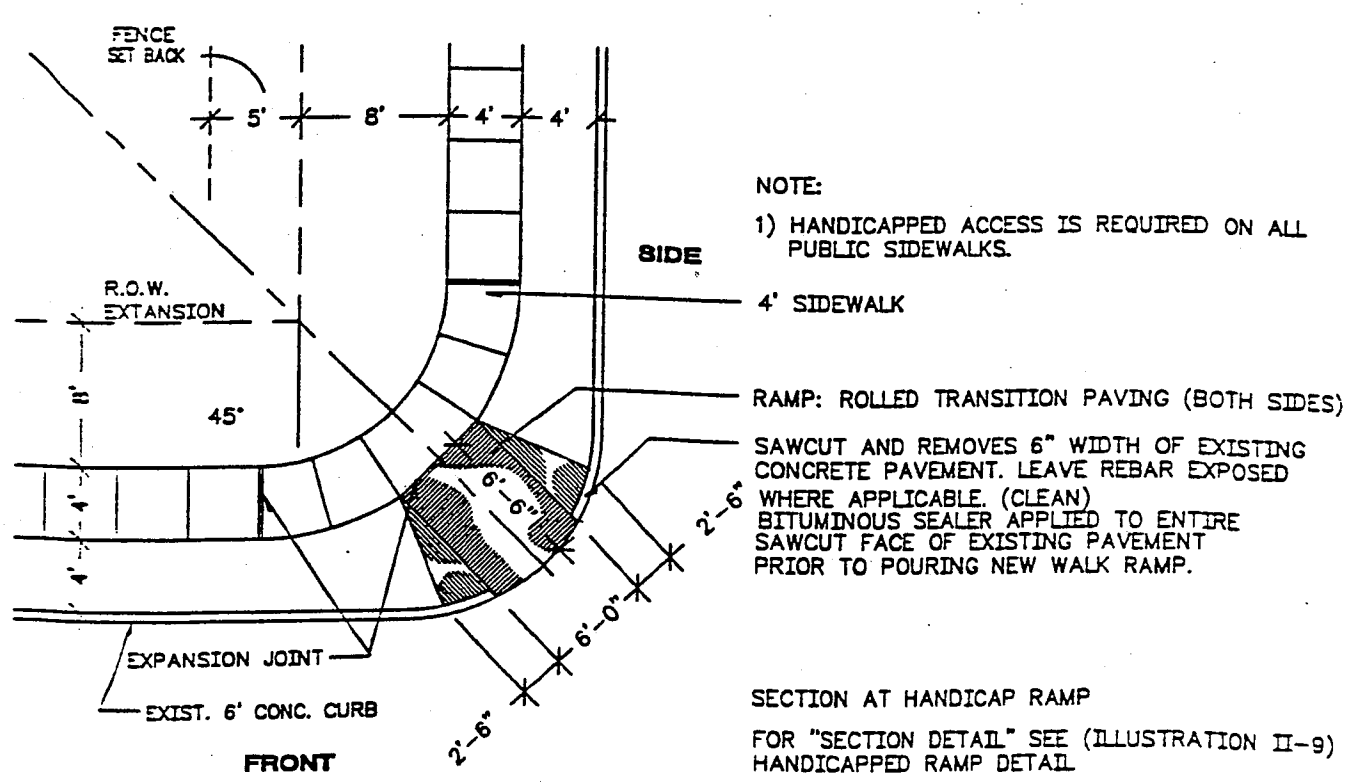
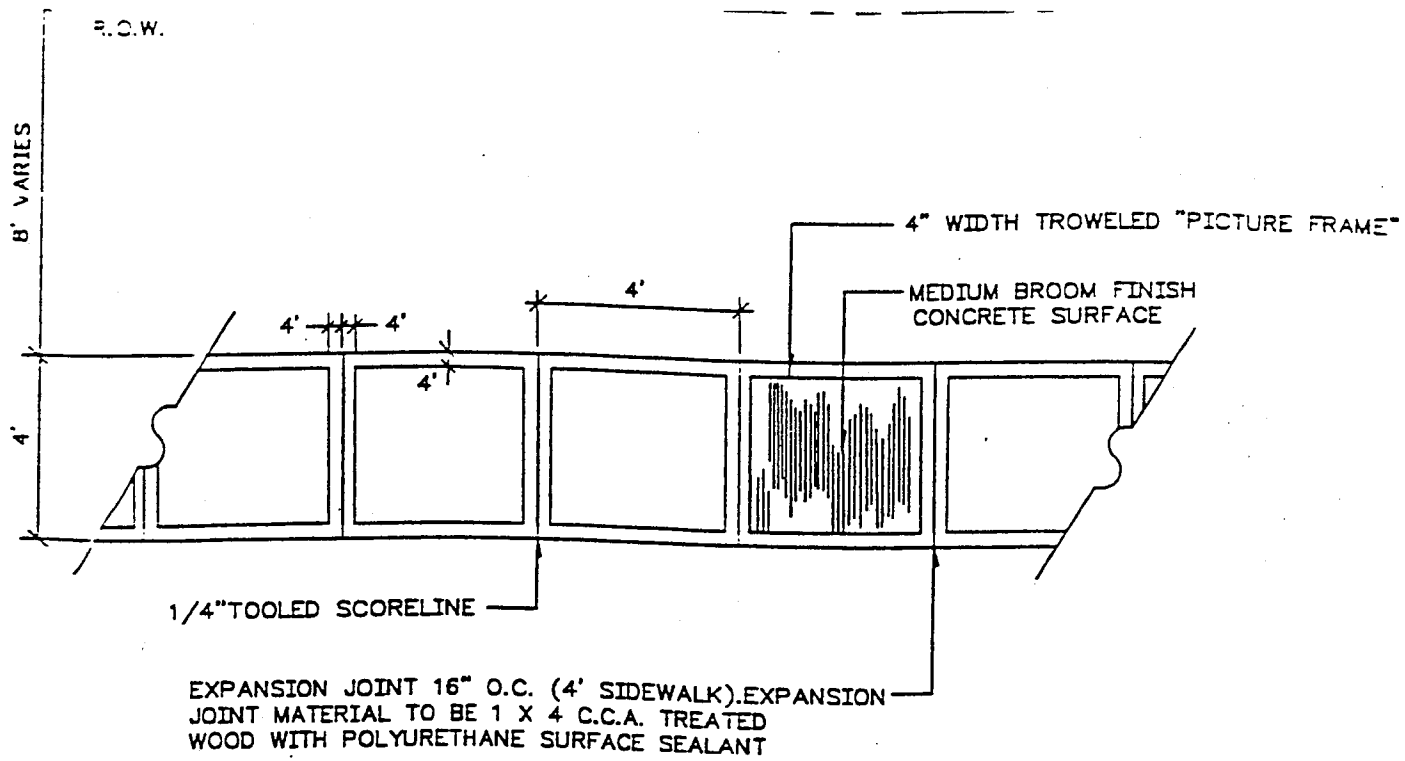
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18"**  
FHA BLOCK GRADING, TYPE "A"



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18"**  
FHA BLOCK GRADING, TYPE "T"

NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**

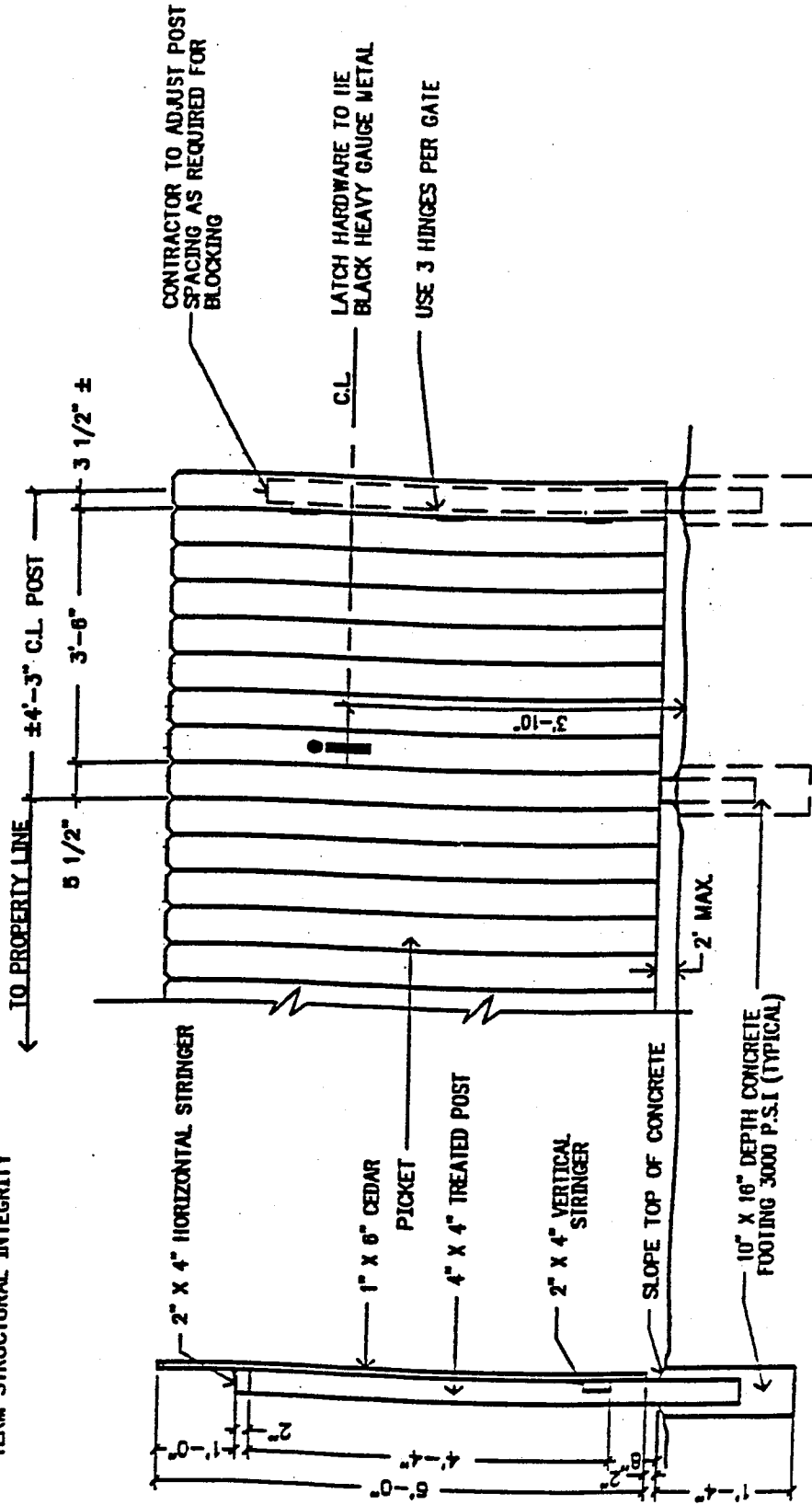


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEWALK DETAIL**

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRACING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

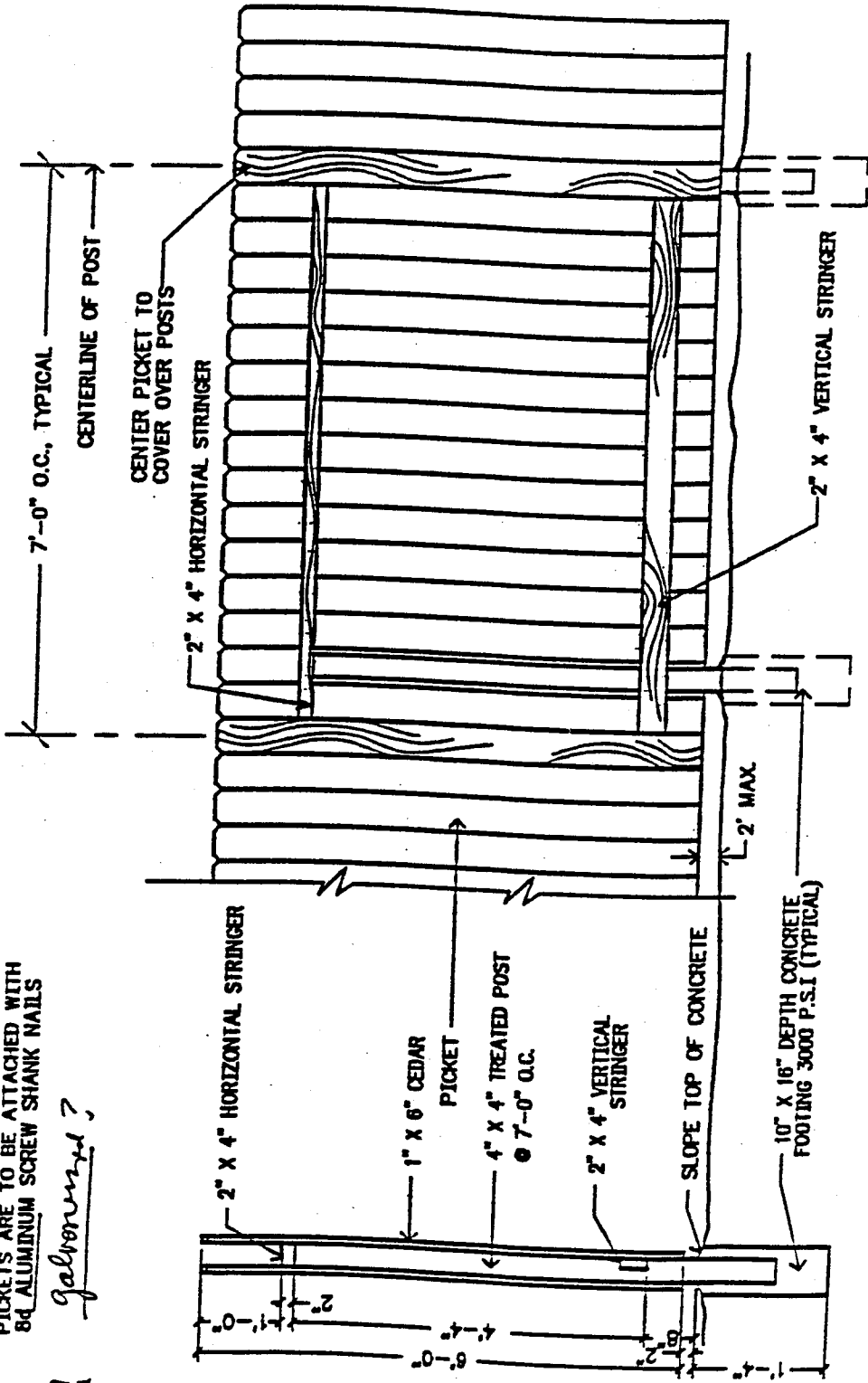
STANDARD RESIDENTIAL HINGED GATE



NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS

? *galvanized?*

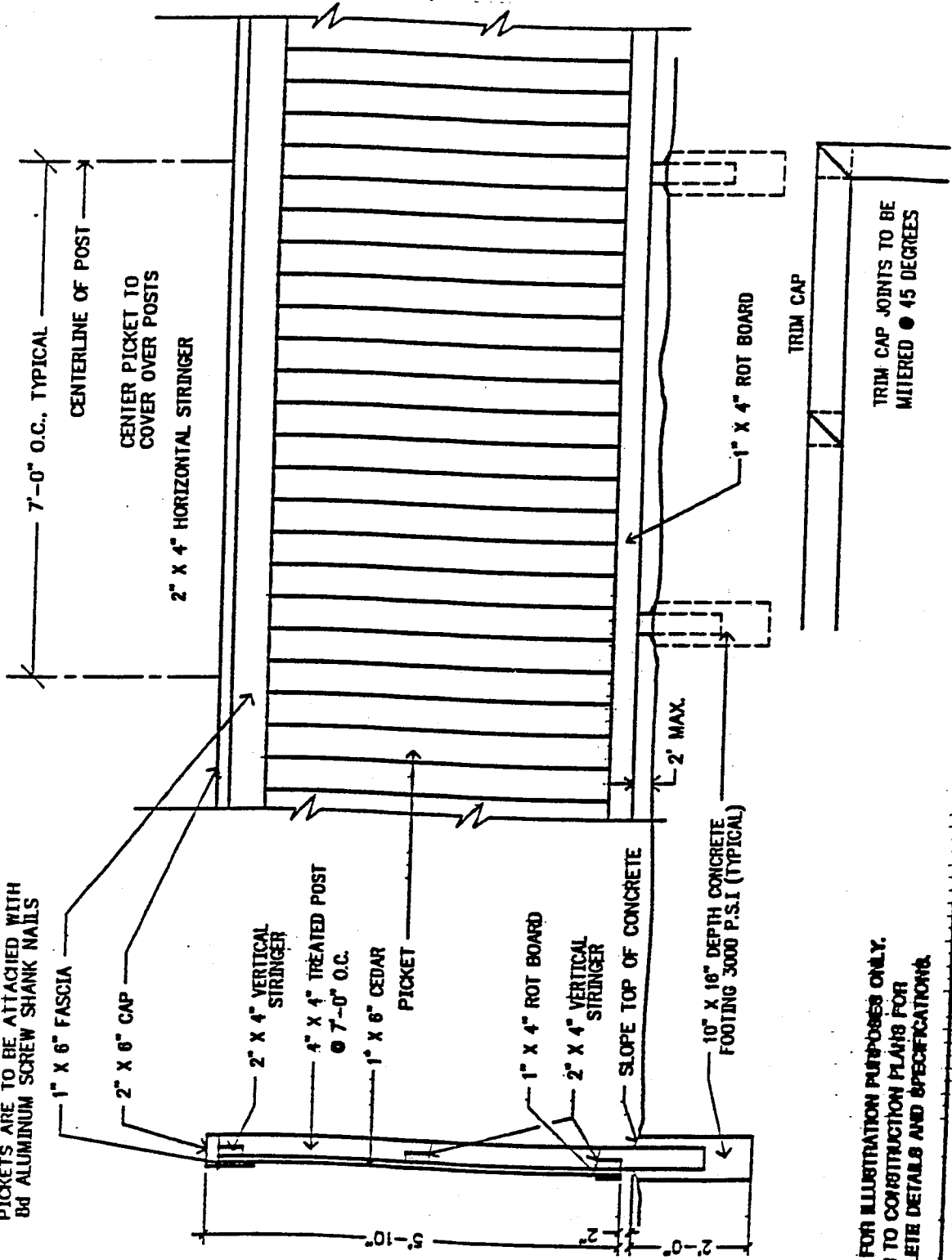


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE

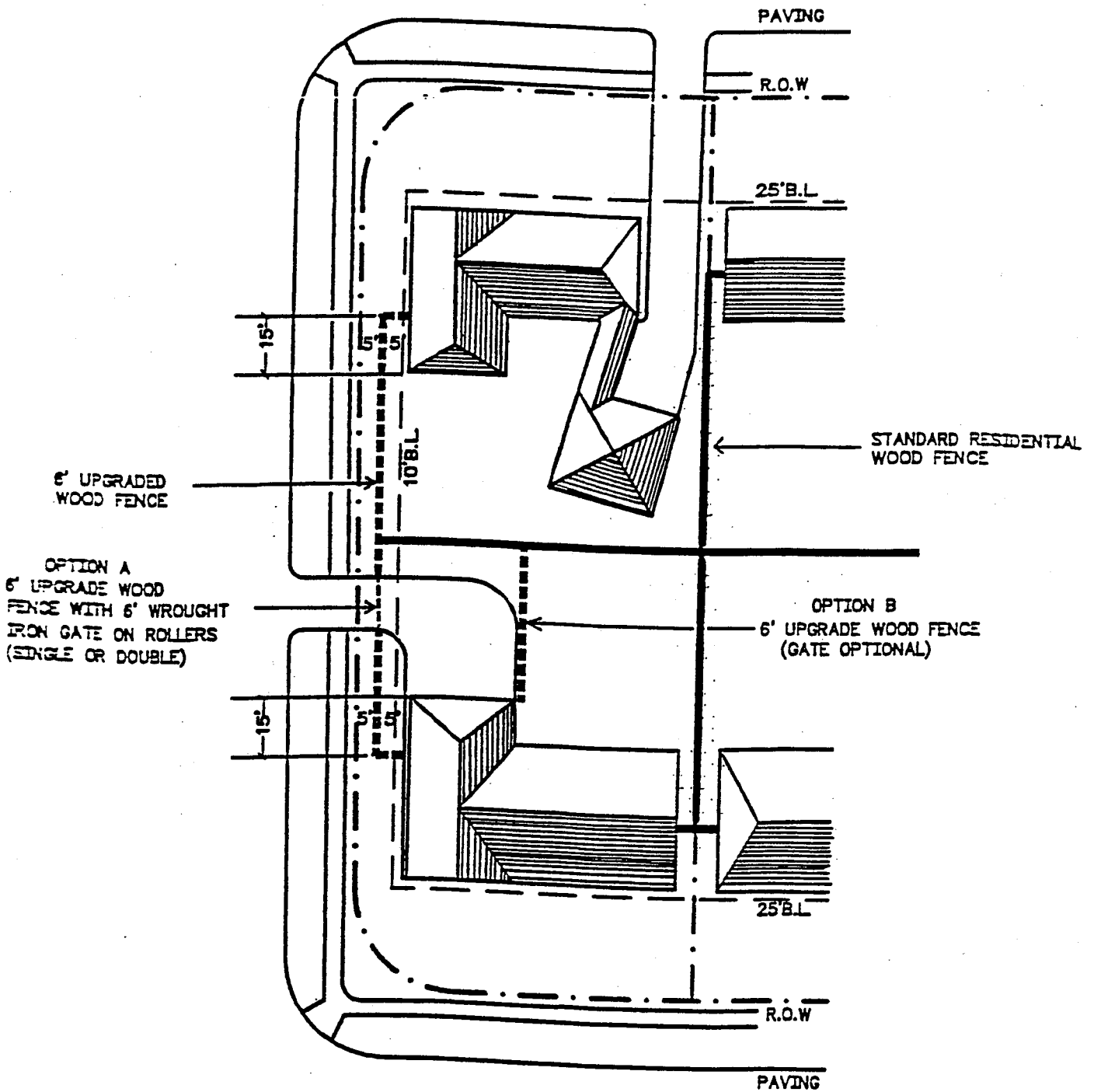
NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

6' UPGRADED WOOD FENCE



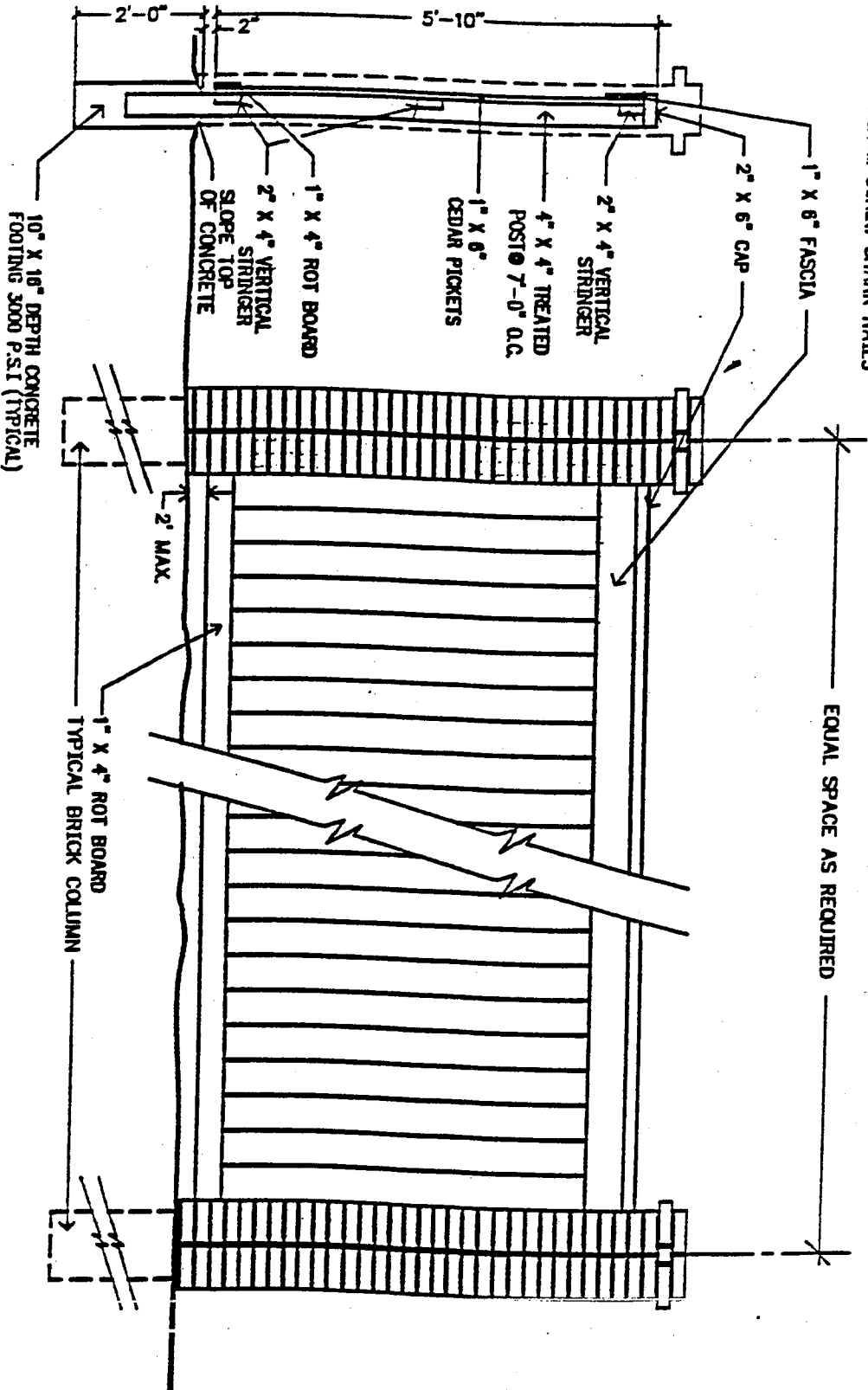
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**SIDELOT FENCING SETBACK/  
 CORNER LOTS**

**ILLUSTRATION IV-6**

**NOTES:**

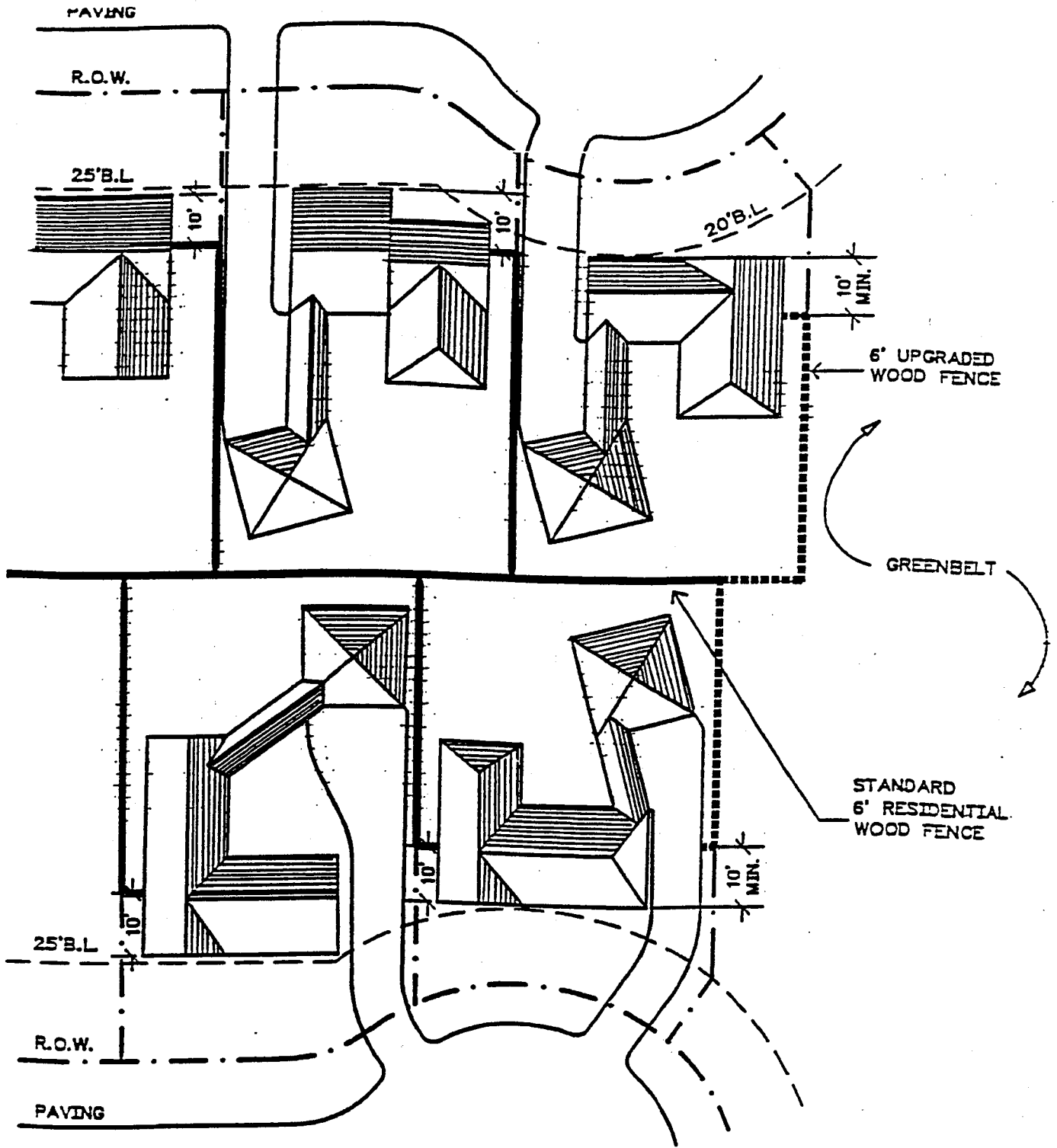
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**8' UPGRADED WOOD FENCE WITH**

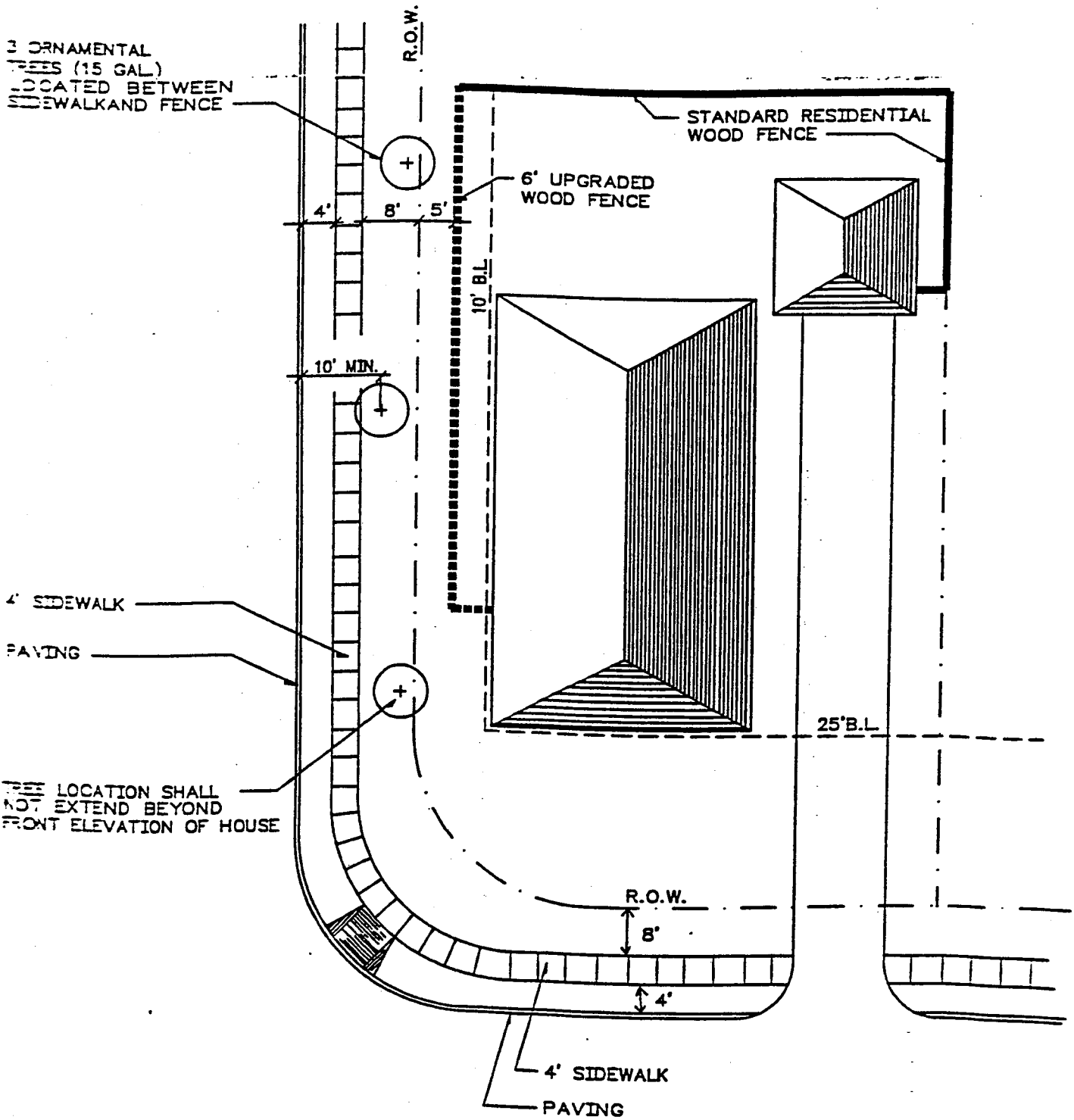
**BRICK COLUMNS**



NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEYARD FENCING SETBACK /  
 GREENBELT LOTS**

**ILLUSTRATION IV-8**



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

## CORNER LOT LANDSCAPING

ILLUSTRATION IV-9

ILLUSTRATION V-1



**WINDSTONE**  
*Colony*

PMS blue 5395, Beige 472

Harris County  
Beverly B. Kaufman  
County Clerk

02/04/04 100404787  
X373105 \$13.00

Harris County  
Beverly B. Kaufman  
County Clerk

02/04/04 100404788  
X373106 \$107.00



*Notice*

WINDSTONE COLONY SUBDIVISION

WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.  
SECRETARY'S CERTIFICATE

I, the undersigned, do hereby certify:

*107*  
*C*

(1) I am the duly elected and acting secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation ("Association"), and,

(2) Attached hereto is a true and correct copy of the Builder Guidelines adopted by the Windstone Colony Architectural Control Committee for Section Eight of Windstone Colony. *mu*

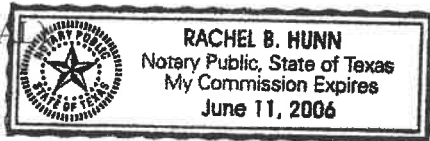
IN WITNESS WHEREOF, I have hereunto subscribed my name on this 6th day of November, 2003.

*Cynthia Patterson*  
Cynthia Patterson, Secretary

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged on this 6th day of November, 2003 by Cynthia Patterson, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation. *lv*

(SEAL)



*Rachel B. Hunn*  
Notary Public in and for  
the State of Texas

After Recording, Return To: ✓  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, Texas 77056

*Deborah B. Keenan*  
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**\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE \*\*\***

**ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO THE  
WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION.**

**FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.**

## **WINDSTONE COLONY BUILDER GUIDELINES**

### **SECTION EIGHT (Reserve H)**

#### **I. INTRODUCTION**

Windstone Colony is a residential development of Windstone Development, Ltd. The objective of these Builder guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony and over which **WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)** will exert strict control.

##### **Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.

Builders within Windstone Colony are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## **II. NEIGHBORHOOD PLANNING ELEMENTS**

Residential development within Windstone Colony is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living area requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages.

Windstone Colony, Section 8 (Reserve H)

Minimum living area, single story	1600 sq. ft.
Minimum living area, two-story	1700 sq. ft.

### **Site Massing and Exterior Elevations**

- \* If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

### **Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

### **Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for a specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a

particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* Twenty foot (20') front yard setback lines on typical lots in Section 8; relating to all typical lots, excluding cul-de-sac lots. However, where practical, Builder is requested to position the location of the front of each unit five feet (5') off the twenty foot (20') front set-back line shown on the recorded plat, to allow for a total front yard setback of twenty-five feet (25');
- \* Twenty foot (20') front yard setback lines on typical cul-de-sac lots;
- \* Five foot (5') side yard setback lines on typical lots;
- \* Ten foot (10') side yard setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three foot (3') side yard building setback line;
- \* Fourteen foot (14') rear building setback line (except for split easements); and
- \* Twenty-five foot (25') rear building line on those lots abutting Fry Road.

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.

- \* See Illustration II-2 for all typical garage placements.

### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven foot (7') wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries and non-residential tracts typically contain a fourteen foot (14') wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, one of three basic sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment or drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.

### **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six inches (6") in caliper at a point six inches (6") above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible ideally, at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches, or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured on the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and,

- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

### **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C.. All temporary buildings must be placed a minimum of 25 feet off of the street r.o.w.; no temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

## **IV. LOT ELEMENTS**

### **Grading and Drainage**

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

### **Lot Coverage**

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

### **Driveways**

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6" x 6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb



and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.

- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or man holes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary by the builder.
- \* Driveways shall be located no closer than two feet (2") from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).
- \* Driveways serving attached two car garages facing the street shall be a minimum of 16 feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no circumstance may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony and are to be constructed by the lot builder in accordance with the specifications shown in Illustration IV-2.

- \* All sidewalks within Windstone Colony must conform to all applicable City of Houston rules and regulations and to the Americans With Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid

existing trees.

- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustment of heights may be required by the builder.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.
- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area (minimum 3 feet) for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.
- \* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven feet (7') in height at its highest elevation;
  - Structure must not exceed eighty square feet (80') in size;
  - Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint is required at the time of construction;
  - Roof must be the same color and type as the main dwelling; and
  - Structure must be unobstructed from public view.

### **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view;
- \* Must not exceed the height of the roof overhang when attached to the roof of the main dwelling; and
- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

### **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To insure compatibility of fence design throughout Windstone Colony, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.
- \* A maximum fence height of 6'-0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single sided hinged gate shall be installed in the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.
- \* Side yard fence should be setback from the front elevation of the house a minimum of ten feet (10') and be coordinated to avoid setbacks with the fencing of adjacent lots.
- \* All pickets are to be attached with eight (8) penny screw shanks nails.

The following information represents the fencing standards for the different lot types found within Windstone Colony.

### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six feet (6') in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven foot (7') panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

### **Typical Corner Lot**

- \* The fencing located on the exterior lot side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall consist of treated cedar two inches by six inches (2" x 6") with a 1" x 6" fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4" rot board must also be included.
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* The A.R.C. may, in certain cases, grant variances relating to fencing on typical corner lots.

### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two inches by six inches (2" x 6"). Trim cap joints are to be mitered at 45 degrees.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum fifteen feet (15') past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).
- \* The A.R.C. may, in certain cases, grant variances relating to fencing on corner lots at neighborhood entrances.

### **Greenbelt Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt shall be constructed with a six foot (6') high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar two inches by six inches (2" x 6"). Trim cap joints are to be mitered at 45 degrees.
- \* Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).
- \* The A.R.C. may, in certain cases, grant variances relating to fencing along greenbelts.

### **Perimeter Walls**

Developer will provide a six foot (6') wood upgrade fence with or without brick columns along the rear or side property line where residential lots back or side to the perimeter of the project. However, Builder shall reimburse Developer Eight and 50/100<sup>th</sup> Dollars (\$8.50) per linear foot where Developer has constructed special fencing in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

## **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscape lighting affect (such as affixed to trees as up and down lights) is permissible, upon prior written approval by the ARC.

## **Screening**

- \* Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

## **Landscaping**

The Builder is responsible for landscaping all areas on his property and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

Lots 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 12 larger shrubs (minimum five (5) gallon), 15 smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of planting may be utilized within a front yard.

Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 16 larger shrubs (minimum five (5) gallon), 20 smaller shrubs (minimum one (1) gallon) and two (2) 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of planting may be utilized within a front yard.

Lots 65' in Width and Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of 20 larger shrubs (minimum five (5) gallon), 25 smaller shrubs (minimum one (1) gallon) and two (2) 15 gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of planting may be utilized within a front yard.
  
- \* Isolated tree planting is not permitted between the sidewalk and street.
  
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic,



concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are ryerson steel and horizontal timber: (2 inches by 4 inches (2" x 4"), 2 inches by 6 inches (2" x 6"), 4 inches by 4 inches (4" x 4"), and 4 inches by 6 inches (4" x 6").

- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for drainage purposes. Specimen boulders are permitted.
- \* The front lawn of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.

<u>Lot Width</u>	<u>Trees Required</u>	<u>Type</u>	<u>Caliper</u>	<u>Height</u>
49' or less	1	1 Hardwood	4"	12'
50' – 64'	2	1 Hardwood	4"	12'
		1 Ornamental	N/A	
65' and over	3	2 Hardwoods	4"	14'
		1 Ornamental	N/A	

- \* Tree stakes must be made out of wood, 2 inches in diameter by 6 feet long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use his best efforts to notify owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:
  - a. Adequate watering;
  - b. Appropriate fertilization;
  - c. Pruning;
  - d. Mowing;
  - e. Weed control in lawns and planting beds;
  - f. Seasonal mulching of planting beds;
  - g. Insect and disease control;
  - h. Replacement of diseased or dead plant materials; and,
  - i. Warranty of all planting materials.

### **Corner Lots**

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding, and/or sprigging is prohibited.
- \* One additional hardwood tree in front/side yard.
- \* Three (3) ornamental trees in 15 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point 10 feet from the rear property line or driveway, if applicable, on fifteen foot (15') centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### **Greenbelt Lots**

Supplemental landscaping specifications for all greenbelt lots include the following:

- \* One tree, minimum four inch caliper (4") when measured six inches (6") above the ground, must be planted in the rear yard of all lots abutting a greenbelt. The tree should be planted on the greenbelt side of the lot no further than twenty feet (20') from the property line abutting the greenbelt.
- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

### **Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## **V. HOUSING**

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony. Emphasis is on quality in material, design

and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony be of the highest quality; as a minimum, Builders are required to warrant compliance with the Southern Building Code.

### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agency.

### **Exterior Materials**

Single-family residences within Windstone Colony must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Changes in materials should have a logical relationship to the changes in the form of the house.

Exterior lots are defined as those lots that back or side to the following roadways: Fry Road, Keith Harrow Boulevard, Windystone Drive, and Windy Mark Drive. All other lots are classified as interior.

#### Interior Lots

- \* One story product – Shall be 100% masonry on three sides
- \* Two story product – Shall be 100% masonry front elevation; 50% masonry on two sides

#### Exterior Lots

- \* One story product – Shall be 100% masonry
- \* Two story product – Shall be 100% masonry (unless precluded by Southern Building Code)

Samples of all exterior building materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony must comply with the following standards and/or guidelines.

## Masonry

- \* Stone  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.
- \* Brick  
Brick used on residences in Windstone Colony shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87.
- \* Mortar Joints  
All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

## Hardi Plank

- \* Hardi plank must be used for all siding product or in conjunction with masonry. Only hardiplank will be acceptable for such use.
- \* Wood siding is prohibited.
- \* Vinyl siding is prohibited.
- \* Trim  
All wood trim shall be smooth, high quality finish-grade stock and must be stained or painted as approved by A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

## Stucco

- \* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

## Metal

- \* Exposed metals shall be anodized aluminum, bronzer, copper or painted galvanized steel.

## Synthetic Materials

- Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of A.R.C.

## **Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than 8 feet in height. All privacy walls must have A.R.C. approval.

## **Window Treatment**

- \* Metal windows must be used and the finish shall compliment the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side facade, or on any facade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

## **Roof Treatment**

### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather grey.
- \* Wood shingles are strictly prohibited.

### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be 4 in 12, except where a deck is called for.

### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plane.

### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### Garages

- \* Garages cannot exceed the residential lots main dwelling in height nor stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence is acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage space is permitted.

- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

### **Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

### **Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

### **Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by A.R.C.

### **Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggest visual deterioration of a residence.

## **VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

### **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

### **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

### **Site Improvements**

- \* Sidewalks do not necessarily need to be placed two feet inside the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.



## **Parking**

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

## **VII. SIGNAGE**

### **Model Home Park Signage**

- \* Signage for model home parks shall be approved by the Declarant, and shall conform to the city of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* See Illustration V-1 for Windstone Colony logo and logo type.

### **Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## **VIII. SUBMISSION AND APPROVAL**

### **Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

## **General**

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
1505 Highway 6 South, Suite 100  
Houston, Texas 77077

## **Requirements**

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in two phases prior to the construction of or any exterior improvement upon any

residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
  
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
  
3. Preliminary plans including:
  - a. Floor plans @ 1/4 in. = 1'-0" minimum scale
  - b. Exterior elevations 1/4 in. = 1' - 0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
  - a. Final architectural plans of drawings listed under Phase I above.
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

*On-Going Review*

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
  - a. Production
  
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter

- b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Construction documents and specifications for variations from standard
- a. Floor plans @ 1/4 in. = 1' minimum scale
  - b. Exterior elevations 1/4 in. = 1' minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

#### **A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

#### Initial Review

##### Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

##### Phase II

Construction Documents	15 Days
------------------------	---------

#### On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial

construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

#### **Approval Not A Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed improvements. Such approvals and design guidelines shall in no event be construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence or nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

## IX. PROJECT INFORMATION

Developer and Project Management:  
**Windstone Development, Ltd.**  
5005 Riverway, Suite 150  
Houston, TX 77056

Engineer:  
**Sherrington, Inc.**  
11210 Steeplecrest Drive, Suite 207  
Houston, TX 77065

Land Planner:  
**Kerry R. Gilbert & Associates, Inc.**  
15810 Park Ten Place, Suite 160  
Houston, TX 77084

Landscape Architect:  
**Robert E. Forsythe**  
2230 Shadowdale  
Houston, TX 77043

X. APPENDIX

RESIDENTIAL LOT MASTER PLANT LIST - A1

TREES

<u>Botanical Name</u>	<u>Common Name</u>
Acer rubrum	Red Maple
Betula nigra	River Birch
Carya illinoensis & vars.	Pecan
Cersis canadensis & vars.	Redbud
Crataegus marshallii	Parsley Leaf Hawthorn
Crataegus spathulata	Little Hip Hawthorn
Fraxinus pennsylvanica vas.	Green Ash
Ilex decidua	Possumhaw
Ilex opaca & vars.	American Holly
Ilex vomitori	Yaupon Holly
Koelreuteria bipinnata	Goldenrain Tree
Lagerstroemia indica vars.	Crapemyrtle
Liquidambar styraciflua & vars.	Sweetgum
Ligustrum japonicum (tree form)	Wax Leaf Ligustrum
Magnolia grandiflora & vars.	Southern Magnolia
Magnolia soulangiana & vars.	Saucer Magnolia
Magnolia virginiana	Sweet Bay Magnolia
Myrica cerifera	Southern Bayberry
Parkinsonia aculeata	Retama
Platanus occidentalis	Sycamore
Prunus caroliniana	Cherry Laurel
Pyrus calleryana & vars.	Callery Pear
Quercus falcata & vars.	Southern Red Oak
Quercus nigra	Water Oak
Quercus nuttallii	Nuttall Oak
Quercus phellos	Willow Oak
Quercus shumardi	Shumard Oak
Quercus texana	Texas Red Oak
Quercus virginiana	Live Oak
Sapium sebiferum	Chinese Tallow
Taxodium districhum	Bald Cypress
Ulmus crassifolia	Evergreen Elm

## SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
<i>Berberis thunbergii</i> "Crimson Pygmy"	Crimson Pygmy Barberry
<i>Buxus microphylla japonica</i>	Japanese Boxwood
<i>Camellia sasanqua</i> vars.	Sasanqua Camellia
<i>Chamaerops humilis</i>	Mediterranean Fan Palm
<i>Cleyera japonica</i>	Japanese Cleyera
<i>Cycas revoluta</i>	King Sago Palm
<i>Elaeagnus pungens</i> vars.	Elaeagnus
<i>Eriobotrya</i> x "Coppertone"	Coppertone Loquat
<i>Fatsia japonica</i>	Fatsia
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Gardenia jasminoides</i> "Radicans"	Dwarf Gardenia
<i>Ilex cornuta</i> vars.	Chinese Holly
<i>Ilex dedidua</i>	Possumhaw
<i>Ilex vomitoria</i> & vars.	Yaupon Holly
<i>Juniperus</i> spp. & vars.	Juniper
<i>Lagerstroemia indica</i> (dwarf vars.)	Dwarf Crapemyrtle
<i>Ligustrum japonicum</i> & vars.	Wax Leaf Ligustrum
<i>Ligustrum sinense</i> "Variegatum"	Variegated Privet
<i>Mahonia bealei</i>	Leatherleaf Mahonia
<i>Michelia figo</i>	Banana Shrub
<i>Myrica cerifera</i>	Southern Bayberry
<i>Nandina domestica</i> & vars.	Nandina
<i>Nandina domestica</i> "Compacta"	Compact Nandina
<i>Nerium oleander</i> (hardy vars.)	Oleander
<i>Photinia Fraseri</i>	Fraser's Photinia
<i>Pittosporum tobira</i> & vars.	Pittosporum
<i>Pyracantha</i> spp. & vars.	Pyracantha
<i>Raphiolepis indica</i> vars.	Indian Hawthorn
<i>Rhododendrom</i> ( <i>Azalea</i> ) spp. & vars.	Azalea
<i>Viburnum japonicum</i>	Japanese Viburnum
<i>Viburnum odoratissimum</i>	Sweet Viburnum
<i>Viburnum suspensum</i>	Sandankwa Viburnum
<i>Viburnum tinus</i> & vars.	Laurustinus Viburnum
<i>Xylosma congestum</i>	Shiny Xylosma
<i>Yucca</i> spp. & vars.	Yucca



## GROUNDCOVERS

### Botanical Name

### Common Name

Ajuga reptans & vars.	Ajuga
Asparagus sprengeri	Sprenger Asparagus
Berberis thunbergii "Crimson Pygmy"	Crimson Pygmy Barberry
Cyrtomium falcatum	Holly Fern
Gardenia jasminoides "Radicans"	Dwarf Gardenia
Hedera canariensis & vars.	Algerian Ivy
Hedera helix & vars.	English Ivy
Juniperus spp. & vars.	Juniper
Liriope muscari & vars.	Liriope
Lonicera japonica chinensis	Purple Japanese
Honeysuckle	
Lonicera japonica "Halliana"	Hall's Honeysuckle
Nandina domestica "Harbour Dwarf"	Harbour Dwarf Nandina
Ophiopogon japonicus	Monkey Grass
Ophiopogon japonicus "Nanus"	Dwarf Monkey Grass
Pyracantha "Red Elf"	Red Elf Pyracantha
Pyracantha "Ruby Mound"	Ruby Mound Pyracantha
Trachelospermum asiaticum & vars.	Japanese Star Jasmine
Trachelospermum jasminoides & vars.	Confederate Jasmine

## GRASS

### Botanical Name

### Common Name

Cynodon dactylon	Common Bermuda
Cynodon hybrids	Hybrid Bermuda
Festuca arundinacea	Tall Fescue Ky-31
Lolium multiflorum	Annual Rye Grass
Stenotaphrum sercundatum & hybrids	St. Augustine Grass

## VINES

### Botanical Name

### Common Name

Bignoia capreolata	Crossvine
Clematis dioscoreifolia	Sweet Autumn Clematis
Campsis radicans	Trumpet Creeper
Clytostoma callistegioides	Lavender Trumpet Vine

Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Milletia reticulata  
Rosa banksiae  
Wisteria sinensis

Climbing Fig Vine  
Carolina Jassamine  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks' Rose  
Chinese Wisteria

## PERENNIALS

### Botanical Name

### Common Name

Aster frikarti  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

Frikarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting (March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta bogonia  
Marigolds  
Portulaca

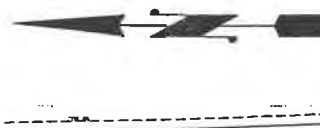
### Fall Planting (October/November)

Calendula  
Pansy  
Snapdragons  
Dainthus  
Mums

## XI. LIST OF ILLUSTRATIONS

- I-1 Windstone Colony, Section Eight
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Sidelot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Sideyard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony logo and logo type.

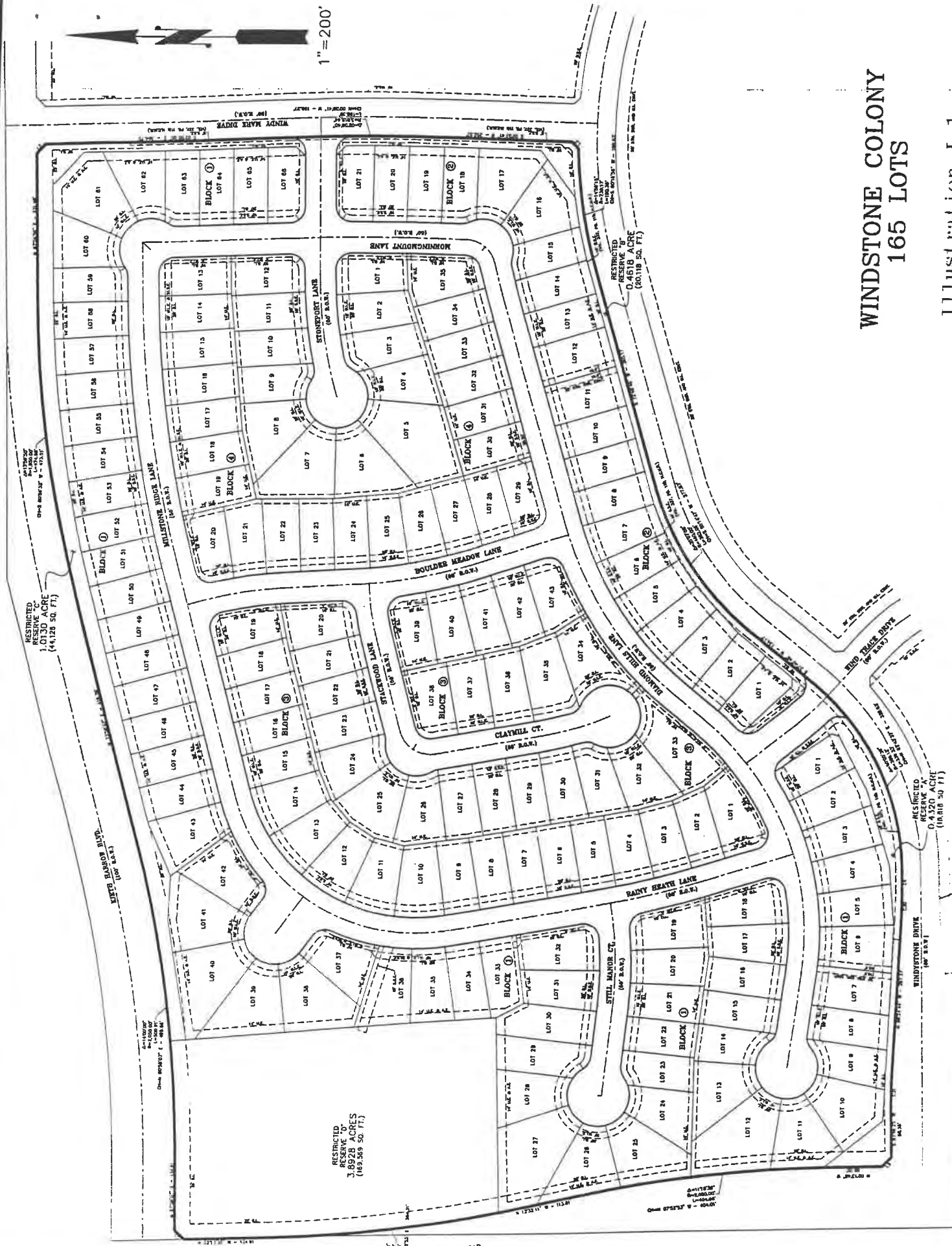
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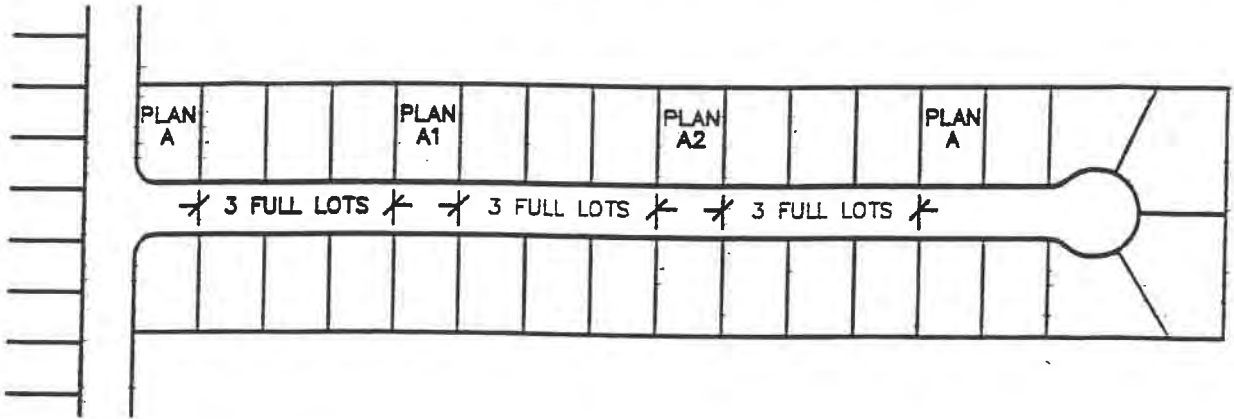
1" = 200'

# WINDSTONE COLONY 165 LOTS

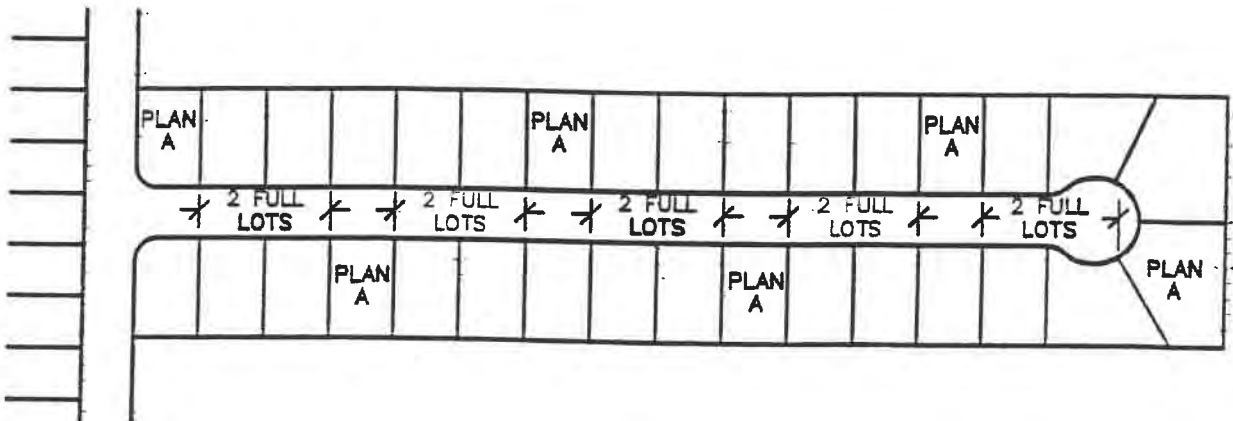
Illustration I-1



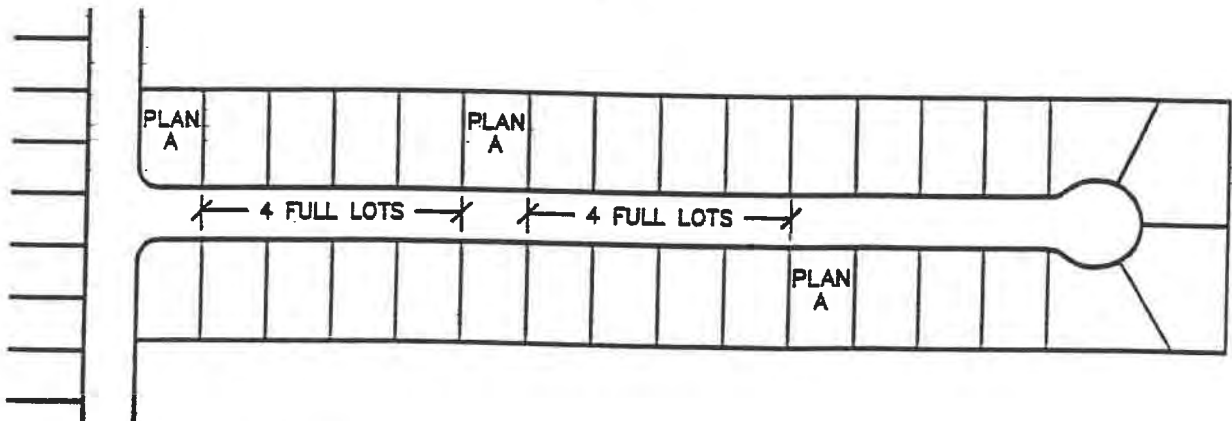
**1 SAME PLAN, DIFFERENT ELEVATION, SAME SIDE**



**2 SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE**



**3 SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE**



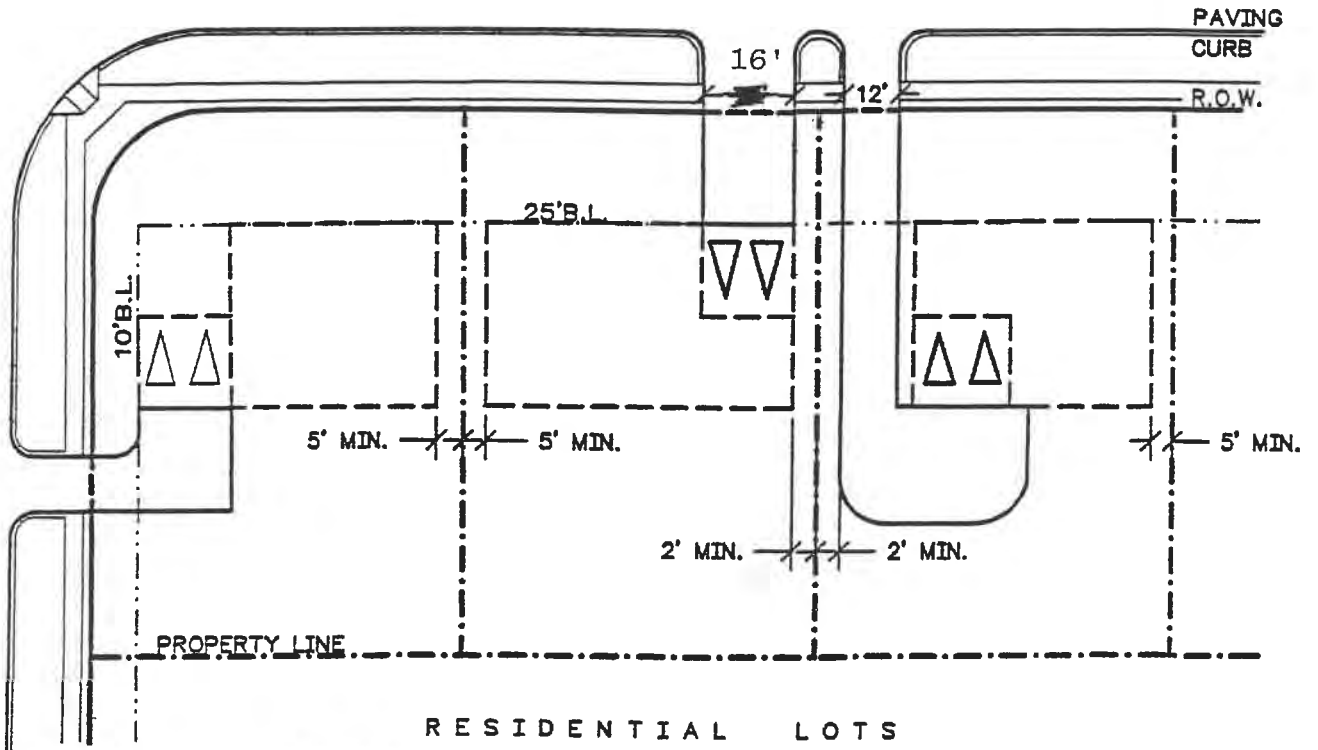
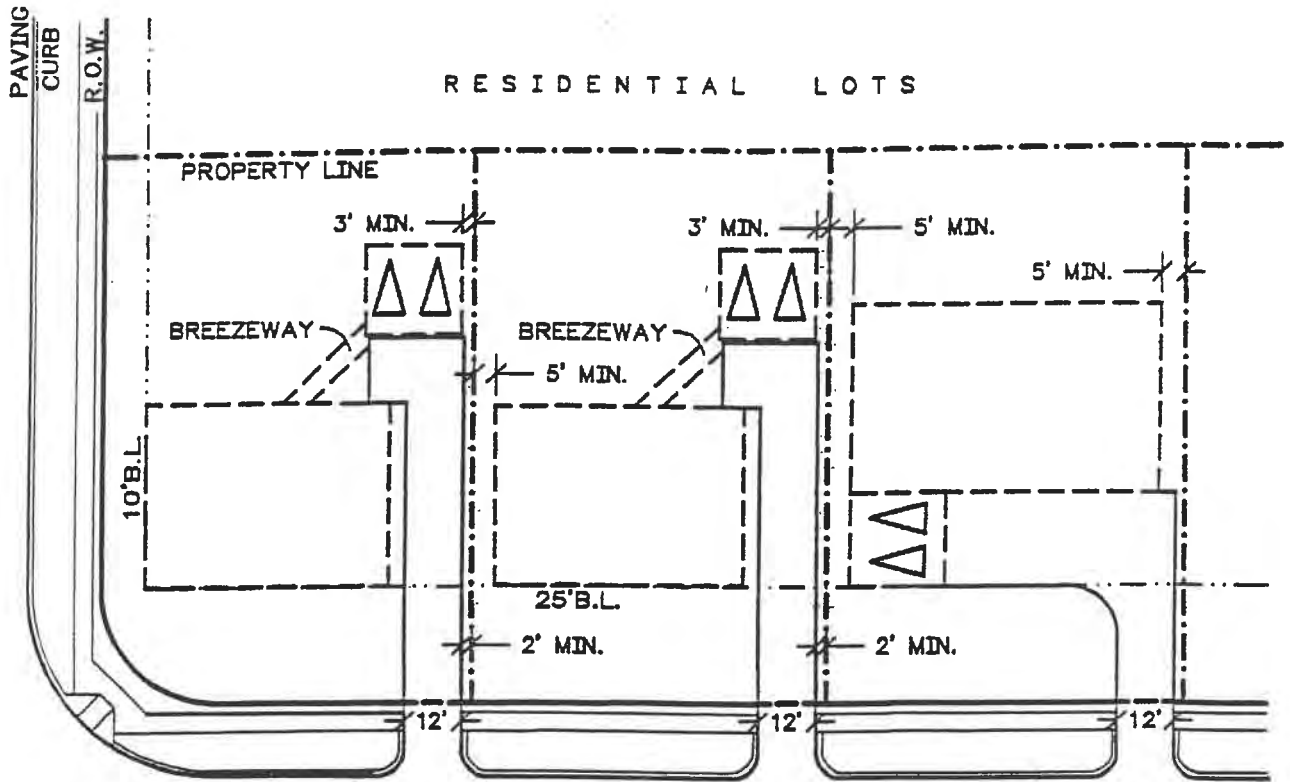
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**HOUSING PLAN AND  
ELEVATION REPETITION**

**ILLUSTRATION II-1**

2525-28-012

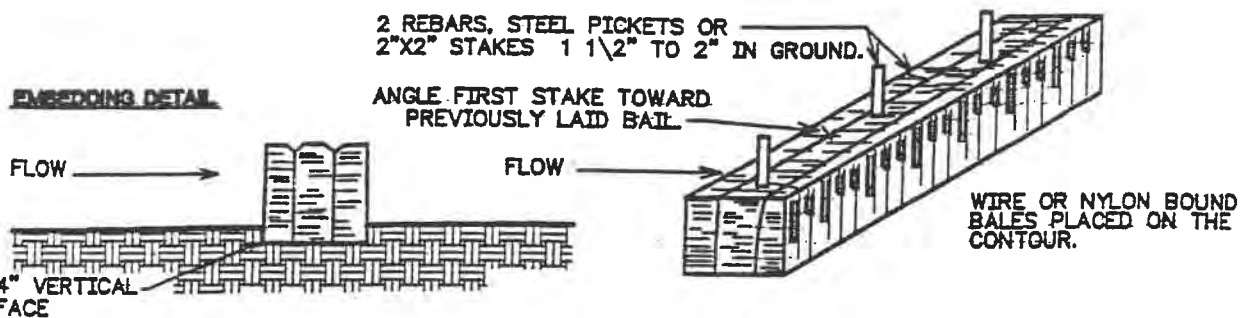
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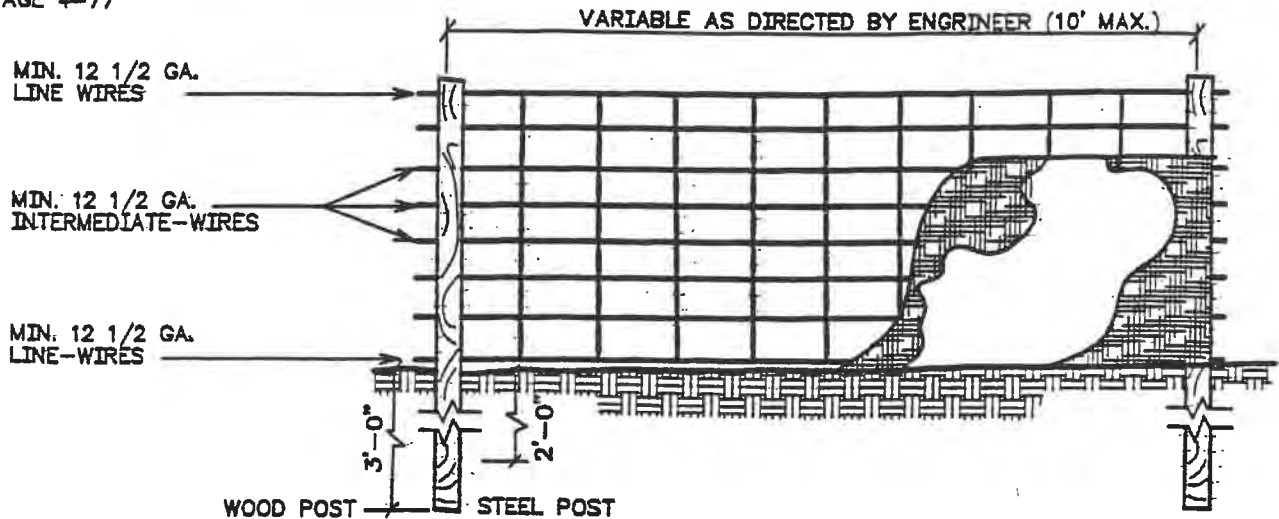
NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

## GARAGE AND DRIVEWAY PLACEMENT

ILLUSTRATION II-2



**EMBEDDING DETAIL**  
 SOURCE:  
 EROSION AND SEDIMENT CONTROL GUIDELINES FOR  
 DEVELOPING AREAS IN TEXAS, U.S. DEPT. OF  
 AGRICULTURE SOIL CONSERVATION SERVICE FIG. 4-B,  
 PAGE 4-77



SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

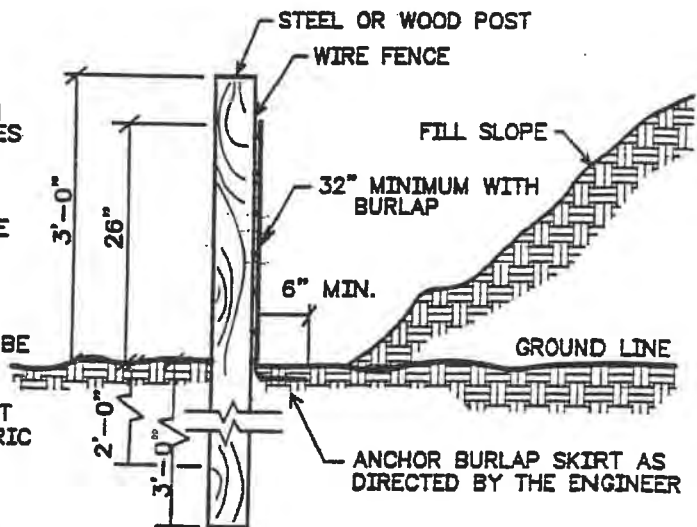
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

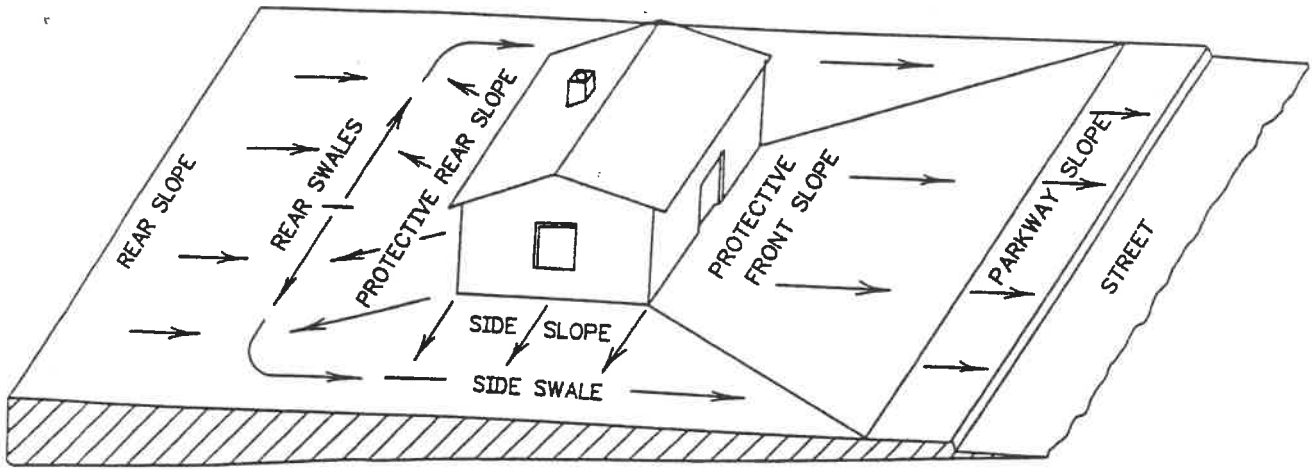
SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

**NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.**



**TEMPORARY SEDIMENT CONTROL**

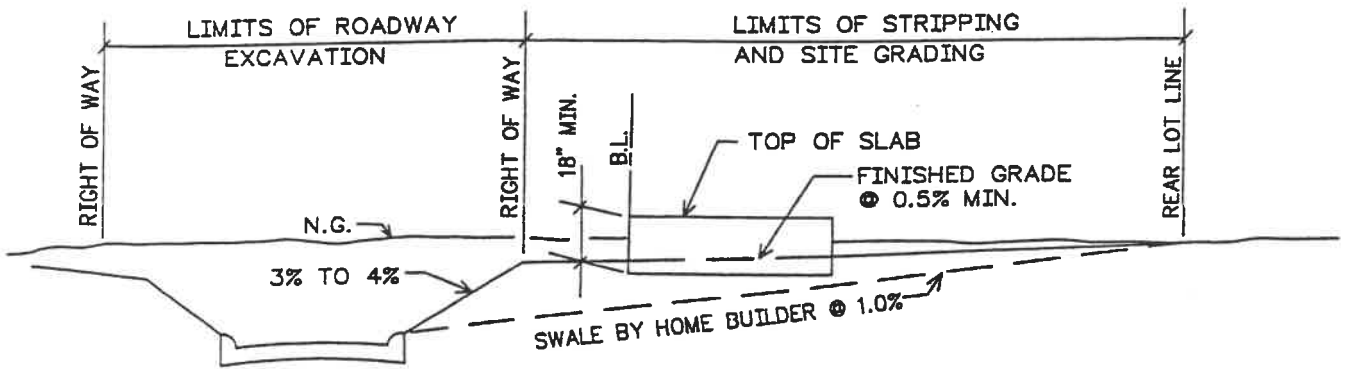




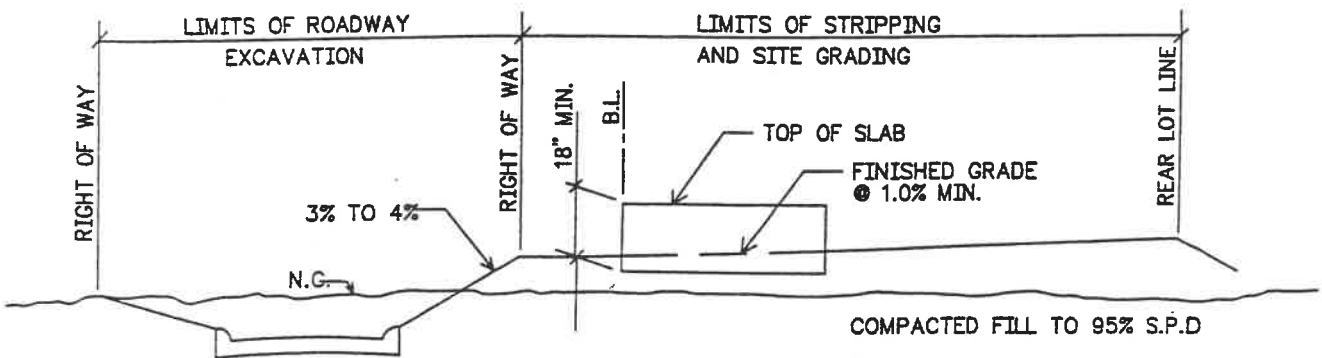
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**F.H.A. LOT GRADING TYPE "A"**



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18"**  
F.H.A. BLOCK GRADING, TYPE "T"

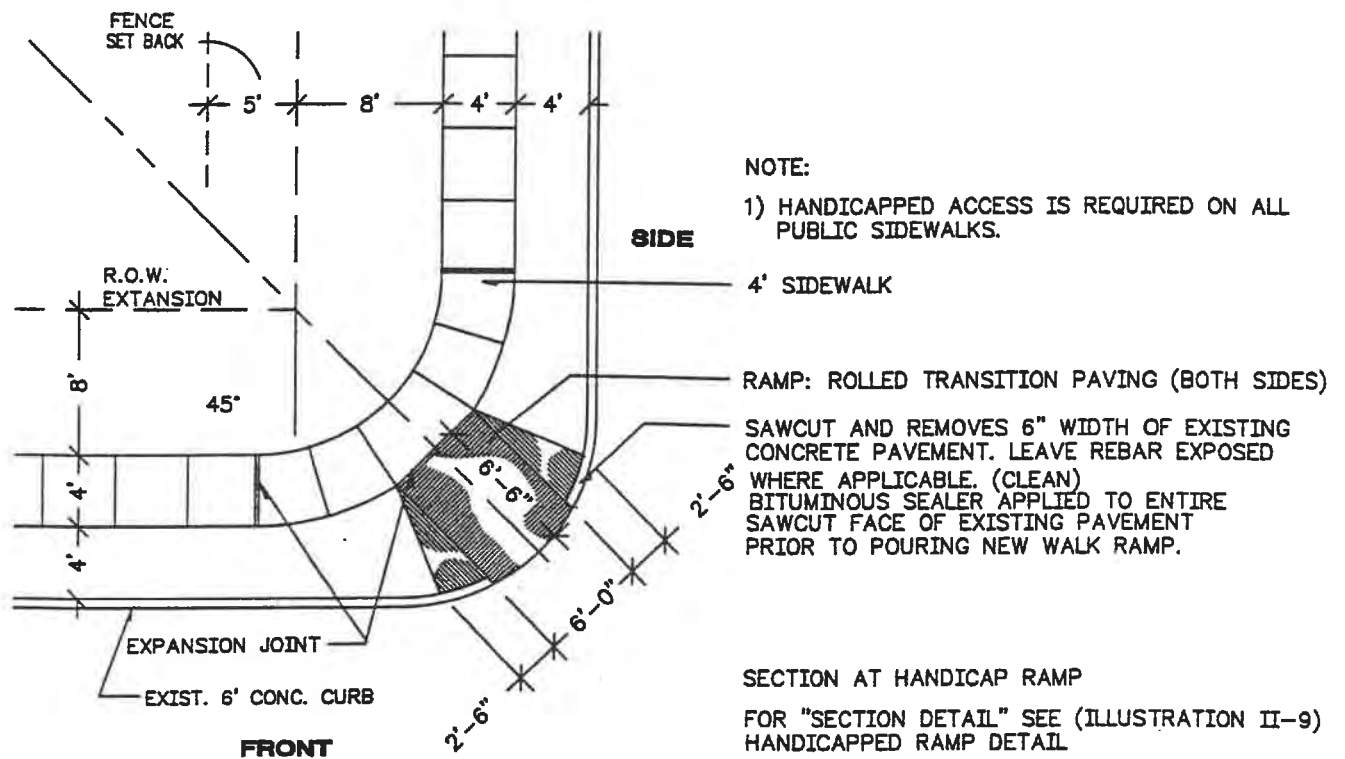
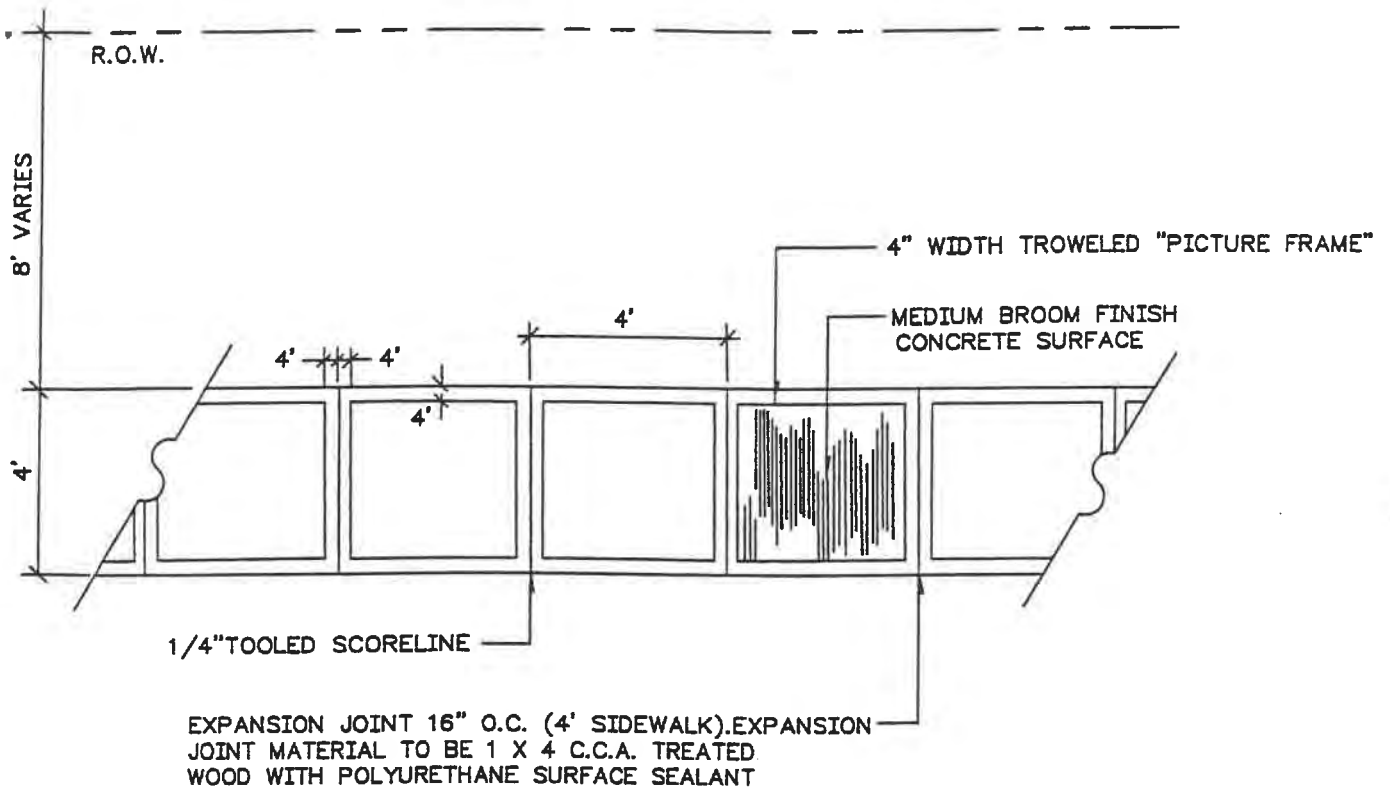


**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18"**  
F.H.A. BLOCK GRADING, TYPE "T"

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**

573-87-0295



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

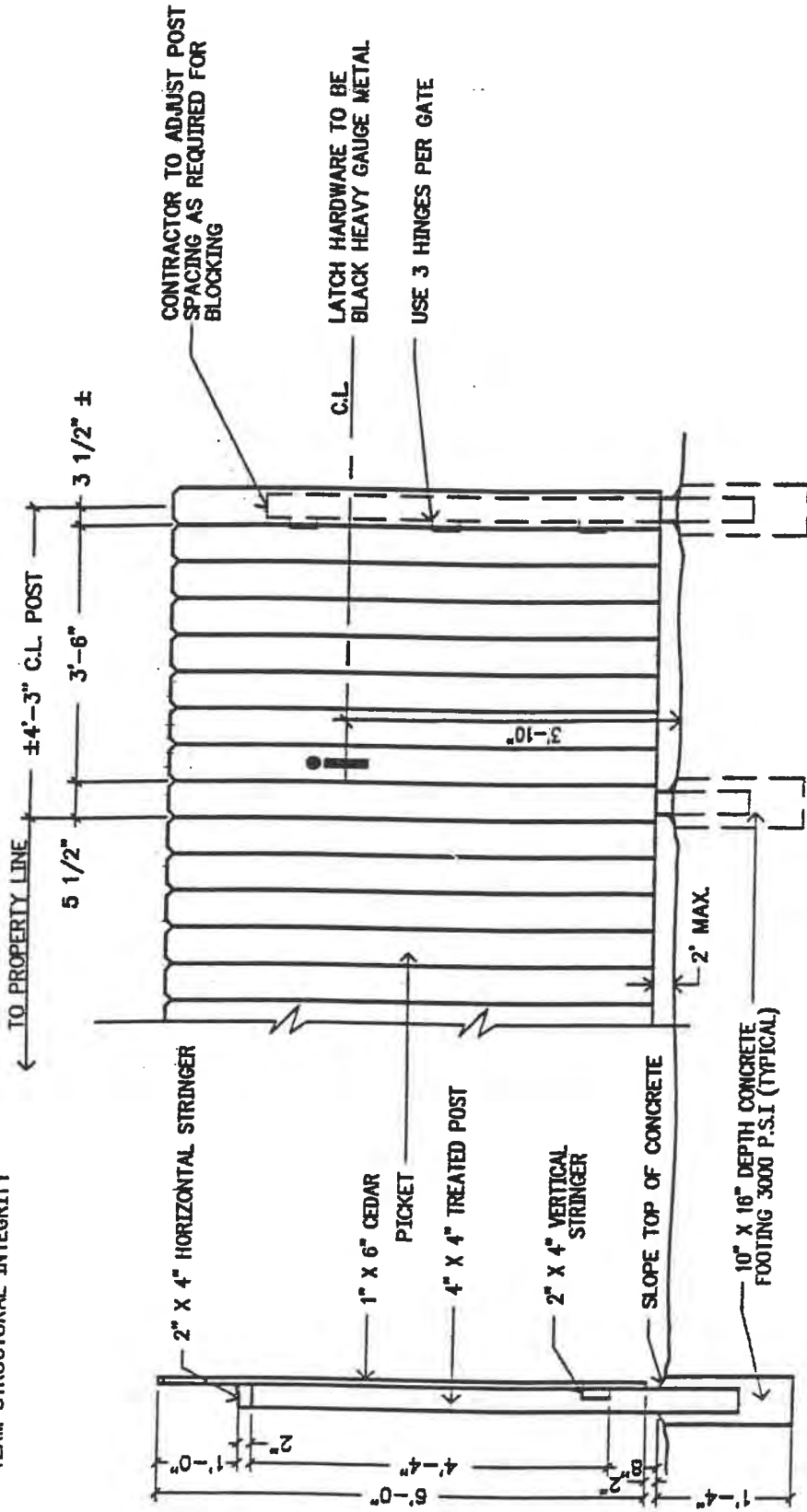
## SIDEWALK DETAIL

## ILLUSTRATION IV-2

579-87-8296

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRANCHING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

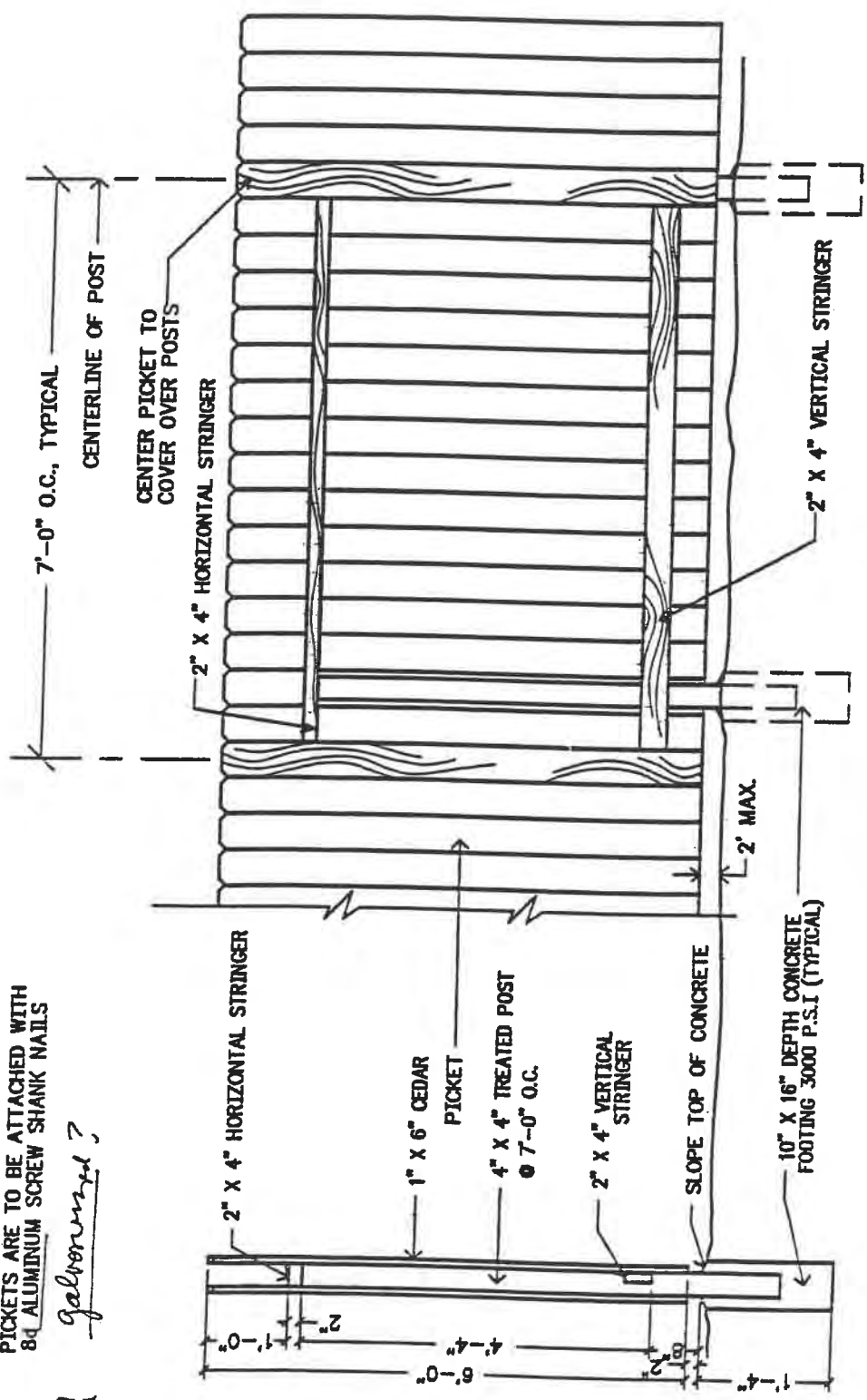
STANDARD RESIDENTIAL HINGED GATE

57-57-0202

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS

? galvanized?

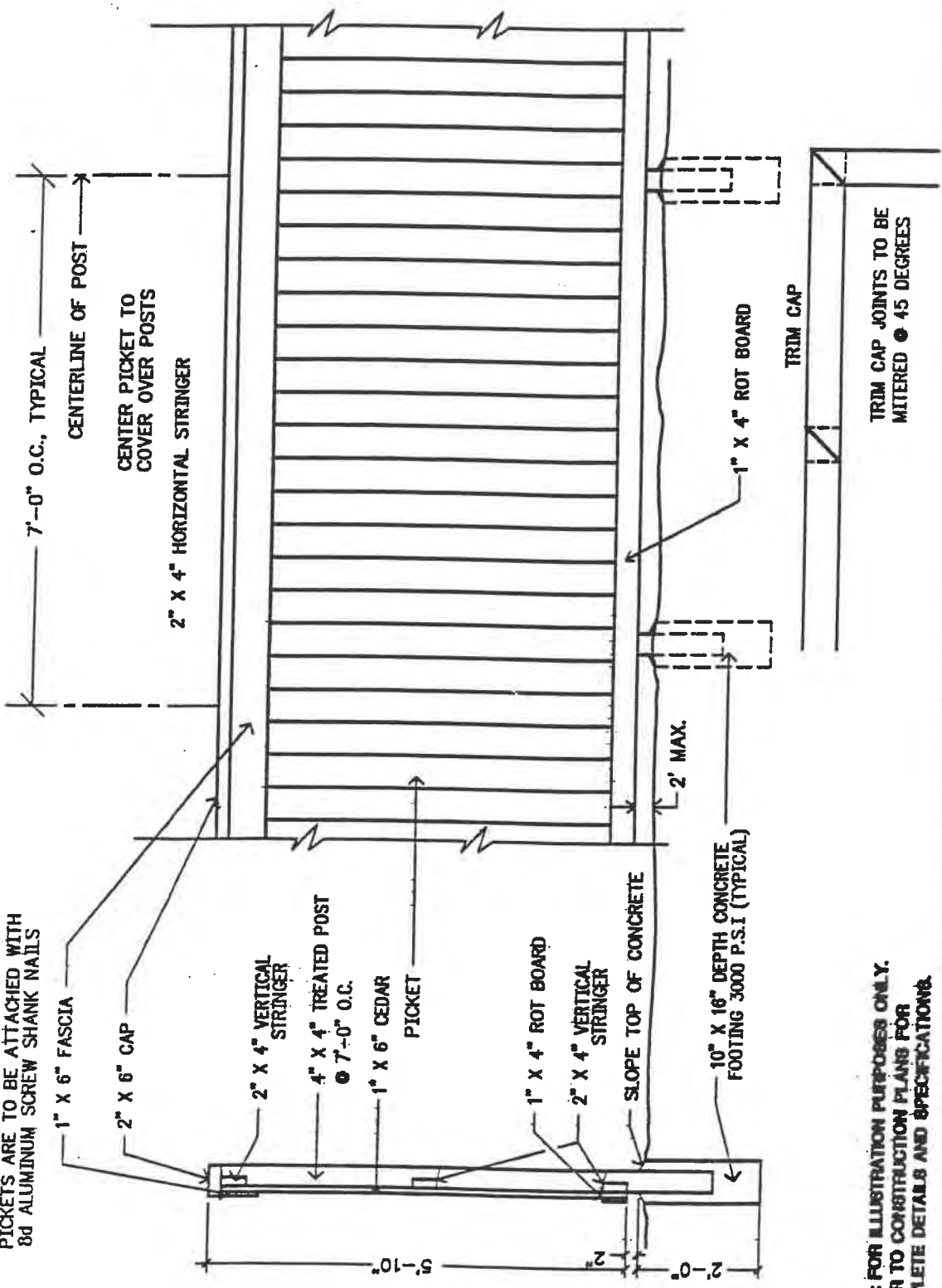


NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE

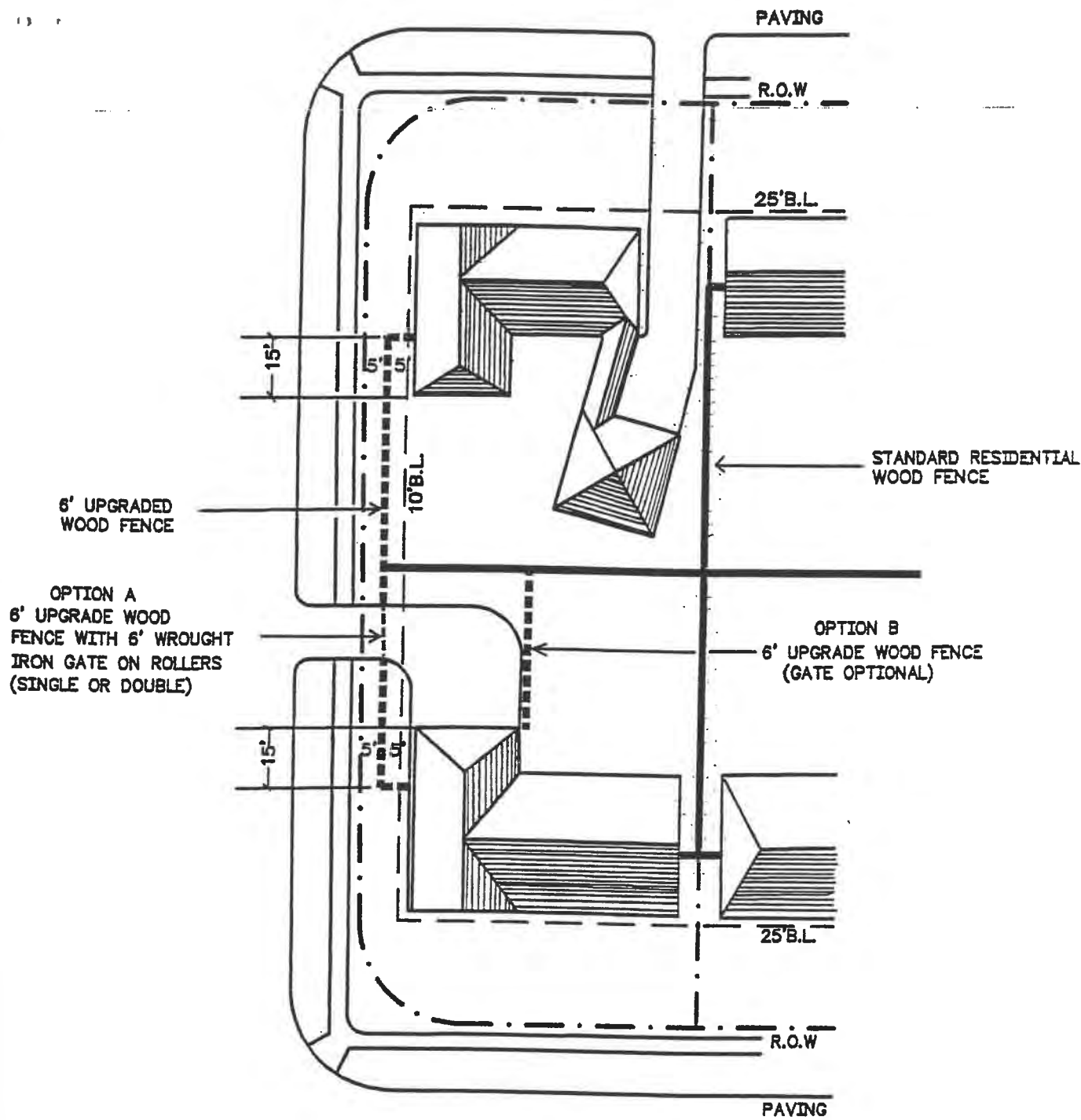
NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

6' UPGRADED WOOD FENCE



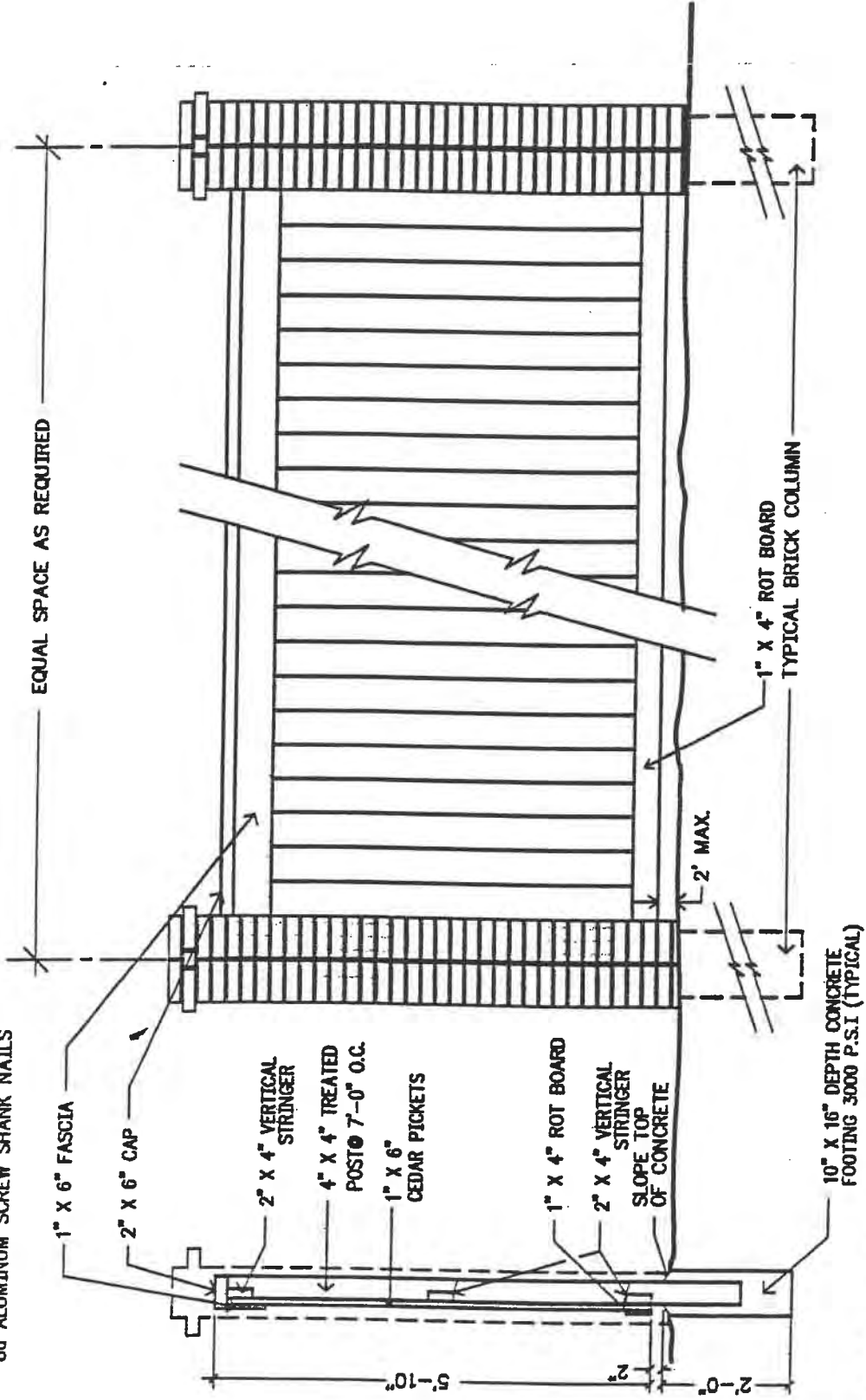
NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**SIDELOT FENCING SETBACK/  
 CORNER LOTS**

**ILLUSTRATION IV-6**

NOTES:

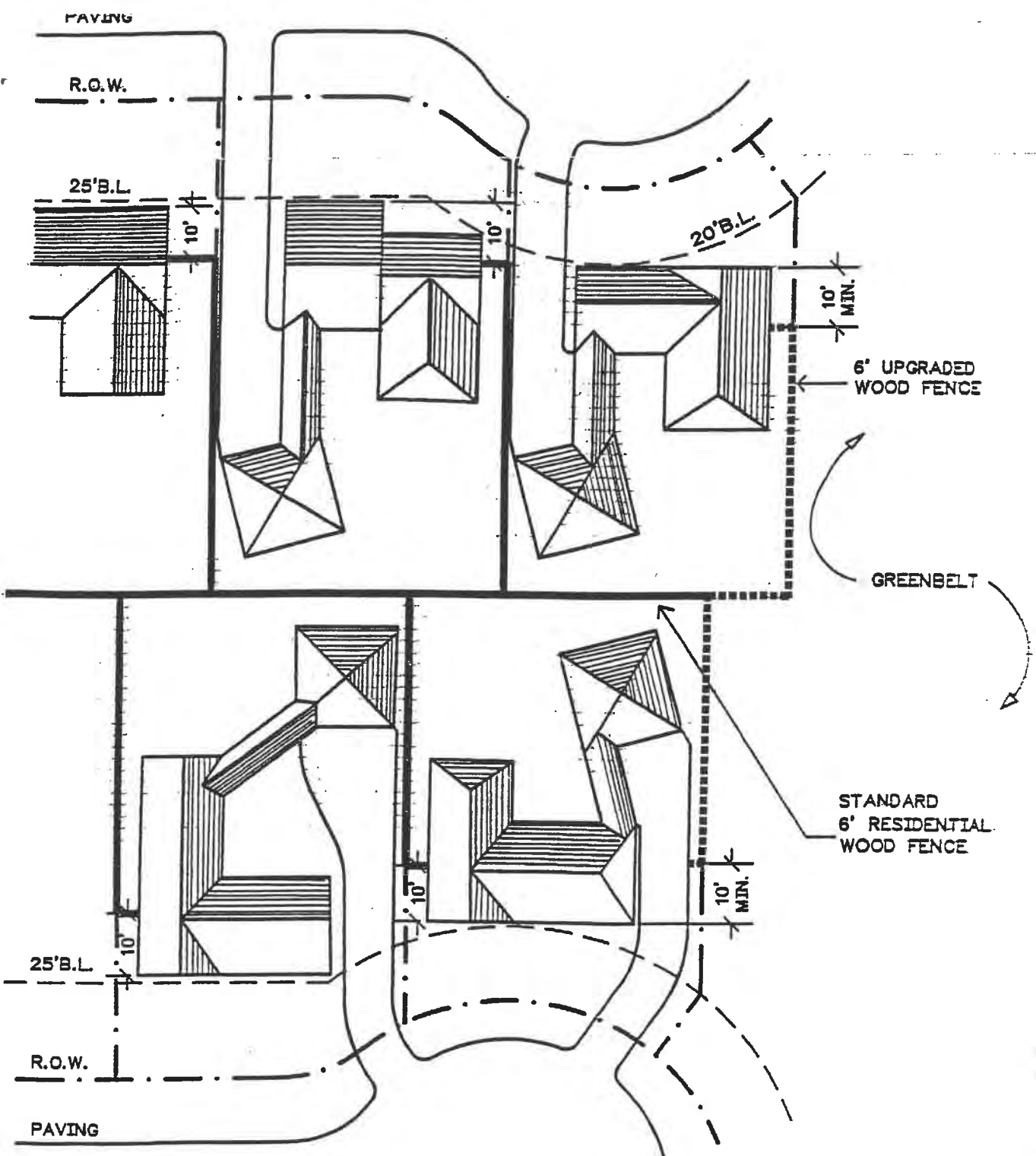
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE WITH BRICK COLUMNS**

578-07-0302



NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEYARD FENCING SETBACK /  
 GREENBELT LOTS**

**ILLUSTRATION IV-8**



3 ORNAMENTAL  
TREES (15 GAL.)  
LOCATED BETWEEN  
SIDEWALK AND FENCE

R.O.W.

STANDARD RESIDENTIAL  
WOOD FENCE

6' UPGRADED  
WOOD FENCE

4' 8' 5'

10' B.L.

10' MIN.

4' SIDEWALK

PAVING

TREE LOCATION SHALL  
NOT EXTEND BEYOND  
FRONT ELEVATION OF HOUSE

25' B.L.

R.O.W.

8'

4'

4' SIDEWALK

PAVING

NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

## CORNER LOT LANDSCAPING

ILLUSTRATION IV-9

570-07-0000

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

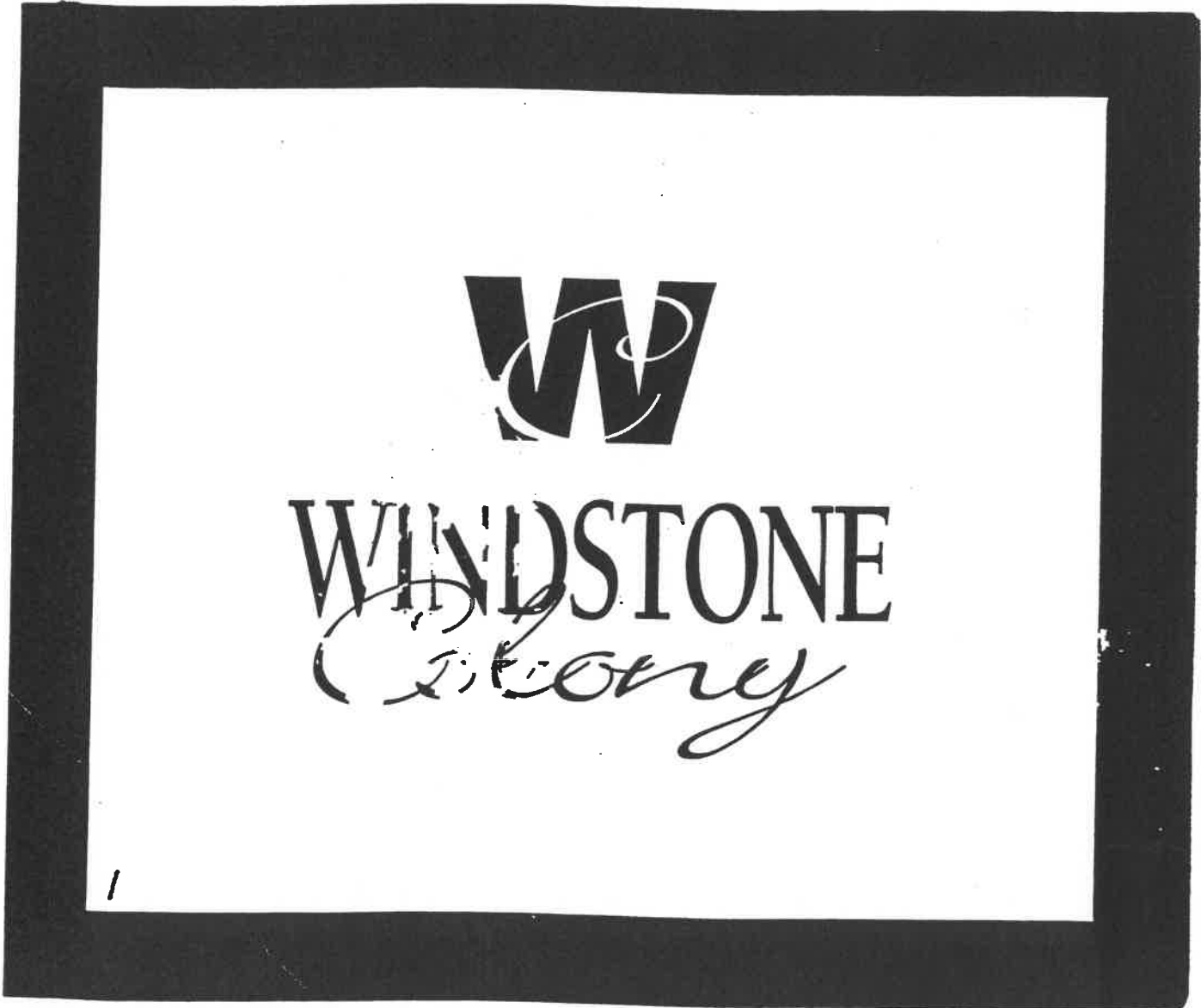
NOV - 7 2003



*Dorothy L. Kaufman*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

ILLUSTRATION VII-1

573-87-0304



PMS BLUE 5395, BEIGE 472

WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.

SECRETARY'S CERTIFICATE  
(Windstone Colony, Sec. 9)

I, the undersigned, do hereby certify:

1. I am the duly elected and acting secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation;

2. Attached hereto as Exhibit "A" is a true and correct copy of the Builder Guidelines for Windstone Colony Section Nine, a subdivision of 2.6578 acres of land, according to the map or plat thereof recorded in Film Code No. 678664 of the Map Records of Harris County, Texas.

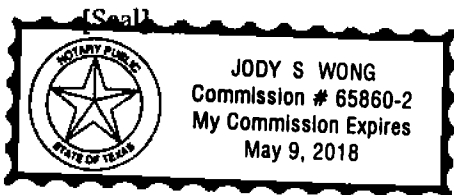
IN WITNESS WHEREOF, I have hereunto subscribed my name on this 9<sup>th</sup> day of February, 2017.

[Signature]  
Secretary

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged on this 9<sup>th</sup> day of February, 2017 by Dawn Haywood, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation.

[Signature]  
Notary Public - State of Texas



RP-2017-59611

\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE\*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**BUILDER GUIDELINES**  
**for**  
***WINDSTONE COLONY***  
***SECTION NINE***

I. INTRODUCTION

Windstone Colony is a residential development of Windstone Development, Ltd. The objective of these Builder Guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony and over which Windstone Colony Architectural Review Committee (A.R.C.) will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.

Builders within Windstone Colony are responsible for compliance with all applicable city, county, state and federal regulations.

RP-2017-59611

Windstone Colony is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## II. NEIGHBORHOOD PLANNING ELEMENTS

Residential development within Windstone Colony is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The Builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages:

#### **Windstone Colony, Section Nine:**

Minimum living area, single story	1350 sq. ft.
Minimum living area, two-story	1600 sq. ft.

### **Site Massing and Exterior Elevations**

If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

### **Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

### **Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* Twenty foot (20') front yard setback lines on typical lots;
- \* Twenty foot (20') front yard setback lines on typical cul-de-sac lots;

- \* Five foot (5') side yard setback lines on typical lots;
- \* Fifteen foot (15') side setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three foot (3') side yard building setback line; and
- \* Fourteen foot (14') rear building setback line (except for split easements)

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscape area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

#### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

#### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven foot (7') wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries, adjacent existing subdivisions, and non-residential tracts typically contain a fourteen foot

(14') wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris shall be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. Such sediment control methods shall be in compliance and accordance with all applicable governmental regulations. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment and drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.

#### **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six inches (6") in caliper at a point of six inches (6") above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately



protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible, ideally at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured into the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

#### **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C. All temporary buildings must be placed a minimum of twenty-five feet (25') off of the street r.o.w.; no temporary buildings may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

### **IV. LOT ELEMENTS**

#### **Grading and Drainage**

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across the adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

### **Lot Coverage**

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

### **Driveways**

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6"x 6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two feet (2') from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).

- \* Driveways serving attached two car garages facing the street shall be a minimum of sixteen feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways leaving significant amount of green space. Under no circumstances may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony and are to be constructed by the lot builder in accordance with the specifications shown on Illustration IV-2.

- \* All sidewalks within Windstone Colony must conform to all applicable City of Houston rules and regulations and to the Americans with Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within the sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway of at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.
- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.

- \* In those instances, where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum of two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area of a minimum of three feet (3') for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from the A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.
- \* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be submitted to the A.R.C. for

approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:

- Structure must not exceed seven feet (7') in height at its highest elevation.
- Structure must not exceed eighty (80) square feet in size.
- Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint are required at the time of construction.
- Roof must be the same color and type as the main dwelling.
- Structure must be unobstructed from public view.

### **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view;
- \* Must not exceed nine feet (9') in height when attached to the roof of the main dwelling; and
- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

### **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To ensure compatibility of fence design throughout Windstone Colony, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side. **In Windstone Colony Section 9, the lots that must have fences with finished sides visible to the public are Lot 1 Block 1 and Lots 8 – 12, Block 1.**

- \* A maximum fence height of 6'0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single-sided hinged gate shall be installed at the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found in Windstone Colony.

#### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six feet (6') in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven foot (7') panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

#### **Typical Corner Lot**

- \* The fencing located on the exterior side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The 2' x 6' trim cap shall consist of treated cedar with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included.
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### Corner Lots at Neighborhood Entrances

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included. **In Windstone Colony, Section 9, lots designated as a neighborhood entrance and requiring this fencing are Lot 1, Block 1 and Lot 12, Block 1.**
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum of fifteen feet (15') past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### Greenbelt & Commercial Reserve Lot Fencing

- \* The exterior lot side of lots abutting a greenbelt or commercial reserve shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included. **In Windstone Colony Section 9, lots that back up to a greenbelt and must have this fencing are Lots 8 – 12, Block 1.**
- \* Where lots side onto a greenbelt or commercial reserve, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt or commercial reserve shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts or commercial reserves is prohibited.

- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls & Fencing**

Upon purchasing a lot with a fence installed by Developer, Builder shall reimburse Developer Fifteen Dollars (\$15.00) per linear foot where Developer has constructed a fence in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscaped lighting affects (such as affixed to trees as up and down lights) are permissible.

### **Screening**

Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

### **Landscaping**

The Builder is responsible for landscaping all areas on this property and the portion of the street right-of-way between the property line and the street curb. Plantings other than ground covers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is



encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

Lot 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twelve larger shrubs (minimum 5 gallon), fifteen smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of plantings may be utilized within a front yard.

Lots 50' to 64' in Width – All lots in Section 9 of Windstone Colony shall be considered 50' lots under these Builder Guidelines.

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of sixteen larger shrubs (minimum 5 gallon), twenty smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of plantings may be utilized within a front yard.

Lots 65' in Width or Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.

- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twenty larger shrubs (minimum 5 gallon), twenty-five smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of plantings may be utilized within a front yard.

- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc. are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are Ryerson steel and horizontal timber (2" x 4", 2" x 6", 4" x 4", and 4" x 6").
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized drainage purposes. Specimen boulders are permitted.
- \* The front yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* Tree requirements are as follows:

Trees				
Lot Width	Required	Type	Caliper	Height
49' or less	1	1 hardwood	4"	12'
50' – 64'	2	1 hardwood	4"	12'
		1 ornamental	N/A	
65' and over	3	2 hardwoods	4"	14'
		1 ornamental	N/A	

- \* Use of hardwoods is preferred; however, some pines can be introduced into planting. The accepted ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, 2" in diameter by 6' long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use its best efforts to notify

owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:

- a. Adequate watering;
- b. Appropriate fertilization;
- c. Pruning;
- d. Mowing;
- e. Weed control in lawns and planting beds;
- f. Seasonal mulching of planting beds;
- g. Insect and disease control;
- h. Replacement of diseased or dead plant materials; and
- i. Warranty of all planting materials.

### **Corner Lots**

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* One additional hardwood tree in the front/side yard.
- \* Three (3) hardwood trees with four inch (4") calipers and twelve feet (12') height are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point ten feet (10') from the rear property line or driveway, if applicable, on fifteen foot (15') centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### **Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## V. HOUSING

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony be of the highest quality. As a minimum, Builders are required to warrant compliance with the Southern Building Code.

### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agencies.

### **Exterior Materials**

Single-family residences within Windstone Colony must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. A minimal amount of hardiplank may be used on front and side elevations for accent or structural purposes, as approved by the A.R.C., or for other purposes approved by the A.R.C. Changes in materials should have a logical relationship to the changes in the form of the house.

### Interior Lots

- \* One story product – shall be 100% masonry on three sides
- \* Two story product – shall be 100% masonry on the front elevation; 100% masonry on the lower half of two sides totaling 50% masonry on each side.
- \* Adjacent houses shall have different brick colors.

**Exterior Lots – In Windstone Colony Section 9, Exterior Lots shall be defined as Lot 1, Block 1 and Lots 8 – 12, Block 1.**

- \* One story product – shall be 100% masonry.

- \* Two story product – shall be 100% masonry unless precluded by the Southern Building Code.
- \* Adjacent houses shall have different brick colors.

Samples of all exterior materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony must comply with the following standards and/or guidelines.

### **Masonry**

- \* **Stone**  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.
- \* **Brick**  
Brick used on residences in Windstone Colony shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87.
- \* **Mortar Joints**  
All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

### **Hardi Plank**

- \* Hardi plank siding must be used for all siding product or in conjunction with masonry. Only hardi plank will be acceptable for such use.
- \* Wood siding is prohibited.
- \* Vinyl siding is prohibited.
- \* Trim - All wood trim shall be smooth, high quality finish-grade stock and must be stained or polished as approved by the A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

### **Stucco**

- \* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

## **Metal**

- \* Exposed metals shall be anodized aluminum, bronze, copper or painted galvanized steel.

## **Synthetic Materials**

- \* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of the A.R.C.

## **Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than eight feet (8') in height. All privacy walls must have A.R.C. approval.

## **Window Treatment**

- \* Metal windows must be used and the finish shall complement the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side façade, or on any façade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of the A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

## **Roof Treatment**

### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather gray.
- \* Wood shingles are strictly prohibited.

### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in twelve (12), except where a deck is called for.

### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate.

### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs, affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor in stories.

- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence are acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the façade of a side or rear loaded attached garage to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

#### **Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

#### **Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

#### **Mechanical Equipment**



- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by the A.R.C.

### **Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

## **VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

### **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

### **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

### **Site Improvements**

- \* Sidewalks do not necessarily need to be placed two feet in the r.o.w., perpendicular to the property line, but can meander between the units.

- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet.
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

**Parking**

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off-street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

**VII. SIGNAGE**

**Model Home Park Signage**

- \* Signage for model homes parks shall be approved by the Declarant and conform to the City of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* Windstone Colony logo and logo type .

**Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to the A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

**VIII. SUBMISSION AND APPROVAL**

**Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by the Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

### **General**

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to the acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure adequate review of all submissions while accommodating the needs of the Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
8711 Highway 6 North, Suite 270  
Houston, Texas 77077

## Requirements

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in phases prior to construction of or any exterior improvements upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Preliminary plans including:
  - a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

### Phase II

1. Construction documents and specifications including:
  - a. Final architectural plans of drawings listed under Phase I above
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

### On-Going Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
  - a. Production
  
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
  
3. Construction documents and specifications for variations from standard
  - a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

**A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

Initial Review

Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

Phase II

Construction Documents	15 Days
------------------------	---------

On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction Documents	7 Days

(if applicable)

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

### **Approval Not a Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed improvements. Such approvals and design guidelines shall in no event be construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence of nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

**IX. PROJECT INFORMATION**

Developer and Project Management:

**Windstone Development, Ltd.**

5005 Riverway, Suite 150

Houston, Texas 77056

Engineer:

**Sherrington, Inc.**

8203 Willow Place South, Suite 400

Houston, Texas 77070

Land Planner:

**Kerry R. Gilbert & Associates, Inc.**

15810 Park Ten Place, Suite 160

Houston, Texas 77084

Landscape Architect:

**Robert E. Forsythe**

2230 Shadowdale

Houston, Texas 77043

RP-2017-59611

**X. APPENDIX**

**RESIDENTIAL LOT MASTER PLANT LIST – A1**

**TREES**

**Botanical Name**

**Common Name**

Acer rubrum	Red Maple
Betula nigra	River Birch
Carya illinoensis & vars.	Pecan
Cersis canadensis & vars.	Redbud
Crataegus marshallii	Parsley Leaf Hawthorn
Crataegus spathulata	Little Hip Hawthorn
Fraxinus pennsylvanica vars.	Green Ash
Ilex decidua	Possumhaw
Ilex opaca & vars.	American Holly
Ilex vomitori	Yaupon Holly
Koelreuteria bipinnata	Goldenrain Tree
Lagerstroemia indica vars.	Crapemyrtle
Liquidambar styraciflua & vars.	Sweetgum
Ligustrum japonicum (tree form)	Wax Leaf Ligustrum
Magnolia grandiflora & vars.	Southern Magnolia
Magnolia soulangiana & vars.	Saucer Magnolia
Magnolia virginiana	Sweet Bay Magnolia
Myrica cerifera	Southern Bayberry
Parkinsonia aculeate	Retama
Platanus occidentalis	Sycamore
Prunus caroliniana	Cherry Laurel
Pyrus calleryana & vars.	Callery Pear
Quercus falcate & vars.	Southern Red Oak
Quercus nigra	Water Oak
Quercus nuttallii	Nuttall Oak
Quercus phellos	Willow Oak
Quercus shumardi	Shumard Oak
Quercus texana	Texas Red Oak
Quercus virginiana	Live Oak
Sapium sebiferum	Chinese Tallow
Taxodium districhum	Bald Cypress
Ulmus crassifolia	Evergreen Elm



## Shrubs

### Botanical Name

### Common Name

Berberis thunbergii "Crimson Pyrgmy"	Crimson Pygmy Barberry
Buxus microphylla japonica	Japanese Boxwood
Camellia sasanqua vars.	Sasanqua Camellia
Chamaerops humulis	Mediterranean Fan Palm
Cleyera japonica	Japanese Cleyera
Cycas revoluta	King Sago Palm
Elaeagnus pungens vars.	Elaeagnus
Eriobotrya x "Coppertone"	Coppertone Loquat
Fatsia japonica	Fatsia
Feijoa sellowiana	Pineapple Guava
Gardenia jasminoides "Radicans"	Dwarf Gardenia
Ilex cornuta vars.	Chinese Holly
Ilex decidua	Possumhaw
Ilex vomitoria & vars.	Yaupon Holly
Juniperus spp. & vars.	Juniper
Lagerstroemia indica (dwarf vars.)	Dwarf Crapemyrtle
Ligustrum japonicum & vars.	Wax Leaf Ligustrum
Ligustrum sinense "Variegatum"	Variegated Privet
Mahonia bealei	Leatherleaf Mahonia
Michelia figo	Banana Shrub
Myrica cerifera	Southern Bayberry
Nandina domestica & vars.	Nandina
Nandina domestica "Compacta"	Compact Nandina
Nerium Oleander (hardy vars.)	Oleander
Photinia Fraseri	Fraser's Photinia
Pittosporum tobira & vars.	Pittosporum
Pyracantha spp. & vars.	Pyracantha
Raphiolepis indica vars.	Indian Hawthorn
Rhododendrom (Azalea) spp. & vars.	Azalea
Viburnum japonicum	Japanese Viburnum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Viburnum tinus & vars.	Laurustinus Viburnum
Xylosma congestum	Shiny Xylosma
Yucca spp. & vars.	Yucca

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## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
Asparagus sprengeri  
Berberis thunbergii "Crimson Pygmy"  
Cyrtomium falcatum  
Gardenia jasminoides "Radicans"  
Hedera canariensis  
Hedera helix & vars.  
Juniperus spp. & vars.  
Liriope muscari & vars.  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Nandina domestica "Harbour Dwarf"  
Ophiopogon japonica  
Ophiopogon japonicus "Nanus"  
Pyracantha "Red Elf"  
Pyracantha "Ruby Mound"  
Trachelospermum asiaticum & vars.  
Tachelospermum jasminoides & vars.

### Common Name

Ajuga  
Sprenger Asparagus  
Crimson Pygmy Bayberry  
Holly Fern  
Dwarf Gardenia  
Algerian Ivy  
English Ivy  
Juniper  
Liriope  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Harbour Dwarf Nandina  
Monkey Grass  
Dwarf Monkey Grass  
Red Elf Pyracantha  
Ruby Mound Pyracantha  
Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdetum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue KY-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignonia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Milletia reticulata  
Rosa banksiae  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jasmine  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks' Rose  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikartii  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtonium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Firkarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting

(March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta begonia  
Marigolds  
Portulaca

### Fall Planting

(October/November)

Calendula  
Pansy  
Snapdragons  
Dianthus  
Mums

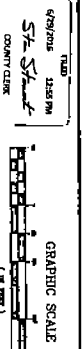
## **XI. LIST OF ILLUSTRATIONS**

- I-1 Windstone Colony, Section Nine
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Side Lot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Side Yard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony logo and Logo Type

**STATE OF TEXAS**  
 COUNTY OF TARRANT  
 CITY OF DALLAS  
 I, the undersigned, County Clerk of Tarrant County, Texas, do hereby certify that the within and foregoing plat is a true and correct copy of the original plat as the same appears on the records of the County Clerk's office, and that the same has been duly recorded and indexed in accordance with the laws of the State of Texas.

RECORDED  
 APR 25 1972  
 COUNTY CLERK

*W.C.R.R. CO. SURVEY*  
 APR 25 1972  
 COUNTY CLERK



W.C.R.R. CO. SURVEY  
 SEC. 20  
 ABSTRACT NO. 1521

WINDSTONE DRIVE  
 (1/4" = 1" SCALE)  
 (FILE CODE NO. 260000000)

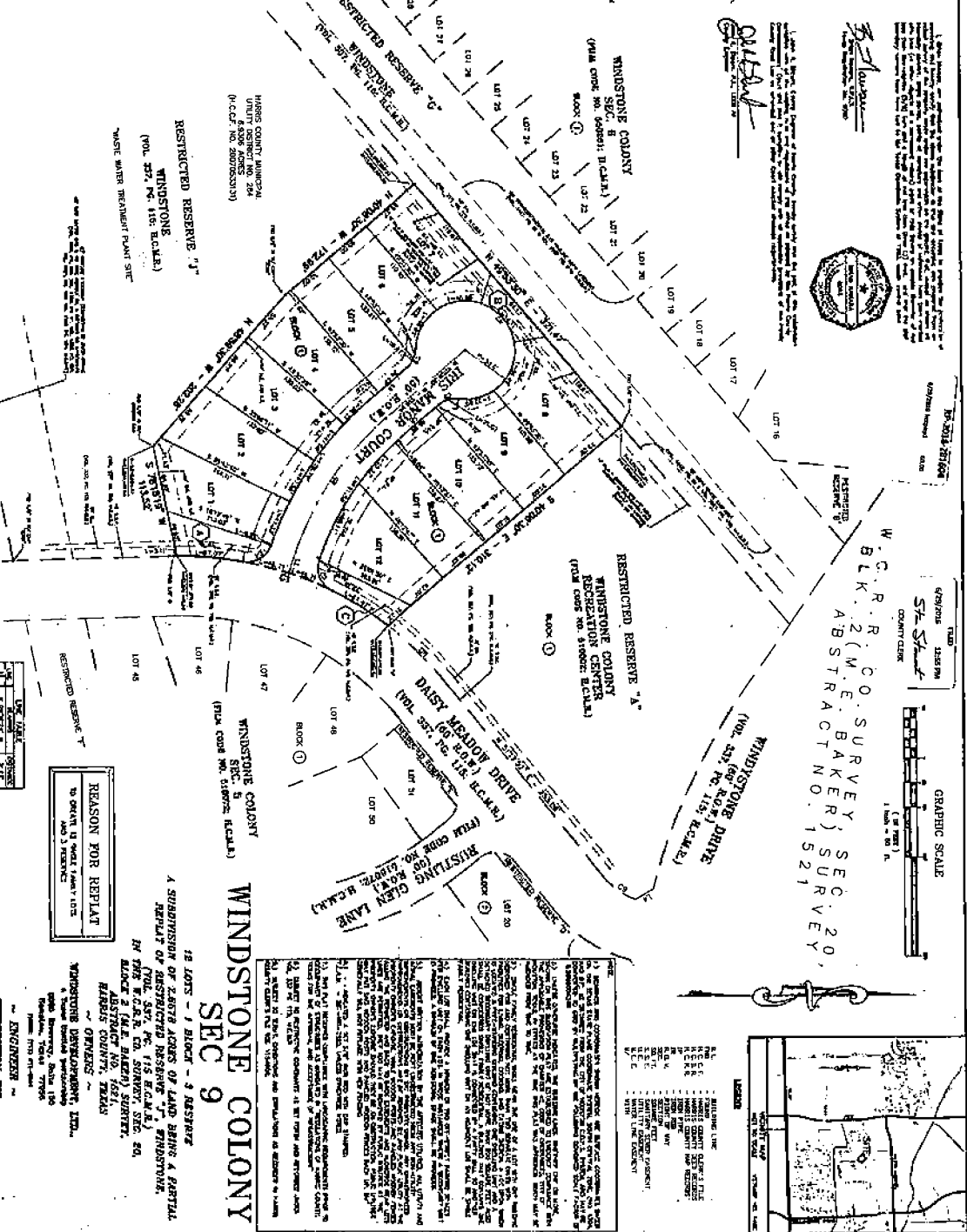
DAILY MEADOW DRIVE  
 (1/4" = 1" SCALE)  
 (FILE CODE NO. 260000000)

WINDSTONE DRIVE  
 (1/4" = 1" SCALE)  
 (FILE CODE NO. 260000000)

- LEGEND
- SOLID LINE ...
  - DOTTED LINE ...
  - DASHED LINE ...
  - SOLID LINE WITH DOTTED CENTER ...
  - SOLID LINE WITH DASHED CENTER ...
  - DOTTED LINE WITH DASHED CENTER ...
  - DOTTED LINE WITH SOLID CENTER ...
  - SOLID LINE WITH SOLID CENTER ...

**RESTRICTED RESERVE TABLE**

RESTRICTED TO WINDSTONE / DAILY MEADOW DRIVE	0.0075 ACRES	0.0075 AC (17)
RESTRICTED TO WINDSTONE / DAILY MEADOW DRIVE	0.0085 ACRES	0.0085 AC (17)
RESTRICTED TO WINDSTONE / DAILY MEADOW DRIVE	0.0902 ACRES	0.0902 AC (17)



**WINDSTONE COLONY SEC. 9**  
 (FILE CODE NO. 260000000)

**RESTRICTED RESERVE 7**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7A**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7B**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7C**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7D**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7E**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7F**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7G**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7H**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7I**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7J**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7K**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7L**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7M**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7N**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7O**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7P**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7Q**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7R**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7S**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7T**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7U**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7V**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7W**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7X**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7Y**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

**RESTRICTED RESERVE 7Z**  
 (POL. 527, PG. 116 B.C.M.A.)  
 WINDSTONE COLONY SEC. 9

REASON FOR REPLAT  
 TO COMPLY WITH SECTION 112  
 AND 113 B.C.M.A.

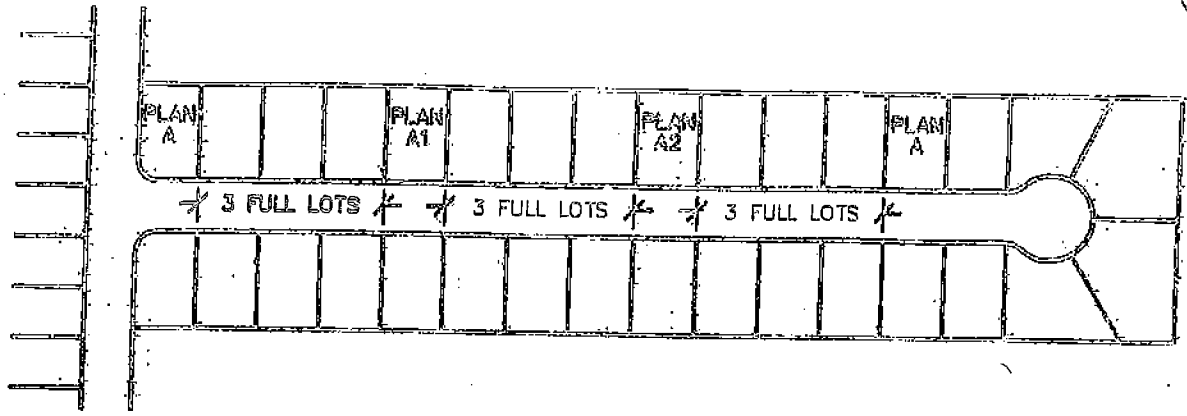
**WINDSTONE COLONY SEC. 9**  
 IS LOTS - 1 BLOCK - 9 RESERVE  
 A SUBDIVISION OF LOTS 1-26 OF A PARTIAL  
 PLAT OF RESTRICTED RESERVE '7' WINDSTONE  
 IN THE W.C.R.R. CO. SURVEY SEC. 20  
 ABSTRACT NO. 1521 TARRANT  
 COUNTY, TEXAS

**OWNERS -**  
 WINDSTONE DEVELOPMENT LTD.  
 5200 Westwood Drive  
 Dallas, Texas 75206  
 Telephone: 754-7700

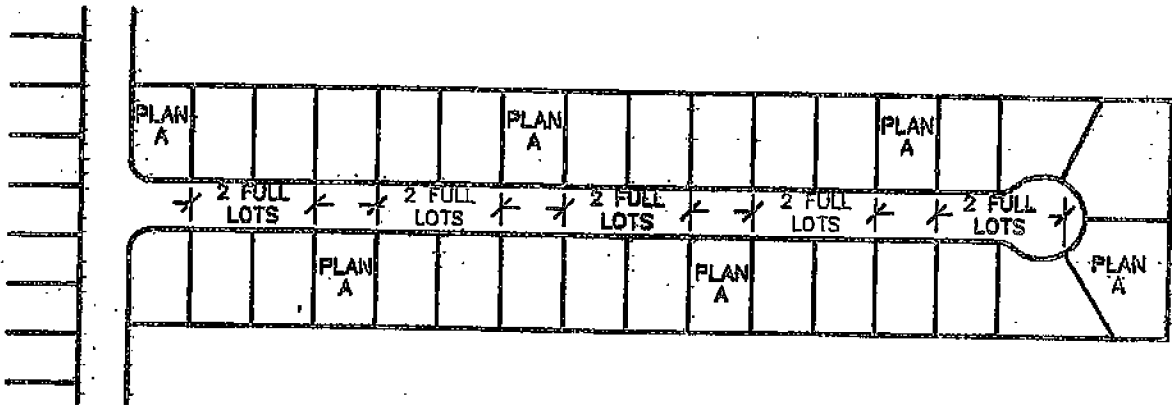
**ENGINEER -**  
 BERTRAM, INC.  
 1420 Park Blvd.  
 Dallas, Texas 75201  
 Telephone: 754-3333

**SURVEYOR -**  
 TEXAS ENGINEERING AND SURVEYING COMPANY  
 5505 West Loop West  
 Suite 100  
 Dallas, Texas 75202  
 Telephone: 754-1300

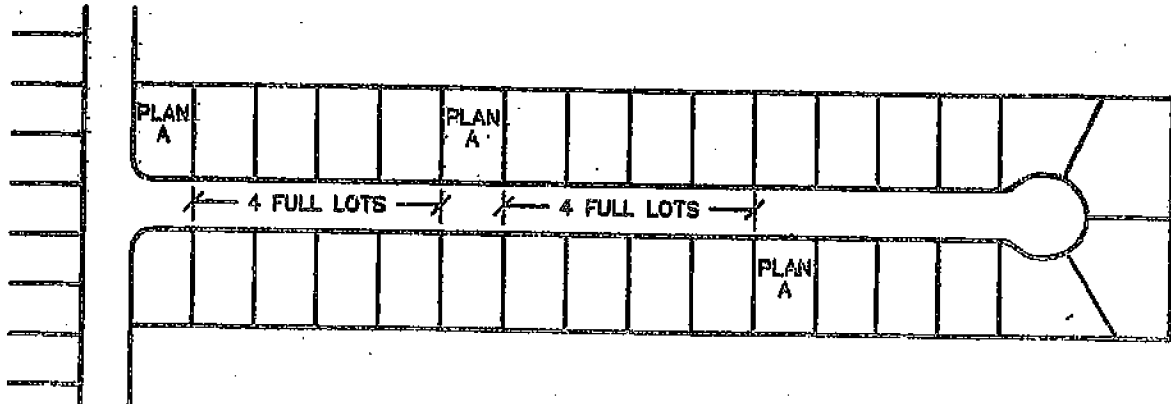
1 SAME PLAN, DIFFERENT ELEVATION, SAME SIDE



2 SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE



3 SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

HOUSING PLAN AND  
ELEVATION REPETITION

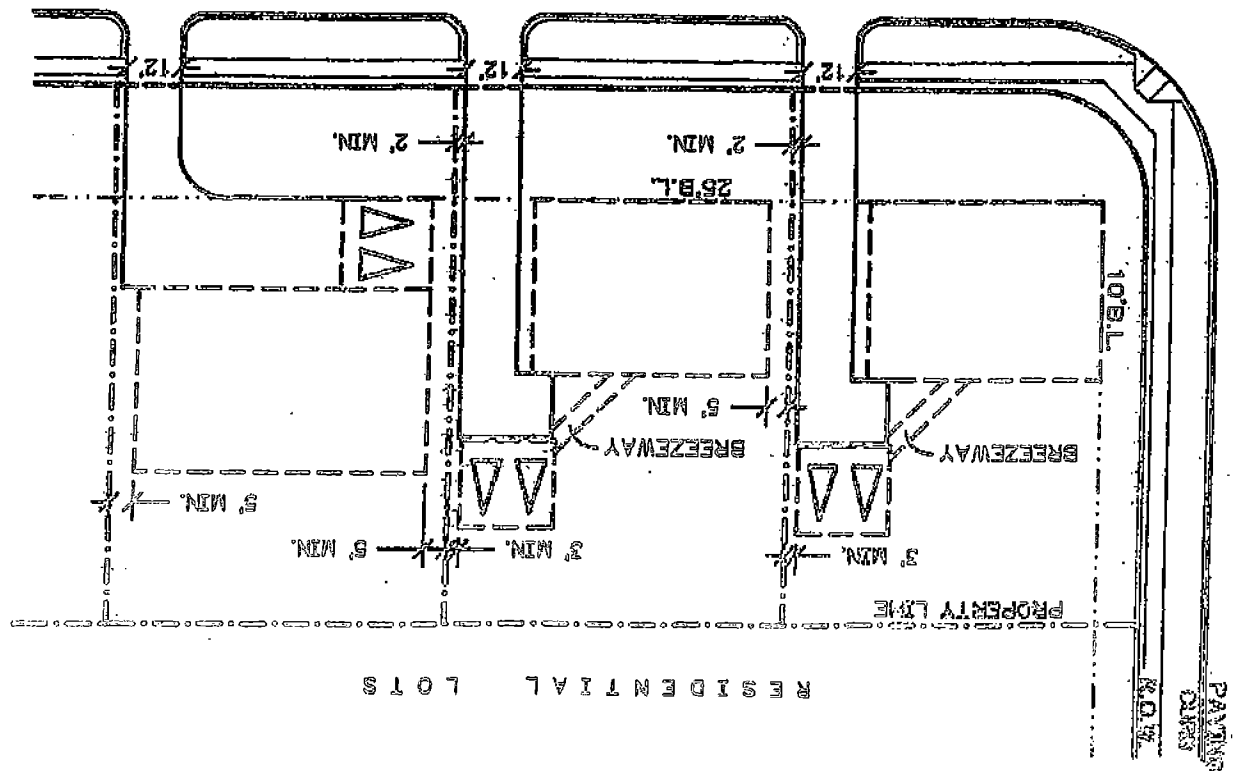
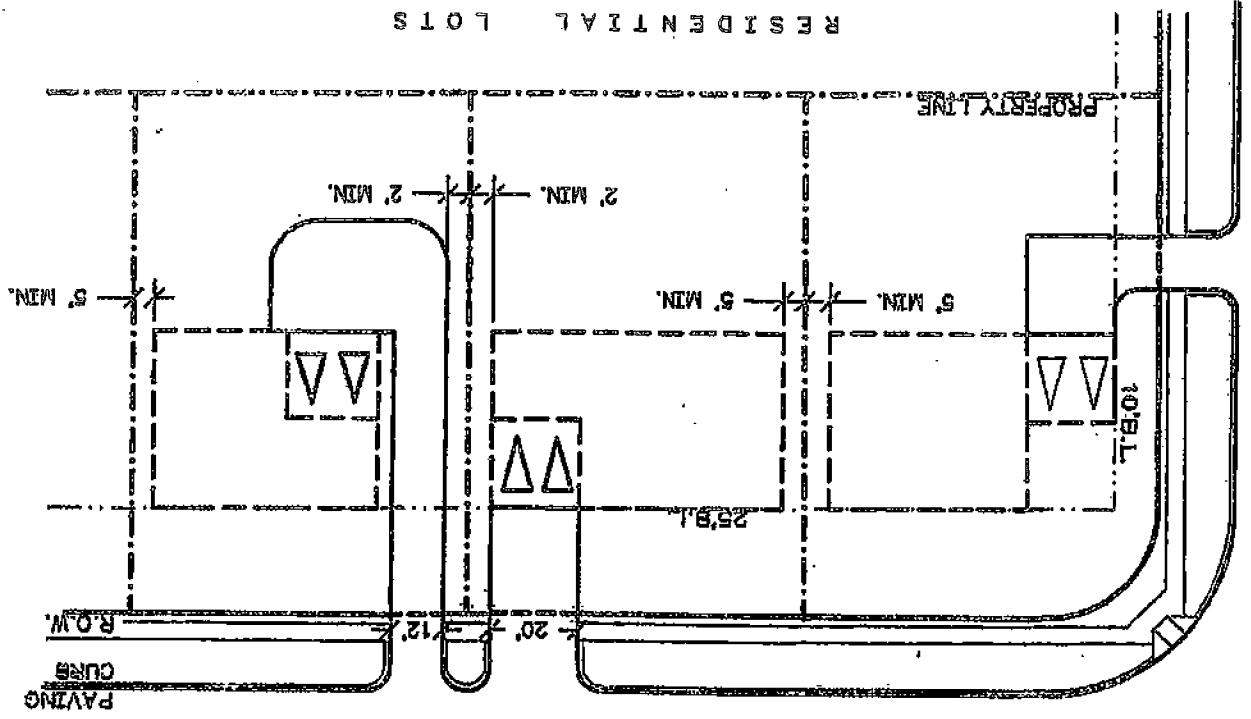
ILLUSTRATION II-1

RP-2017-59611

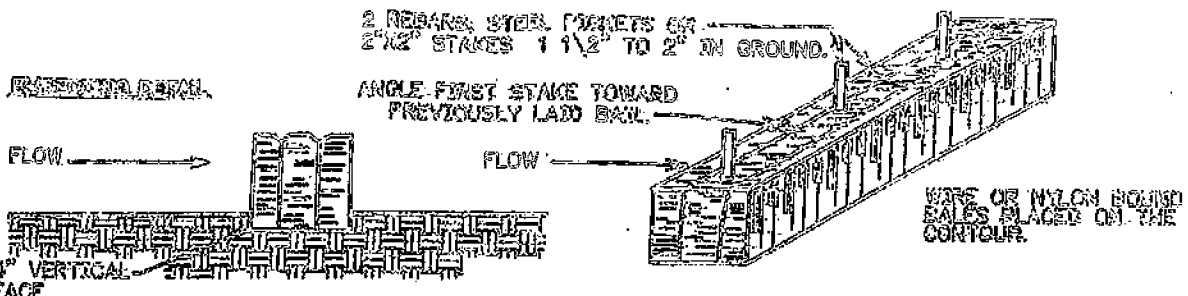
ILLUSTRATION II-2

GARAGE AND  
DRIVEWAY PLACEMENT

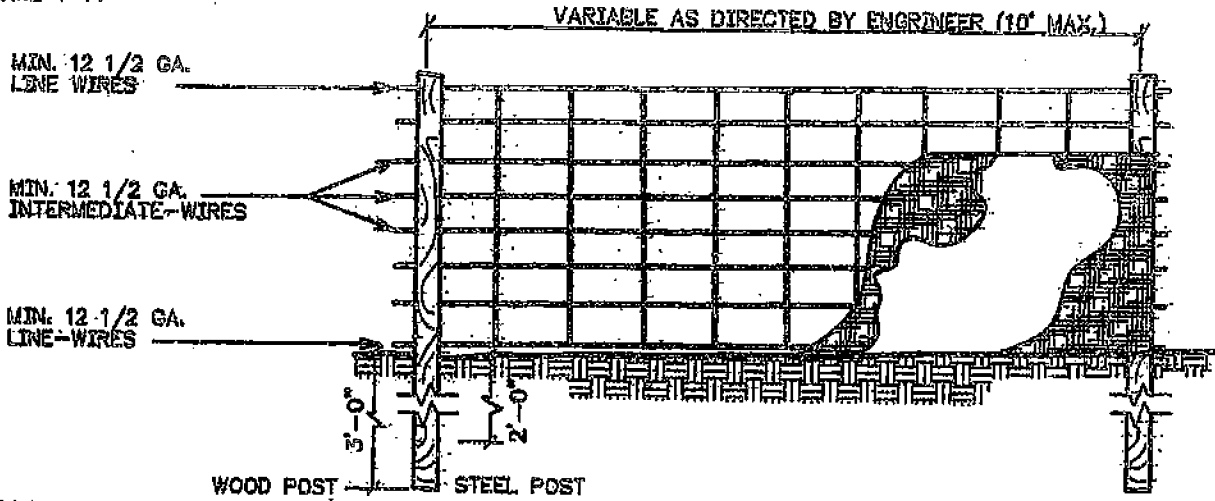
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.



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SOURCE:  
 EROSION AND SEDIMENT CONTROL GUIDELINES FOR  
 DEVELOPING AREAS IN TEXAS, U.S. DEPT. OF  
 AGRICULTURE SOIL CONSERVATION SERVICE FIG. 4-B,  
 PAGE 4-77



SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

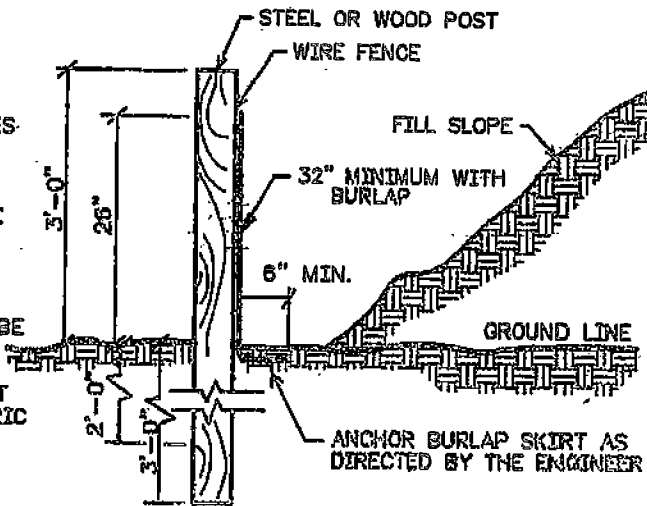
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

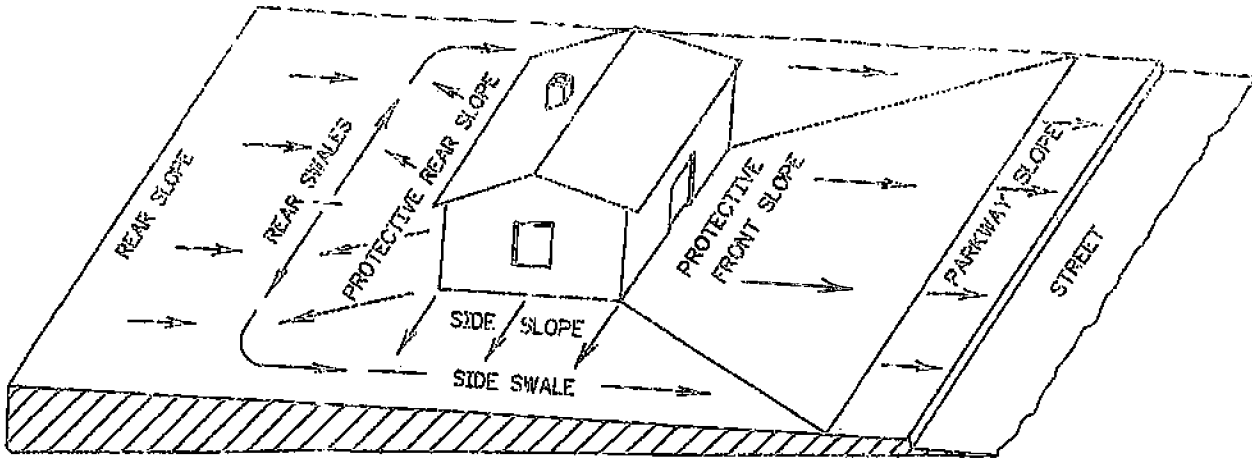


**TEMPORARY SEDIMENT CONTROL**

ILLUSTRATION III-1

RP-2017-59611

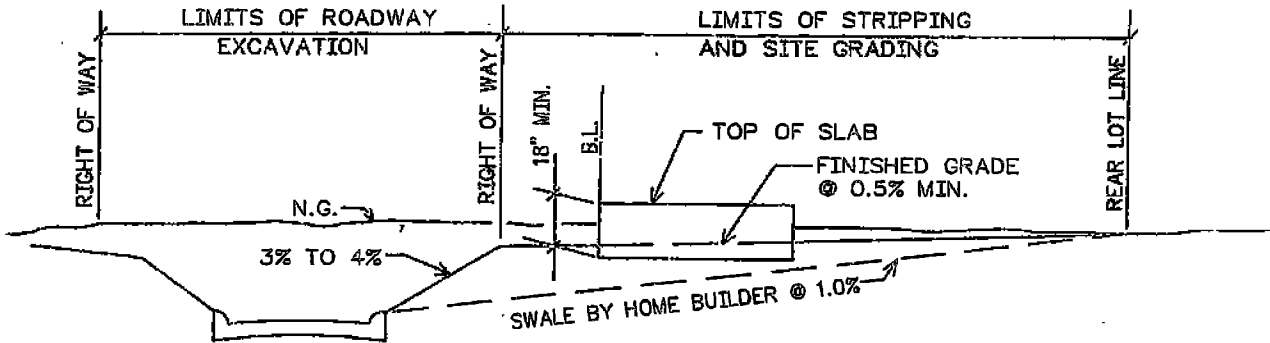




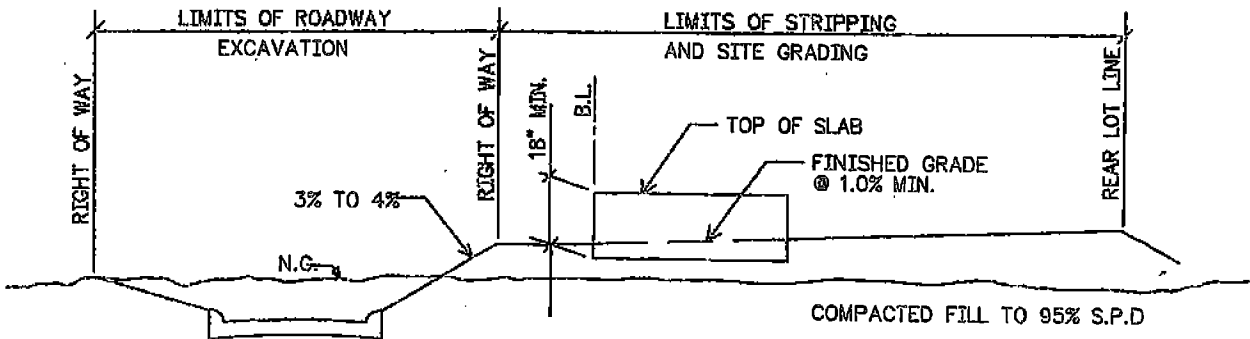
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**FHA LOT GRADING TYPE "A"**



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18" FHA BLOCK GRADING, TYPE "T"**



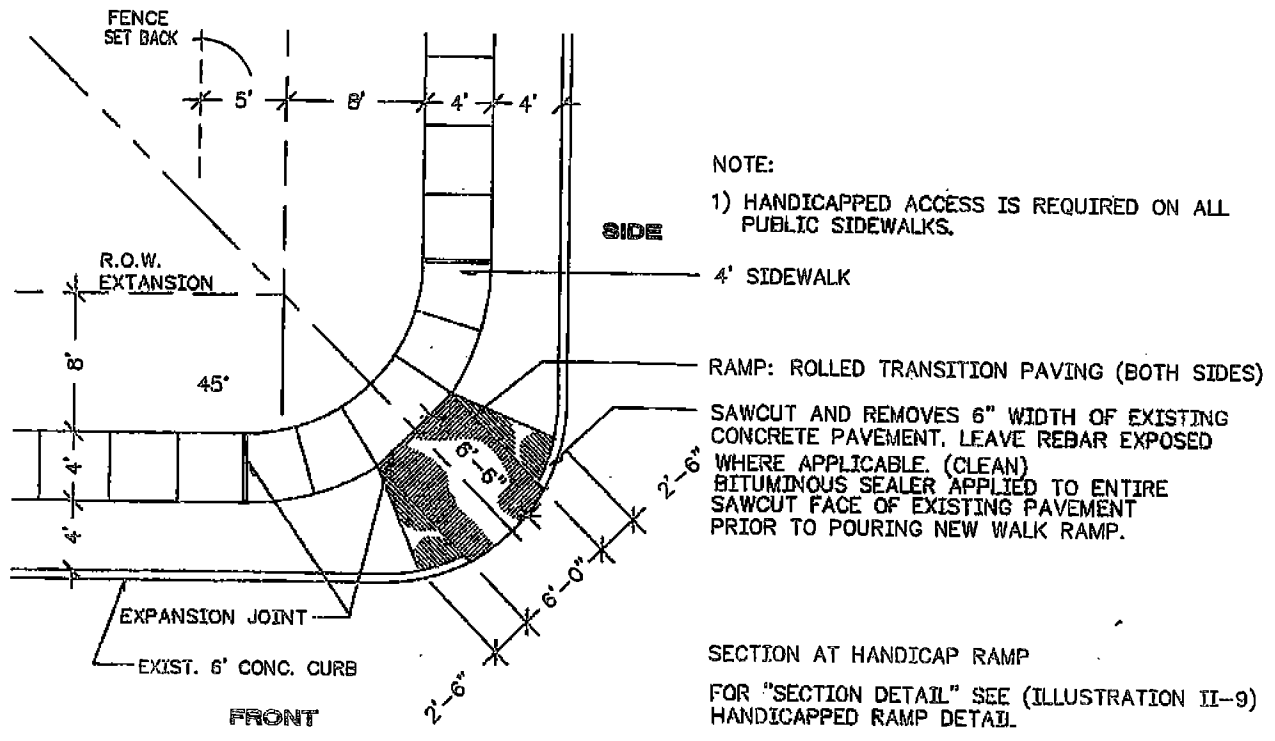
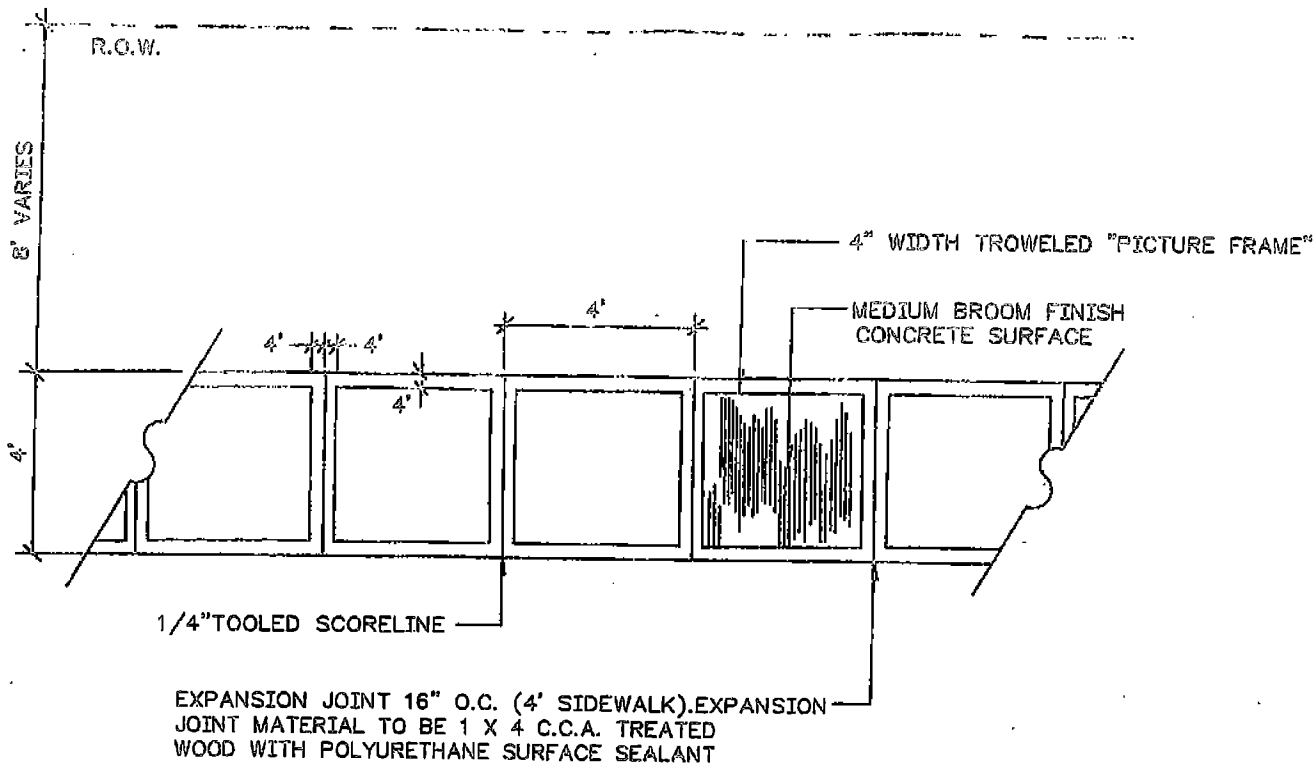
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18" FHA BLOCK GRADING, TYPE "T"**

NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**

ILLUSTRATION IV-1

RP-2017-59611



NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

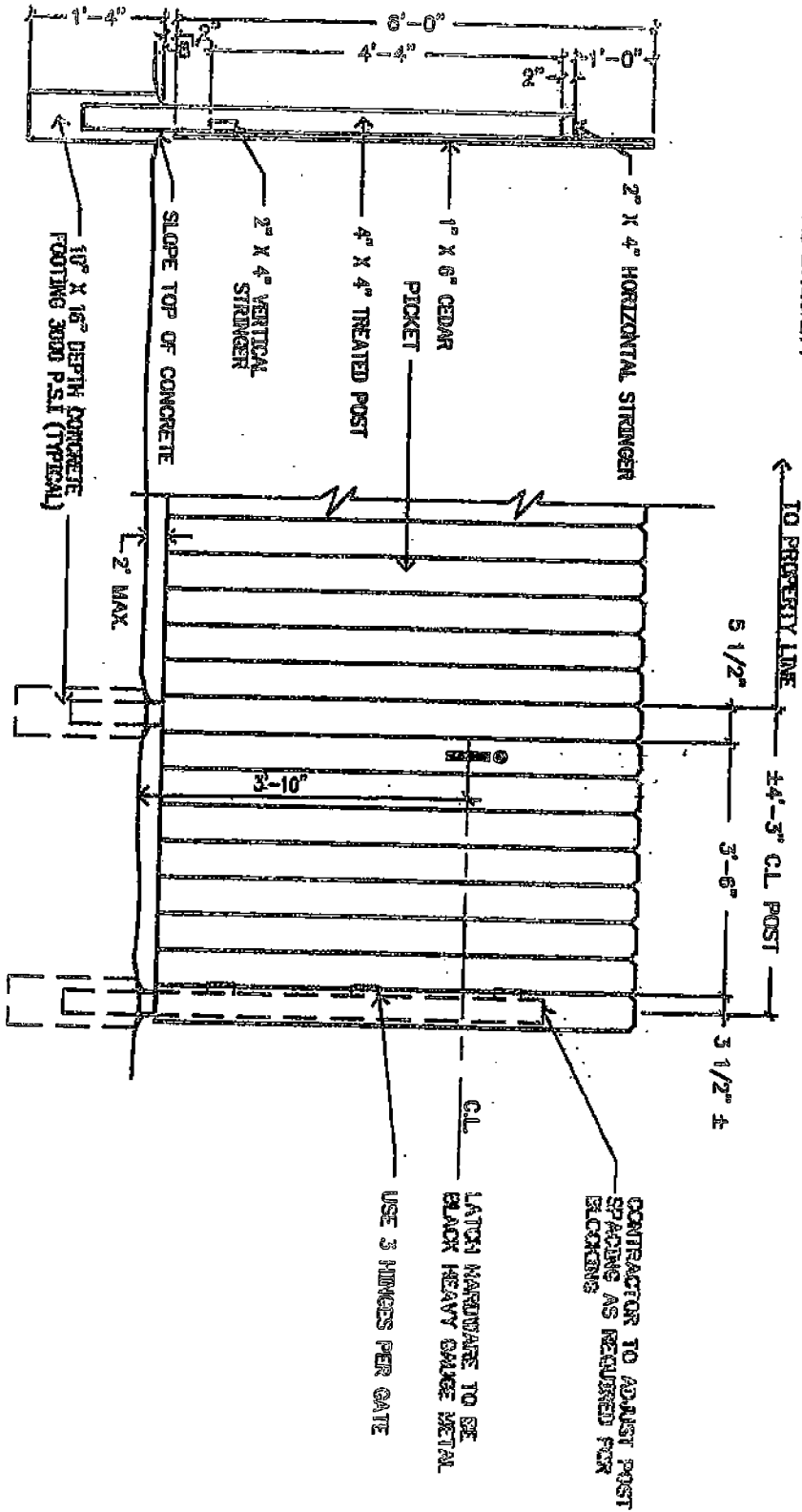
**SIDEWALK DETAIL**

ILLUSTRATION IV-2

RP-2017-59611

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 3d ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRACING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



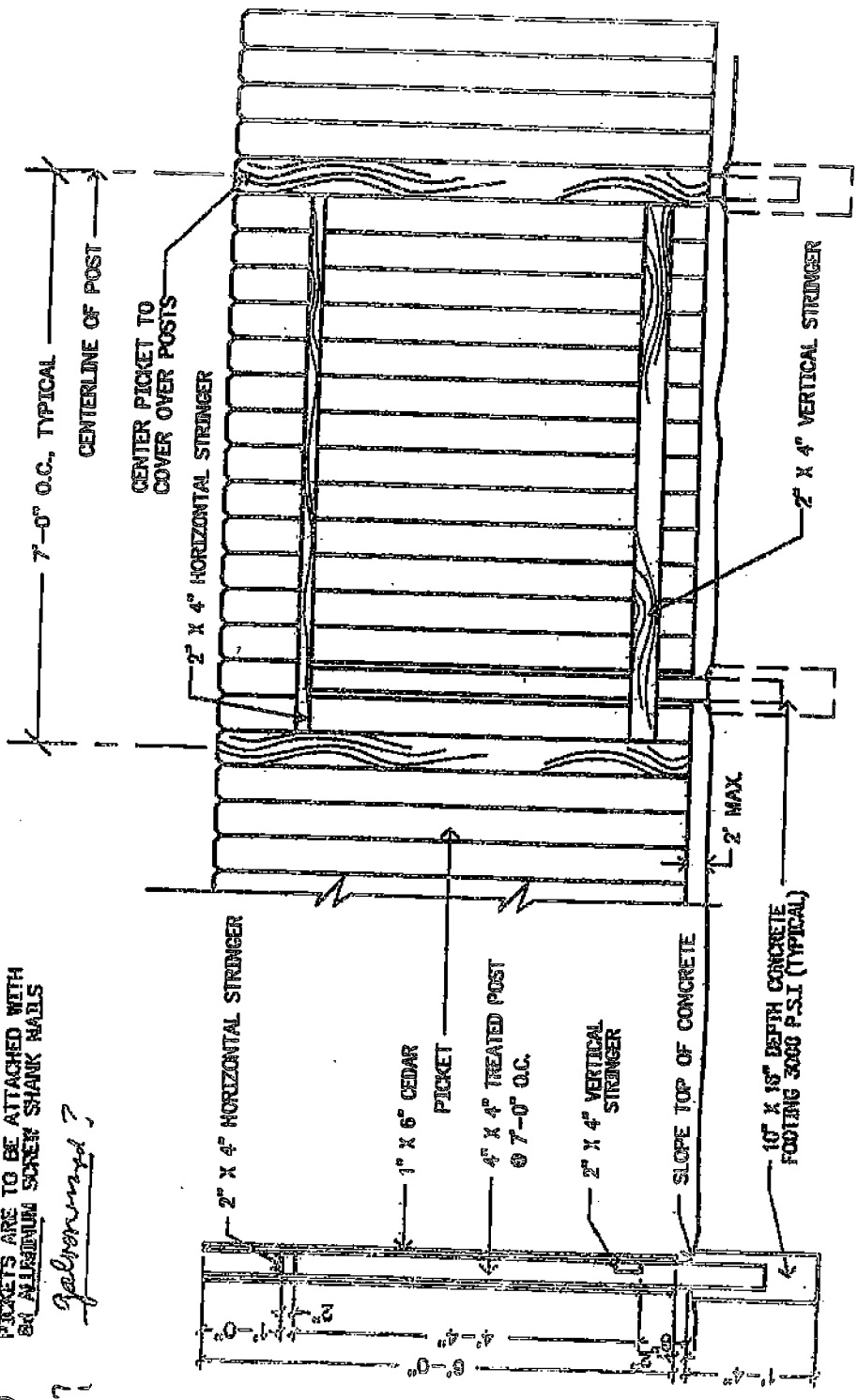
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL HINGED GATE

ILLUSTRATION IV-3

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
  - 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
  - 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
  - 4) PICKETS ARE TO BE ATTACHED WITH 8d ALLBRUM SPOUR SHANK NAILS
- 7 galvanized?

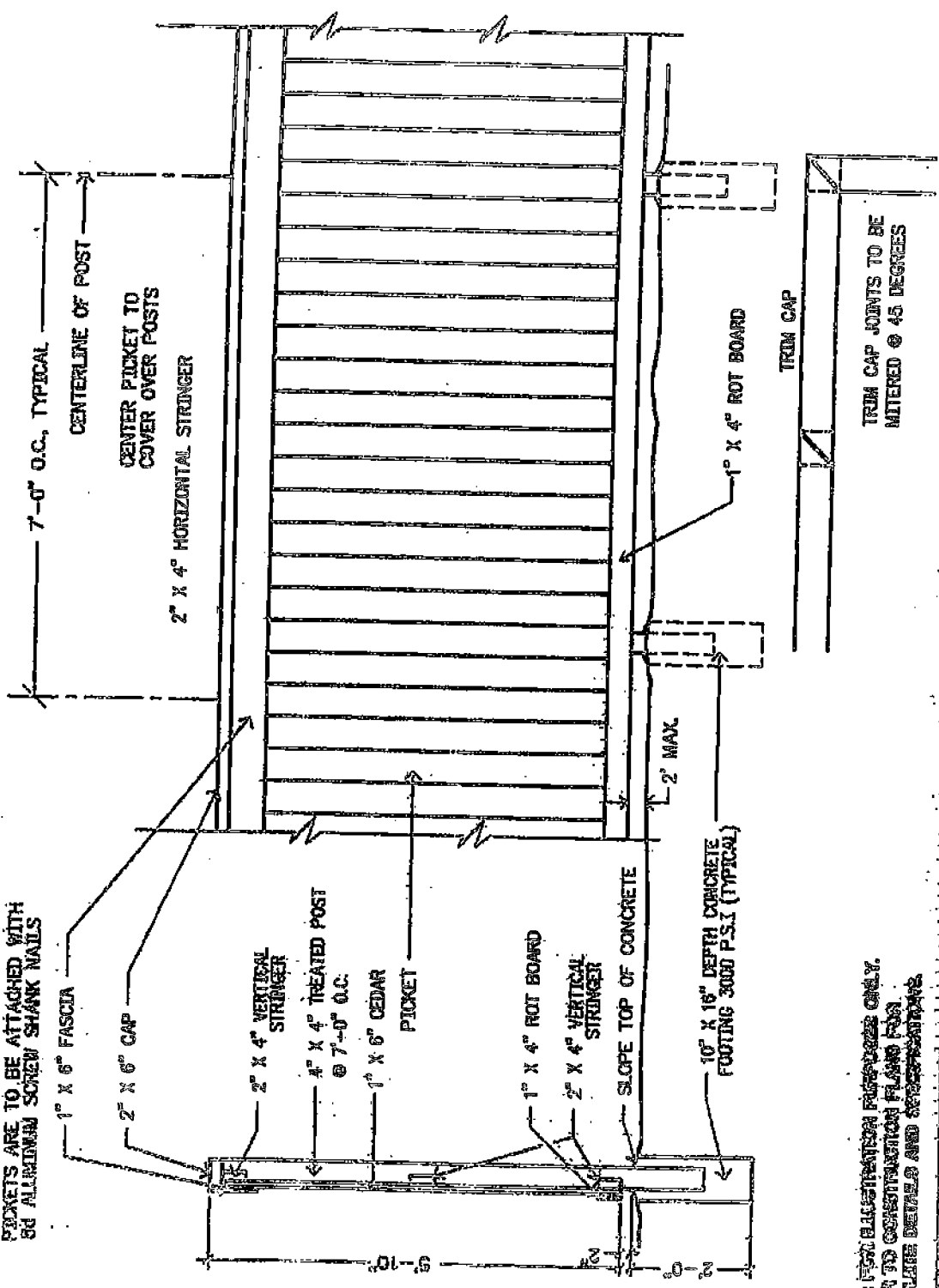


NOTE FOR ELECTRICAL PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8D ALUMINUM SCREW SHANK NAILS

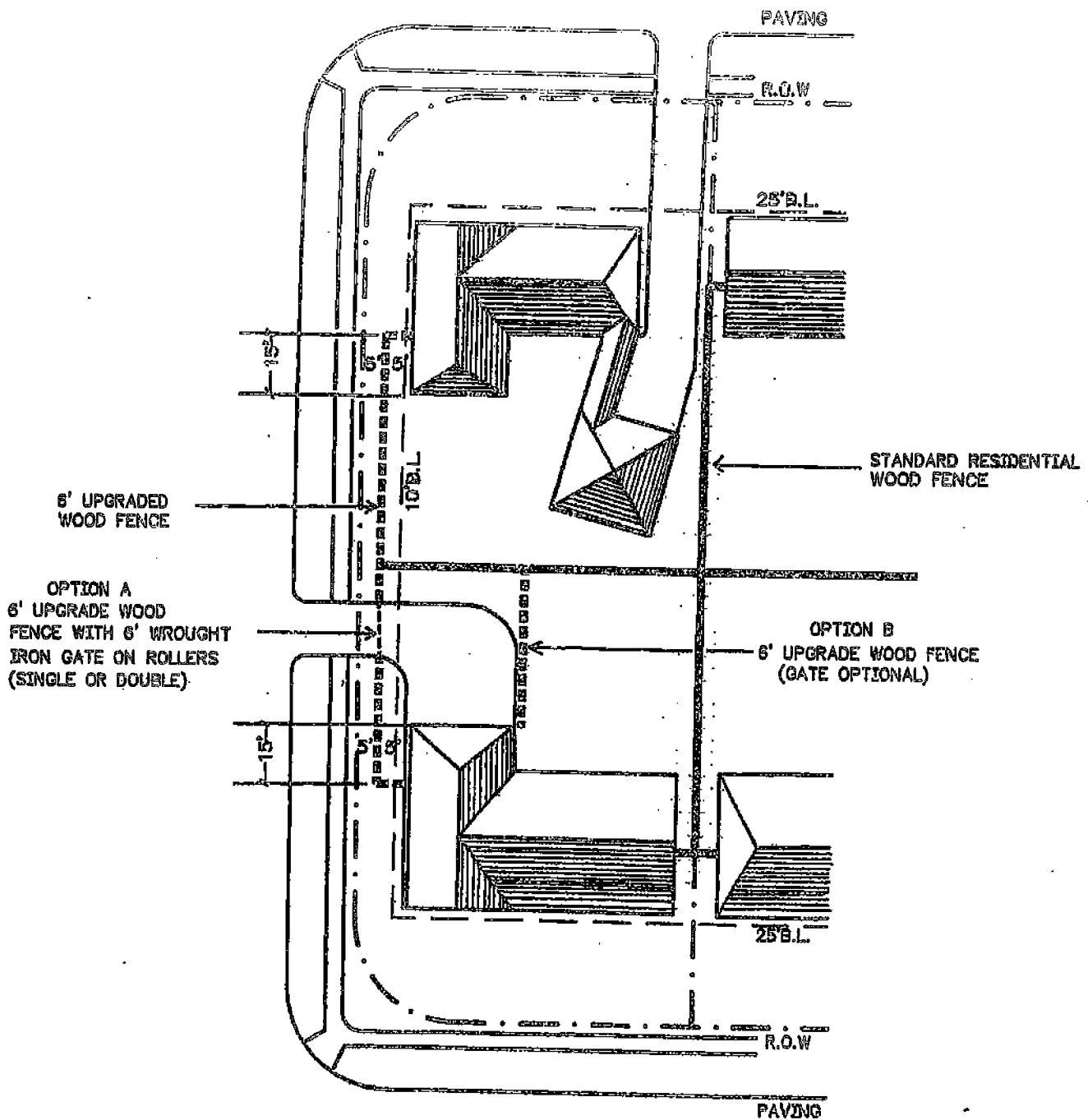


NOTE FOR ELECTRICAL PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE**

ILLUSTRATION IV-5

RP-2017-59611



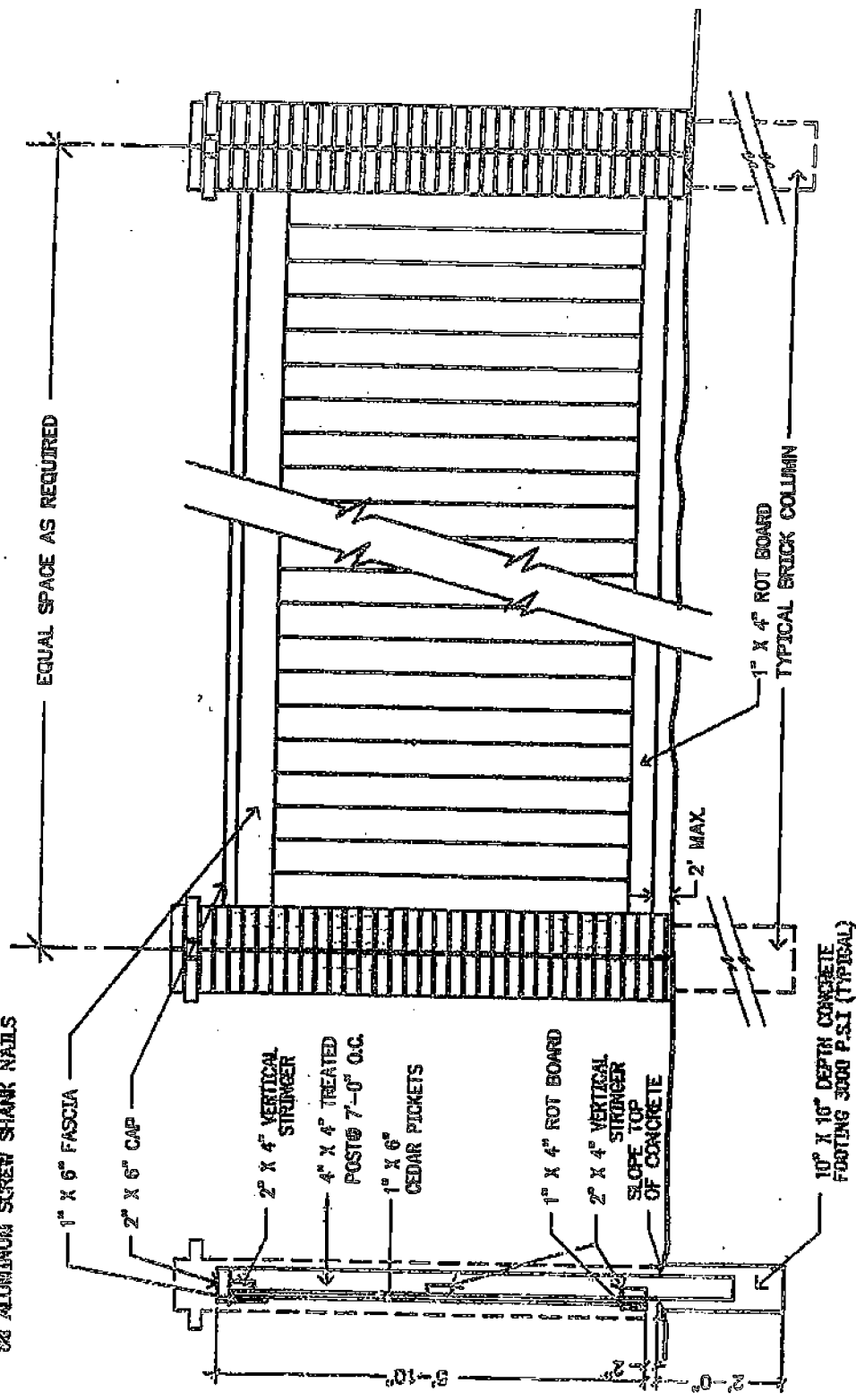
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**SIDELOT FENCING SETBACK/  
CORNER LOTS**

ILLUSTRATION IV-6

NOTES:

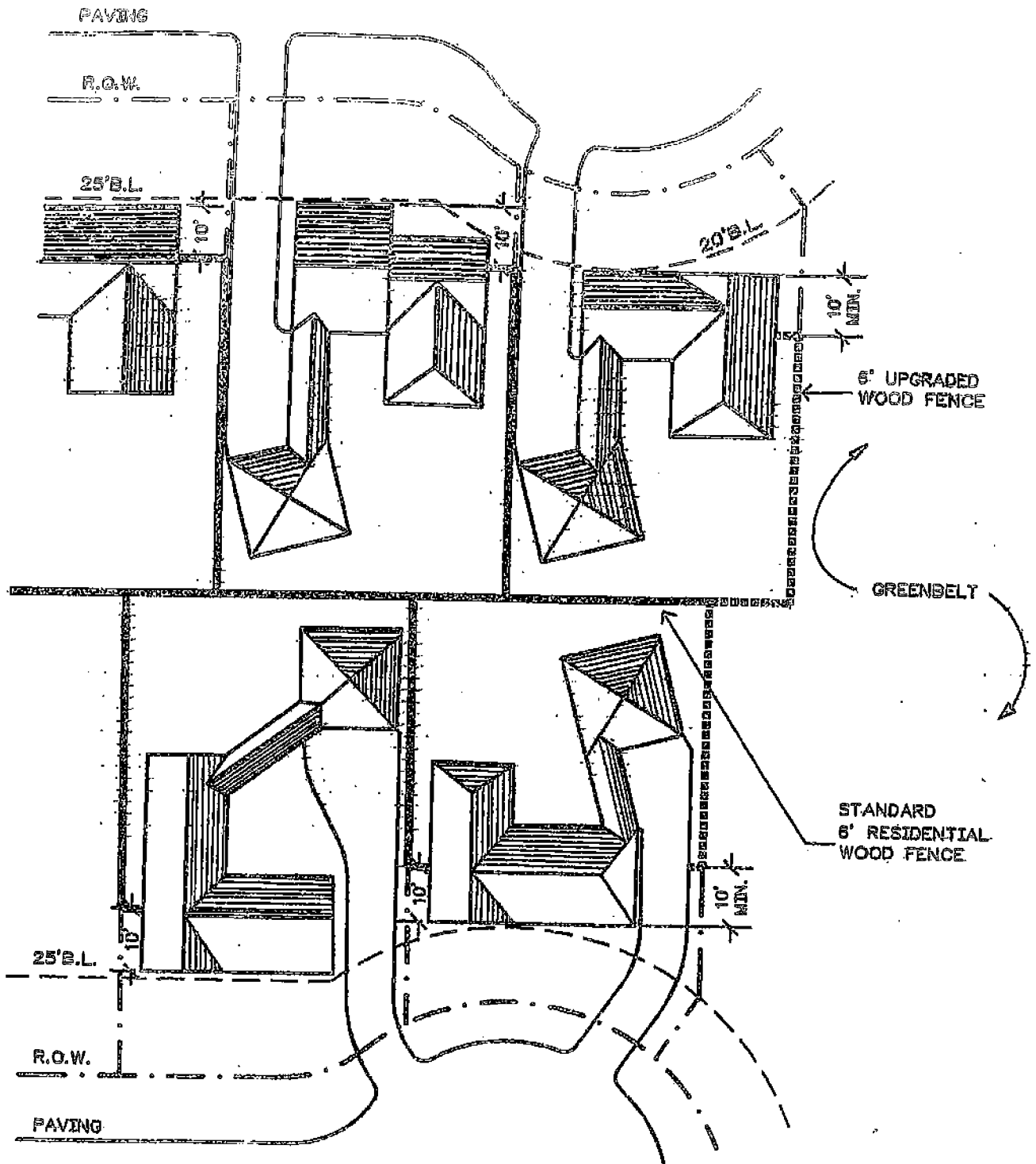
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 6d ALUMINUM SCREW SHANK NAILS



NOTE FOR ALUMINUM PICKETS ONLY:  
REFER TO CONSTRUCTION PLAN FOR  
COMPLETE DETAIL AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE WITH  
BRICK COLUMNS**

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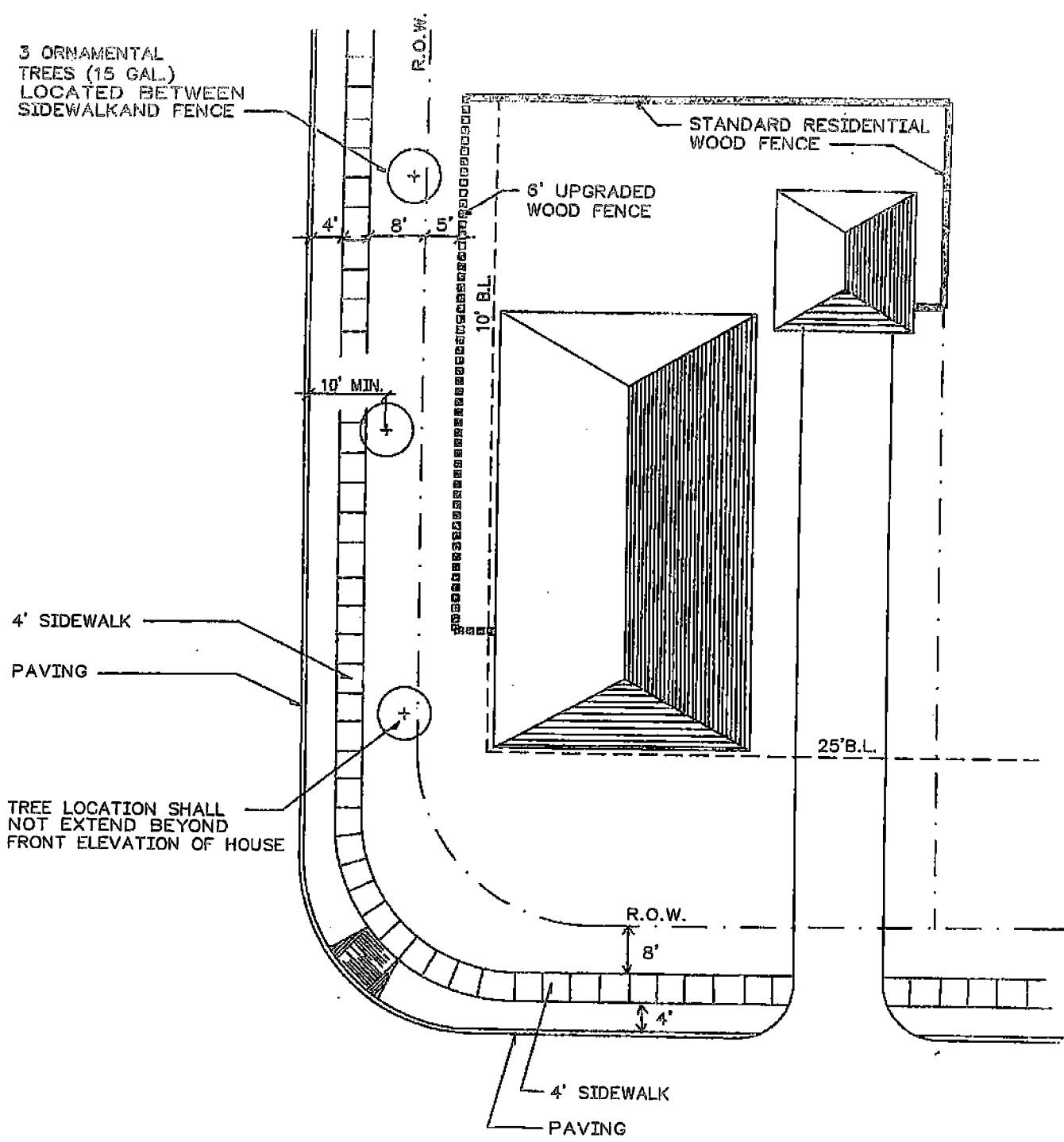
NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEYARD FENCING SETBACK /  
GREENBELT LOTS**

ILLUSTRATION IV-8



RP-2017-59611



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**CORNER LOT LANDSCAPING**

ILLUSTRATION IV-9

ILLUSTRATION V-1



**W**  
**WINDSTONE**  
*Colony*

PMS BLUE 5395, BEIGE 472

RP-2017-59611

RP-2017-59611  
# Pages 49  
02/10/2017 10:45 AM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$204.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2017-59611

\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE \*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION.

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**BUILDER GUIDELINES**  
**for**  
**WINDSTONE COLONY SOUTH**  
**SECTION ONE**

**I. INTRODUCTION**

Windstone Colony South is a residential development of Windstone Development, Ltd. The objective of these Builder guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony South and over which **Windstone Colony Architectural Review Committee (A.R.C.)** will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony South and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony South is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition,

Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.

Builders within Windstone Colony South are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony South is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony South be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## **II. NEIGHBORHOOD PLANNING ELEMENTS**

Residential development within Windstone Colony South is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living area requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants,

Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages.

**Windstone Colony South, Section One:**

Minimum living area, single story	1100 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2850 sq. ft.

**Site Massing and Exterior Elevations**

- \* If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

**Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony South guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

**Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for a specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat.

A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* 20 foot (20') front yard setback lines on typical lots
- \* 20 foot (20') front yard setback lines on typical cul-de-sac lots;
- \* 5 foot (5') side yard setback lines on typical lots;
- \* 15 foot (15') side yard setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three foot (3') side yard building setback line; and
- \* 14 foot (14') rear building setback line (except for detached garages)

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscaped area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

#### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

#### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service.

Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.

- \* Generally, interior lots contain a seven (7') foot wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries and non-residential tracts typically contain a fourteen foot (14') wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony South shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris must be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such a purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony South are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, one of three basic sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment or drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.



## **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six (6) inches in caliper at a point six (6) inches above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible ideally, at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches, or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured on the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and,
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

## **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of

permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C. All temporary buildings must be placed a minimum of 25 feet off of the street r.o.w.; no temporary building may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### **IV. LOT ELEMENTS**

##### **Grading and Drainage**

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

##### **Lot Coverage**

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

##### **Driveways**

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6"x6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be

approved by the A.R.C. Asphalt paving is prohibited.

- \* Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two feet (2') from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).
- \* Driveways serving attached two car garages facing the street shall be a minimum of sixteen feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways while leaving a significant amount of green space. Under no circumstance may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony South and are to be constructed by the lot builder in accordance with the specifications shown in Illustration IV-2.

- \* All sidewalks within Windstone Colony South must conform to all applicable City of Houston rules and regulations and to the Americans With Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.

- \* Manholes and valve boxes located within sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.
- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area minimum three feet (3') for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.

- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.
- \* All other structures including gazebos, storage buildings, playhouses, decks greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven feet (7') in height at its highest elevation.
  - Structure must not exceed eighty (80) square feet in size.
  - Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint is required at the time of construction.
  - Roof must be the same color and type as the main dwelling.
  - Structure must be unobstructed from public view.

#### **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view.
- \* Must not exceed nine feet (9') in height when attached to the roof of the main dwelling.

- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

### **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To insure compatibility of fence design throughout Windstone Colony South, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.
- \* A maximum fence height of 6'-0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to be level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single sided hinged gate shall be installed in the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found within Windstone Colony South.

### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six (6) feet in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven (7) foot panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

### Typical Corner Lot

- \* The fencing located on the exterior lot side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The 2' x 6' trim cap shall consist of treated cedar with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1' x 4' rot board must also be included. **Lots requiring this fencing are Lots 1, 15, 16, 32, 33, and 61 in Block 1, Lots 1 and 9 in Block 2, and Lots 1, 27, 28 and 50 in Block 3.**
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### Corner Lots at Neighborhood Entrances

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum 15 feet past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Greenbelt Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt shall be constructed with a six foot (6') high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6'. Trim cap joints are to be mitered at 45 degrees.
- \* Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls**

Developer will provide a six (6) foot wood upgrade fence on the rear property line of Lots 1 through 10 in Block 1. However, Builder shall reimburse Developer Eight and 50/100<sup>th</sup> Dollars (\$8.50) per linear foot where Developer has constructed special fencing in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.



- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscape lighting affect (such as affixed to trees as up and down lights) is permissible.

### **Screening**

Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

### **Landscaping**

The Builder is responsible for landscaping all areas on his property and the portion of the street right-of-way between the property line and the street curb. Plantings other than groundcovers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

#### Lots 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twelve larger shrubs (minimum 5 gallon), fifteen smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for

the size of the planting bed. A maximum of five (5) different species of planting may be utilized within a front yard.

Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of sixteen larger shrubs (minimum 5 gallon), twenty smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of planting may be utilized within a front yard.

Lots 65' in Width and Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twenty larger shrubs (minimum 5 gallon), twenty-five smaller shrubs (minimum 1 gallon) and two 15 gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of planting may be utilized within a front yard.
- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc., are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are ryerson steel and horizontal timber (2" x 4", 2" x 6", 4 " x 4", and 4" x 6").
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized for

drainage purposes. Specimen boulders are permitted.

\* The front lawn of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.

\* Tree requirements are as follows:

<u>Lot Width</u>	<u>Trees Required</u>	<u>Type</u>	<u>Caliper</u>	<u>Height</u>
49' or less	1	1 Hardwood	4"	12'
50' -- 64'	2	1 Hardwood	4"	12'
		1 Ornamental	N/A	
65' and over	3	2 Hardwoods	4"	14'
		1 Ornamental	N/A	

\* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

\* Tree stakes must be made out of wood, 2 inches in diameter by 6 feet long.

\* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use his best efforts to notify owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:

- a. Adequate watering;
- b. Appropriate fertilization;
- c. Pruning;
- d. Mowing;
- e. Weed control in lawns and planting beds;
- f. Seasonal mulching of planting beds;
- g. Insect and disease control;
- h. Replacement of diseased or dead plant materials; and,
- i. Warranty of all planting materials.

### Corner Lots

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* One additional hardwood tree in front/side yard.
- \* Three (3) ornamental trees in 15 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point 10 feet from the rear property line or driveway, if applicable, on fifteen (15) foot centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### **Greenbelt Lots**

Supplemental landscaping specifications for all greenbelt lots include the following:

- \* One tree, minimum four inch (4") caliper when measured six inches (6") above the ground, must be planted in the rear yard of all lots abutting a greenbelt. The tree should be planted on the greenbelt side of the lot no further than 20 feet from the property line abutting the greenbelt.
- \* Use of hardwoods preferred, however, some pines can be introduced into planting. The accepted planting ratio is to be 2/3 hardwood and 1/3 pines.

### **Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## **V. HOUSING**

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony South. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in

Windstone Colony South be of the highest quality; as a minimum, Builders are required to warrant compliance with the Southern Building Code.

### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agency.

### **Exterior Materials**

Single-family residences within Windstone Colony South must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Hardiplank may be used on front and side elevations for accent or structural purposes, as approved by the A.R.C., or for other purposes approved by the A.R.C. Changes in materials should have a logical relationship to the changes in the form of the house.

- \* One story product – Shall be 100% masonry on three sides
- \* Two story product – Shall be 100% masonry on the front elevation; 100% masonry on the lower half of two sides totaling 50% masonry on each side.
- \* **Lot 1 in Block 1 shall be 100% masonry.**

Samples of all exterior building materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony South must comply with the following standards and/or guidelines.

### **Masonry**

- \* **Stone**  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.
- \* **Brick**  
Brick used on residences in Windstone Colony South shall meet standard specifications established by the Brick Institute of America. These

standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87.

\* **Mortar Joints**

All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

**Hardi Plank**

\* Hardi plank siding must be used for all siding product or in conjunction with masonry. Only hardiplank will be acceptable for such use.

\* Wood siding is prohibited.

\* Vinyl siding is prohibited.

\* **Trim**

All wood trim shall be smooth, high quality finish-grade stock and must be stained or painted as approved by A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

**Stucco**

\* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

**Metal**

\* Exposed metals shall be anodized aluminum, bronzer, copper or painted galvanized steel.

**Synthetic Materials**

\* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of A.R.C.

**Privacy Walls**

\* Privacy walls must match dwelling unit materials and shall be no more than 8 feet (8') in height. All privacy walls must have A.R.C. approval.

## **Window Treatment**

- \* Metal windows must be used and the finish shall compliment the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side facade, or on any facade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

## **Roof Treatment**

### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather gray.
- \* Wood shingles are strictly prohibited.

### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in 12, except where a deck is called for.

### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate.

### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence is acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage space is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.



- \* Windows with shutters or blinds may be required on the facade of a side or rear loaded attached garages to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

#### **Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

#### **Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

#### **Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by A.R.C.

#### **Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

### **VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

## **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

## **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony South shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

## **Site Improvements**

- \* Sidewalks do not necessarily need to be placed two feet inside the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

## **Parking**

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off street parking adds to the convenience of prospective buyers and improves the

streetscape in front of the model homes.

## VII. SIGNAGE

### **Model Home Park Signage**

- \* Signage for model home parks shall be approved by the Declarant, and shall conform to the city of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* See Illustration VII-1 for Windstone Colony South logo and logo type.

### **Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## VIII. SUBMISSION AND APPROVAL

### **Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by the Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony South and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

## General

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony South by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
1505 Highway 6 South, Suite 110  
Houston, Texas 77077

## Requirements

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in two phases prior to the construction of or any exterior improvement upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter

- b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Preliminary plans including:
- a. Floor plans @ 1/4 in. = 1'-0" minimum scale
  - b. Exterior elevations 1/4 in. = 1' - 0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
- a. Final architectural plans of drawings listed under Phase I above.
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

*On-Going Review*

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

- 1. Plan Submittal Form (see enclosed)
  - a. Production
- 2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
- 3. Construction documents and specifications for variations from standard
  - a. Floor plans @ 1/4 in. = 1' minimum scale
  - b. Exterior elevations 1/4 in. = 1' minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

**A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

Initial Review

Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

Phase II

Construction Documents	15 Days
------------------------	---------

On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

### **Approval Not A Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed improvements. Such approvals and design guidelines shall in no event be construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence or nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

**IX. PROJECT INFORMATION**

Developer and Project Management:  
**Windstone Development, Ltd.**  
5005 Riverway, Suite 150  
Houston, TX 77056

Engineer:  
**Sherrington, Inc.**  
8203 Willow Place South, #400  
Houston, Texas 77070

Land Planner:  
**Kerry R. Gilbert & Associates, Inc.**  
15810 Park Ten Place, Suite 160  
Houston, TX 77084

Landscape Architect:  
**Robert E. Forsythe**  
2230 Shadowdale  
Houston, TX 77043



X. APPENDIX

## RESIDENTIAL LOT MASTER PLANT LIST - A1

### TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer rubrum</i>	Red Maple
<i>Betula nigra</i>	River Birch
<i>Carya illinoensis</i> & vars.	Pecan
<i>Cersis canadensis</i> & vars.	Redbud
<i>Crataegus marshallii</i>	Parsley Leaf Hawthorn
<i>Crataegus spathulata</i>	Little Hip Hawthorn
<i>Fraxinus pennsylvanica</i> vars.	Green Ash
<i>Ilex decidua</i>	Possumhaw
<i>Ilex opaca</i> & vars.	American Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Koelreuteria bipinnata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> vars.	Crapemyrtle
<i>Liquidambar styraciflua</i> & vars.	Sweetgum
<i>Ligustrum japonicum</i> (tree form)	Wax Leaf Ligustrum
<i>Magnolia grandiflora</i> & vars.	Southern Magnolia
<i>Magnolia soulangiana</i> & vars.	Saucer Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Myrica cerifera</i>	Southern Bayberry
<i>Parkinsonia aculeata</i>	Retama
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Pyrus calleryana</i> & vars.	Callery Pear
<i>Quercus falcata</i> & vars.	Southern Red Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus shumardi</i>	Shumard Oak
<i>Quercus texana</i>	Texas Red Oak
<i>Quercus virginiana</i>	Live Oak
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus crassifolia</i>	Evergreen Elm

## SHRUBS

<u>Botanical Name</u>	<u>Common Name</u>
<i>Berberis thunbergii</i> "Crimson Pygmy"	Crimson Pygmy Barberry
<i>Buxus microphylla japonica</i>	Japanese Boxwood
<i>Camellia sasanqua</i> vars.	Sasanqua Camellia
<i>Chamaerops humilis</i>	Mediterranean Fan Palm
<i>Cleyera japonica</i>	Japanese Cleyera
<i>Cycas revoluta</i>	King Sago Palm
<i>Elaeagnus pungens</i> vars.	Elaeagnus
<i>Eriobotrya</i> x "Coppertone"	Coppertone Loquat
<i>Fatsia japonica</i>	Fatsia
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Gardenia jasminoides</i> "Radicans"	Dwarf Gardenia
<i>Ilex cornuta</i> vars.	Chinese Holly
<i>Ilex dedidua</i>	Possumhaw
<i>Ilex vomitoria</i> & vars.	Yaupon Holly
<i>Juniperus</i> spp. & vars.	Juniper
<i>Lagerstroemia indica</i> (dwarf vars.)	Dwarf Crape Myrtle
<i>Ligustrum japonicum</i> & vars.	Wax Leaf Ligustrum
<i>Ligustrum sinense</i> "Variegatum"	Variegated Privet
<i>Mahonia bealei</i>	Leatherleaf Mahonia
<i>Michelia figo</i>	Banana Shrub
<i>Myrica cerifera</i>	Southern Bayberry
<i>Nandina domestica</i> & vars.	Nandina
<i>Nandina domestica</i> "Compacta"	Compact Nandina
<i>Nerium oleander</i> (hardy vars.)	Oleander
<i>Photinia Fraseri</i>	Fraser's Photinia
<i>Pittosporum tobira</i> & vars.	Pittosporum
<i>Pyracantha</i> spp. & vars.	Pyracantha
<i>Raphiolepis indica</i> vars.	Indian Hawthorn
<i>Rhododendrom</i> ( <i>Azalea</i> ) spp. & vars.	Azalea
<i>Viburnum japonicum</i>	Japanese Viburnum
<i>Viburnum odoratissimum</i>	Sweet Viburnum
<i>Viburnum suspensum</i>	Sandankwa Viburnum
<i>Viburnum tinus</i> & vars.	Laurustinus Viburnum
<i>Xylosma congestum</i>	Shiny Xylosma
<i>Yucca</i> spp. & vars.	Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
Asparagus sprengeri  
Berberis thunbergii "Crimson Pygmy"  
Cyrtomium falcatum  
Gardenia jasminoides "Radicans"  
Hedera canariensis & vars.  
Hedera helix & vars.  
Juniperus spp. & vars.  
Liriope muscari & vars.  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Nandina domestica "Harbour Dwarf"  
Ophiopogon japonicus  
Ophiopogon japonicus "Nanus"  
Pyracantha "Red Elf"  
Pyracantha "Ruby Mound"  
Trachelospermum asiaticum & vars.  
Trachelospermum jasminoides & vars.

### Common Name

Ajuga  
Sprenger Asparagus  
Crimson Pygmy Barberry  
Holly Fern  
Dwarf Gardenia  
Algerian Ivy  
English Ivy  
Juniper  
Liriope  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Harbour Dwarf Nandina  
Monkey Grass  
Dwarf Monkey Grass  
Red Elf Pyracantha  
Ruby Mound Pyracantha  
Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdatum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue Ky-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignoia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Milletia reticulata  
Rosa banksiae  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jassamine  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks' Rose  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikarti  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Frikarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting

#### (March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta bogonia  
Marigolds  
Portulaca

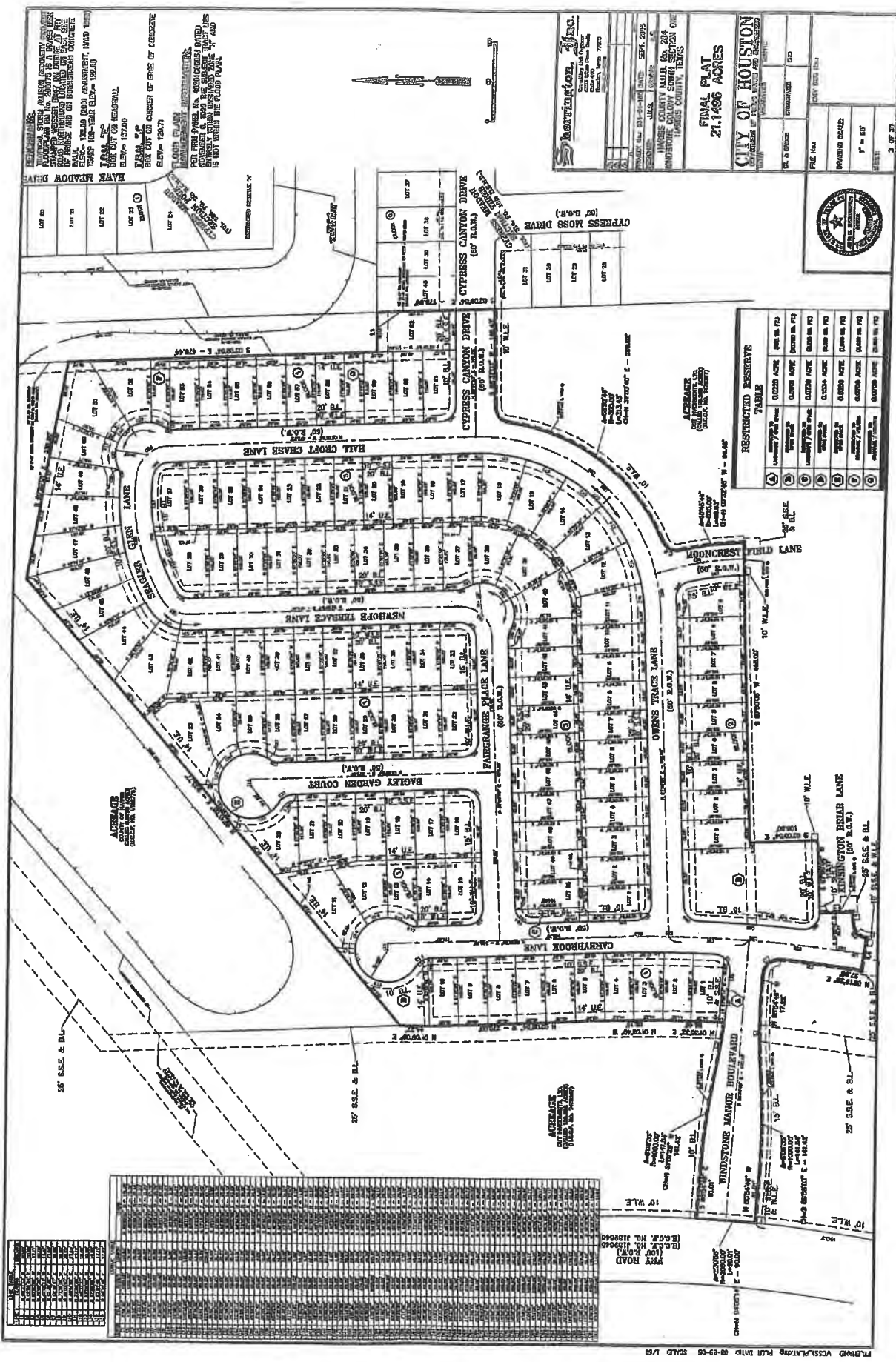
### Fall Planting

#### (October/November)

Calendula  
Pansy  
Snapdragons  
Dainthus  
Mums

## XI. LIST OF ILLUSTRATIONS

- I-1 Windstone Colony South, Section One
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Side Lot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Side Yard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony South logo and logo type



PLANNED UNDER AGEN'S SUPERVISION AND CONTROL. THIS PLAN IS SUBJECT TO THE APPROVAL AND CONSENT OF THE CITY OF HOUSTON. THE CITY ENGINEER'S OFFICE HAS REVIEWED THIS PLAN AND HAS ISSUED THIS PERMIT UNDER THE PROVISIONS OF CHAPTER 216, TITLE 25, V.T.C.S. THE ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ASPECTS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ENGINEER'S REVIEW IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ENGINEER'S REVIEW IS NOT A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

FINAL FLAT  
 21.1496 ACRES  
 CITY OF HOUSTON  
 PROJECT NO. 211496  
 PREPARED BY: [Name]  
 DATE: [Date]

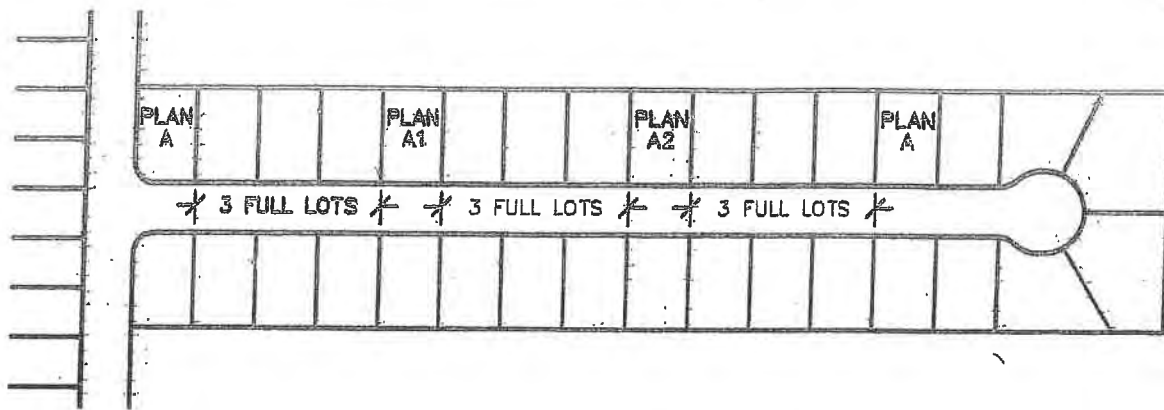


**RESTRICTED RESERVE TABLE**

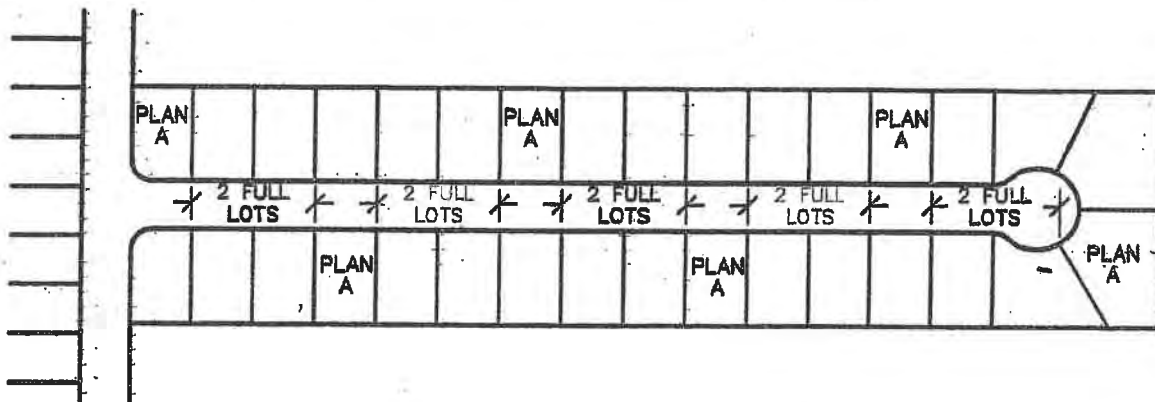
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2	0.00	RESERVE
3	0.00	RESERVE
4	0.00	RESERVE
5	0.00	RESERVE
6	0.00	RESERVE
7	0.00	RESERVE
8	0.00	RESERVE
9	0.00	RESERVE
10	0.00	RESERVE

Illustration I-1

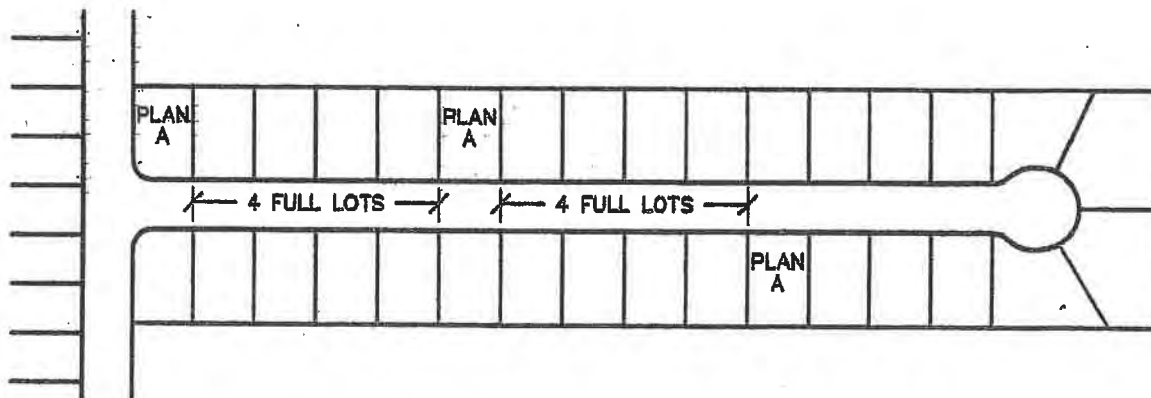
**1. SAME PLAN, DIFFERENT ELEVATION, SAME SIDE**



**2. SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE**



**3. SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE**



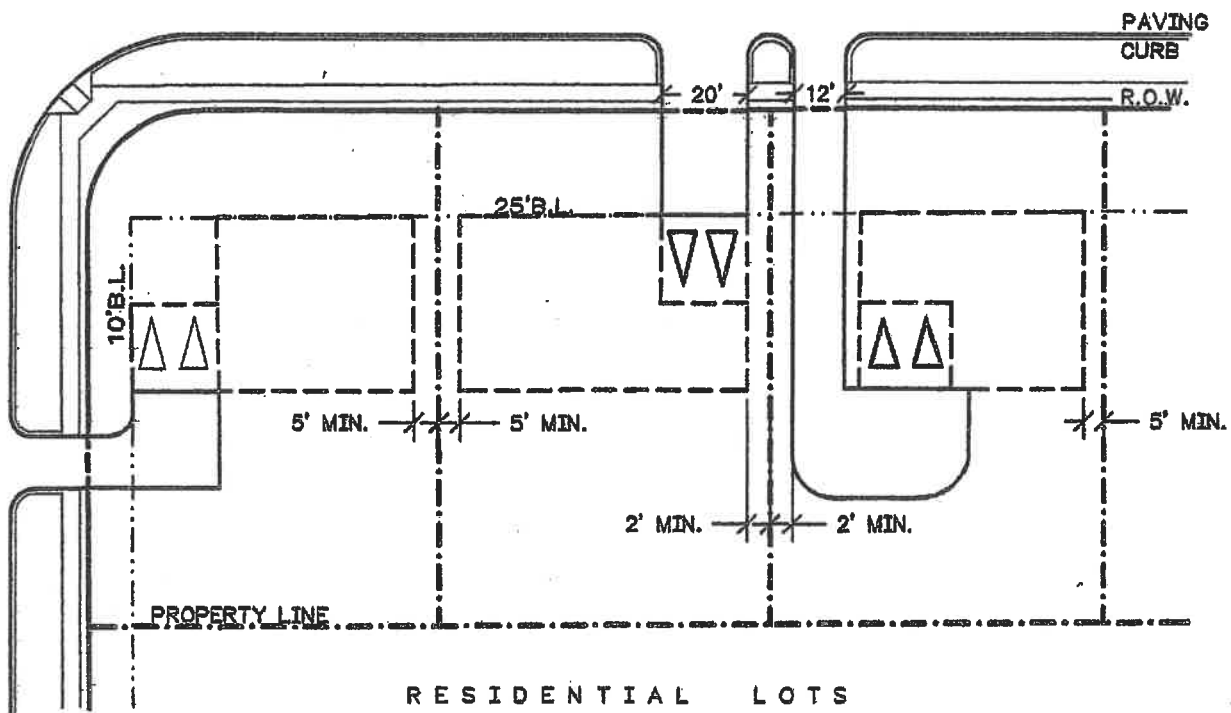
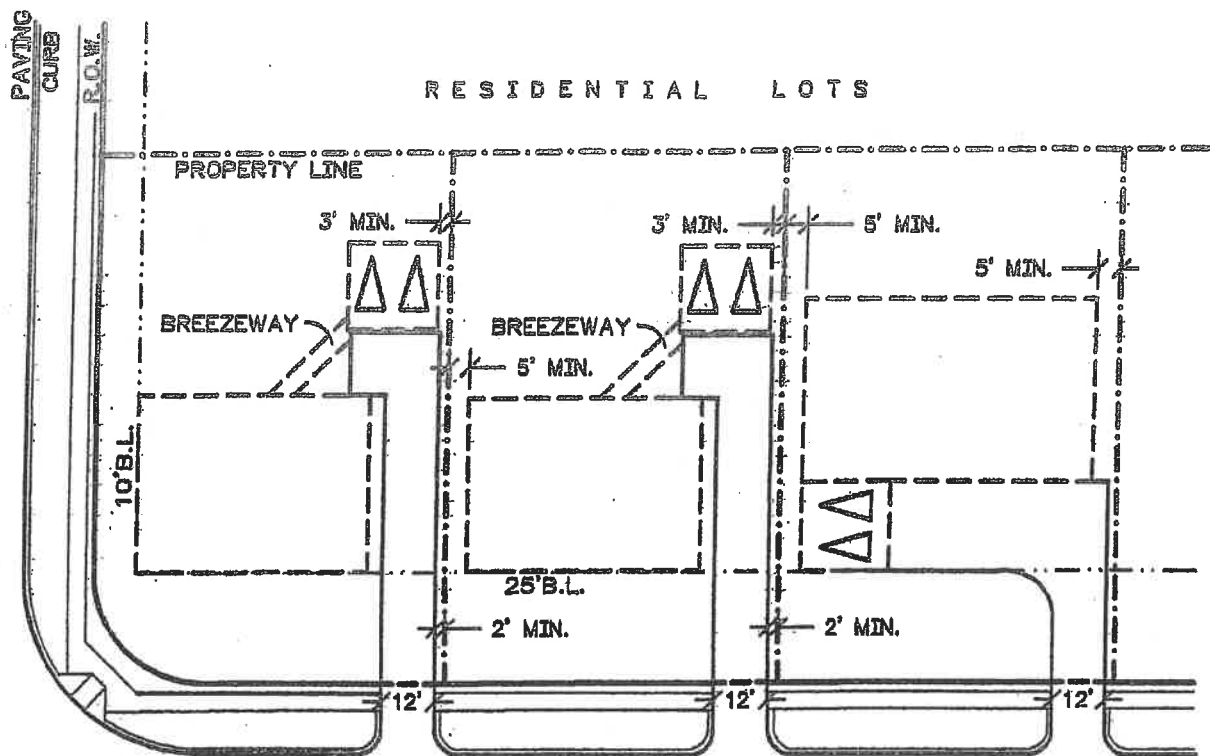
**NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.**

**HOUSING PLAN AND  
ELEVATION REPETITION**

**ILLUSTRATION II-1**



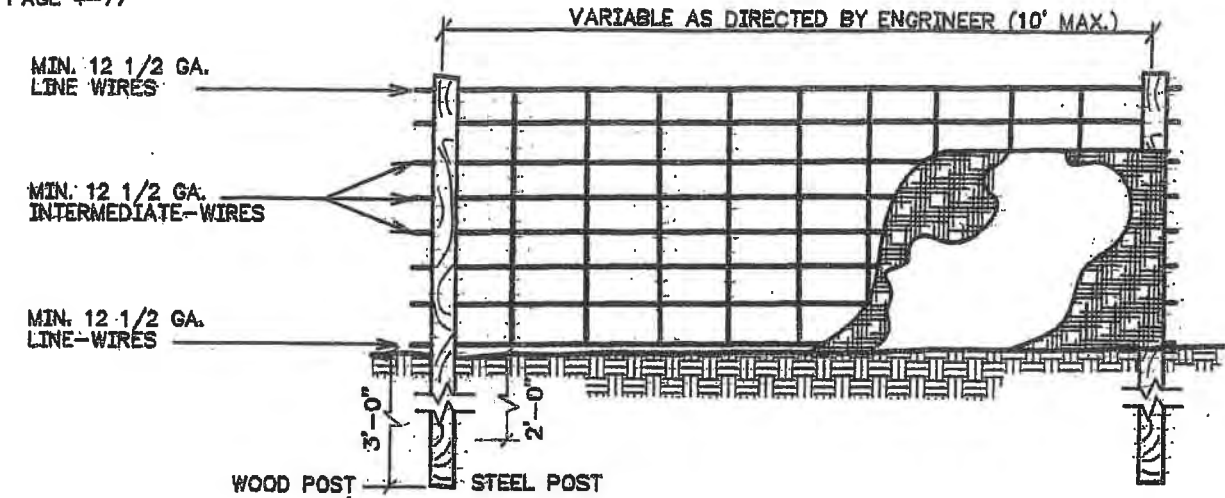
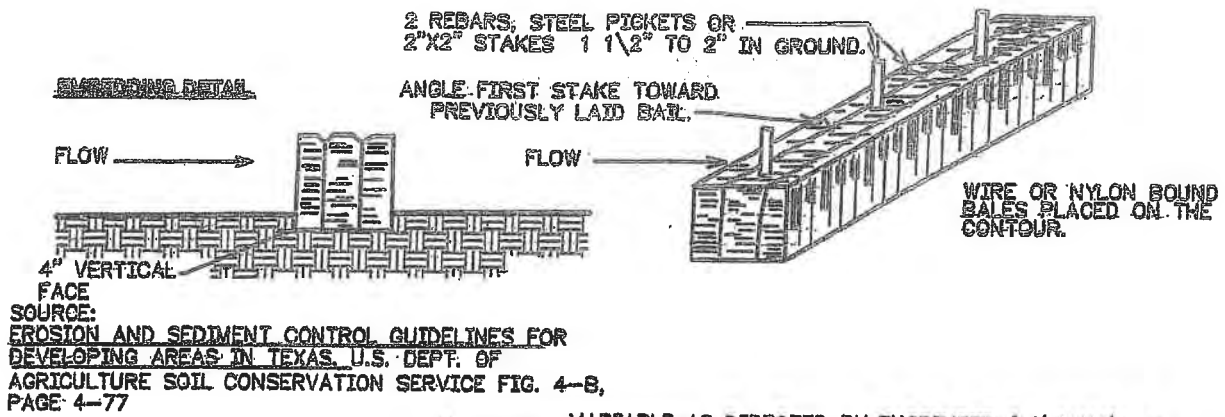
NY 44-2083



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**GARAGE AND  
 DRIVEWAY PLACEMENT**

**ILLUSTRATION II-2**



SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

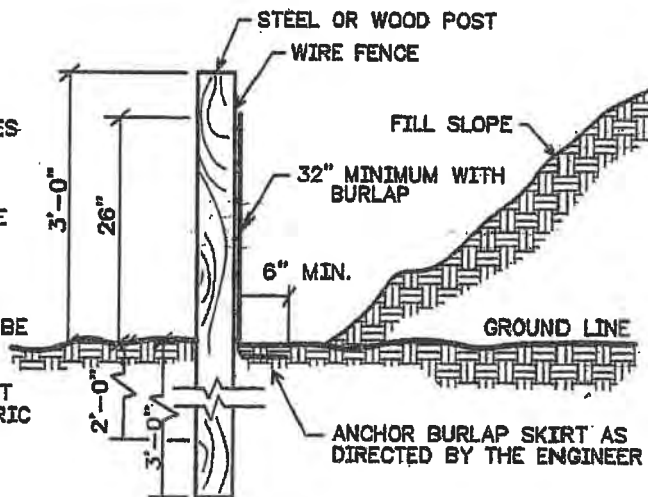
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

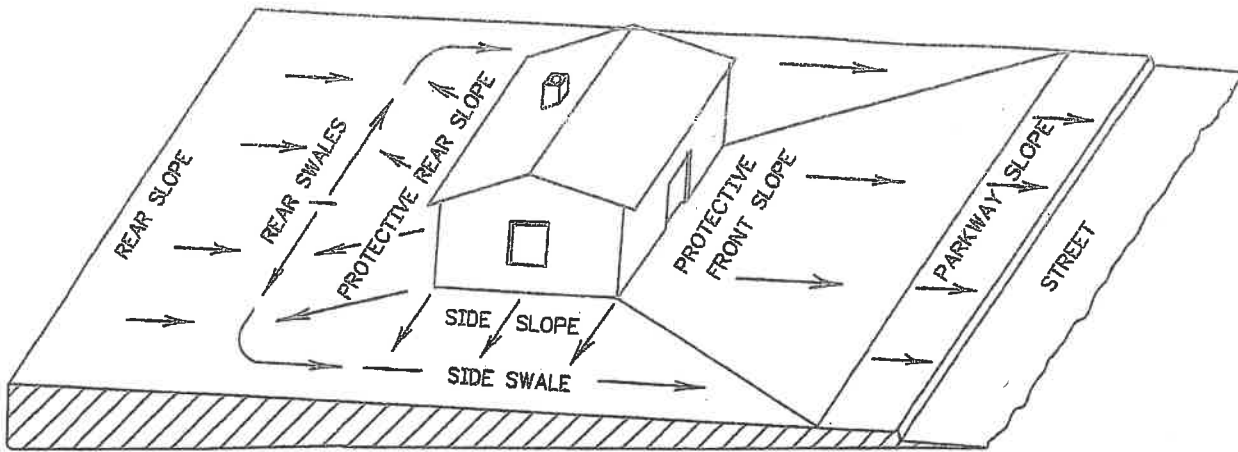
SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

**NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.**



**TEMPORARY SEDIMENT CONTROL**

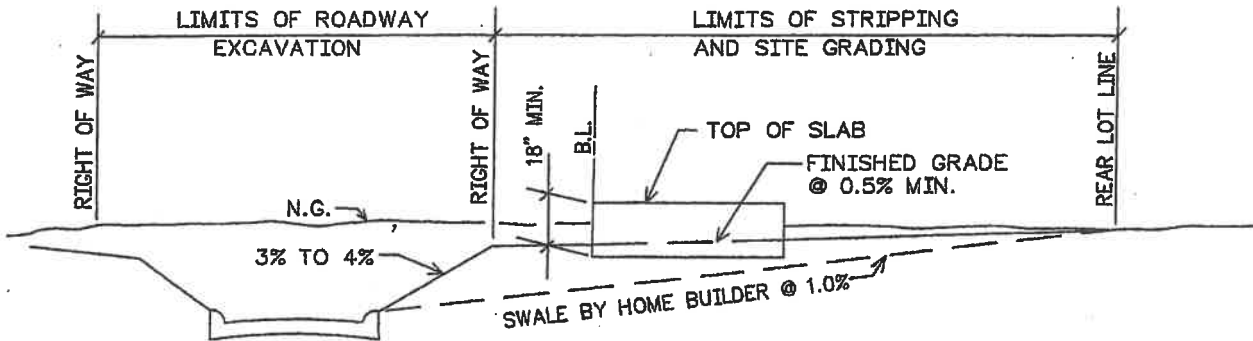
**ILLUSTRATION III-1**



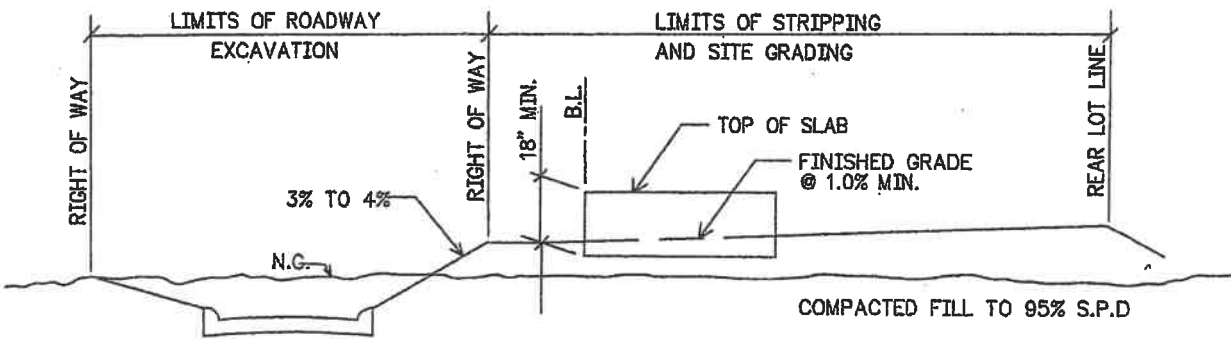
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**F.H.A. LOT GRADING TYPE "A"**



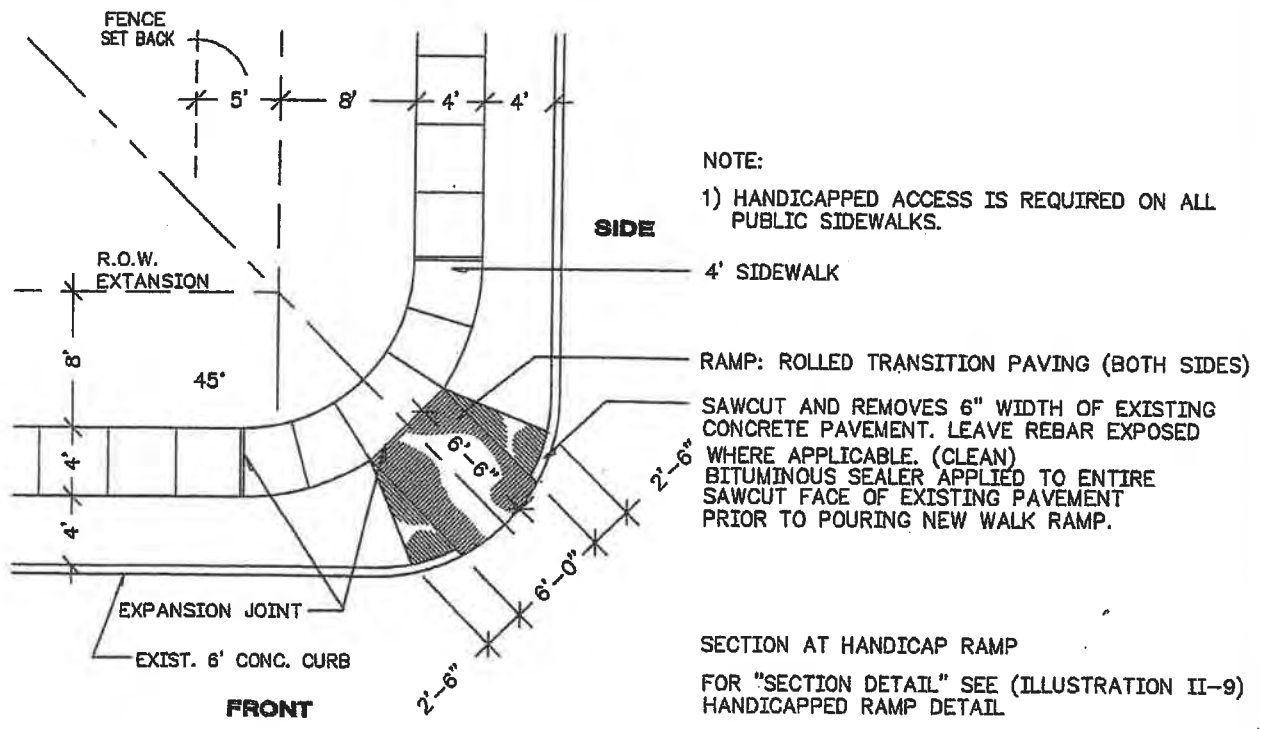
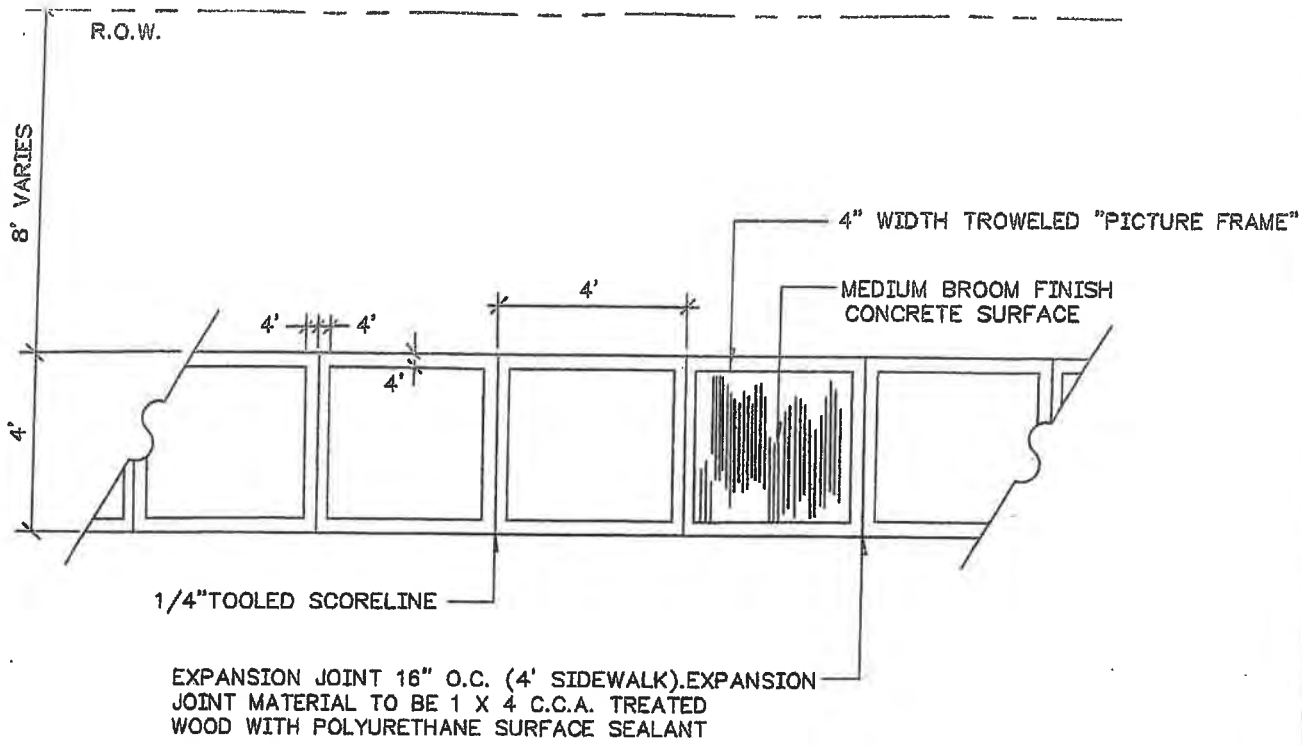
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18"**  
**F.H.A. BLOCK GRADING, TYPE "A"**



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18"**  
**F.H.A. BLOCK GRADING, TYPE "F"**

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**



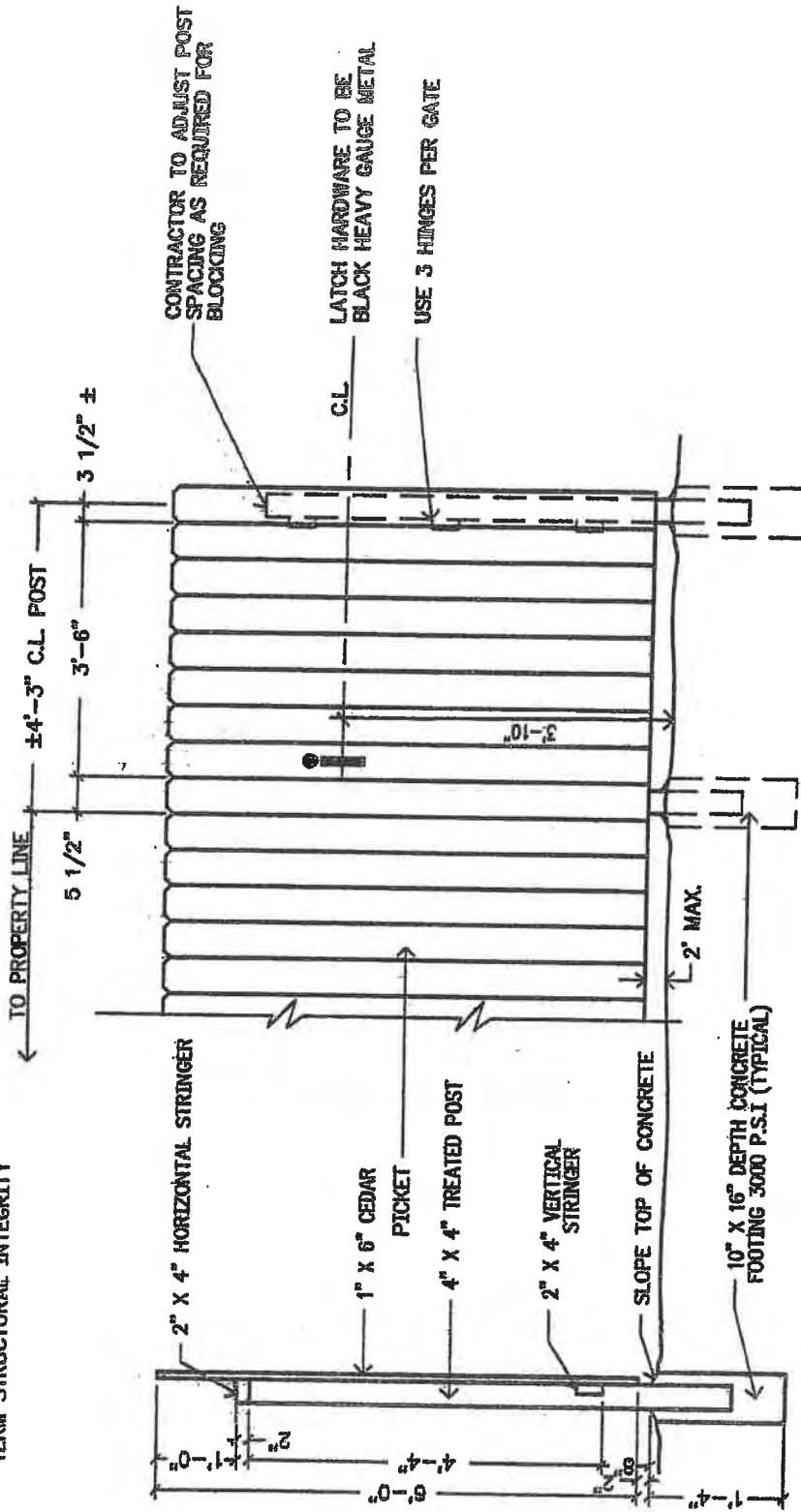
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEWALK DETAIL**

**ILLUSTRATION IV-2**

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRACING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



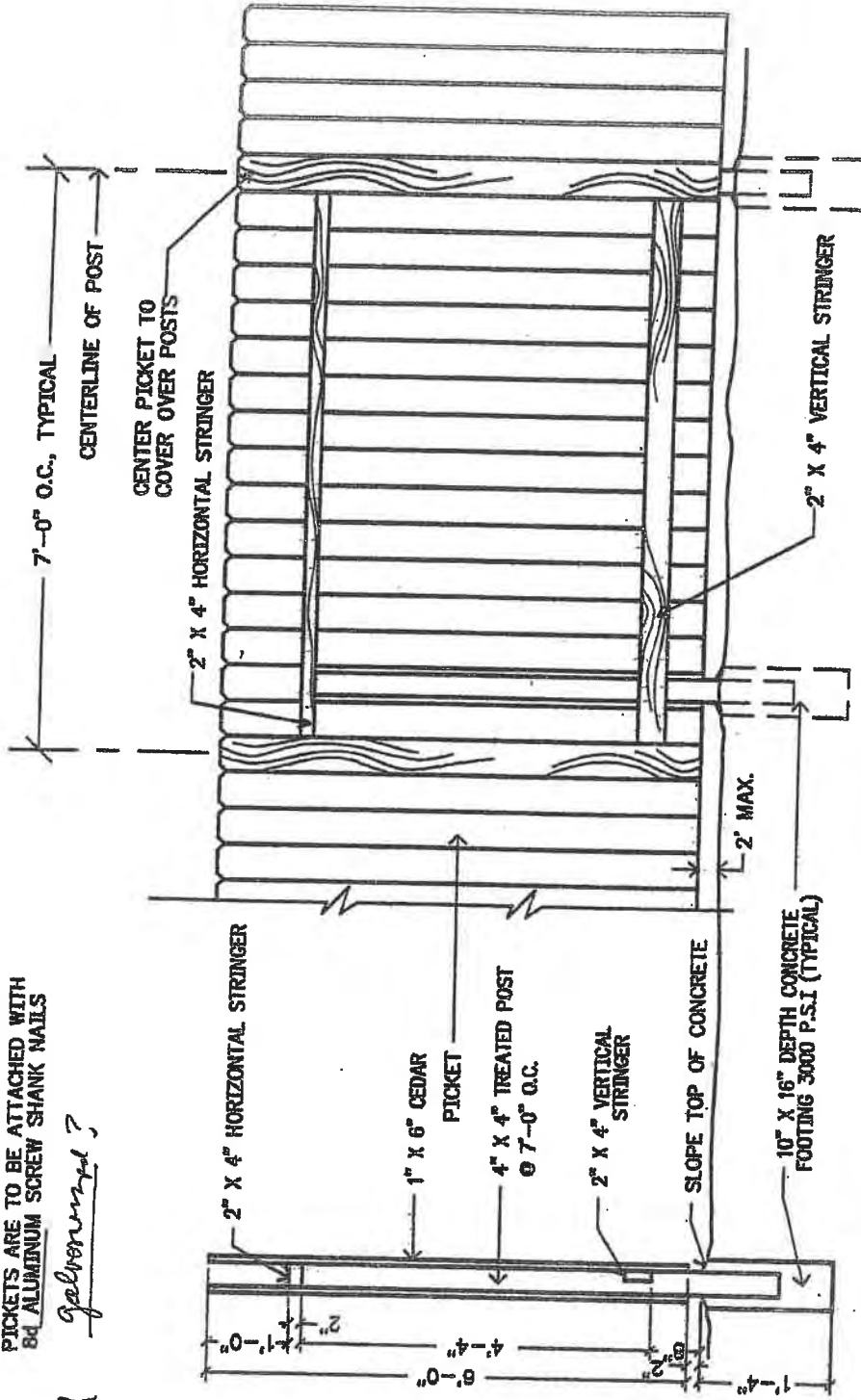
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL HINGED GATE

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS

7 galvanized?

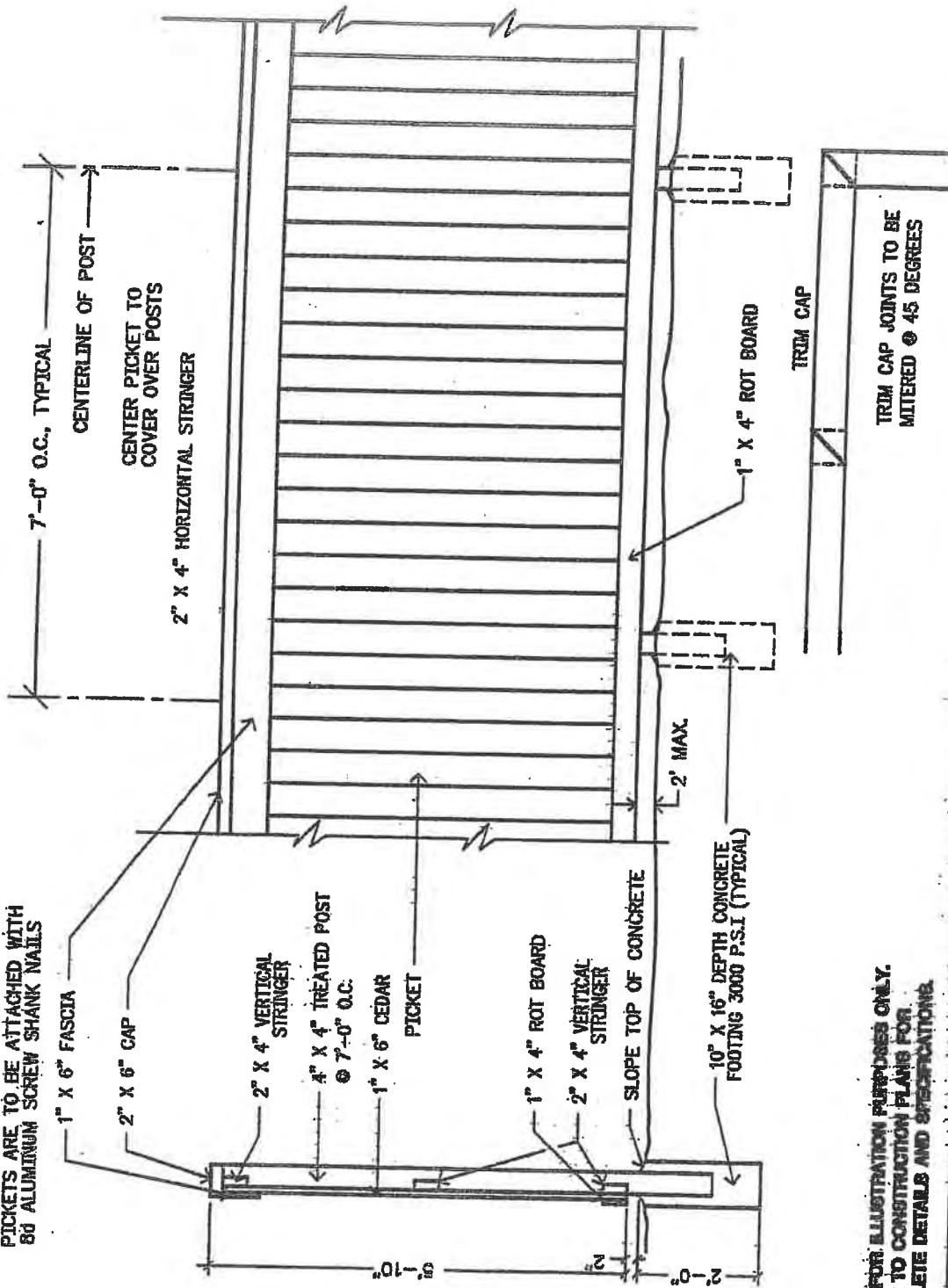


NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE

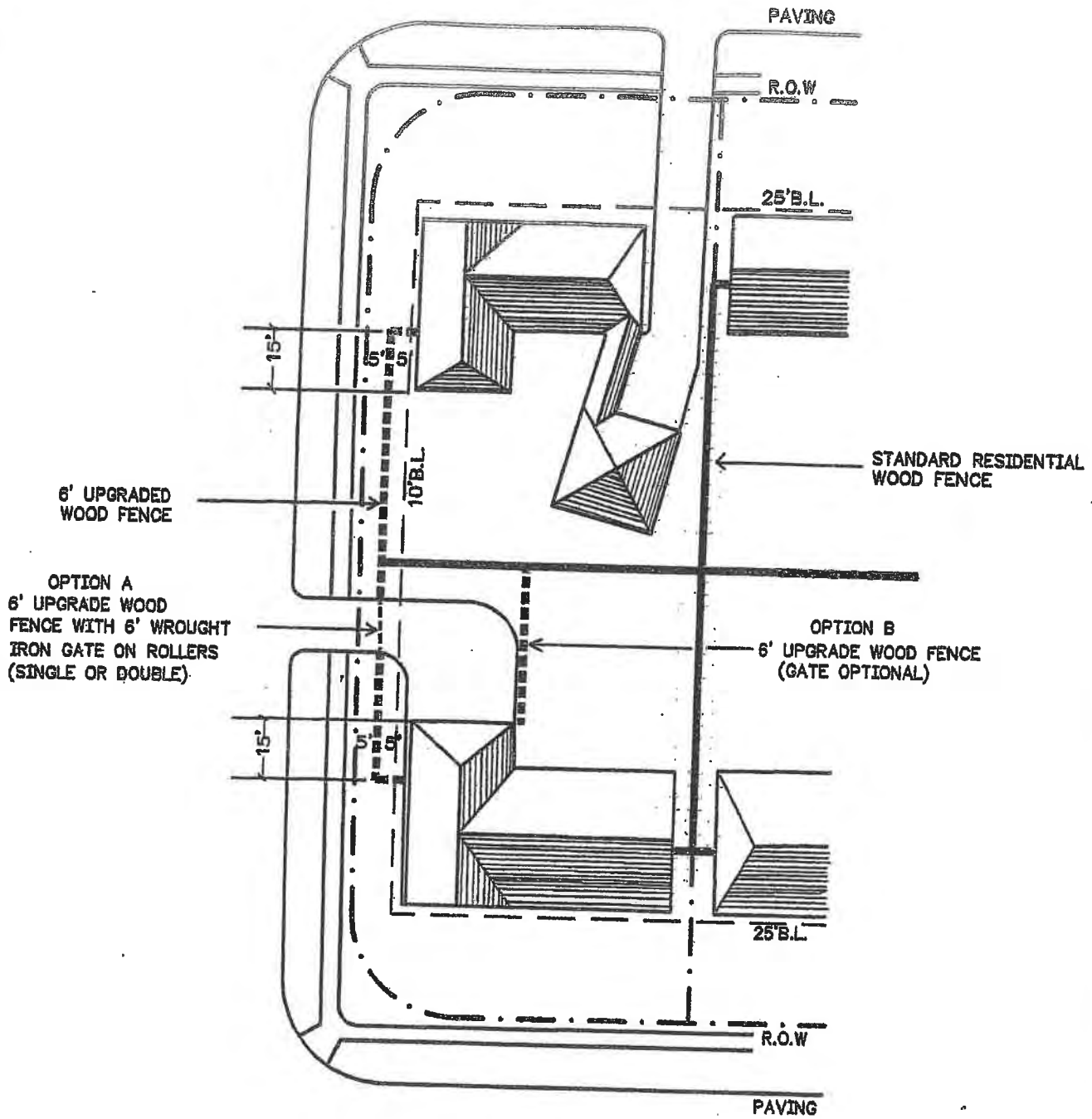
NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 80 ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

6' UPGRADED WOOD FENCE



NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

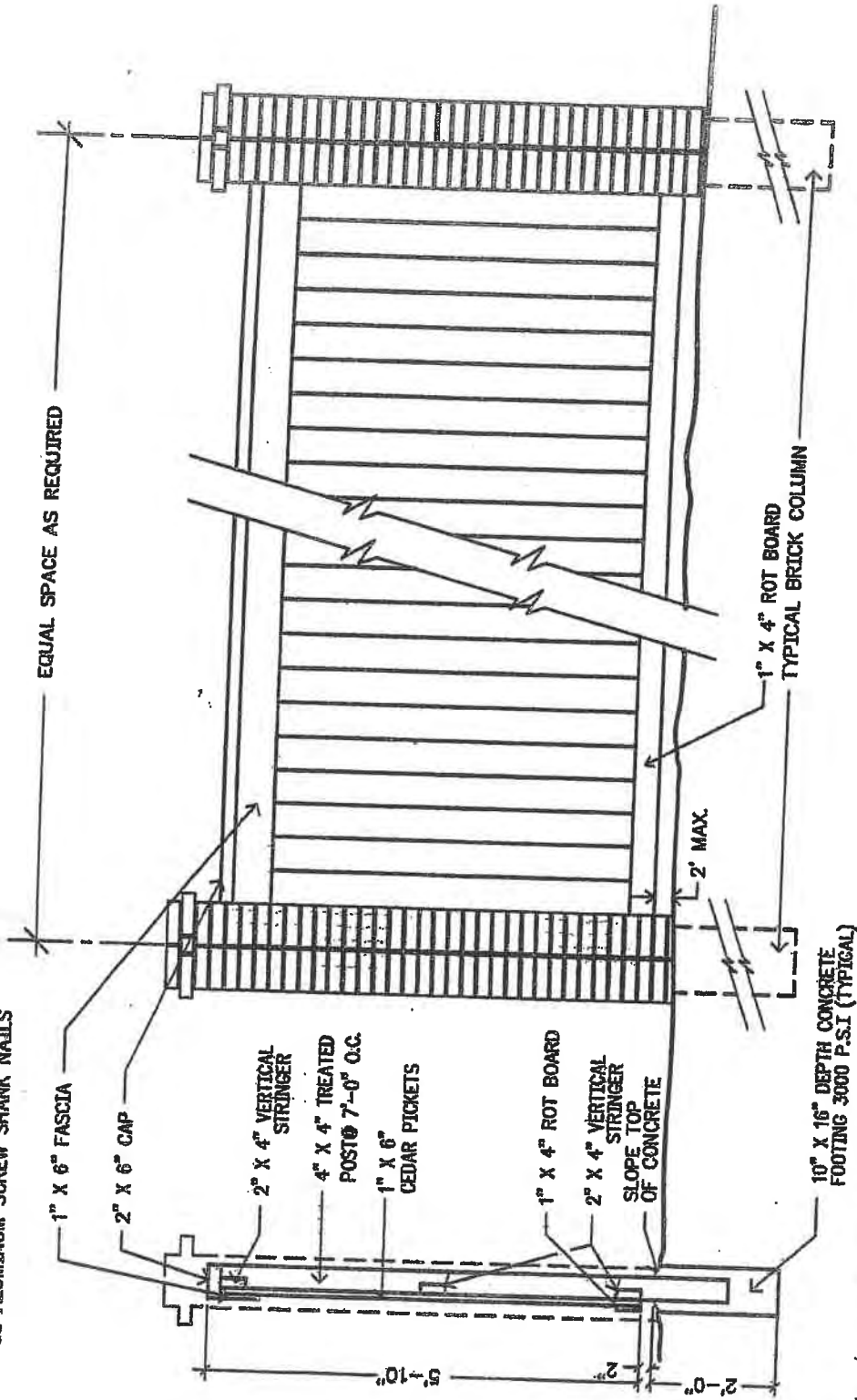
**SIDELOT FENCING SETBACK/  
 CORNER LOTS**

**ILLUSTRATION IV-6**



**NOTES:**

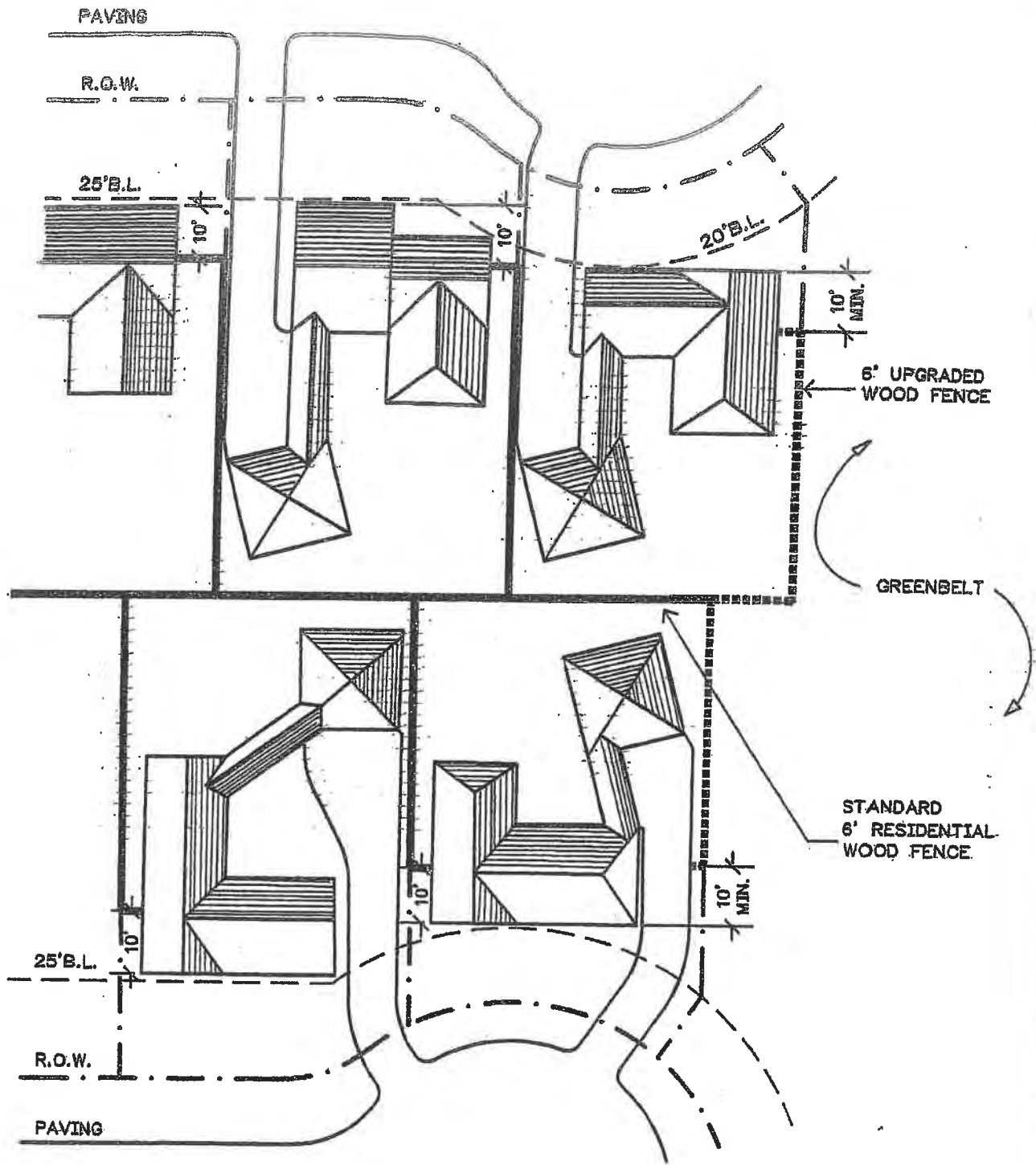
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

## 6' UPGRADED WOOD FENCE WITH BRICK COLUMNS

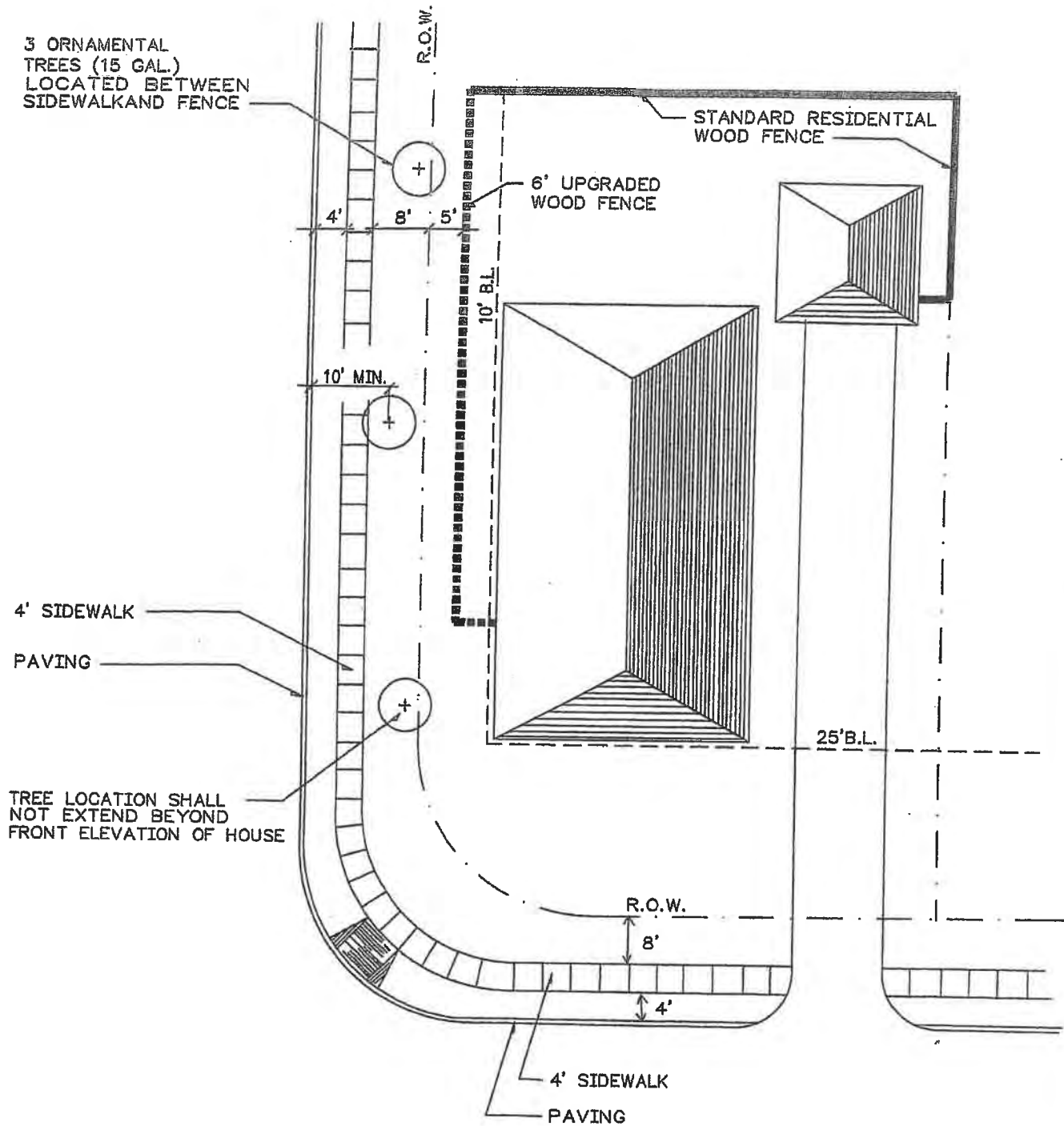
**ILLUSTRATION IV-7**



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

## SIDEYARD FENCING SETBACK / GREENBELT LOTS

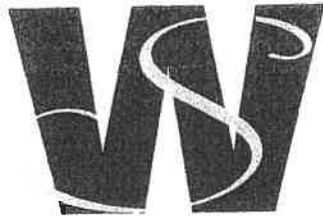
ILLUSTRATION IV-8



**NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.**

## **CORNER LOT LANDSCAPING**

**ILLUSTRATION IV-9**



# WINDSTONE

*South*

PMS blue 5395, Beige 472

**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.

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

JUN - 9 2006



*Dorely L. Kaufman*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

HARRIS COUNTY CLERK  
HARRIS COUNTY, TEXAS

*Dorely L. Kaufman*

2006 JUN - 9 AM 8:46

FILED

NOTICE  
A

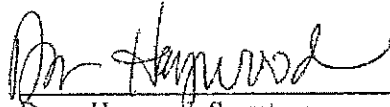
WINDSTONE COLONY SUBDIVISION 1EE

WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.  
SECRETARY'S CERTIFICATE

I, the undersigned, do hereby certify:

- (1) I am the duly elected and acting Secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation ("Association"), and,
- (2) Attached hereto is a true and correct copy of the Builder Guidelines for Windstone Colony South, Section Two.

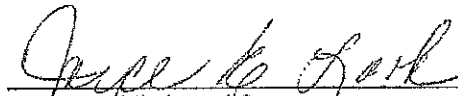
IN WITNESS WHEREOF, I have hereunto subscribed my name this 10th day of October, 2012.

  
 \_\_\_\_\_  
 Dawn Haywood, Secretary

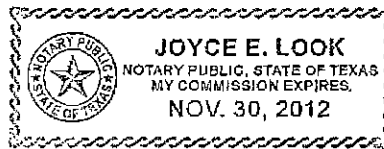
THE STATE OF TEXAS   §  
                                   §  
 COUNTY OF HARRIS   §

This instrument was acknowledged on this 10th day of October, 2012 by Dawn Haywood, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation. 10R

(SEAL)

  
 \_\_\_\_\_  
 Notary Public in and for  
 the State of Texas

After recording, please return to:  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, Texas 77056



ER 037 - 37 - 2302


**WINDSTONE COLONY SUBDIVISION**

**WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.  
SECRETARY'S CERTIFICATE**

I, the undersigned, do hereby certify:

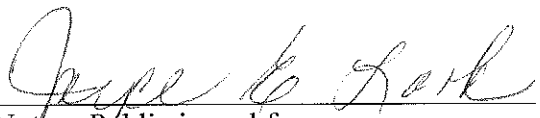
- (1) I am the duly elected and acting Secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation ("Association"), and,
- (2) Attached hereto is a true and correct copy of the Builder Guidelines for Windstone Colony South, Section Two.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 10th day of October, 2012.

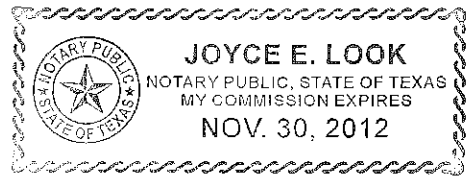
  
\_\_\_\_\_  
Dawn Haywood, Secretary

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF HARRIS    §

This instrument was acknowledged on this 10th day of October, 2012 by Dawn Haywood, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation.

(SEAL)   
\_\_\_\_\_  
Notary Public in and for  
the State of Texas

After recording, please return to:  
Windstone Development, Ltd.  
5005 Riverway, Suite 150  
Houston, Texas 77056



\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE\*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**BUILDER GUIDELINES**  
for  
***WINDSTONE COLONY SOUTH***  
***SECTION TWO***

I. INTRODUCTION

Windstone Colony South is a residential development of Windstone Development, Ltd. The objective of these Builder Guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony South and over which Windstone Colony Architectural Review Committee (A.R.C.) will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony South and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony South is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.

Builders within Windstone Colony South are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony South is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony South be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## **II. NEIGHBORHOOD PLANNING ELEMENTS**

Residential development within Windstone Colony South is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The Builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages:



**Windstone Colony South, Section Two:**

Minimum living area, single story	1350 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2950 sq. ft.

**Site Massing and Exterior Elevations**

If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be places nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

**Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony South guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

**Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* Twenty foot (20') front yard setback lines on typical lots;

- \* Twenty foot (20') front yard setback lines on typical cul-de-sac lots;
- \* Five foot (5') side yard setback lines on typical lots;
- \* Fifteen foot (15') side setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three foot (3') side yard building setback line; and
- \* Fourteen foot (14') rear building setback line (except for split easements)

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscape area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven foot (7') wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage

facilities, pipeline easements, property boundaries, adjacent existing subdivisions, and non-residential tracts typically contain a fourteen foot (14') wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony South shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris shall be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony South are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. Such sediment control methods shall be in compliance and accordance with all applicable governmental regulations. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment and drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.

#### **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six inches (6") in caliper at a point of six inches (6") above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be

approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible, ideally at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured into the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

#### **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C. All temporary buildings must be placed a minimum of twenty-five feet (25') off of the street r.o.w.; no temporary buildings may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### **IV. LOT ELEMENTS**

## **Grading and Drainage**

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across the adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

## **Lot Coverage**

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

## **Driveways**

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6"x 6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two feet (2') from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).

- \* Driveways serving attached two car garages facing the street shall be a minimum of sixteen feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways leaving significant amount of green space. Under no circumstances may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony South and are to be constructed by the lot builder in accordance with the specifications shown on Illustration IV-2.

- \* All sidewalks within Windstone Colony South must conform to all applicable City of Houston rules and regulations and to the Americans with Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within the sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway of at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.

- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum of two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area of a minimum of three feet (3') for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from the A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.

- \* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven feet (7') in height at its highest elevation.
  - Structure must not exceed eighty (80) square feet in size.
  - Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint are required at the time of construction.
  - Roof must be the same color and type as the main dwelling.
  - Structure must be unobstructed from public view.

### **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view;
- \* Must not exceed nine feet (9') in height when attached to the roof of the main dwelling; and
- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

### **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To ensure compatibility of fence design throughout Windstone Colony South, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.



- \* A maximum fence height of 6'0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single-sided hinged gate shall be installed at the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found in Windstone Colony South.

#### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six feet (6') in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven foot (7') panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

#### **Typical Corner Lot**

- \* The fencing located on the exterior side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The 2' x 6' trim cap shall consist of treated cedar with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included. **Lots requiring this fencing are Lot 8 in Block 1, Lot 1 in Block 2, Lot 1 in Block 3, Lots 1, 11 & 15 in Block 4, and Lot 1 & 7 in Block 5.**
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum of fifteen feet (15') past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Greenbelt Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt shall be constructed with a six foot (6') high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6'. Trim cap joints are to be mitered at 45 degrees. **Lots requiring this fencing are Lot 1 in Block 1, and Lots 1 through 3 in Block 2.**
- \* Where lots side onto a greenbelt, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

## **Perimeter Walls & Fencing**

Developer will provide an upgraded wood fence on the rear property line of Lots 4 through 24 in Block 2. Upon purchasing a lot with a fence installed by Developer, Builder shall reimburse Developer Twelve Dollars (\$12.00) per linear foot where Developer has constructed a fence in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

## **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscaped lighting affects (such as affixed to trees as up and down lights) are permissible.

## **Screening**

Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

## **Landscaping**

The Builder is responsible for landscaping all areas on this property and the portion of the street right-of-way between the property line and the street curb. Plantings other than ground covers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of

construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

#### Lot 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twelve larger shrubs (minimum 5 gallon), fifteen smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of plantings may be utilized within a front yard.

#### Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of sixteen larger shrubs (minimum 5 gallon), twenty smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of plantings may be utilized within a front yard.

#### Lots 65' in Width or Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twenty larger shrubs (minimum 5

gallon), twenty-five smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.

c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of plantings may be utilized within a front yard.

- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc. are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are Ryerson steel and horizontal timber (2" x 4", 2" x 6", 4" x 4", and 4" x 6").
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized drainage purposes. Specimen boulders are permitted.
- \* The front yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* Tree requirements are as follows:

Trees				
Lot Width	Required	Type	Caliper	Height
49' or less	1	1 hardwood	4"	12'
50' – 64'	2	1 hardwood	4"	12'
		1 ornamental	N/A	
65' and over	3	2 hardwoods	4"	14'
		1 ornamental	N/A	

- \* Use of hardwoods is preferred; however, some pines can be introduced into planting. The accepted ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, 2" in diameter by 6' long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use its best efforts to notify owner/occupant of the necessity to comply with all landscaping

requirements under the landscape guidelines. Proper maintenance includes:

- a. Adequate watering;
- b. Appropriate fertilization;
- c. Pruning;
- d. Mowing;
- e. Weed control in lawns and planting beds;
- f. Seasonal mulching of planting beds;
- g. Insect and disease control;
- h. Replacement of diseased or dead plant materials; and
- i. Warranty of all planting materials.

### **Corner Lots**

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* One additional hardwood tree in the front/side yard.
- \* Three (3) ornamental trees in 15 gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point ten feet (10') from the rear property line or driveway, if applicable, on fifteen foot (15') centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### **Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## **V. HOUSING**

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony South. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony South be of the highest quality. As a minimum, Builders are required to warrant compliance with the Southern Building Code.

### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agencies.

### **Exterior Materials**

Single-family residences within Windstone Colony South must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Hardiplank may be used on front and side elevations for accent or structural purposes, as approved by the A.R.C., or for other purposes approved by the A.R.C. Changes in materials should have a logical relationship to the changes in the form of the house.

- \* One story product – shall be 100% masonry on three sides
- \* Two story product – shall be 100% masonry on the front elevation; 100% masonry on the lower half of two side totaling 50% masonry on each side.
- \* Adjacent houses shall have different brick colors.
- \* **Lot 1 in Block 1 shall be 100% masonry on the front and side elevations.**

Samples of all exterior materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony South must comply with the following standards and/or guidelines.

### **Masonry**

- \* **Stone**

The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.

\* **Brick**

Brick used on residences in Windstone Colony South shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87.

\* **Mortar Joints**

All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

**Hardi Plank**

\* Hardi plank siding must be used for all siding product or in conjunction with masonry. Only hardi plank will be acceptable for such use.

\* Wood siding is prohibited.

\* Vinyl siding is prohibited.

\* Trim - All wood trim shall be smooth, high quality finish-grade stock and must be stained or polished as approved by the A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

**Stucco**

\* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

**Metal**

\* Exposed metals shall be anodized aluminum, bronze, copper or painted galvanized steel.

**Synthetic Materials**

\* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of the A.R.C.

**Privacy Walls**



- \* Privacy walls must match dwelling unit materials and shall be no more than eight feet (8') in height. All privacy walls must have A.R.C. approval.

### **Window Treatment**

- \* Metal windows must be used and the finish shall complement the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side façade, or on any façade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of the A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

### **Roof Treatment**

#### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather gray.
- \* Wood shingles are strictly prohibited.

#### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in twelve (12), except where a deck is called for.

#### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

#### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate.

### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs, affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor in stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence are acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.

- \* Windows with shutters or blinds may be required on the façade of a side or rear loaded attached garage to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

**Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

**Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

**Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by the A.R.C.

**Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

**VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

## **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

## **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony South shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

## **Site Improvements**

- \* Sidewalks do not necessarily need to be placed two feet in the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet.
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

## **Parking**

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off-street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

## **VII. SIGNAGE**

### **Model Home Park Signage**

- \* Signage for model homes parks shall be approved by the Declarant and conform to the City of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* Windstone Colony South logo and logo type .

### **Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to the A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## **VIII. SUBMISSION AND APPROVAL**

### **Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by the Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony South and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

### **General**

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to the acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure adequate review of all submissions while accommodating the needs of the Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony South by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
8711 Highway 6 North, Suite 270  
Houston, Texas 77077

## **Requirements**

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in phases prior to construction of or any exterior improvements upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

#### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
  
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing

3. Preliminary plans including:
  - a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
  - a. Final architectural plans of drawings listed under Phase I above
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blueline prints and supplementary specifications. Only complete sets will be reviewed.

On-Going Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
  - a. Production
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Construction documents and specifications for variations from standard
  - a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

### **A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

#### Initial Review

##### Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

##### Phase II

Construction Documents	15 Days
------------------------	---------

#### On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction Documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

### **Approval Not a Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed improvements. Such approvals and design guidelines shall in no event be



construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence of nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

**IX. PROJECT INFORMATION**

Developer and Project Management:

**Windstone Development, Ltd.**

5005 Riverway, Suite 150

Houston, Texas 77056

Engineer:

**Sherrington, Inc.**

8203 Willow Place South, Suite 400

Houston, Texas 77070

Land Planner:

**Kerry R. Gilbert & Associates, Inc.**

15810 Park Ten Place, Suite 160

Houston, Texas 77084

Landscape Architect:

**Robert E. Forsythe**

2230 Shadowdale

Houston, Texas 77043

**X. APPENDIX**

## RESIDENTIAL LOT MASTER PLANT LIST – A1

### TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer rubrum</i>	Red Maple
<i>Betula nigra</i>	River Birch
<i>Carya illinoensis</i> & vars.	Pecan
<i>Cersis canadensis</i> & vars.	Redbud
<i>Crataegus marshallii</i>	Parsley Leaf Hawthorn
<i>Crataegus spathulata</i>	Little Hip Hawthorn
<i>Fraxinus pennsylvanica</i> vars.	Green Ash
<i>Ilex decidua</i>	Possumhaw
<i>Ilex opaca</i> & vars.	American Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Koelreuteria bipinnata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> vars.	Crapemyrtle
<i>Liquidambar styraciflua</i> & vars.	Sweetgum
<i>Ligustrum japonicum</i> (tree form)	Wax Leaf Ligustrum
<i>Magnolia grandiflora</i> & vars.	Southern Magnolia
<i>Magnolia soulangiana</i> & vars.	Saucer Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Myrica cerifera</i>	Southern Bayberry
<i>Parkinsonia aculeata</i>	Retama
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Pyrus calleryana</i> & vars.	Callery Pear
<i>Quercus falcata</i> & vars.	Southern Red Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus shumardi</i>	Shumard Oak
<i>Quercus texana</i>	Texas Red Oak
<i>Quercus virginiana</i>	Live Oak
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus crassifolia</i>	Evergreen Elm

## Shrubs

### Botanical Name

### Common Name

Berberis thunbergii "Crimson Pyrgmy"	Crimson Pygmy Barberry
Buxus microphylla japonica	Japanese Boxwood
Camellia sasanqua vars.	Sasanqua Camellia
Chamaerops humulis	Mediterranean Fan Palm
Cleyera japonica	Japanese Cleyera
Cycas revoluta	King Sago Palm
Elaeagnus pungens vars.	Elaeagnus
Eriobotrya x "Coppertone"	Coppertone Loquat
Fatsia japonica	Fatsia
Feijoa sellowiana	Pineapple Guava
Gardenia jasminoides "Radicans"	Dwarf Gardenia
Ilex cornuta vars.	Chinese Holly
Ilex decidua	Possumhaw
Ilex vomitoria & vars.	Yaupon Holly
Juniperus spp. & vars.	Juniper
Lagerstroemia indica (dwarf vars.)	Dwarf Crapemyrtle
Ligustrum japonicum & vars.	Wax Leaf Ligustrum
Ligustrum sinense "Variegatum"	Variegated Privet
Mahonia bealei	Leatherleaf Mahonia
Michelia figo	Banana Shrub
Myrica cerifera	Southern Bayberry
Nandina domestica & vars.	Nandina
Nandina domestica "Compacta"	Compact Nandina
Nerium Oleander (hardy vars.)	Oleander
Photinia Fraseri	Fraser's Photinia
Pittosporum tobira & vars.	Pittosporum
Pyracantha spp. & vars.	Pyracantha
Raphiolepis indica vars.	Indian Hawthorn
Rhododendrom (Azalea) spp. & vars.	Azalea
Viburnum japonicum	Japanese Viburnum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Viburnum tinus & vars.	Laurustinus Viburnum
Xylosma congestum	Shiny Xylosma
Yucca spp. & vars.	Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
Asparagus sprengeri  
Berberis thunbergii "Crimson Pygmy"  
Cyrtomium falcatum  
Gardenia jasminoides "Radicans"  
Hedera canariensis  
Hedera helix & vars.  
Juniperus spp. & vars.  
Liriope muscari & vars.  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Nandina domestica "Harbour Dwarf"  
Ophiopogon japonica  
Ophiopogon japonicus "Nanus"  
Pyracantha "Red Elf"  
Pyracantha "Ruby Mound"  
Trachelospermum asiaticum & vars.  
Tachelospermum jasminoides & vars.

### Common Name

Ajuga  
Sprenger Asparagus  
Crimson Pygmy Bayberry  
Holly Fern  
Dwarf Gardenia  
Algerian Ivy  
English Ivy  
Juniper  
Liriope  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Harbour Dwarf Nandina  
Monkey Grass  
Dwarf Monkey Grass  
Red Elf Pyracantha  
Ruby Mound Pyracantha  
Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdetum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue KY-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignoia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Millettia reticulata  
Rosa banksiae  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jasmine  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks' Rose  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikartii  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrptomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Firkarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting

(March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta begonia  
Marigolds  
Portulaca

### Fall Planting

(October/November)

Calendula  
Pansy  
Snapdragons  
Dianthus  
Mums

## **XI. LIST OF ILLUSTRATIONS**

- I-1 Windstone Colony South, Section Two
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Side Lot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Side Yard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony South logo and Logo Type



ORDER NO. 10418

ORDER NO. 10418

ORDER NO. 10418

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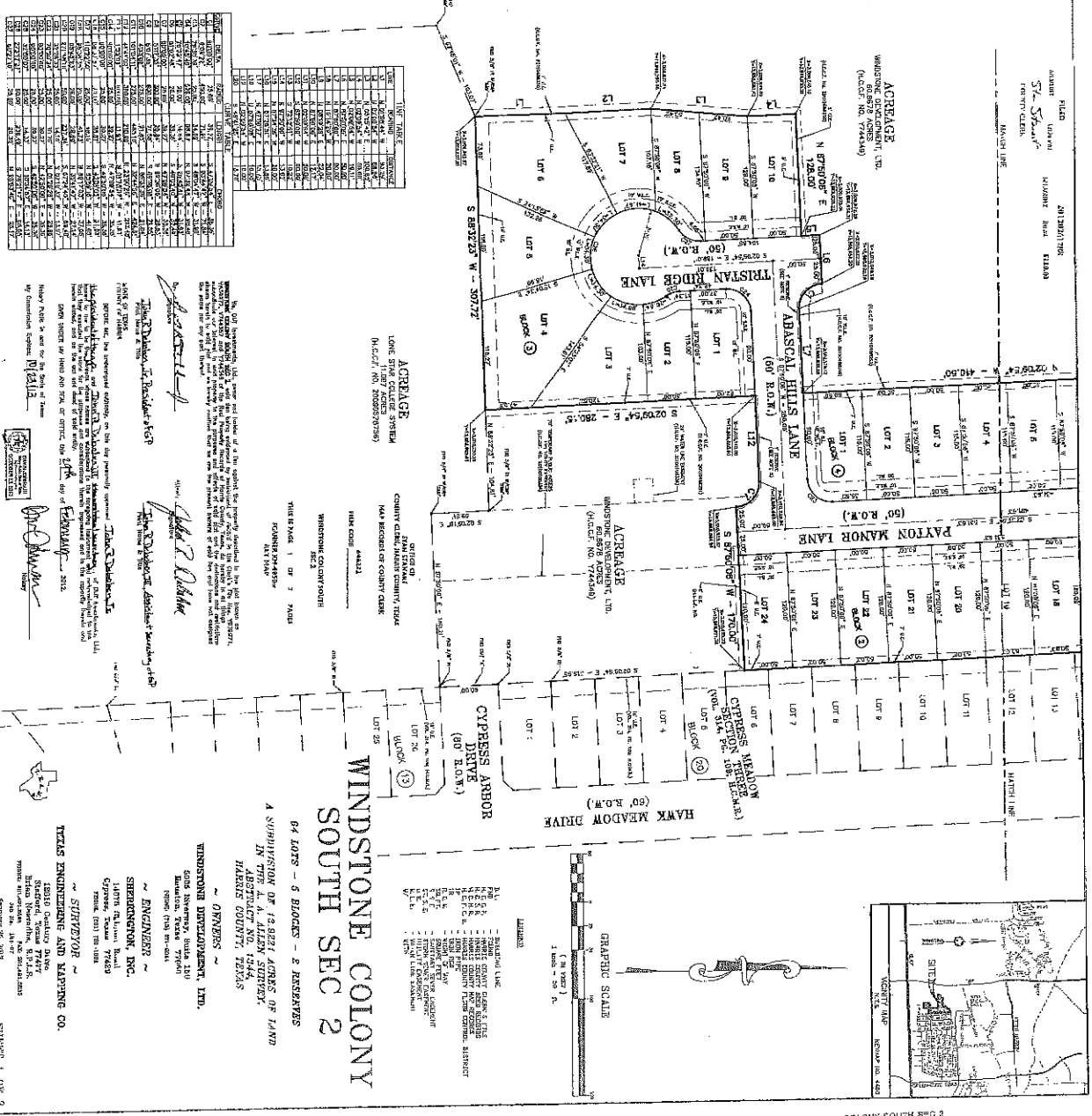
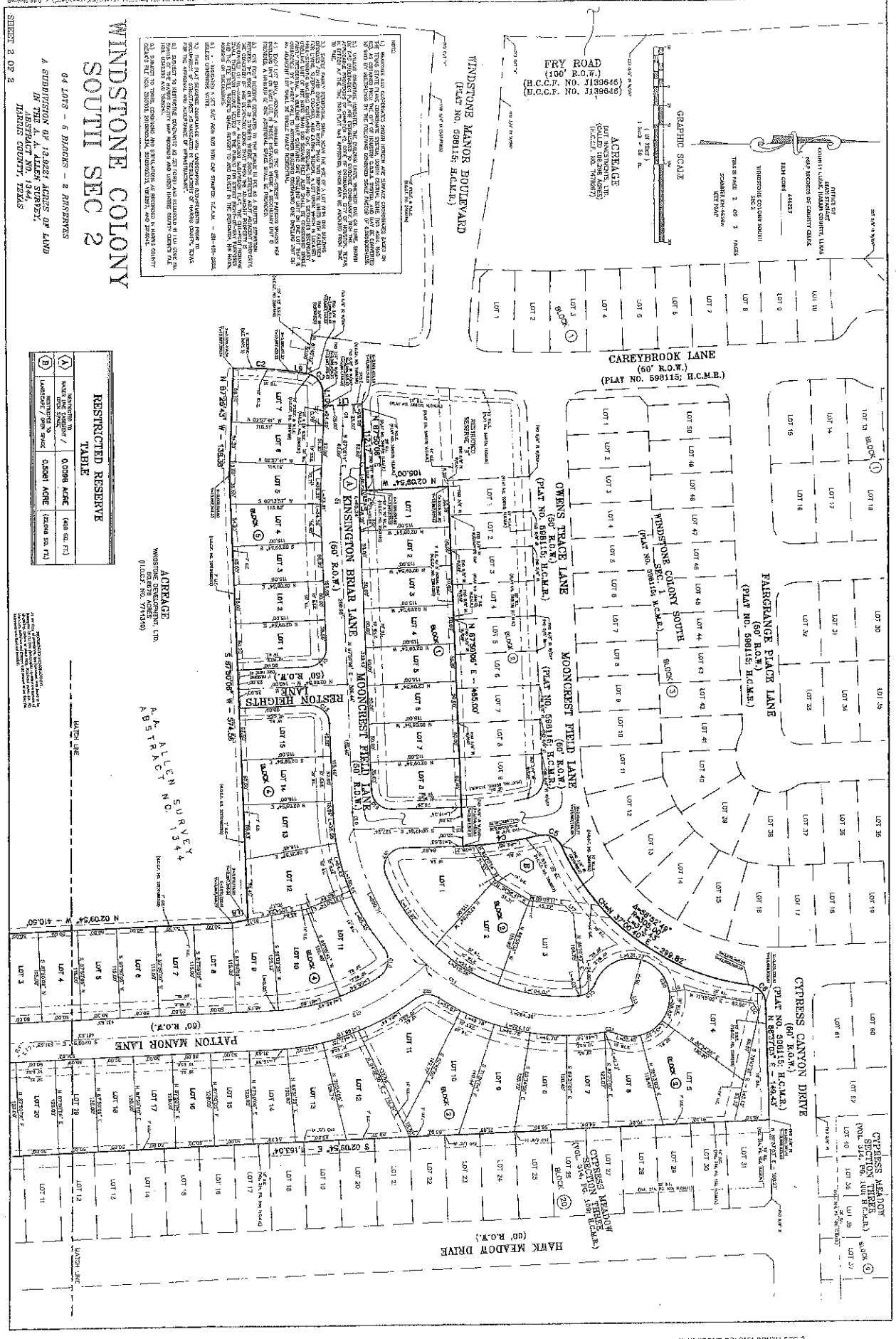


ILLUSTRATION I-1



# WINDSTONE COLONY SOUTH SEC 2

OF LOTS - 6 BLOCKS - 2 RESERVES  
A SUBDIVISION OF 13,923 ACRES OF LAND  
IN THE A. ALLEN SURVEY,  
HARRIS COUNTY, TEXAS

SHEET 2 OF 2

**FRY ROAD**  
(100' R.O.W.)  
(H.C.C.P. NO. 1139648)  
(H.C.C.P. NO. 1139649)

**WINDSTONE MANOR BOULEVARD**  
(PLAT NO. 598115; H.C.M.E.)

**ACREAGE**  
TOTAL ACRES 13,923.00  
(H.C.C.P. NO. 1139648)  
(H.C.C.P. NO. 1139649)

**GRAPHIC SCALE**  
1" = 50' (1" = 100')

**WINDSTONE COLONY SOUTH**  
SEC 2  
BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

**RESTRICTED RESERVE TABLE**

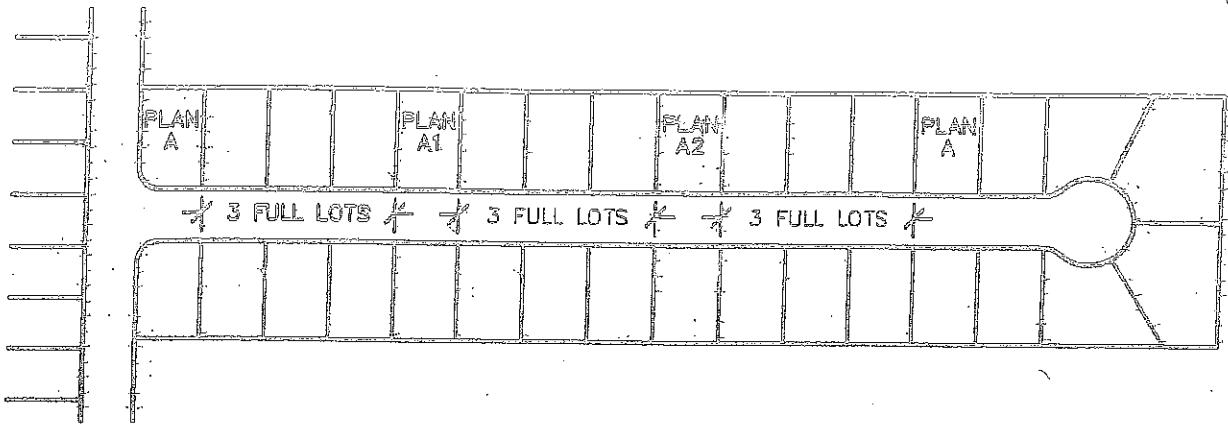
RESERVE NO.	ACRES	DATE
(A)	0.0098	1/1/1954
(B)	0.0081	1/1/1954

**ACREAGE**  
WINDSTONE DEVELOPMENT, LTD.  
DALLAS, TEXAS

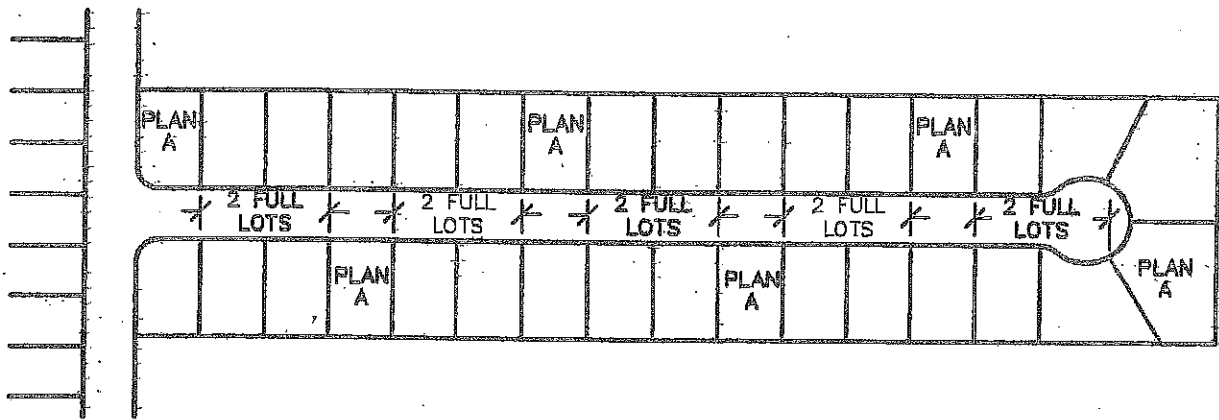
**ALLEN SURVEY**  
ABSTRACT NO. 1544

**WINDSTONE COLONY SOUTH SEC 2**

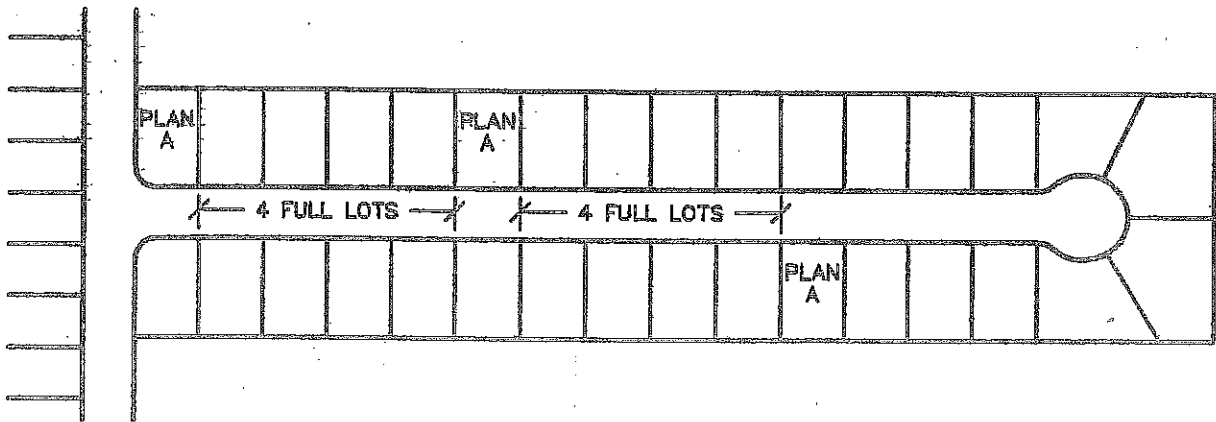
1. SAME PLAN, DIFFERENT ELEVATION, SAME SIDE



2. SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE



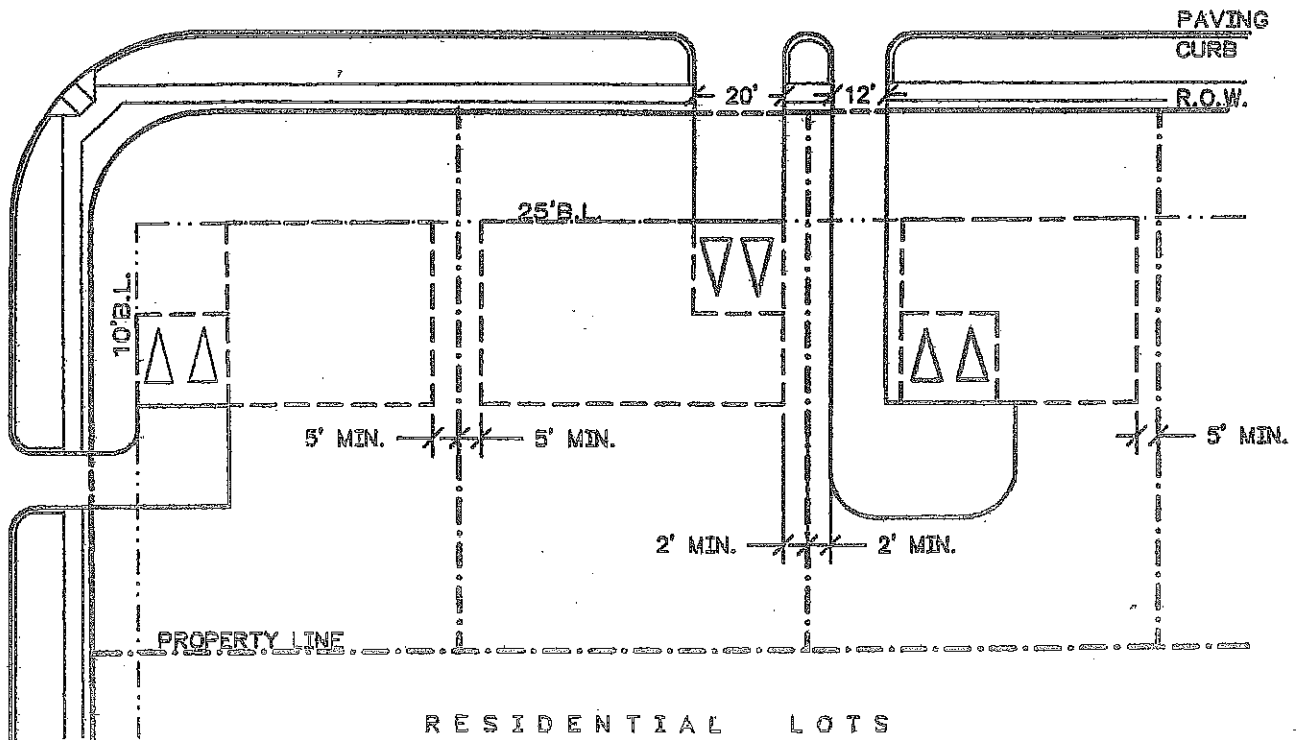
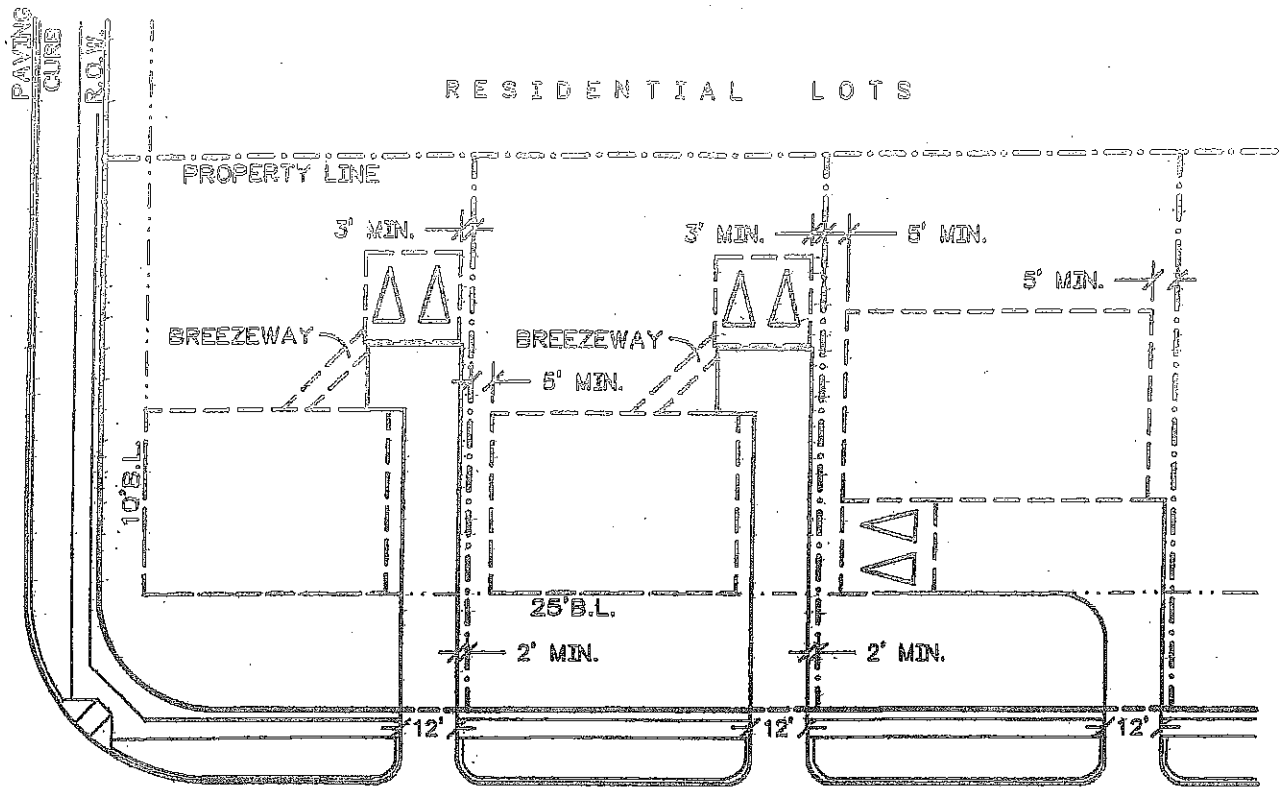
3. SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

HOUSING PLAN AND  
ELEVATION REPETITION

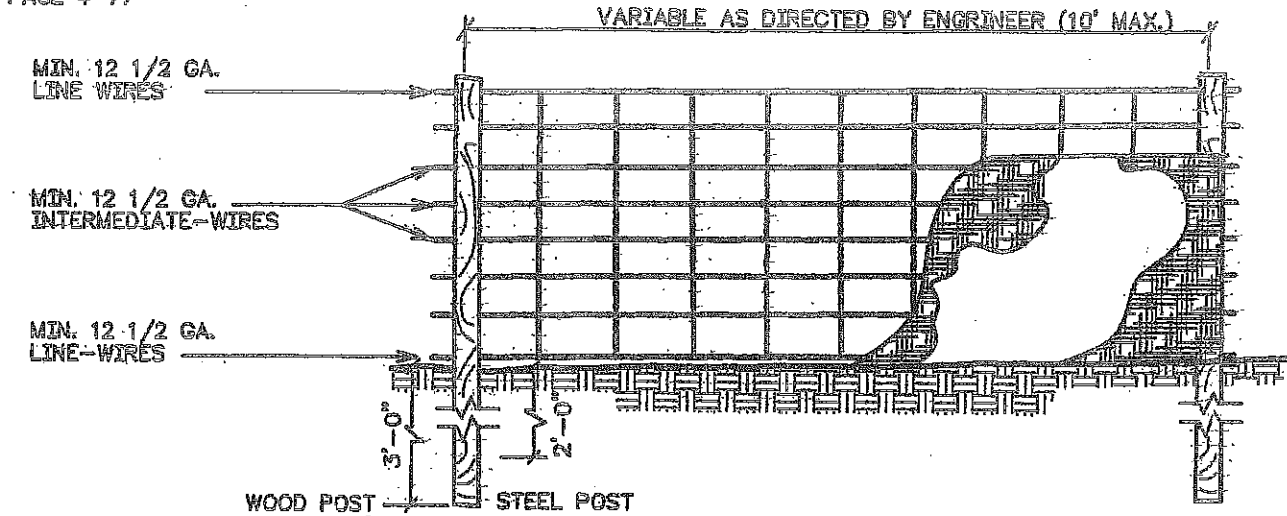
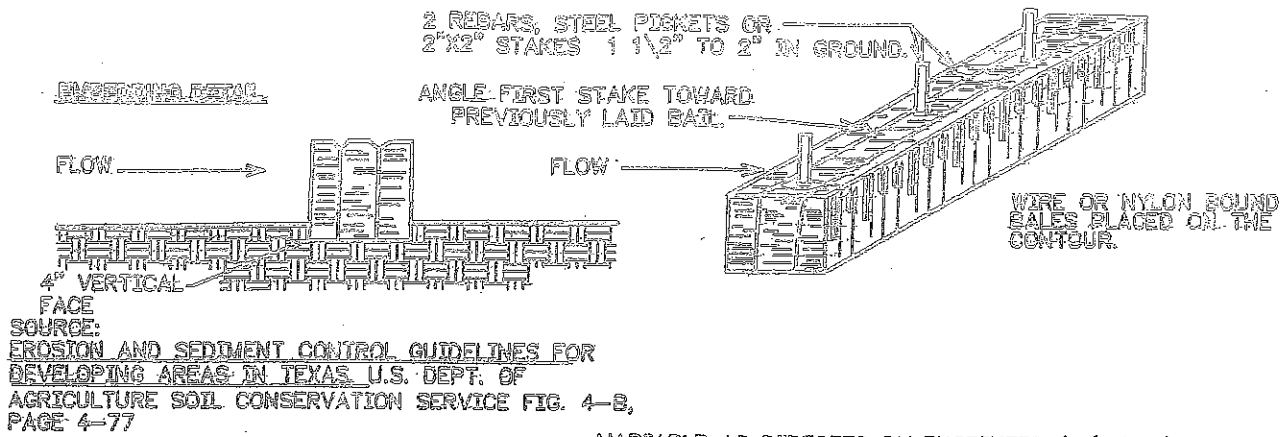
ILLUSTRATION II-1



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

## GARAGE AND DRIVEWAY PLACEMENT

ILLUSTRATION II-2



**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

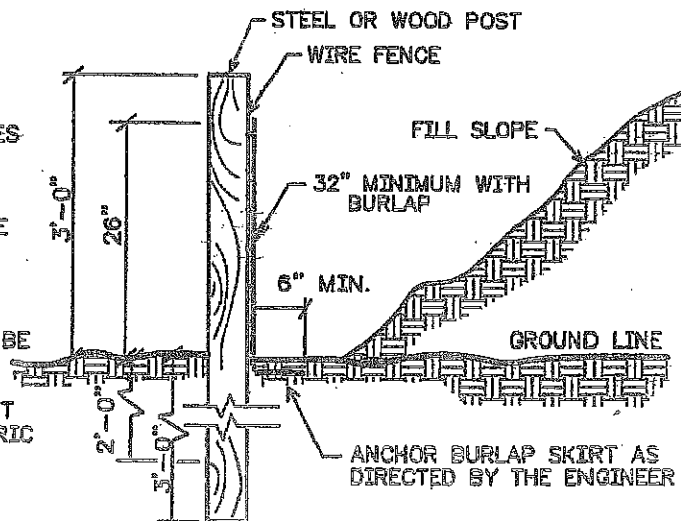
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

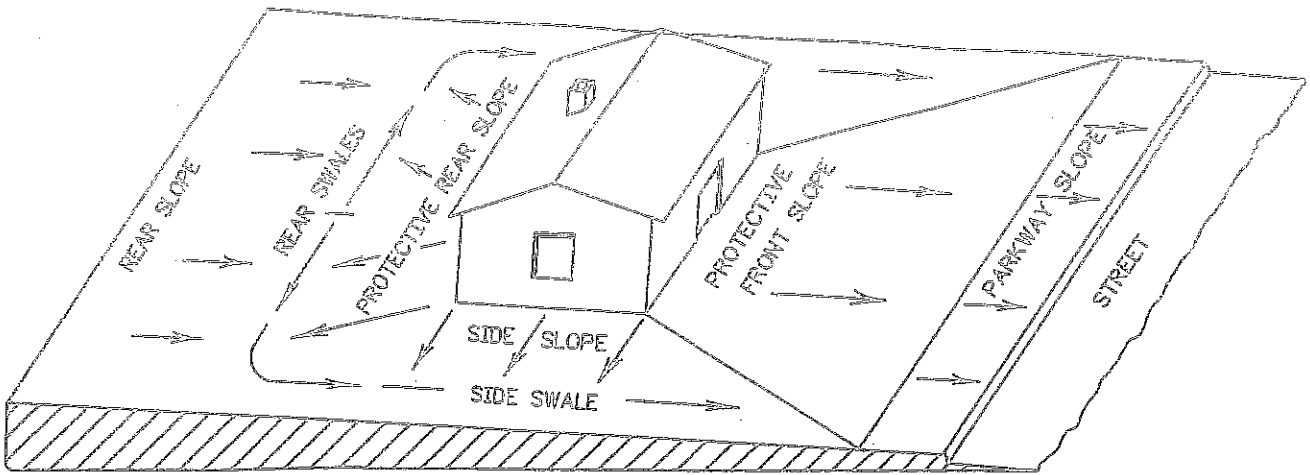
SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.



**TEMPORARY SEDIMENT CONTROL**

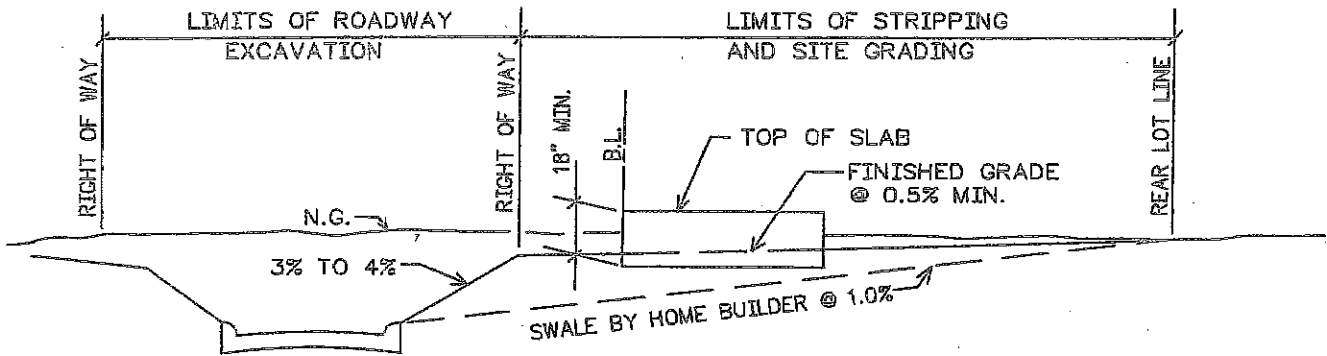
ILLUSTRATION III-1



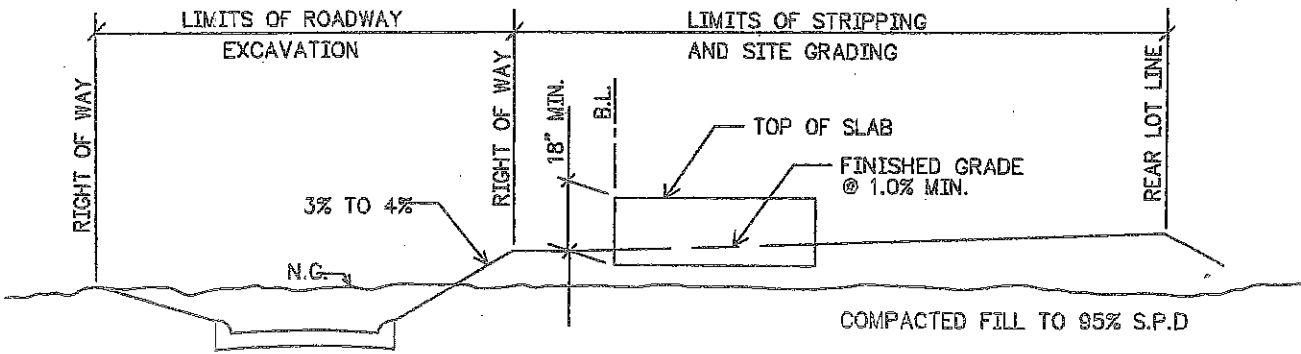
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**FHA LOT GRADING TYPE 'A'**



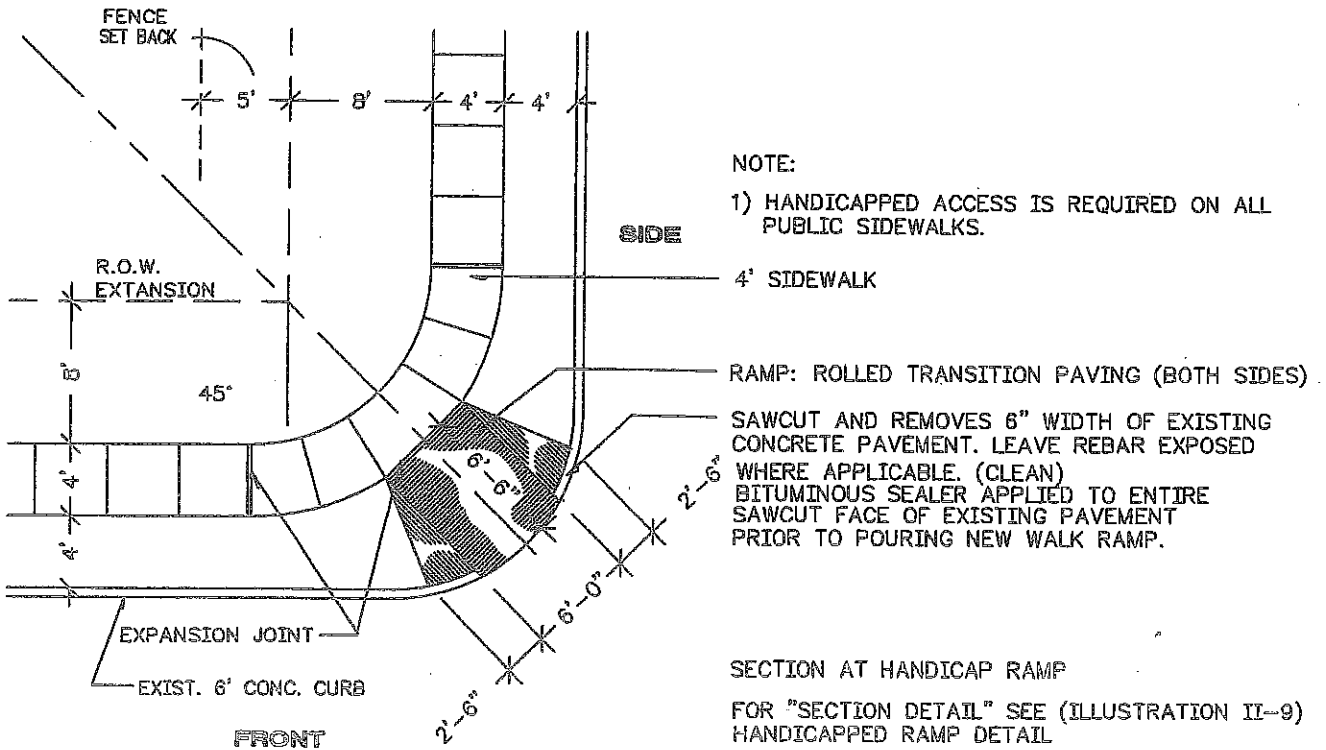
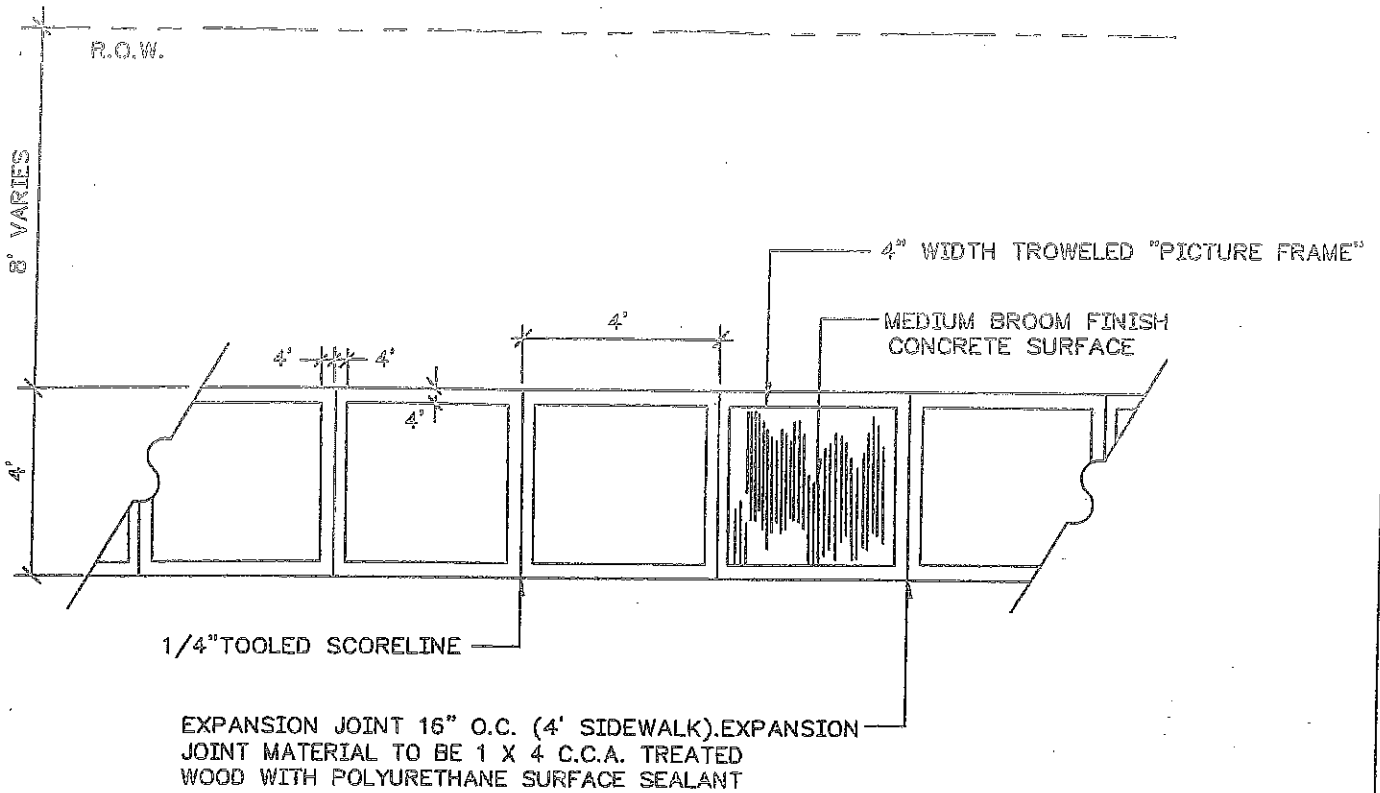
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18"**  
FHA BLOCK GRADING, TYPE "A"



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18"**  
FHA BLOCK GRADING, TYPE "T"

NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**



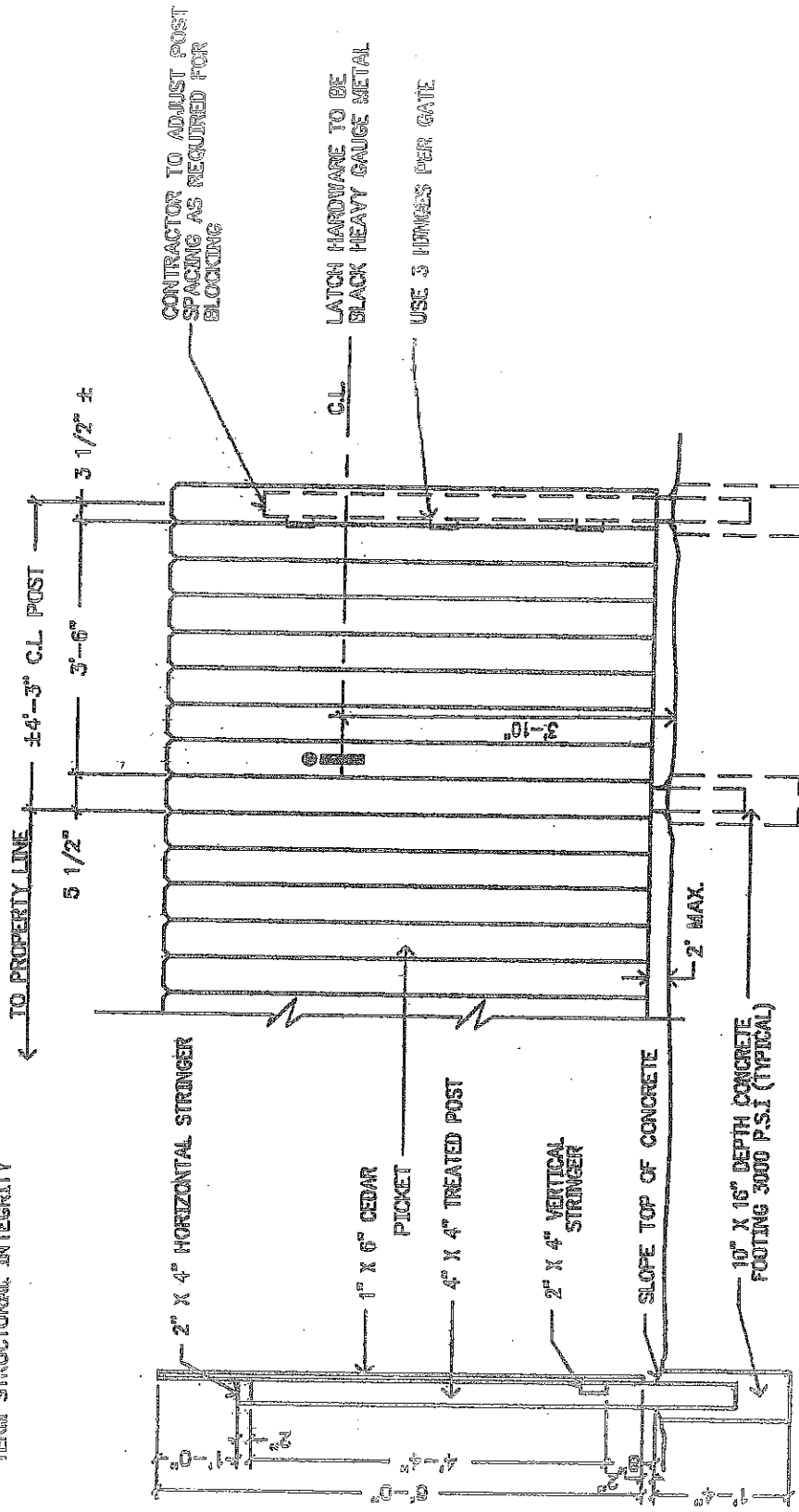
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEWALK DETAIL**

**ILLUSTRATION IV-2**

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRACING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

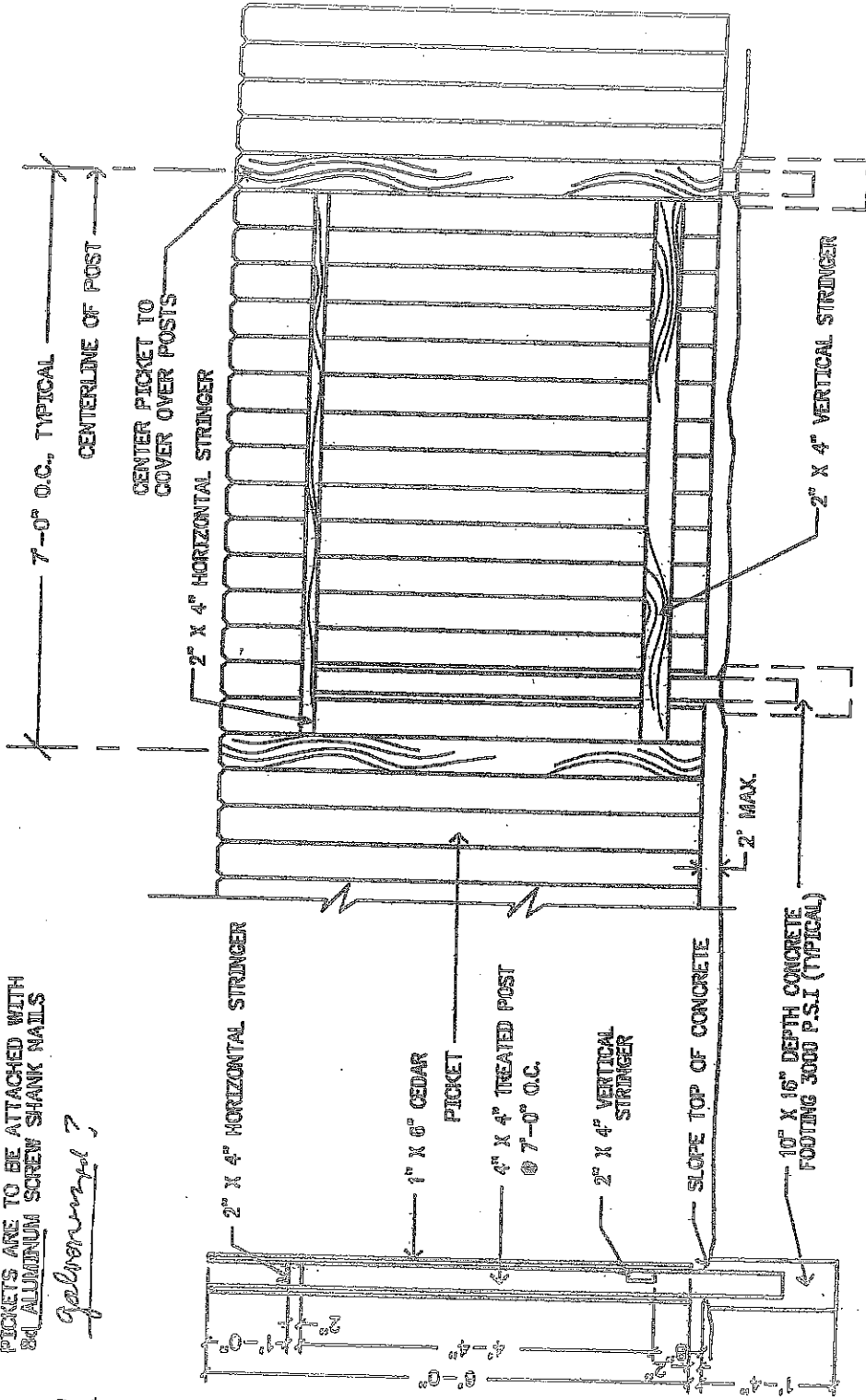
STANDARD RESIDENTIAL HINGED GATE



NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS

7 galvanized?

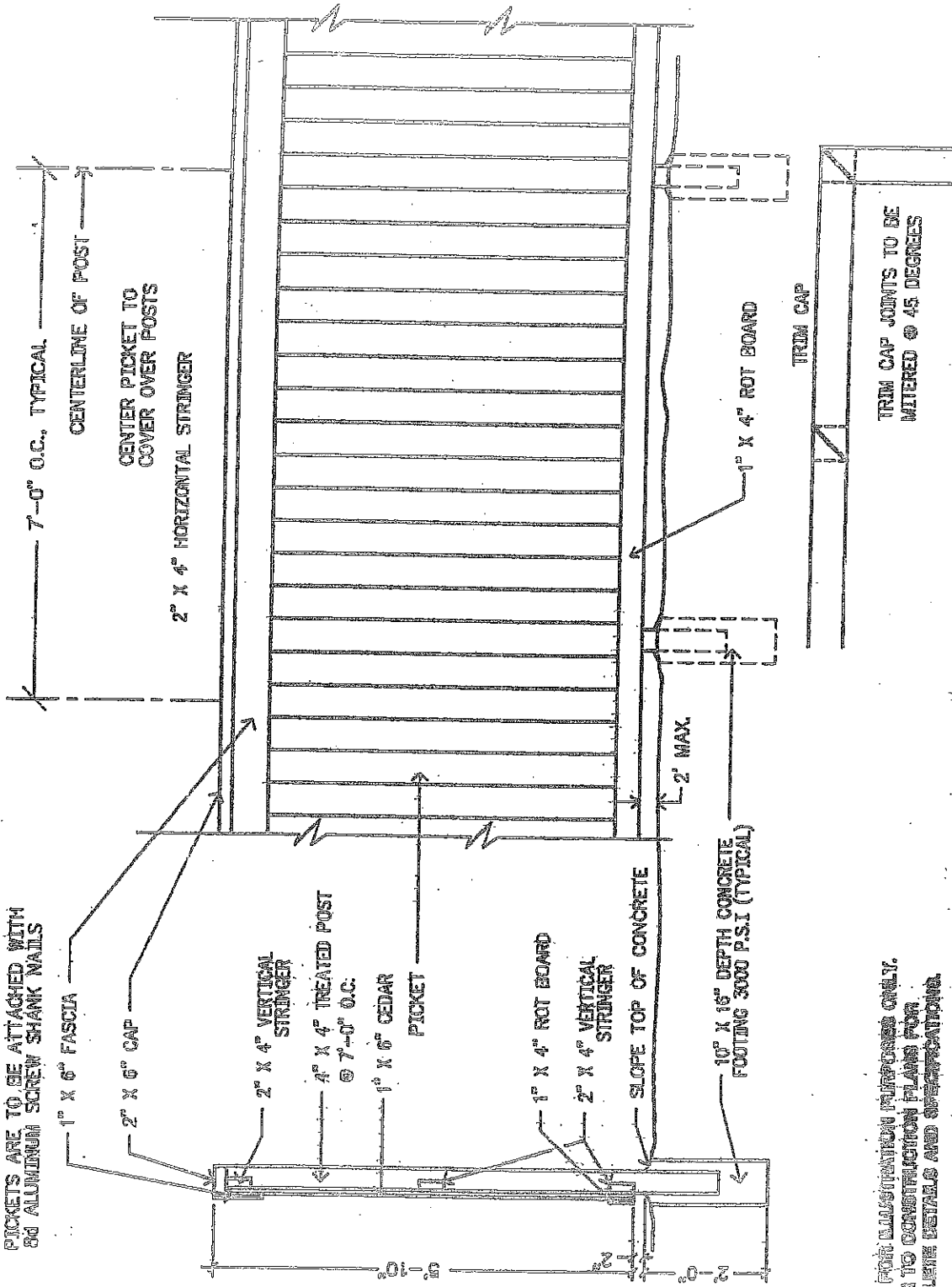


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**STANDARD RESIDENTIAL WOOD FENCE**

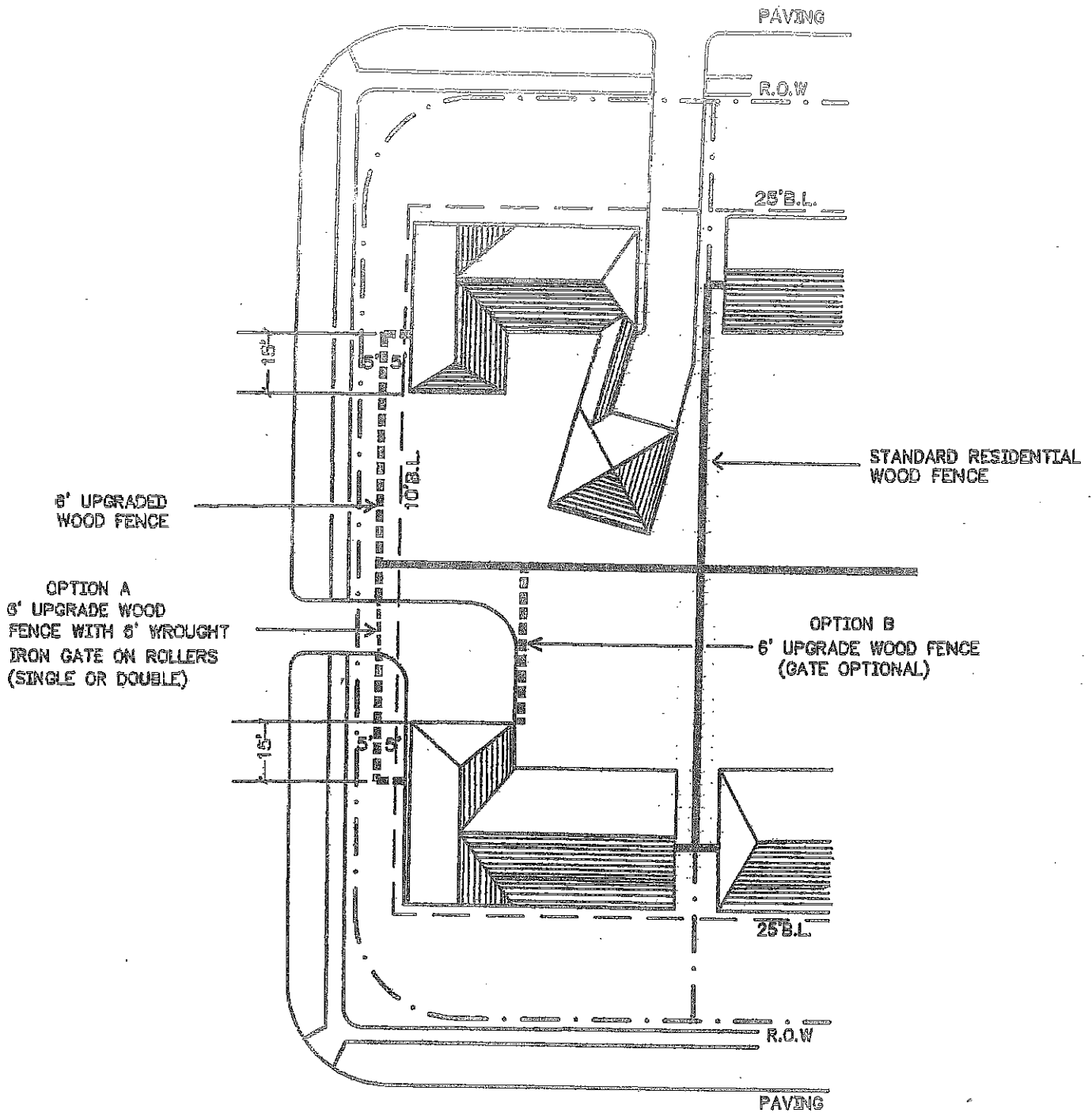
NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE**



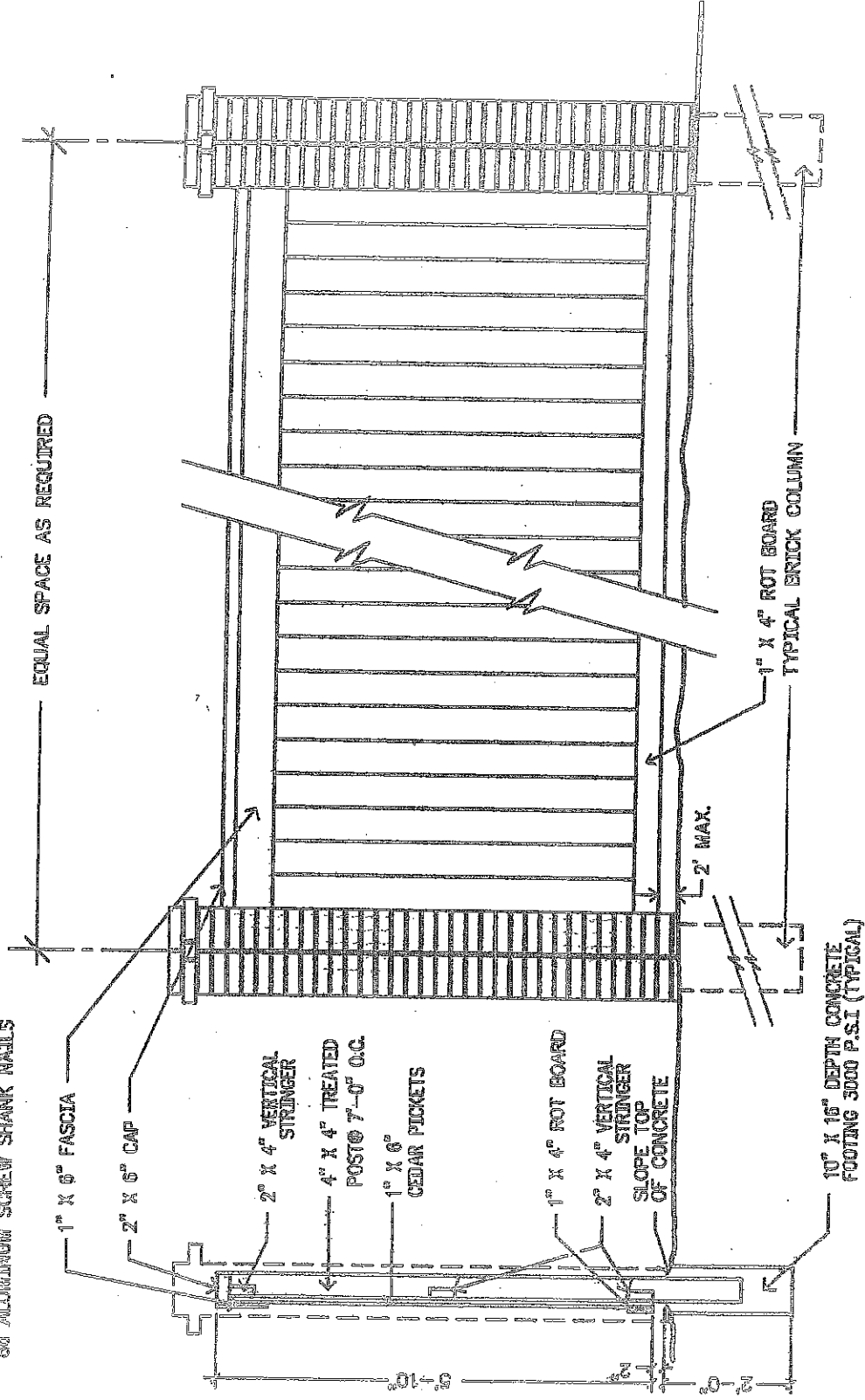
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**SIDELOT FENCING SETBACK/  
CORNER LOTS**

**ILLUSTRATION IV-6**

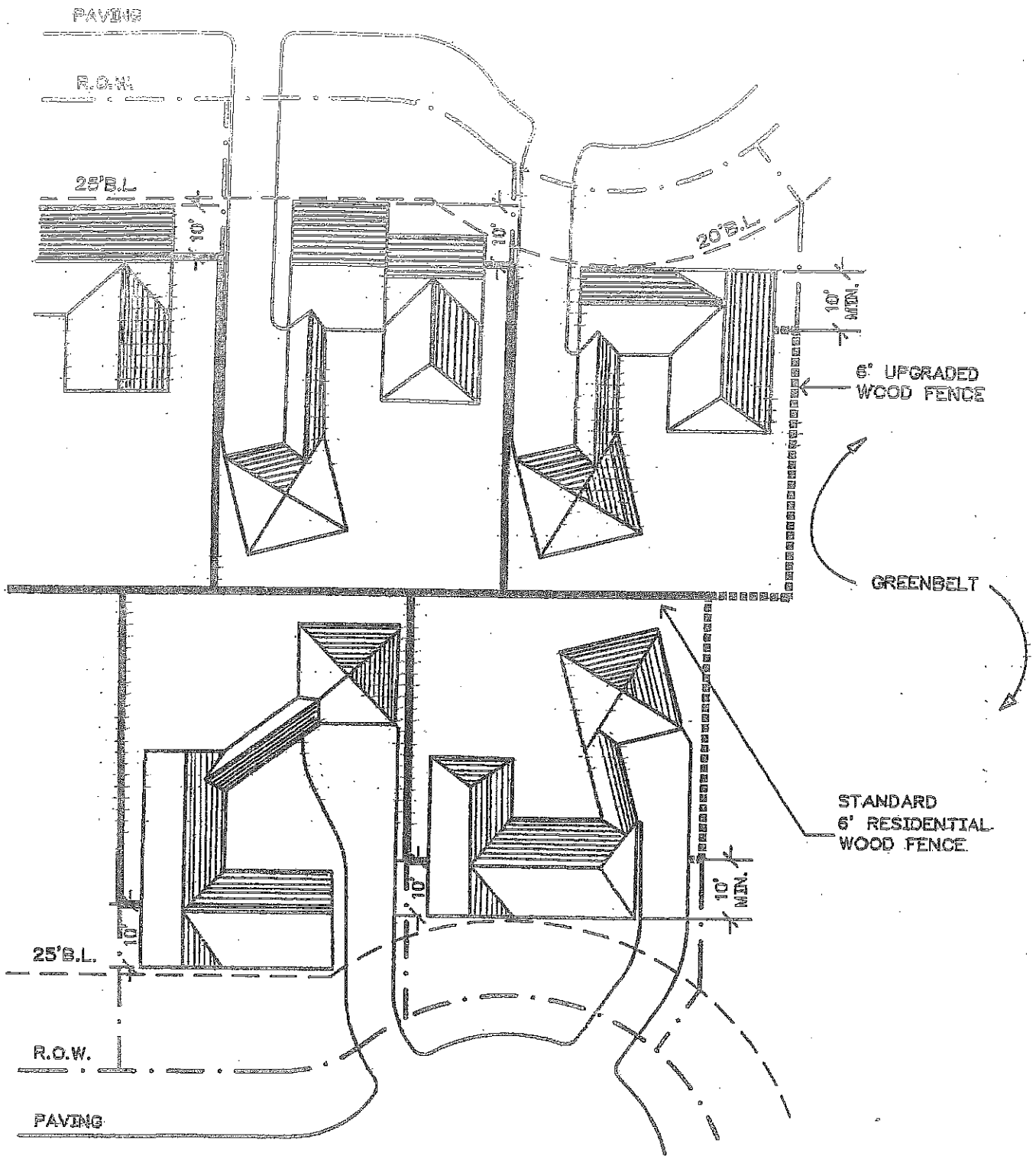
NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 5M ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

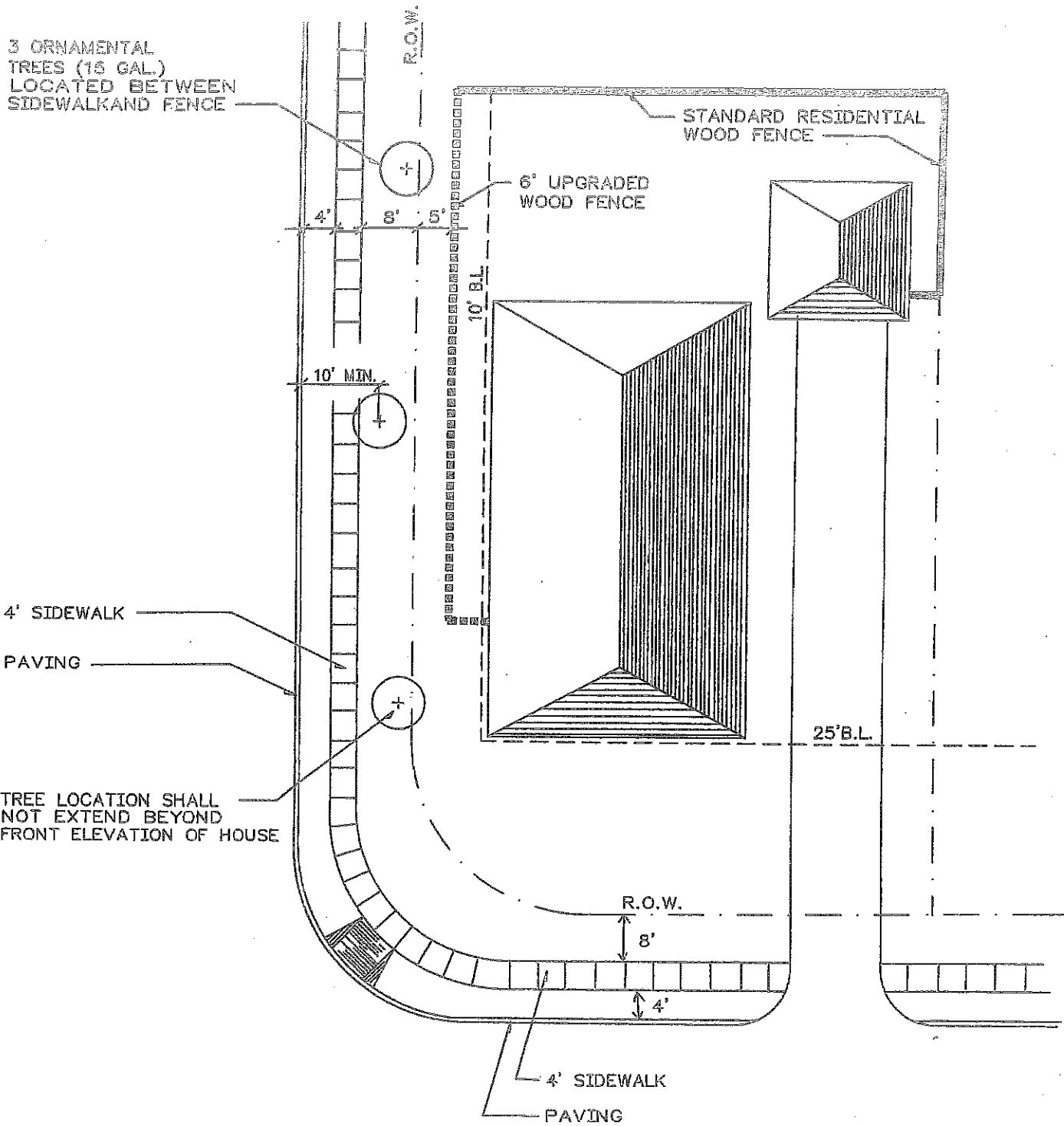
**6' UPGRADED WOOD FENCE WITH BRICK COLUMNS**



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEYARD FENCING SETBACK /  
 GREENBELT LOTS**

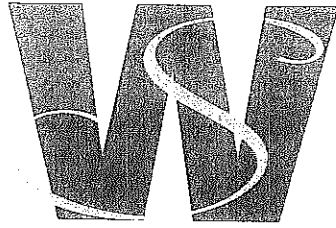
ILLUSTRATION IV-8



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

**CORNER LOT LANDSCAPING**

ILLUSTRATION IV-9



WINDSTONE  
*South*

PMS blue 5395, Beige 472

ILLUSTRATION I-1

ER 037 - 37 - 2352

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# Pages 51  
10/12/2012 12:10:25 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees 212.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



*Stan Stanart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS



WINDSTONE COLONY COMMUNITY ASSOCIATION, INC. 1EE  
SECRETARY'S CERTIFICATE 1OR  
(Windstone Colony South Sec. 3)

I, the undersigned, do hereby certify:

1. I am the duly elected and acting secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation;

2. Attached hereto as Exhibit "A" is a true and correct copy of the Builder Guidelines for Windstone Colony South Section Three, **according to the map or plat thereof recorded in Film Code No. 671091 of the Map Records of Harris County, Texas.**

IN WITNESS WHEREOF, I have hereunto subscribed my name on this 25<sup>th</sup> day of February, 2015.

*[Signature]*  
Secretary

THE STATE OF TEXAS

COUNTY OF HARRIS

This instrument was acknowledged on this 25<sup>th</sup> day of February, 2015 by Karen Sawwood, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation.

[Seal]



*[Signature]*  
Notary Public—State of Texas

ER 066 - 77 - 0481

\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE\*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**BUILDER GUIDELINES**  
**for**  
***WINDSTONE COLONY SOUTH***  
***SECTION THREE***

I. INTRODUCTION

Windstone Colony South is a residential development of Windstone Development, Ltd. The objective of these Builder Guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony South and over which Windstone Colony Architectural Review Committee (A.R.C.) will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony South and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony South is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.

Builders within Windstone Colony South are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony South is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony South be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## **II. NEIGHBORHOOD PLANNING ELEMENTS**

Residential development within Windstone Colony South is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The Builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages:

**Windstone Colony South, Section Three:**

Minimum living area, single story	1350 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2950 sq. ft.

**Site Massing and Exterior Elevations**

If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be places nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

**Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony South guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

**Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* Twenty foot (20') front yard setback lines on typical lots;

- \* Twenty foot (20') front yard setback lines on typical cul-de-sac lots;
- \* Five foot (5') side yard setback lines on typical lots;
- \* Fifteen foot (15') side setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three foot (3') side yard building setback line; and
- \* Fourteen foot (14') rear building setback line (except for split easements)

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscape area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

#### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

#### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven foot (7') wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage

facilities, pipeline easements, property boundaries, adjacent existing subdivisions, and non-residential tracts typically contain a fourteen foot (14') wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony South shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris shall be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony South are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. Such sediment control methods shall be in compliance and accordance with all applicable governmental regulations. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment and drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.

#### **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six inches (6") in caliper at a point of six inches (6") above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be

approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible, ideally at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured into the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

#### **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C. All temporary buildings must be placed a minimum of twenty-five feet (25') off of the street r.o.w.; no temporary buildings may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### **IV. LOT ELEMENTS**

### Grading and Drainage

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across the adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

### Lot Coverage

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

### Driveways

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6"x 6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two feet (2') from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).



- \* Driveways serving attached two car garages facing the street shall be a minimum of sixteen feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways leaving significant amount of green space. Under no circumstances may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony South and are to be constructed by the lot builder in accordance with the specifications shown on Illustration IV-2.

- \* All sidewalks within Windstone Colony South must conform to all applicable City of Houston rules and regulations and to the Americans with Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within the sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway of at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.

- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum of two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

#### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area of a minimum of three feet (3') for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from the A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.

\* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:

- Structure must not exceed seven feet (7') in height at its highest elevation.
- Structure must not exceed eighty (80) square feet in size.
- Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint are required at the time of construction.
- Roof must be the same color and type as the main dwelling.
- Structure must be unobstructed from public view.

#### **Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view;
- \* Must not exceed nine feet (9') in height when attached to the roof of the main dwelling; and
- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

#### **Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To ensure compatibility of fence design throughout Windstone Colony South, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.

- \* A maximum fence height of 6'0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single-sided hinged gate shall be installed at the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found in Windstone Colony South.

#### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six feet (6') in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven foot (7') panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

#### **Typical Corner Lot**

- \* The fencing located on the exterior side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The 2' x 6' trim cap shall consist of treated cedar with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included. **Lots requiring this fencing are Lots 1 & 7 in Block 1, Lots 1 & 9 in Block 2, Lots 5, 13, & 14 in Block 3, and Lot 1 in Block 4.**
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included. **The Lot requiring this fencing is Lot 10, Block 5.**
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum of fifteen feet (15') past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Greenbelt & Commercial Reserve Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt or commercial reserve shall be constructed with a six foot (6') high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6'. Trim cap joints are to be mitered at 45 degrees.
- \* Where lots side onto a greenbelt or commercial reserve, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt or commercial reserve shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts or commercial reserves is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls & Fencing**

**Developer may provide an upgraded wood fence on the side and rear property line of Lots 1 through 10 in Block 5.** Upon purchasing a lot with a fence installed by Developer, Builder shall reimburse Developer Fourteen Dollars (\$14.00) per linear foot where Developer has constructed a fence in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscaped lighting affects (such as affixed to trees as up and down lights) are permissible.

### **Screening**

Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

### **Landscaping**

The Builder is responsible for landscaping all areas on this property and the portion of the street right-of-way between the property line and the street curb. Plantings other than ground covers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of

construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

Lot 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twelve larger shrubs (minimum 5 gallon), fifteen smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of plantings may be utilized within a front yard.

Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of sixteen larger shrubs (minimum 5 gallon), twenty smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of plantings may be utilized within a front yard.

Lots 65' in Width or Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twenty larger shrubs (minimum 5

gallon), twenty-five smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.

c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of plantings may be utilized within a front yard.

- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc. are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are Ryerson steel and horizontal timber (2" x 4", 2" x 6", 4" x 4", and 4" x 6").
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized drainage purposes. Specimen boulders are permitted.
- \* The front yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.

\* Tree requirements are as follows:

Trees				
Lot Width	Required	Type	Caliper	Height
49' or less	1	1 hardwood	4"	12'
50' – 64'	2	1 hardwood	4"	12'
		1 ornamental	N/A	
65' and over	3	2 hardwoods	4"	14'
		1 ornamental	N/A	

- \* Use of hardwoods is preferred; however, some pines can be introduced into planting. The accepted ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, 2" in diameter by 6' long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use its best efforts to notify owner/occupant of the necessity to comply with all landscaping



requirements under the landscape guidelines. Proper maintenance includes:

- a. Adequate watering;
- b. Appropriate fertilization;
- c. Pruning;
- d. Mowing;
- e. Weed control in lawns and planting beds;
- f. Seasonal mulching of planting beds;
- g. Insect and disease control;
- h. Replacement of diseased or dead plant materials; and
- i. Warranty of all planting materials.

### Corner Lots

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* One additional hardwood tree in the front/side yard.
- \* Three (3) ornamental trees in fifteen (15) gallon containers are to be planted along the side street portion of corner lots. **Notwithstanding the foregoing – three (3) Live Oak trees in thirty (30) gallon containers with a minimum of two inch (2") caliper and eight feet (8') in height shall be planted along the side street portion of the following corner lots - Lot 1, Block 1 and Lots 13 and 14, Block 3.** The trees are to be planted beginning at a point ten feet (10') from the rear property line or driveway, if applicable, on fifteen foot (15') centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### Master Plant List

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## V. HOUSING

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony South. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony South be of the highest quality. As a minimum, Builders are required to warrant compliance with the Southern Building Code.

### Foundations

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agencies.

### Exterior Materials

Single-family residences within Windstone Colony South must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Hardiplank may be used on front and side elevations for accent or structural purposes, as approved by the A.R.C., or for other purposes approved by the A.R.C. Changes in materials should have a logical relationship to the changes in the form of the house.

- \* One story product – shall be 100% masonry on three sides
- \* Two story product – shall be 100% masonry on the front elevation; 100% masonry on the lower half of two side totaling 50% masonry on each side.
- \* Adjacent houses shall have different brick colors.

Samples of all exterior materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony South must comply with the following standards and/or guidelines.

**Masonry**

- \* **Stone**  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.
- \* **Brick**  
Brick used on residences in Windstone Colony South shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87.
- \* **Mortar Joints**  
All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

**Hardi Plank**

- \* Hardi plank siding must be used for all siding product or in conjunction with masonry. Only hardi plank will be acceptable for such use.
- \* Wood siding is prohibited.
- \* Vinyl siding is prohibited.
- \* Trim - All wood trim shall be smooth, high quality finish-grade stock and must be stained or polished as approved by the A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

**Stucco**

- \* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

**Metal**

- \* Exposed metals shall be anodized aluminum, bronze, copper or painted galvanized steel.

**Synthetic Materials**

- \* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of the A.R.C.

### **Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than eight feet (8') in height. All privacy walls must have A.R.C. approval.

### **Window Treatment**

- \* Metal windows must be used and the finish shall complement the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side façade, or on any façade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of the A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

### **Roof Treatment**

#### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather gray.
- \* Wood shingles are strictly prohibited.

#### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in twelve (12), except where a deck is called for.

#### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plane.

Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs, affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

**Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor in stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence are acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.

- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the façade of a side or rear loaded attached garage to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

**Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

**Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

**Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by the A.R.C.

**Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

**VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are

handled. The following items should be considered when establishing a model home park and/or sales office.

### **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

### **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony South shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

### **Site Improvements**

- \* Sidewalks do not necessarily need to be placed two feet in the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet.
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

### **Parking**

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off-street

parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

**VII. SIGNAGE**

**Model Home Park Signage**

- \* Signage for model homes parks shall be approved by the Declarant and conform to the City of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* Windstone Colony South logo and logo type .

**Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to the A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

**VIII. SUBMISSION AND APPROVAL**

**Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by the Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony South and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.



## General

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to the acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure adequate review of all submissions while accommodating the needs of the Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony South by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
8711 Highway 6 North, Suite 270  
Houston, Texas 77077

## Requirements

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in phases prior to construction of or any exterior improvements upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations

- d. Siting of improvements/fencing
3. Preliminary plans including:
- a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
- a. Final architectural plans of drawings listed under Phase I above
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

On-Going Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

- 1. Plan Submittal Form (see enclosed)
  - a. Production
- 2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
- 3. Construction documents and specifications for variations from standard
  - a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

### **A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

#### Initial Review

##### Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

##### Phase II

Construction Documents	15 Days
------------------------	---------

#### On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction Documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

### **Approval Not a Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed

improvements. Such approvals and design guidelines shall in no event be construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence of nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

**IX. PROJECT INFORMATION**

Developer and Project Management:  
**Windstone Development, Ltd.**  
5005 Riverway, Suite 150  
Houston, Texas 77056

Engineer:  
**Sherrington, Inc.**  
8203 Willow Place South, Suite 400  
Houston, Texas 77070

Land Planner:  
**Kerry R. Gilbert & Associates, Inc.**  
15810 Park Ten Place, Suite 160  
Houston, Texas 77084

Landscape Architect:  
**Robert E. Forsythe**  
2230 Shadowdale  
Houston, Texas 77043

X. APPENDIX

RESIDENTIAL LOT MASTER PLANT LIST – A1

TREES

<u>Botanical Name</u>	<u>Common Name</u>
Acer rubrum	Red Maple
Betula nigra	River Birch
Carya illinoensis & vars.	Pecan
Cersis canadensis & vars.	Redbud
Crataegus marshallii	Parsley Leaf Hawthorn
Crataegus spathulata	Little Hip Hawthorn
Fraxinus pennsylvanica vars.	Green Ash
Ilex decidua	Possumhaw
Ilex opaca & vars.	American Holly
Ilex vomitoria	Yaupon Holly
Koelreuteria bipinnata	Goldenrain Tree
Lagerstroemia indica vars.	Crapemyrtle
Liquidambar styraciflua & vars.	Sweetgum
Ligustrum japonicum (tree form)	Wax Leaf Ligustrum
Magnolia grandiflora & vars.	Southern Magnolia
Magnolia soulangiana & vars.	Saucer Magnolia
Magnolia virginiana	Sweet Bay Magnolia
Myrica cerifera	Southern Bayberry
Parkinsonia aculeate	Retama
Platanus occidentalis	Sycamore
Prunus caroliniana	Cherry Laurel
Pyrus calleryana & vars.	Callery Pear
Quercus falcate & vars.	Southern Red Oak
Quercus nigra	Water Oak
Quercus nuttallii	Nuttall Oak
Quercus phellos	Willow Oak
Quercus shumardi	Shumard Oak
Quercus texana	Texas Red Oak
Quercus virginiana	Live Oak
Sapium sebiferum	Chinese Tallow
Taxodium districhum	Bald Cypress
Ulmus crassifolia	Evergreen Elm

ER 066 - 77 - 0510

## Shrubs

<u>Botanical Name</u>	<u>Common Name</u>
<i>Berberis thunbergii</i> "Crimson Pygmy"	Crimson Pygmy Barberry
<i>Buxus microphylla japonica</i>	Japanese Boxwood
<i>Camellia sasanqua</i> vars.	Sasanqua Camellia
<i>Chamaerops humulis</i>	Mediterranean Fan Palm
<i>Cleyera japonica</i>	Japanese Cleyera
<i>Cycas revoluta</i>	King Sago Palm
<i>Elaeagnus pungens</i> vars.	Elaeagnus
<i>Eriobotrya</i> x "Coppertone"	Coppertone Loquat
<i>Fatsia japonica</i>	Fatsia
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Gardenia jasminoides</i> "Radicans"	Dwarf Gardenia
<i>Ilex cornuta</i> vars.	Chinese Holly
<i>Ilex decidua</i>	Possumhaw
<i>Ilex vomitoria</i> & vars.	Yaupon Holly
<i>Juniperus</i> spp. & vars.	Juniper
<i>Lagerstroemia indica</i> (dwarf vars.)	Dwarf Crape Myrtle
<i>Ligustrum japonicum</i> & vars.	Wax Leaf Ligustrum
<i>Ligustrum sinense</i> "Variegatum"	Variegated Privet
<i>Mahonia bealei</i>	Leatherleaf Mahonia
<i>Michelia figo</i>	Banana Shrub
<i>Myrica cerifera</i>	Southern Bayberry
<i>Nandina domestica</i> & vars.	Nandina
<i>Nandina domestica</i> "Compacta"	Compact Nandina
<i>Nerium Oleander</i> (hardy vars.)	Oleander
<i>Photinia Fraseri</i>	Fraser's Photinia
<i>Pittosporum tobira</i> & vars.	Pittosporum
<i>Pyracantha</i> spp. & vars.	Pyracantha
<i>Raphiolepis indica</i> vars.	Indian Hawthorn
<i>Rhododendrom</i> ( <i>Azalea</i> ) spp. & vars.	Azalea
<i>Viburnum japonicum</i>	Japanese Viburnum
<i>Viburnum odoratissimum</i>	Sweet Viburnum
<i>Viburnum suspensum</i>	Sandankwa Viburnum
<i>Viburnum tinus</i> & vars.	Laurustinus Viburnum
<i>Xylosma congestum</i>	Shiny Xylosma
<i>Yucca</i> spp. & vars.	Yucca

**GROUNDCOVERS**

<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>
Ajuga reptans & vars.	Ajuga
Asparagus sprengeri	Sprenger Asparagus
Berberis thunbergii "Crimson Pygmy"	Crimson Pygmy Bayberry
Cyrtomium falcatum	Holly Fern
Gardenia jasminoides "Radicans"	Dwarf Gardenia
Hedera canariensis	Algerian Ivy
Hedera helix & vars.	English Ivy
Juniperus spp. & vars.	Juniper
Liriope muscari & vars.	Liriope
Lonicera japonica chinensis	Purple Japanese Honeysuckle
Lonicera japonica "Halliana"	Hall's Honeysuckle
Nandina domestica "Harbour Dwarf"	Harbour Dwarf Nandina
Ophiopogon japonica	Monkey Grass
Ophiopogon japonicus "Nanus"	Dwarf Monkey Grass
Pyracantha "Red Elf"	Red Elf Pyracantha
Pyracantha "Ruby Mound"	Ruby Mound Pyracantha
Trachelospermum asiaticum & vars.	Japanese Star Jasmine
Tachelospermum jasminoides & vars.	Confederate Jasmine

**GRASS**

<b><u>Botanical Name</u></b>	<b><u>Common Name</u></b>
Cynodon dactylon	Common Bermuda
Cynodon hybrids	Hybrid Bermuda
Festuca arundinacea	Tall Fescue KY-31
Lolium multiflorum	Annual Rye Grass
Stenotaphrum sercundetum & hybrids	St. Augustine Grass



## VINES

### Botanical Name

Bignonia capreolata  
 Clematis dioscoreifolia  
 Campsis radicans  
 Clytostoma callistegioides  
 Ficus pumila  
 Gelsemium sempervirens  
 Lonicera japonica chinensis  
 Lonicera japonica "Halliana"  
 Lonicera sempervirens & vars.  
 Millettia reticulata  
 Rosa banksiae  
 Wisteria sinensis

### Common Name

Crossvine  
 Sweet Autumn Clematis  
 Trumpet Creeper  
 Lavender Trumpet Vine  
 Climbing Fig Vine  
 Carolina Jasmine  
 Purple Japanese Honeysuckle  
 Hall's Honeysuckle  
 Trumpet Honeysuckle  
 Evergreen Wisteria  
 Yellow Lady Banks' Rose  
 Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikartii  
 Chrysanthemum maximums vars.  
 Coreopsis spp. & vars.  
 Cyrtomium falcatum  
 Fern spp.  
 Gerbera jamesonii vars.  
 Hymenocallis spp.  
 Hemerocallis vars.  
 Iris vars.  
 Tulbaghia violacea

### Common Name

Firkarti Aster  
 Shasta Daisy  
 Coreopsis  
 Holly Fern  
 Fern  
 Gerbera Daisy  
 Basketflower  
 Daylily  
 Louisiana Iris  
 Society Garlic

## ANNUALS

### Spring Planting

(March/April)  
 Geraniums  
 Lantana montevidensis vars.  
 Periwinkle  
 Petunia (last only through May)  
 Purslane  
 Scarletta begonia  
 Marigolds  
 Portulaca

### Fall Planting

(October/November)  
 Calendula  
 Pansy  
 Snapdragons  
 Dianthus  
 Mums

**XI. LIST OF ILLUSTRATIONS**

- I-1 Windstone Colony South, Section Three
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Side Lot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Side Yard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony South logo and Logo Type



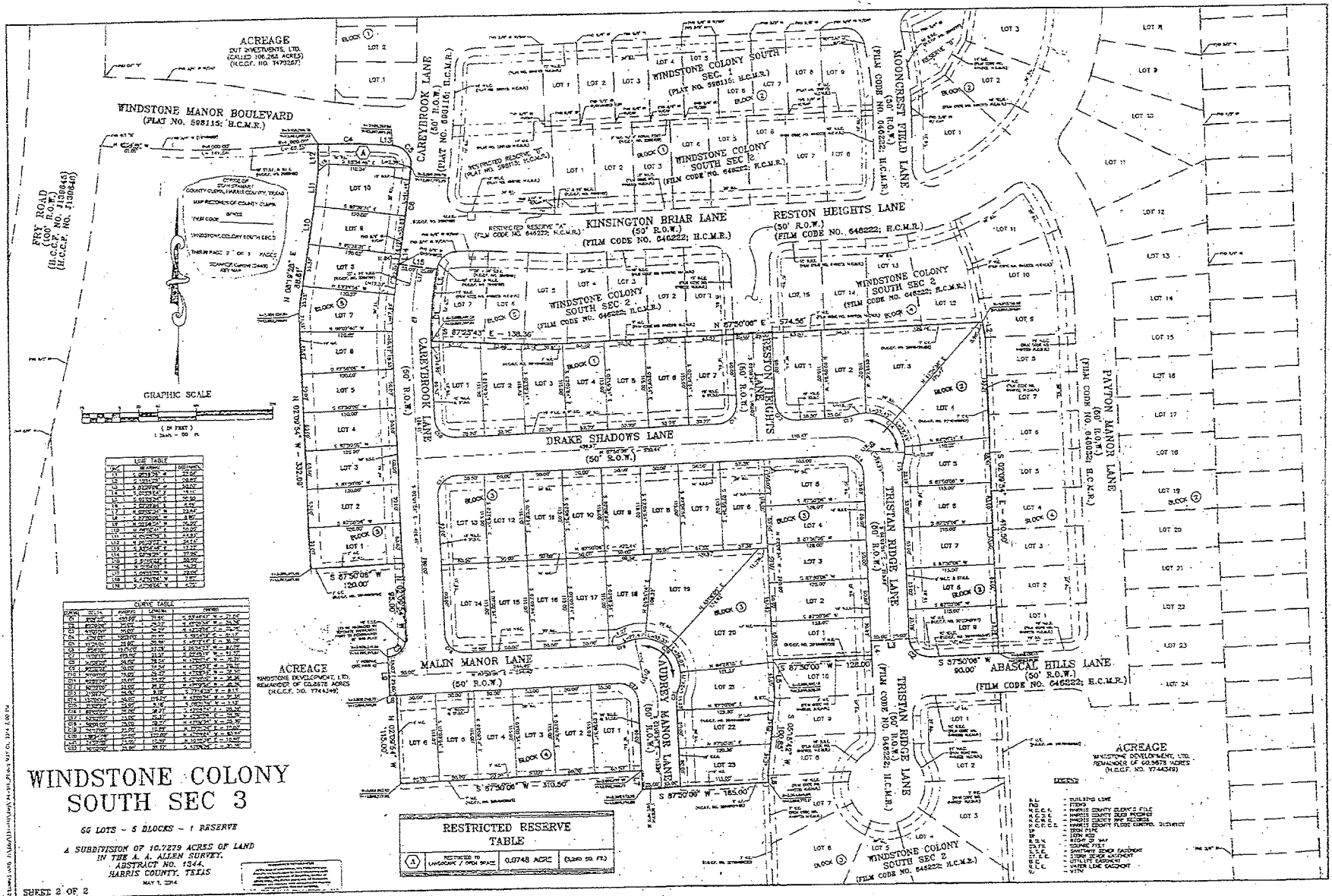


ILLUSTRATION I-1

WINDSTONE COLONY SOUTH SEC 3

66 LOTS - 5 BLOCKS - 1 RESERVE

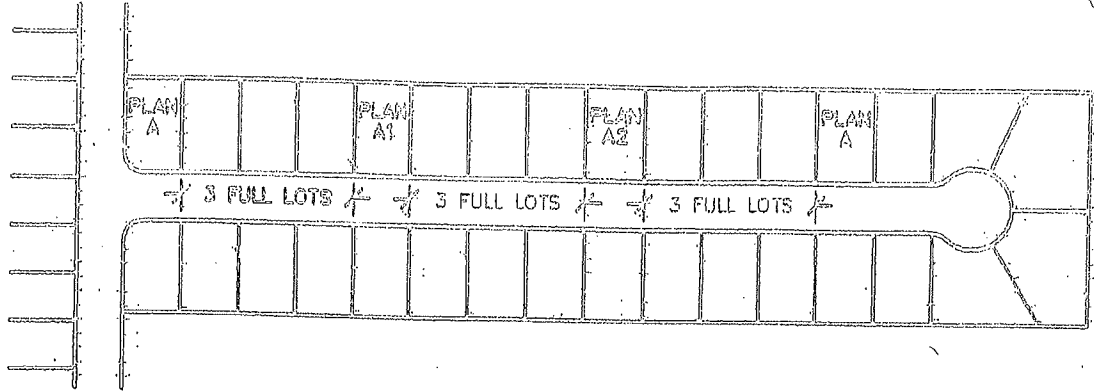
A SUBDIVISION OF 10.7279 ACRES OF LAND  
IN THE A. ALLEN SURVEY,  
ABSTRACT NO. 1244,  
HARRIS COUNTY, TEXAS  
MAY 1, 2014

RESTRICTED RESERVE TABLE

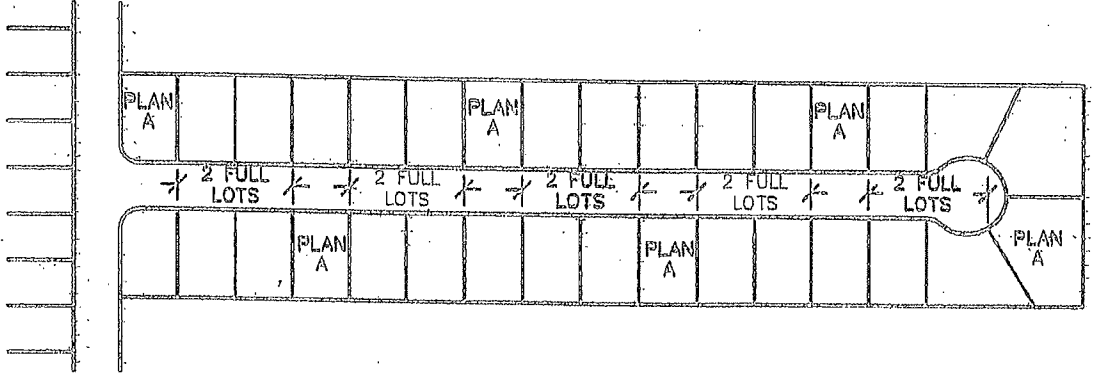
NO.	DESCRIPTION	ACRES	PERCENTAGE
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2	RESERVED FOR THE STATE	0.0748	0.0748
3	RESERVED FOR THE STATE	0.0748	0.0748
4	RESERVED FOR THE STATE	0.0748	0.0748
5	RESERVED FOR THE STATE	0.0748	0.0748
6	RESERVED FOR THE STATE	0.0748	0.0748
7	RESERVED FOR THE STATE	0.0748	0.0748
8	RESERVED FOR THE STATE	0.0748	0.0748
9	RESERVED FOR THE STATE	0.0748	0.0748
10	RESERVED FOR THE STATE	0.0748	0.0748
11	RESERVED FOR THE STATE	0.0748	0.0748
12	RESERVED FOR THE STATE	0.0748	0.0748
13	RESERVED FOR THE STATE	0.0748	0.0748
14	RESERVED FOR THE STATE	0.0748	0.0748
15	RESERVED FOR THE STATE	0.0748	0.0748
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17	RESERVED FOR THE STATE	0.0748	0.0748
18	RESERVED FOR THE STATE	0.0748	0.0748
19	RESERVED FOR THE STATE	0.0748	0.0748
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21	RESERVED FOR THE STATE	0.0748	0.0748
22	RESERVED FOR THE STATE	0.0748	0.0748
23	RESERVED FOR THE STATE	0.0748	0.0748
24	RESERVED FOR THE STATE	0.0748	0.0748
25	RESERVED FOR THE STATE	0.0748	0.0748
26	RESERVED FOR THE STATE	0.0748	0.0748
27	RESERVED FOR THE STATE	0.0748	0.0748
28	RESERVED FOR THE STATE	0.0748	0.0748
29	RESERVED FOR THE STATE	0.0748	0.0748
30	RESERVED FOR THE STATE	0.0748	0.0748

ER 066 - 77 - 0517

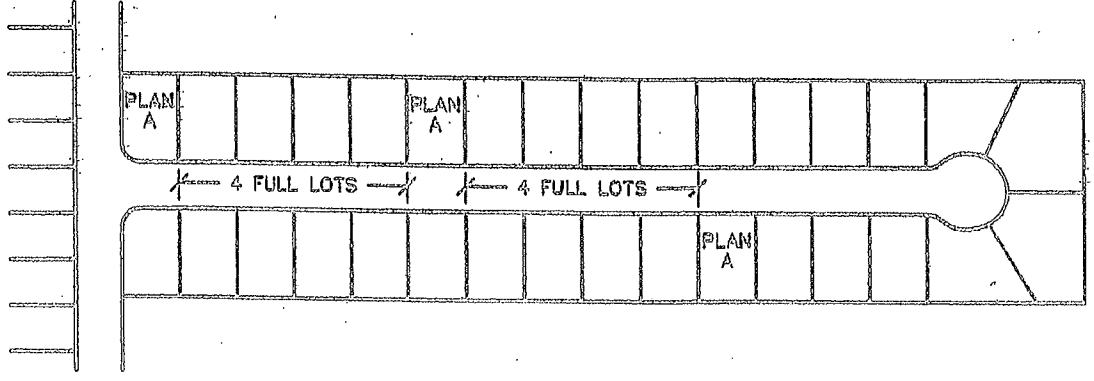
1 SAME PLAN, DIFFERENT ELEVATION, SAME SIDE



2 SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE



3 SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE

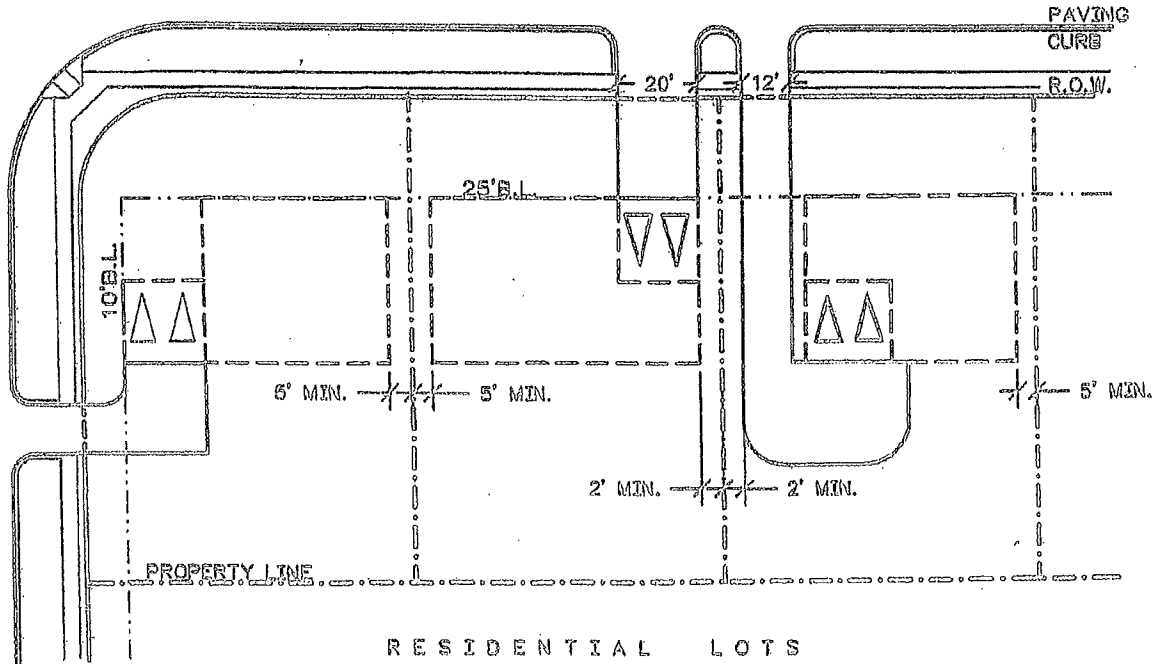
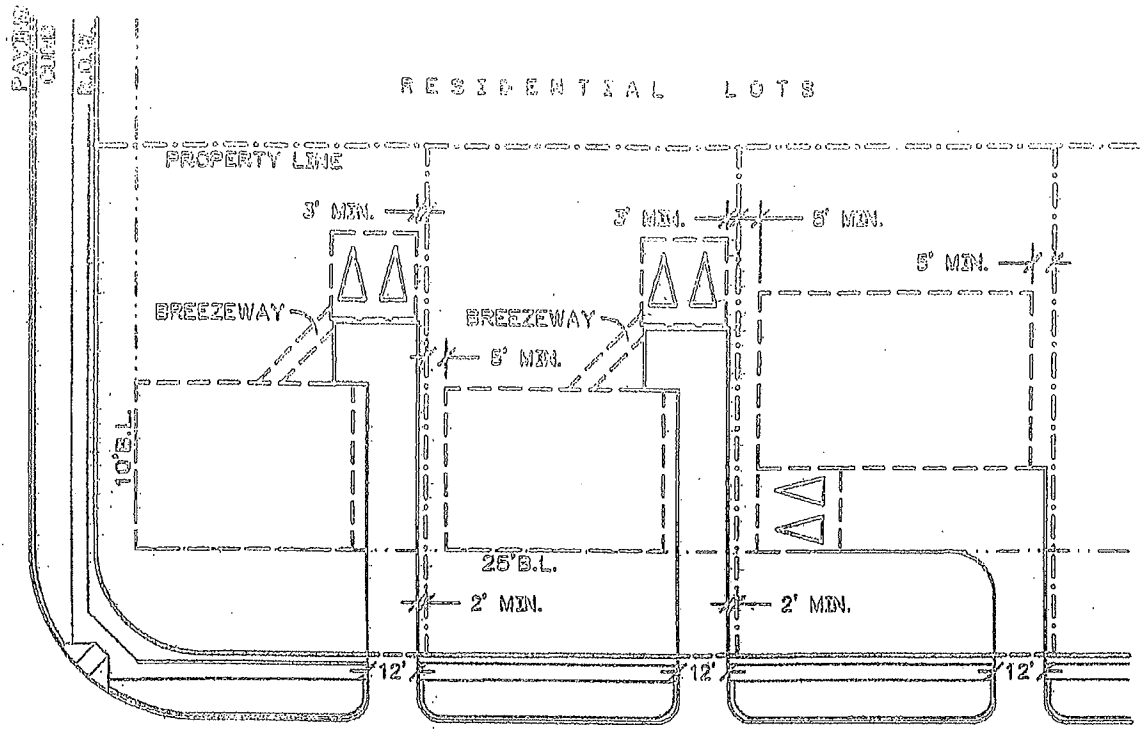


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

HOUSING PLAN AND  
ELEVATION REPETITION

ILLUSTRATION II-1

ER 066 - 77 - 0518

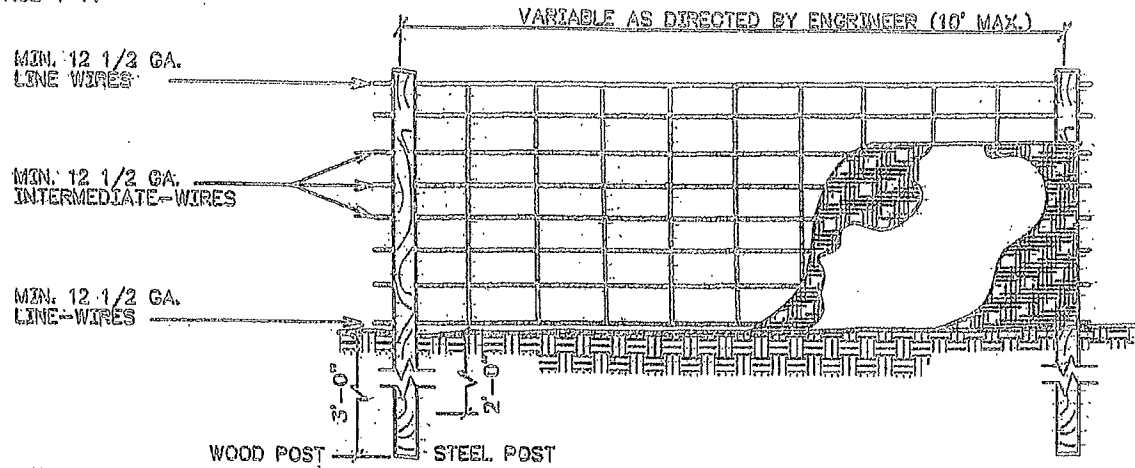
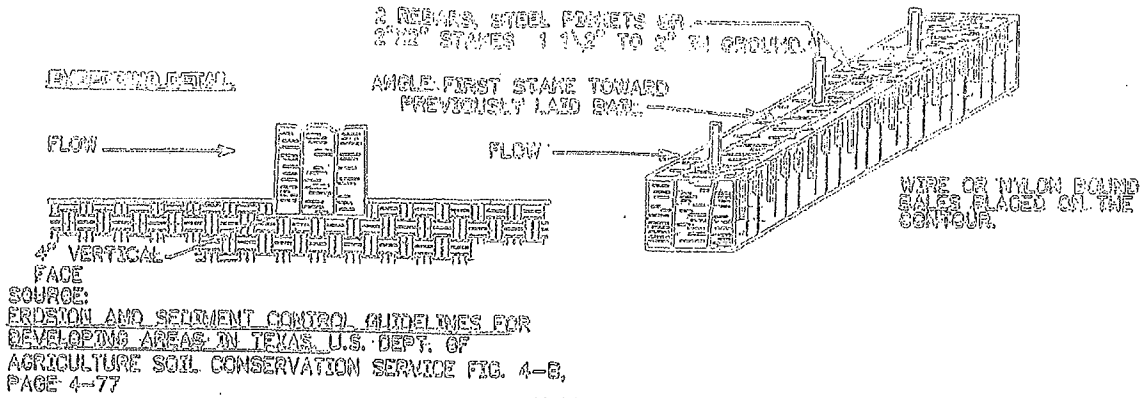


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

### GARAGE AND DRIVEWAY PLACEMENT

ILLUSTRATION II-2

ER 066 - 77 - 0519



SOURCE:  
CITY OF GREENVILLE, N.C.  
MANUAL OF STANDARD DESIGNS AND DETAILS  
STD. NO. 20.05

GENERAL NOTES:

FENCE FABRIC SHALL BE MINIMUM 32\"/>

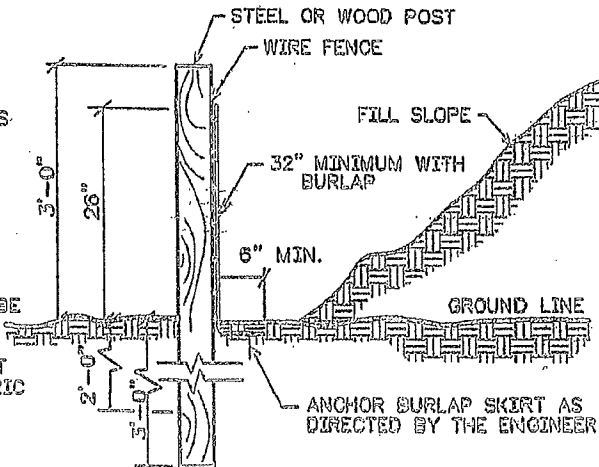
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A  
MINIMUM OF 32\"/>

STEEL POST SHALL BE 5'-0\"/>

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT  
AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

SOURCE:  
CITY OF GREENVILLE, N.C.  
MANUAL OF STANDARD DESIGNS AND DETAILS  
STD. NO. 20.05

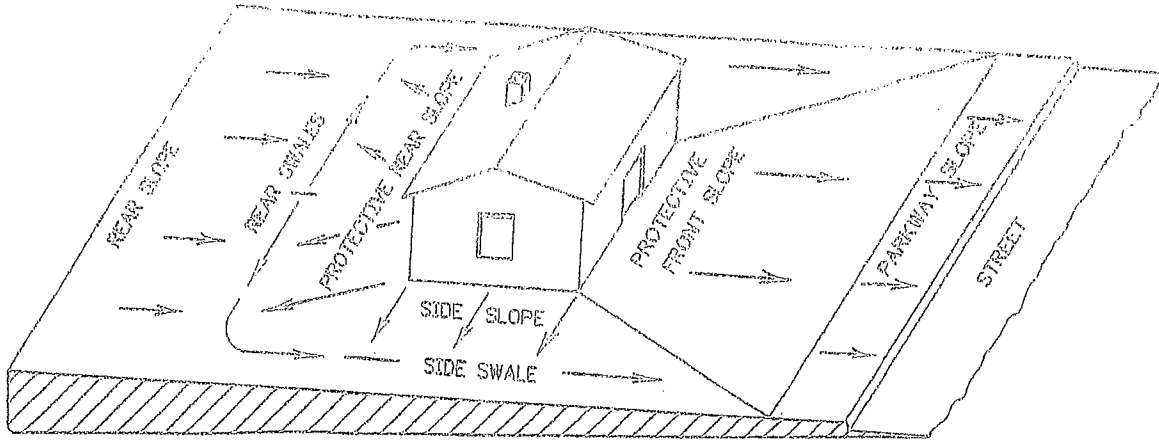
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.



TEMPORARY SEDIMENT CONTROL

ILLUSTRATION III-1

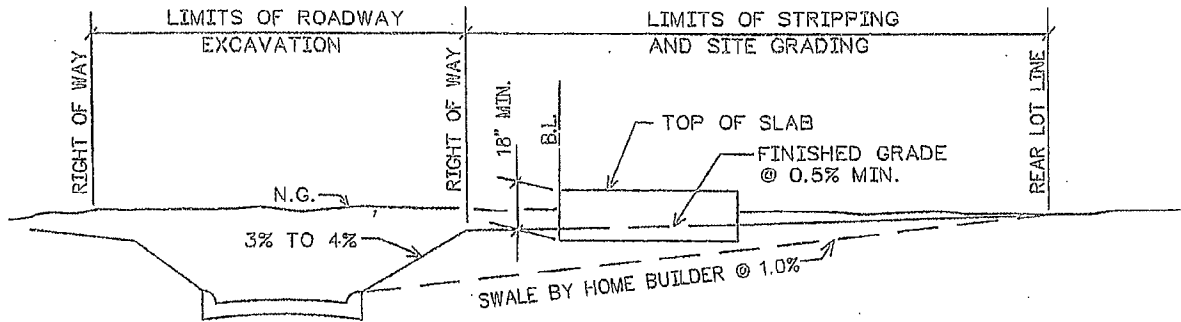
ER 066 - 77 - 0520



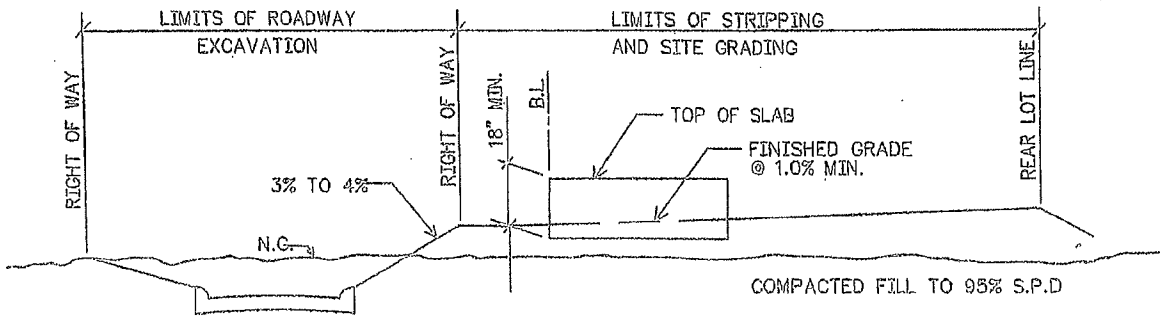
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

F.H.A. LOT GRADING TYPE 'A'



TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 16"  
F.H.A. BLOCK GRADING, TYPE 'T'



TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 16"  
F.H.A. BLOCK GRADING, TYPE 'T'

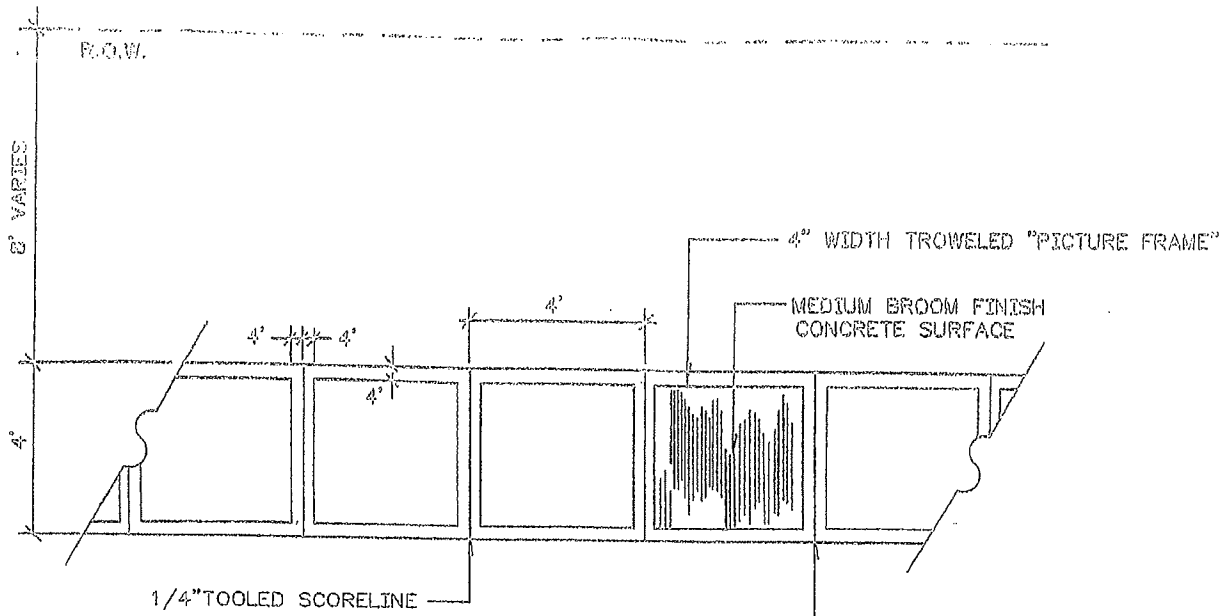
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**

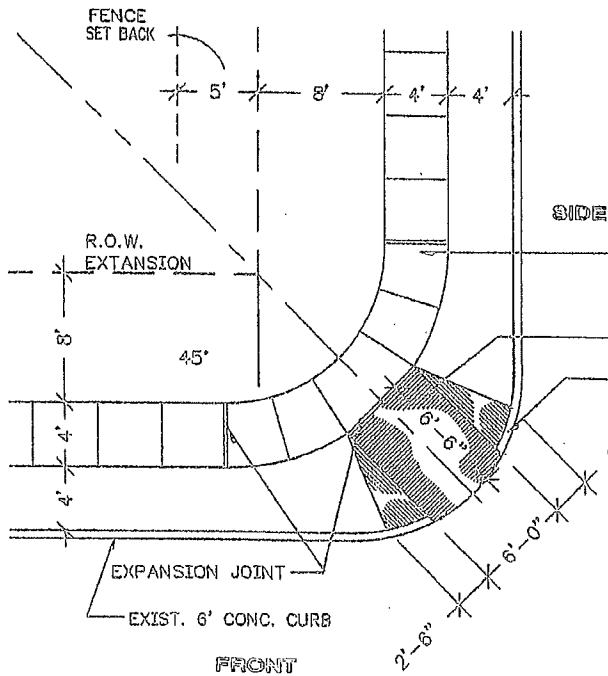
ILLUSTRATION IV-1



ER 066 - 77 - 0521



EXPANSION JOINT 16" O.C. (4' SIDEWALK). EXPANSION JOINT MATERIAL TO BE 1 X 4 C.C.A. TREATED WOOD WITH POLYURETHANE SURFACE SEALANT



NOTE:  
1) HANDICAPPED ACCESS IS REQUIRED ON ALL PUBLIC SIDEWALKS.

4' SIDEWALK  
RAMP: ROLLED TRANSITION PAVING (BOTH SIDES)  
SAWCUT AND REMOVES 6" WIDTH OF EXISTING CONCRETE PAVEMENT. LEAVE REBAR EXPOSED WHERE APPLICABLE. (CLEAN) BITUMINOUS SEALER APPLIED TO ENTIRE SAWCUT FACE OF EXISTING PAVEMENT PRIOR TO POURING NEW WALK RAMP.

SECTION AT HANDICAP RAMP  
FOR "SECTION DETAIL" SEE (ILLUSTRATION II-9) HANDICAPPED RAMP DETAIL.

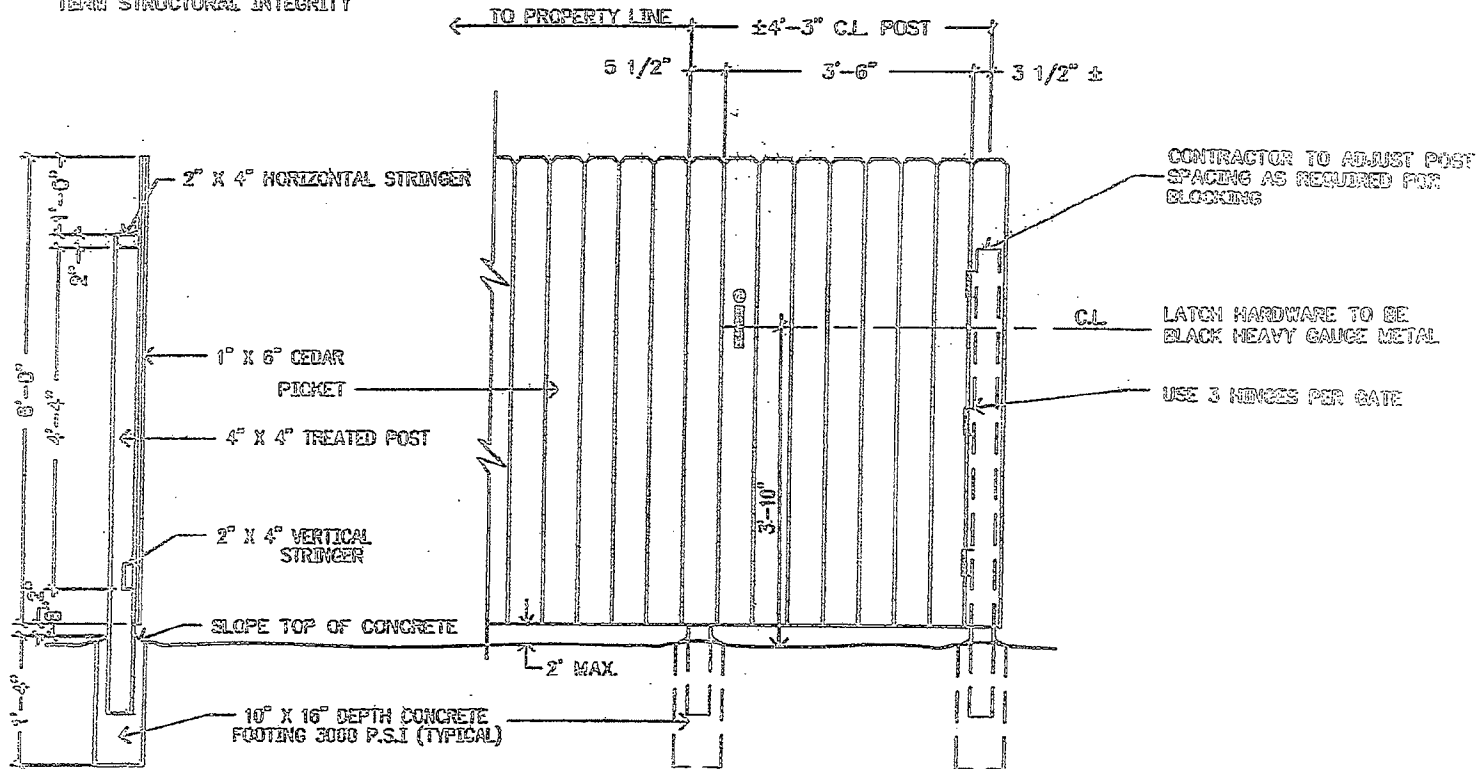
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEWALK DETAIL**

**ILLUSTRATION IV-2**

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 24 ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRANCHING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

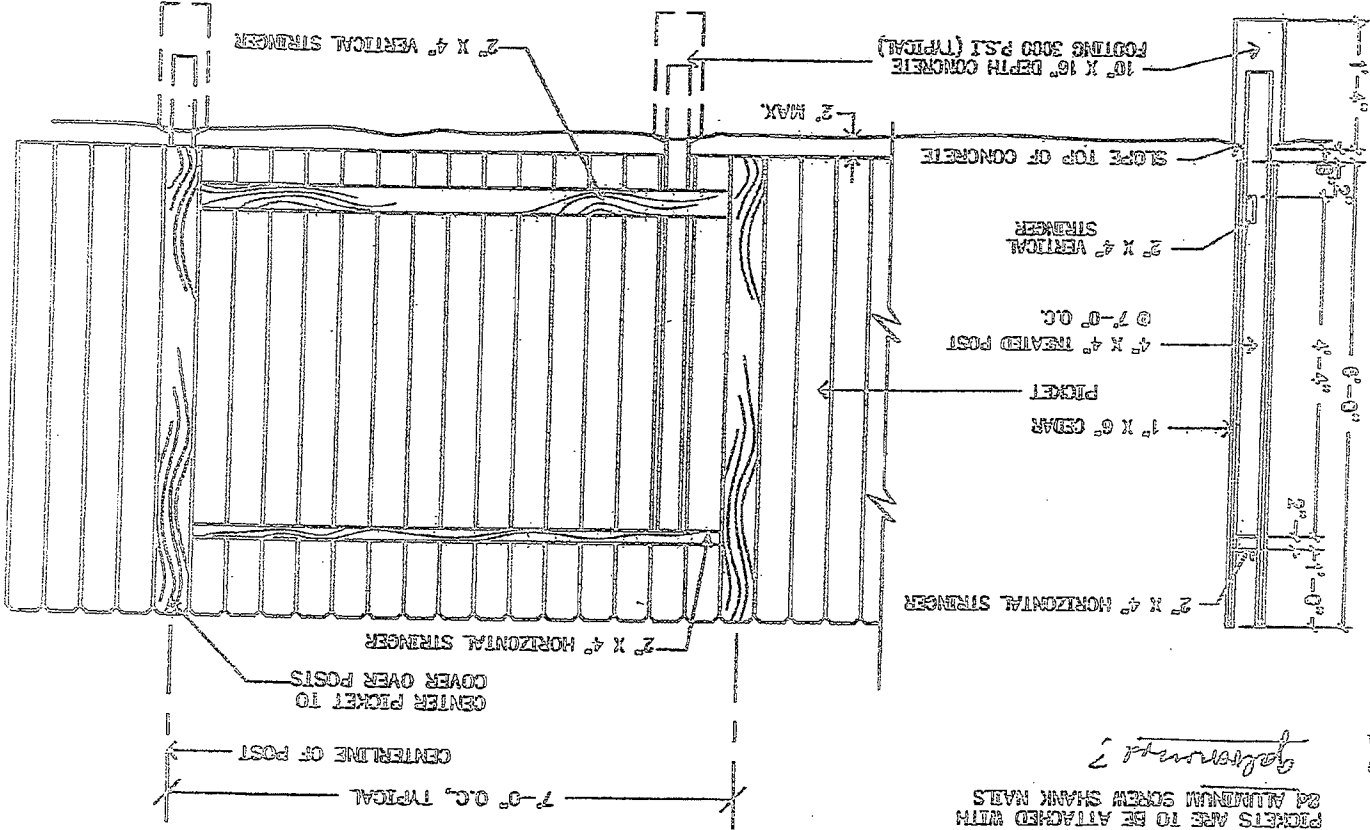
STANDARD RESIDENTIAL HINGED GATE

ILLUSTRATION IV-3

ILLUSTRATION IV-4

STANDARD RESIDENTIAL WOOD FENCE

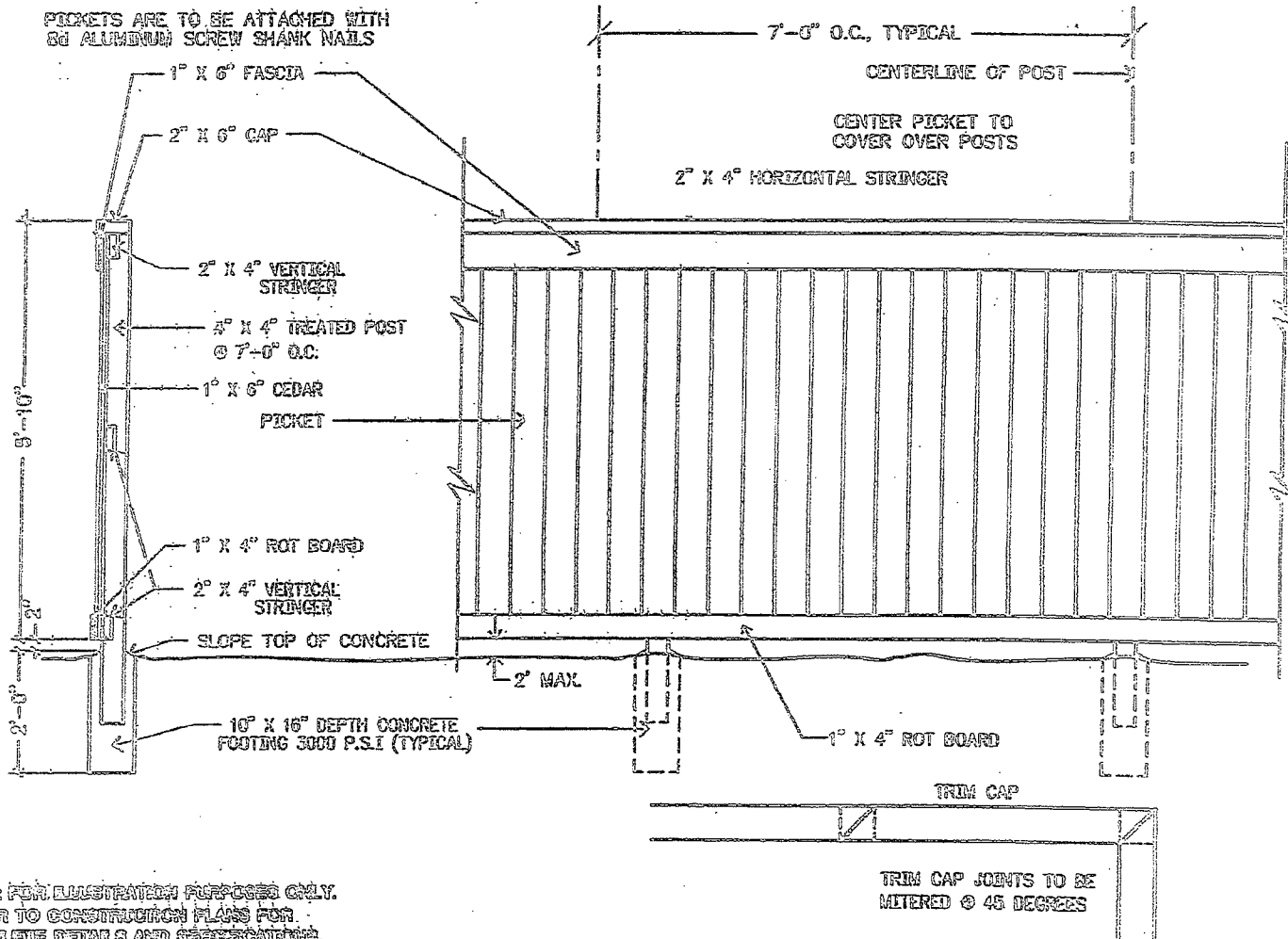
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.



- NOTES:
- 1) VERTICAL PICKETS TO BE NO. 1, 1" X 6" CEDAR NOTCHED TOP PICKETS
  - 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
  - 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
  - 4) PICKETS ARE TO BE ATTACHED WITH 24 ALUMINUM SCREW SHANK NAILS
- Edwards*

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 6d ALUMINUM SCREW SHANK NAILS

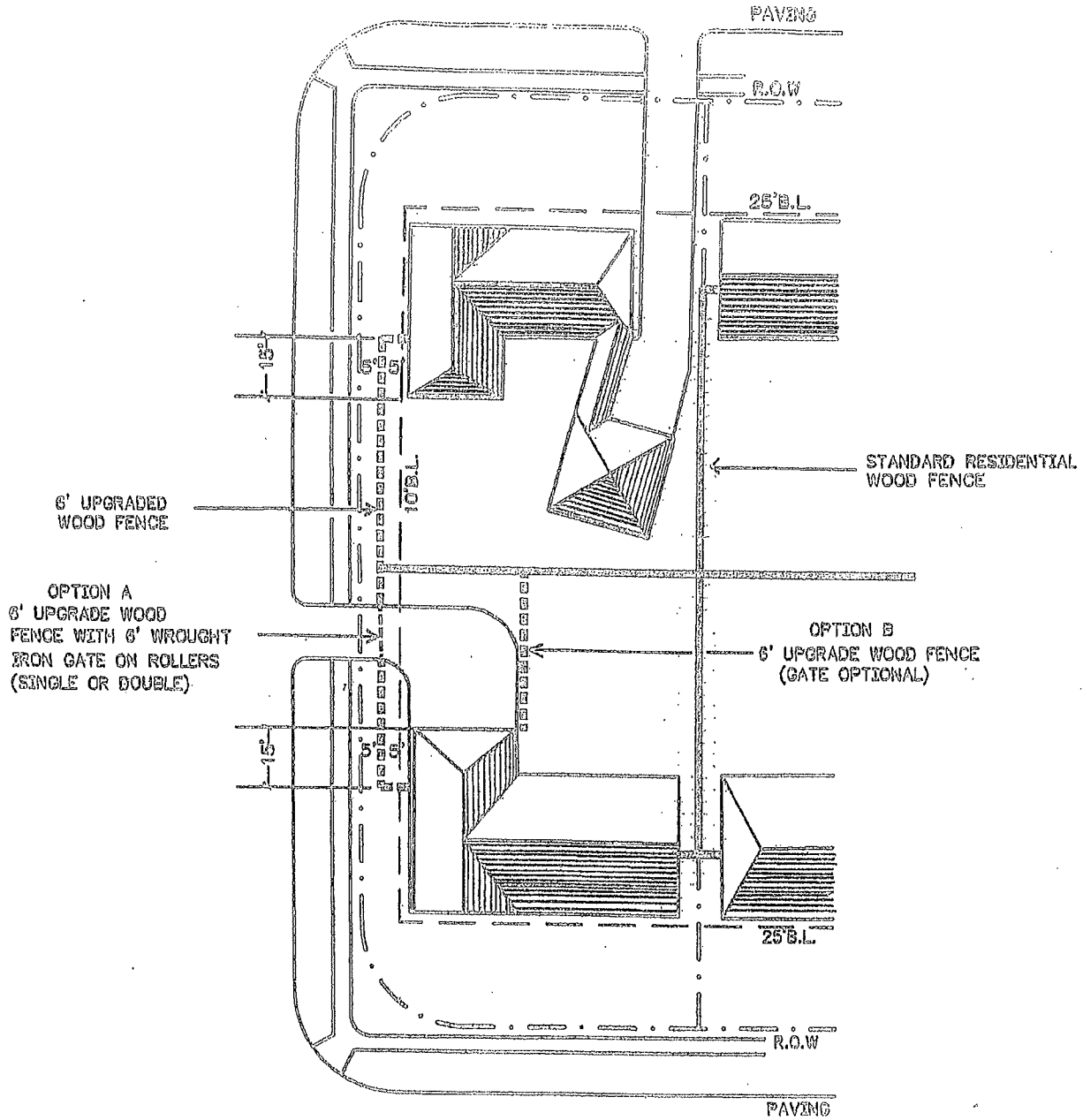


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

TRIM CAP JOINTS TO BE  
MITERED @ 45 DEGREES

6' UPGRADED WOOD FENCE

ILLUSTRATION IV-5



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

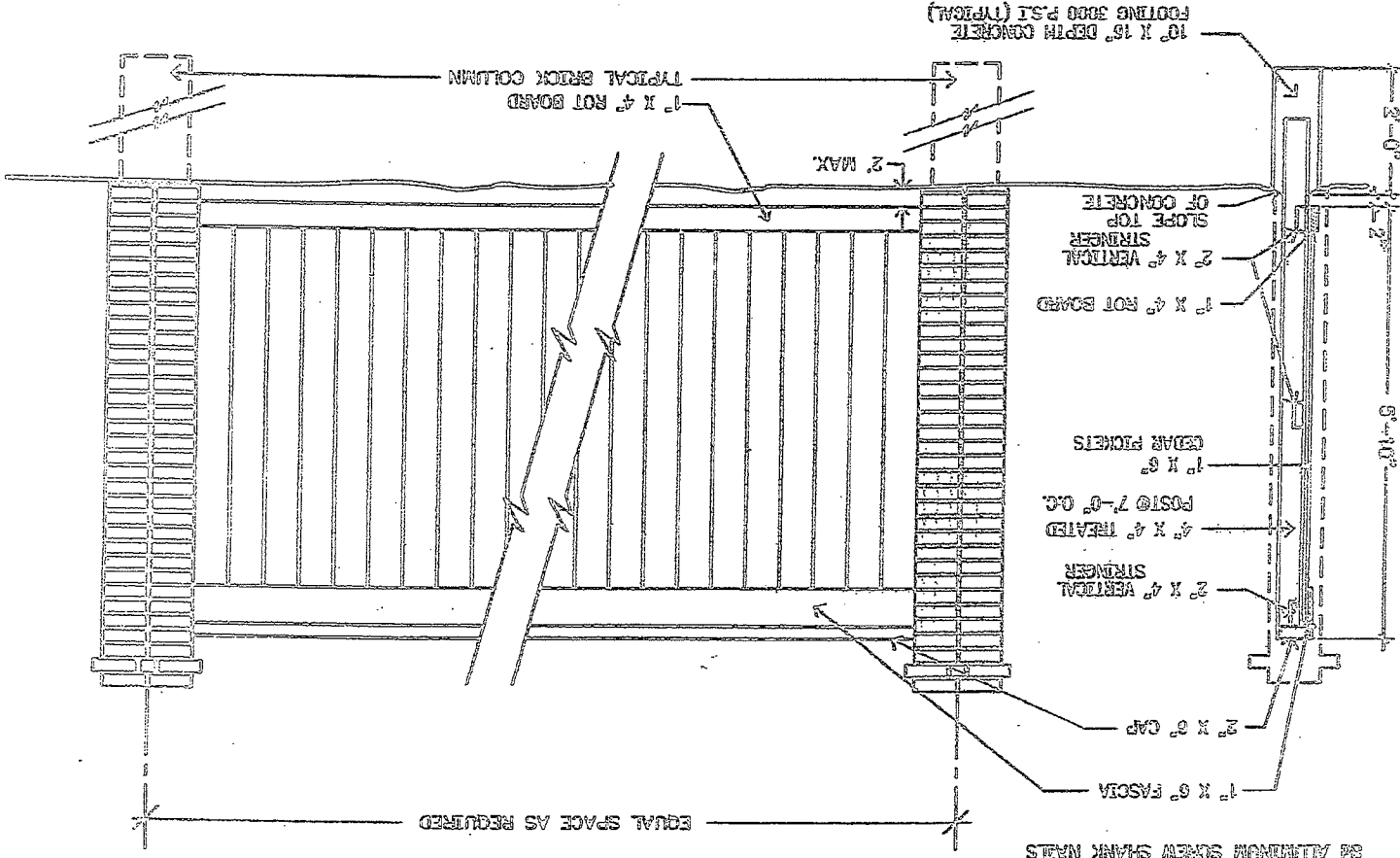
**SIDELOT FENCING SETBACK/  
CORNER LOTS**

ILLUSTRATION IV-6

ILLUSTRATION IV-7

UPGRADED WOOD FENCE WITH BRICK COLUMNS

NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

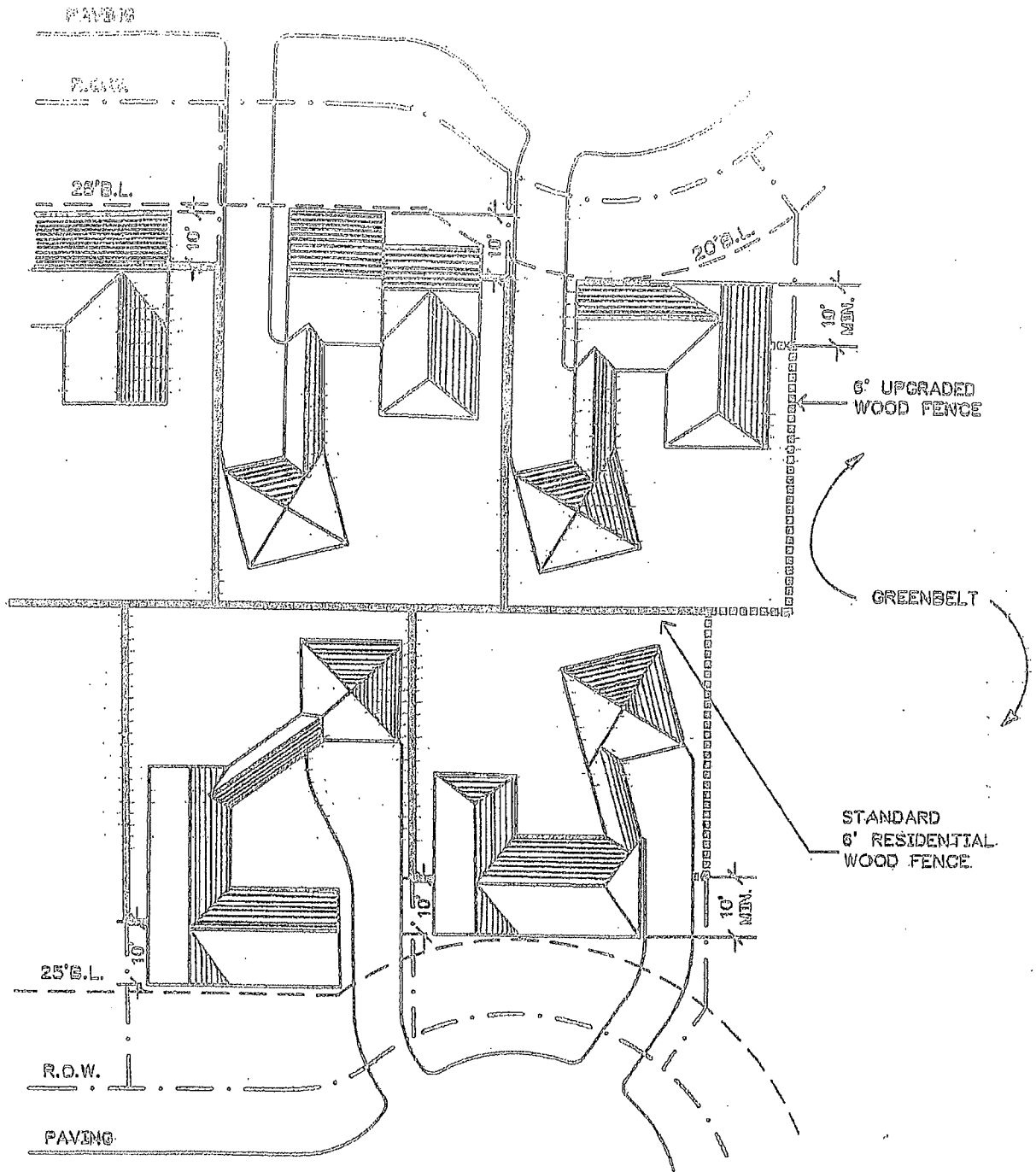


- NOTES:
- 1) VERTICAL PICKETS TO BE NO. 1, 1" X 6" CEDAR PICKETS
  - 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
  - 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
  - 4) PICKETS ARE TO BE ATTACHED WITH 34 ALUMINUM SCREW SHANK NAILS

EQUAL SPACE AS REQUIRED

10" X 16" DEPTH CONCRETE FOOTING 3000 P.S.I. (TYPICAL)

Labels and dimensions on the right side of the diagram:  
 2'-0"  
 2"  
 SLOPE TOP OF CONCRETE  
 2" X 4" VERTICAL STRINGER  
 1" X 4" ROT BOARD  
 5'-10"  
 1" X 6" CEDAR PICKETS  
 4" X 4" TREATED POST @ 7'-0" O.C.  
 2" X 4" VERTICAL STRINGER  
 2" X 6" CAP  
 1" X 6" FASCIA

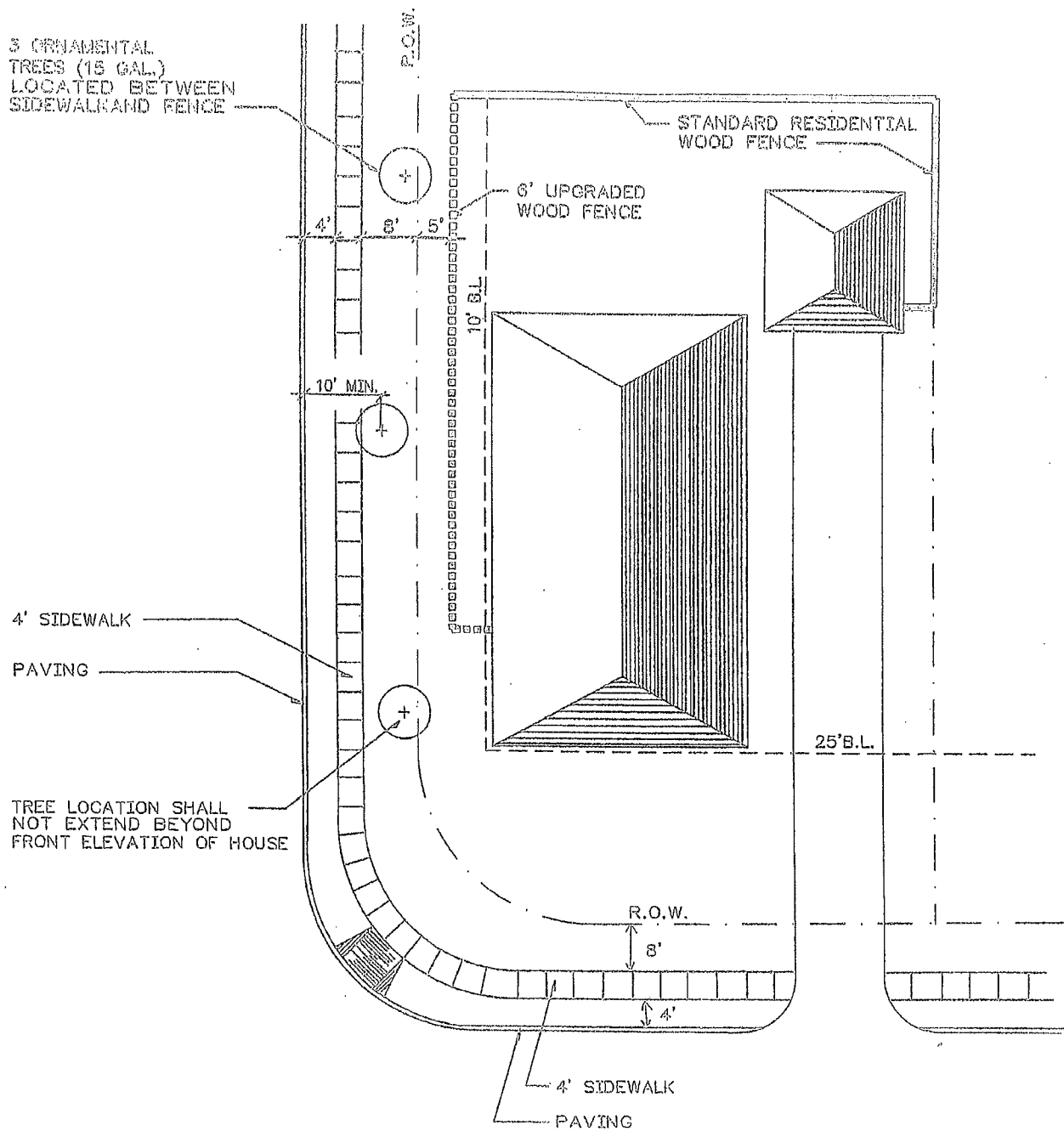


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

SIDEYARD FENCING SETBACK /  
GREENBELT LOTS

ILLUSTRATION IV-8

ER 066 - 77 - 0528

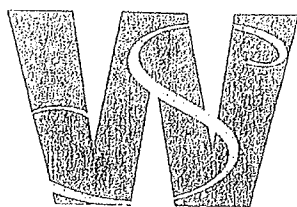


NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

### CORNER LOT LANDSCAPING

ILLUSTRATION IV-9





WINDSTONE  
*Society*

PMS blue 5395, Beige 472

20150092264  
# Pages 50  
03/06/2015 14:08:20 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees 208.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



*Stan Stanart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.

SECRETARY'S CERTIFICATE  
(Windstone Colony South, Sec. 4)

I, the undersigned, do hereby certify:

1. I am the duly elected and acting secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation;

2. Attached hereto as Exhibit "A" is a true and correct copy of the Builder Guidelines applicable to Windstone Colony South, Section Four, a subdivision of 8.5578 acres of land, according to the map or plat thereof recorded in Film Code No. 681439 of the Map Records of Harris County, Texas.

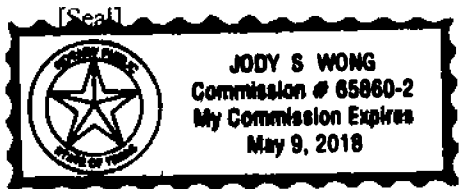
IN WITNESS WHEREOF, I have hereunto subscribed my name on this 7<sup>th</sup> day of August, 2017.

Dawn Haywood  
Dawn Haywood, Secretary

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged on this 7<sup>th</sup> day of AUGUST, 2017 by Dawn Haywood, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation.

Jody S Wong  
Notary Public—State of Texas



RP-2017-356991

**EXHIBIT "A"**

RP-2017-356991

\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE\*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**BUILDER GUIDELINES**  
**for**  
***WINDSTONE COLONY SOUTH***  
***SECTION FOUR***

I. INTRODUCTION

Windstone Colony South is a residential development of Windstone Development, Ltd. The objective of these Builder Guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony South and over which Windstone Colony Architectural Review Committee (A.R.C.) will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony South and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony South is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.

Builders within Windstone Colony South are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony South is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony South be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## **II. NEIGHBORHOOD PLANNING ELEMENTS**

Residential development within Windstone Colony South is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The Builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages:

**Windstone Colony South, Section Four:**

Minimum living area, single story	1350 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2950 sq. ft.

**Site Massing and Exterior Elevations**

If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

**Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony South guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

**Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* Twenty foot (20') front yard setback lines on typical lots;

- \* Twenty foot (20') front yard setback lines on typical cul-de-sac lots;
- \* Five foot (5') side yard setback lines on typical lots;
- \* Fifteen foot (15') side setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots;
- \* Detached garages, where allowed, have a three foot (3') side yard building setback line; and
- \* Fourteen foot (14') rear building setback line (except for split easements)

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscape area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

#### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

#### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.
- \* Generally, interior lots contain a seven foot (7') wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage



facilities, pipeline easements, property boundaries, adjacent existing subdivisions, and non-residential tracts typically contain a fourteen foot (14') wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony South shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris shall be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony South are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. Such sediment control methods shall be in compliance and accordance with all applicable governmental regulations. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment and drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.

#### **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six inches (6") in caliper at a point of six inches (6") above ground level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be

approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible, ideally at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured into the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

#### **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C. All temporary buildings must be placed a minimum of twenty-five feet (25') off of the street r.o.w.; no temporary buildings may be located in a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### **IV. LOT ELEMENTS**

## **Grading and Drainage**

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across the adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

## **Lot Coverage**

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

## **Driveways**

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6"x 6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two feet (2') from the side property line.
- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).

- \* Driveways serving attached two car garages facing the street shall be a minimum of sixteen feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways leaving significant amount of green space. Under no circumstances may an entire front yard be paved as a driveway.

### **Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony South and are to be constructed by the lot builder in accordance with the specifications shown on Illustration IV-2.

- \* All sidewalks within Windstone Colony South must conform to all applicable City of Houston rules and regulations and to the Americans with Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within the sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

### **Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway of at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.

- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum of two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area of a minimum of three feet (3') for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from the A.R.C.
- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.

- \* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven feet (7') in height at its highest elevation.
  - Structure must not exceed eighty (80) square feet in size.
  - Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint are required at the time of construction.
  - Roof must be the same color and type as the main dwelling.
  - Structure must be unobstructed from public view.

**Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view;
- \* Must not exceed nine feet (9') in height when attached to the roof of the main dwelling; and
- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

**Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To ensure compatibility of fence design throughout Windstone Colony South, all fences visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side. **Lots 4 – 22, Block 1 shall have the “finished” side of the fence facing the public.**

- \* A maximum fence height of 6'0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single-sided hinged gate shall be installed at the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found in Windstone Colony South.

#### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six feet (6') in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven foot (7') panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

#### **Typical Corner Lot**

- \* The fencing located on the exterior side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The 2' x 6' trim cap shall consist of treated cedar with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included. **Lots requiring this fencing are Lots 30, Block 1, and Lots 1, 11, & 12, Block 2.**
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).
- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum of fifteen feet (15') past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Greenbelt & Commercial Reserve Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt or commercial reserve shall be constructed with a six foot (6') high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6'. Trim cap joints are to be mitered at 45 degrees. **Lots requiring this fencing are Lots 23-28, Block 1.**
- \* Where lots side onto a greenbelt or commercial reserve, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt or commercial reserve shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts or commercial reserves is prohibited.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).



## **Perimeter Walls & Fencing**

Upon purchasing a lot with a fence installed by Developer, Builder shall reimburse Developer Fifteen Dollars (\$15.00) per linear foot where Developer has constructed a fence in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

## **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscaped lighting affects (such as affixed to trees as up and down lights) are permissible.

## **Screening**

Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

## **Landscaping**

The Builder is responsible for landscaping all areas on this property and the portion of the street right-of-way between the property line and the street curb. Plantings other than ground covers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including

materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

Lot 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twelve larger shrubs (minimum 5 gallon), fifteen smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of plantings may be utilized within a front yard.

Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of sixteen larger shrubs (minimum 5 gallon), twenty smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of plantings may be utilized within a front yard.

Lots 65' in Width or Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twenty larger shrubs (minimum 5 gallon), twenty-five smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.

c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of plantings may be utilized within a front yard.

- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc. are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are Ryerson steel and horizontal timber (2" x 4", 2" x 6", 4" x 4", and 4" x 6").
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized drainage purposes. Specimen boulders are permitted.
- \* The front yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* Tree requirements are as follows:

Trees				
<u>Lot Width</u>	<u>Required</u>	<u>Type</u>	<u>Caliper</u>	<u>Height</u>
49' or less	1	1 hardwood	4"	12'
50' – 64'	2	1 hardwood	4"	12'
		1 ornamental	N/A	
65' and over	3	2 hardwoods	4"	14'
		1 ornamental	N/A	

- \* Use of hardwoods is preferred; however, some pines can be introduced into planting. The accepted ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, 2" in diameter by 6' long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use its best efforts to notify owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:

- a. Adequate watering;
- b. Appropriate fertilization;
- c. Pruning;
- d. Mowing;
- e. Weed control in lawns and planting beds;
- f. Seasonal mulching of planting beds;
- g. Insect and disease control;
- h. Replacement of diseased or dead plant materials; and
- i. Warranty of all planting materials.

**Corner Lots**

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* One additional hardwood tree in the front/side yard.
- \* Three (3) ornamental trees in fifteen (15) gallon containers are to be planted along the side street portion of corner lots. **Notwithstanding the foregoing – three (3) Live Oak trees in thirty (30) gallon containers with a minimum of two inch (2”) caliper and eight feet (8’) in height shall be planted along the side street portion of the following corner lots - Lot 30, Block 1.** The trees are to be planted beginning at a point ten feet (10') from the rear property line or driveway, if applicable, on fifteen foot (15') centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

**Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

**V. HOUSING**

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony South. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony South be of the highest quality. As a minimum, Builders are required to warrant compliance with the Southern Building Code.

### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agencies.

### **Exterior Materials**

Single-family residences within Windstone Colony South must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Hardiplank may be used on front and side elevations for accent or structural purposes, as approved by the A.R.C., or for other purposes approved by the A.R.C. Changes in materials should have a logical relationship to the changes in the form of the house.

- \* One story product – shall be 100% masonry on three sides
- \* Two story product – shall be 100% masonry on the front elevation; 100% masonry on the lower half of two side totaling 50% masonry on each side.
- \* Adjacent houses shall have different brick colors.

Samples of all exterior materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony South must comply with the following standards and/or guidelines.

## **Masonry**

- \* **Stone**  
The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.
- \* **Brick**  
Brick used on residences in Windstone Colony South shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87.
- \* **Mortar Joints**  
All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

## **Hardi Plank**

- \* Hardi plank siding must be used for all siding product or in conjunction with masonry. Only hardi plank will be acceptable for such use.
- \* Wood siding is prohibited.
- \* Vinyl siding is prohibited.
- \* Trim - All wood trim shall be smooth, high quality finish-grade stock and must be stained or polished as approved by the A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

## **Stucco**

- \* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

## **Metal**

- \* Exposed metals shall be anodized aluminum, bronze, copper or painted galvanized steel.

## **Synthetic Materials**

- \* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of the A.R.C.

## **Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than eight feet (8') in height. All privacy walls must have A.R.C. approval.

## **Window Treatment**

- \* Metal windows must be used and the finish shall complement the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side façade, or on any façade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of the A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

## **Roof Treatment**

### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather gray.
- \* Wood shingles are strictly prohibited.

### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in twelve (12), except where a deck is called for.

### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate.

### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs, affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor in stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence are acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.



- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.
- \* Windows with shutters or blinds may be required on the façade of a side or rear loaded attached garage to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

**Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

**Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

**Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by the A.R.C.

**Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

**VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are

handled. The following items should be considered when establishing a model home park and/or sales office.

### **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

### **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony South shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

### **Site Improvements**

- \* Sidewalks do not necessarily need to be placed two feet in the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet.
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

### **Parking**

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off-street

parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

## **VII. SIGNAGE**

### **Model Home Park Signage**

- \* Signage for model homes parks shall be approved by the Declarant and conform to the City of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* Windstone Colony South logo and logo type .

### **Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to the A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## **VIII. SUBMISSION AND APPROVAL**

### **Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by the Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony South and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

## General

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to the acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure adequate review of all submissions while accommodating the needs of the Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony South by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
8711 Highway 6 North, Suite 270  
Houston, Texas 77077

## Requirements

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in phases prior to construction of or any exterior improvements upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations

- d. Siting of improvements/fencing
3. Preliminary plans including:
- a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
- a. Final architectural plans of drawings listed under Phase I above
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

On-Going Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
- a. Production
2. Schematic site plan including:
- a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Construction documents and specifications for variations from standard
- a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and sealed by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**

For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

### **A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

#### Initial Review

##### Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

##### Phase II

Construction Documents	15 Days
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#### On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction Documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

### **Approval Not a Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed

improvements. Such approvals and design guidelines shall in no event be construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence or nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

RP-2017-356991

**IX. PROJECT INFORMATION**

Developer and Project Management:  
**Windstone Development, Ltd.**  
5005 Riverway, Suite 150  
Houston, Texas 77056

Engineer:  
**Sherrington, Inc.**  
8203 Willow Place South, Suite 400  
Houston, Texas 77070

Land Planner:  
**Kerry R. Gilbert & Associates, Inc.**  
15810 Park Ten Place, Suite 160  
Houston, Texas 77084

Landscape Architect:  
**Robert E. Forsythe**  
2230 Shadowdale  
Houston, Texas 77043

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## X. APPENDIX

### RESIDENTIAL LOT MASTER PLANT LIST – A1

#### TREES

<u>Botanical Name</u>	<u>Common Name</u>
<i>Acer rubrum</i>	Red Maple
<i>Betula nigra</i>	River Birch
<i>Carya illinoensis</i> & vars.	Pecan
<i>Cersis canadensis</i> & vars.	Redbud
<i>Crataegus marshallii</i>	Parsley Leaf Hawthorn
<i>Crataegus spathulata</i>	Little Hip Hawthorn
<i>Fraxinus pennsylvanica</i> vars.	Green Ash
<i>Ilex decidua</i>	Possumhaw
<i>Ilex opaca</i> & vars.	American Holly
<i>Ilex vomitori</i>	Yaupon Holly
<i>Koelreuteria bipinnata</i>	Goldenrain Tree
<i>Lagerstroemia indica</i> vars.	Crapemyrtle
<i>Liquidambar styraciflua</i> & vars.	Sweetgum
<i>Ligustrum japonicum</i> (tree form)	Wax Leaf Ligustrum
<i>Magnolia grandiflora</i> & vars.	Southern Magnolia
<i>Magnolia soulangiana</i> & vars.	Saucer Magnolia
<i>Magnolia virginiana</i>	Sweet Bay Magnolia
<i>Myrica cerifera</i>	Southern Bayberry
<i>Parkinsonia aculeate</i>	Retama
<i>Platanus occidentalis</i>	Sycamore
<i>Prunus caroliniana</i>	Cherry Laurel
<i>Pyrus calleryana</i> & vars.	Callery Pear
<i>Quercus falcate</i> & vars.	Southern Red Oak
<i>Quercus nigra</i>	Water Oak
<i>Quercus nuttallii</i>	Nuttall Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus shumardi</i>	Shumard Oak
<i>Quercus texana</i>	Texas Red Oak
<i>Quercus virginiana</i>	Live Oak
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Taxodium districhum</i>	Bald Cypress
<i>Ulmus crassifolia</i>	Evergreen Elm

## Shrubs

### Botanical Name

### Common Name

Berberis thunbergii "Crimson Pygmy"	Crimson Pygmy Barberry
Buxus microphylla japonica	Japanese Boxwood
Camellia sasanqua vars.	Sasanqua Camellia
Chamaerops humulis	Mediterranean Fan Palm
Cleyera japonica	Japanese Cleyera
Cycas revoluta	King Sago Palm
Elaeagnus pungens vars.	Elaeagnus
Eriobotrya x "Coppertone"	Coppertone Loquat
Fatsia japonica	Fatsia
Feijoa sellowiana	Pineapple Guava
Gardenia jasminoides "Radicans"	Dwarf Gardenia
Ilex cornuta vars.	Chinese Holly
Ilex decidua	Possumhaw
Ilex vomitoria & vars.	Yaupon Holly
Juniperus spp. & vars.	Juniper
Lagerstroemia indica (dwarf vars.)	Dwarf Crapemyrtle
Ligustrum japonicum & vars.	Wax Leaf Ligustrum
Ligustrum sinense "Variegatum"	Variegated Privet
Mahonia bealei	Leatherleaf Mahonia
Michelia figo	Banana Shrub
Myrica cerifera	Southern Bayberry
Nandina domestica & vars.	Nandina
Nandina domestica "Compacta"	Compact Nandina
Nerium Oleander (hardy vars.)	Oleander
Photinia Fraseri	Fraser's Photinia
Pittosporum tobira & vars.	Pittosporum
Pyracantha spp. & vars.	Pyracantha
Raphiolepis indica vars.	Indian Hawthorn
Rhododendrom (Azalea) spp. & vars.	Azalea
Viburnum japonicum	Japanese Viburnum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Viburnum tinus & vars.	Laurustinus Viburnum
Xylosma congestum	Shiny Xylosma
Yucca spp. & vars.	Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
Asparagus sprengeri  
Berberis thunbergii "Crimson Pygmy"  
Cyrtomium falcatum  
Gardenia jasminoides "Radicans"  
Hedera canariensis  
Hedera helix & vars.  
Juniperus spp. & vars.  
Liriope muscari & vars.  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Nandina domestica "Harbour Dwarf"  
Ophiopogon japonica  
Ophiopogon japonicus "Nanus"  
Pyracantha "Red Elf"  
Pyracantha "Ruby Mound"  
Trachelospermum asiaticum & vars.  
Tachelospermum jasminoides & vars.

### Common Name

Ajuga  
Sprenger Asparagus  
Crimson Pygmy Bayberry  
Holly Fern  
Dwarf Gardenia  
Algerian Ivy  
English Ivy  
Juniper  
Liriope  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Harbour Dwarf Nandina  
Monkey Grass  
Dwarf Monkey Grass  
Red Elf Pyracantha  
Ruby Mound Pyracantha  
Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdetum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue KY-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignoia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Milletia reticulata  
Rosa banksiae  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jasmine  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks' Rose  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikarti  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Firkarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting

(March/April)

Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta begonia  
Marigolds  
Portulaca

### Fall Planting

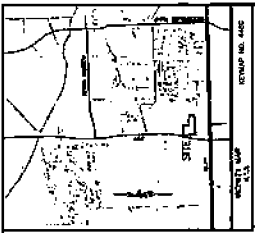
(October/November)

Calendula  
Pansy  
Snapdragons  
Dianthus  
Mums

## **XI. LIST OF ILLUSTRATIONS**

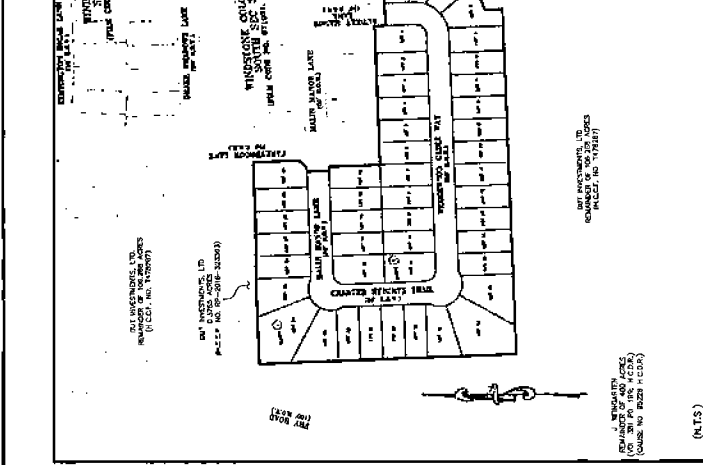
- I-1 Windstone Colony South, Section Four
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Side Lot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Side Yard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony South logo and Logo Type

RP-2017-356991



1. This plat is submitted for record and approval of the County Clerk of Harris County, Texas, and shall not be recorded until it has been approved and stamped by the County Clerk of Harris County, Texas. It is submitted for approval of the County Clerk of Harris County, Texas, and shall not be recorded until it has been approved and stamped by the County Clerk of Harris County, Texas. It is submitted for approval of the County Clerk of Harris County, Texas, and shall not be recorded until it has been approved and stamped by the County Clerk of Harris County, Texas.

PREPARED BY: **Baldwin**  
DATE: 11/20/17  
SUBJECT: 8.6578 ACRES  
COUNTY CLERK: **Steph S. Schaefer**



STATE OF TEXAS  
COUNTY OF HARRIS

WINDSTONE DEVELOPMENT, LTD.  
A Texas limited partnership  
Ogden, Texas 77959

BY **[Signature]**  
ATTEST **[Signature]**

COUNTY CLERK  
HARRIS COUNTY, TEXAS

NOVEMBER 29, 2018

1. This plat is submitted for record and approval of the County Clerk of Harris County, Texas, and shall not be recorded until it has been approved and stamped by the County Clerk of Harris County, Texas. It is submitted for approval of the County Clerk of Harris County, Texas, and shall not be recorded until it has been approved and stamped by the County Clerk of Harris County, Texas.

2. The County Clerk of Harris County, Texas, is hereby authorized to receive and accept for record any plat or instrument submitted to him by or for the County Clerk of Harris County, Texas, and to issue a certificate of recording thereon in accordance with the provisions of the laws of this State.

WINDSTONE DEVELOPMENT, LTD.  
A Texas limited partnership  
Ogden, Texas 77959

BY **[Signature]**  
ATTEST **[Signature]**

NOVEMBER 29, 2018

1. This plat is submitted for record and approval of the County Clerk of Harris County, Texas, and shall not be recorded until it has been approved and stamped by the County Clerk of Harris County, Texas. It is submitted for approval of the County Clerk of Harris County, Texas, and shall not be recorded until it has been approved and stamped by the County Clerk of Harris County, Texas.

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WINDSTONE DEVELOPMENT, LTD.  
A Texas limited partnership  
Ogden, Texas 77959

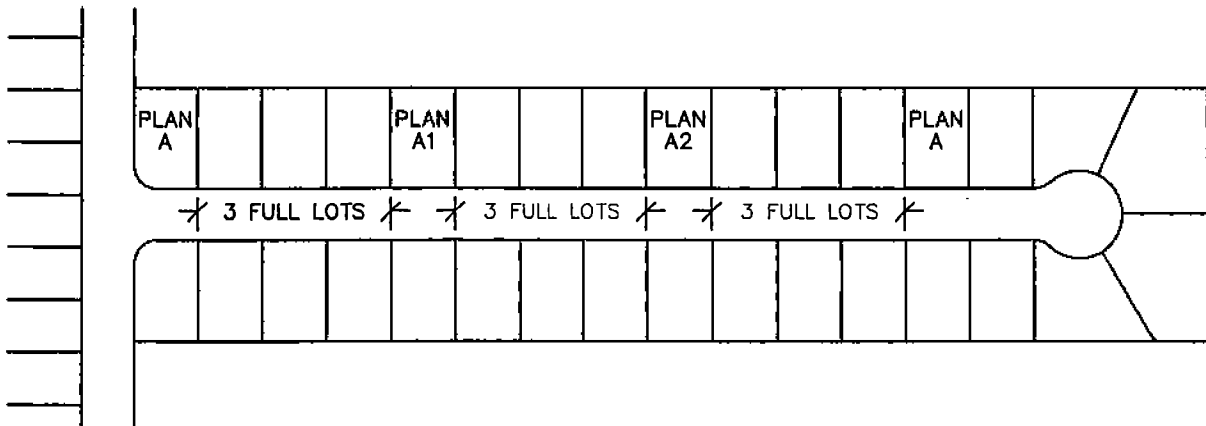
BY **[Signature]**  
ATTEST **[Signature]**

NOVEMBER 29, 2018

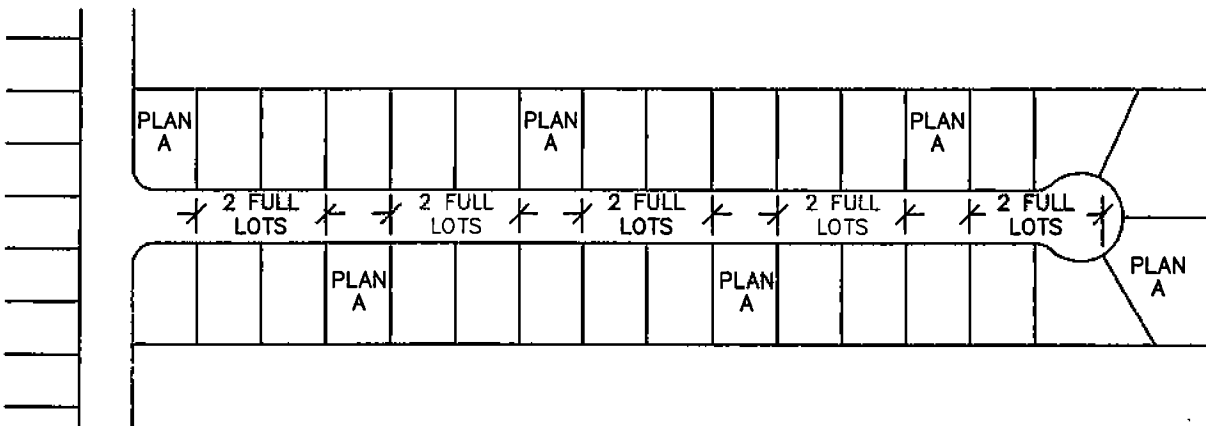
ILLUSTRATION I-1



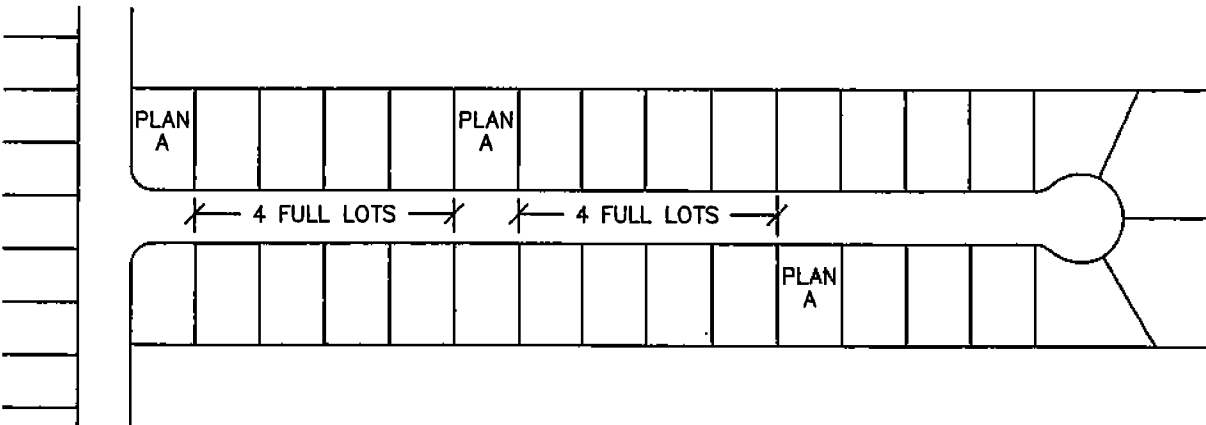
**1. SAME PLAN, DIFFERENT ELEVATION, SAME SIDE**



**2. SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE**



**3. SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE**



**NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.**

**HOUSING PLAN AND  
ELEVATION REPETITION**

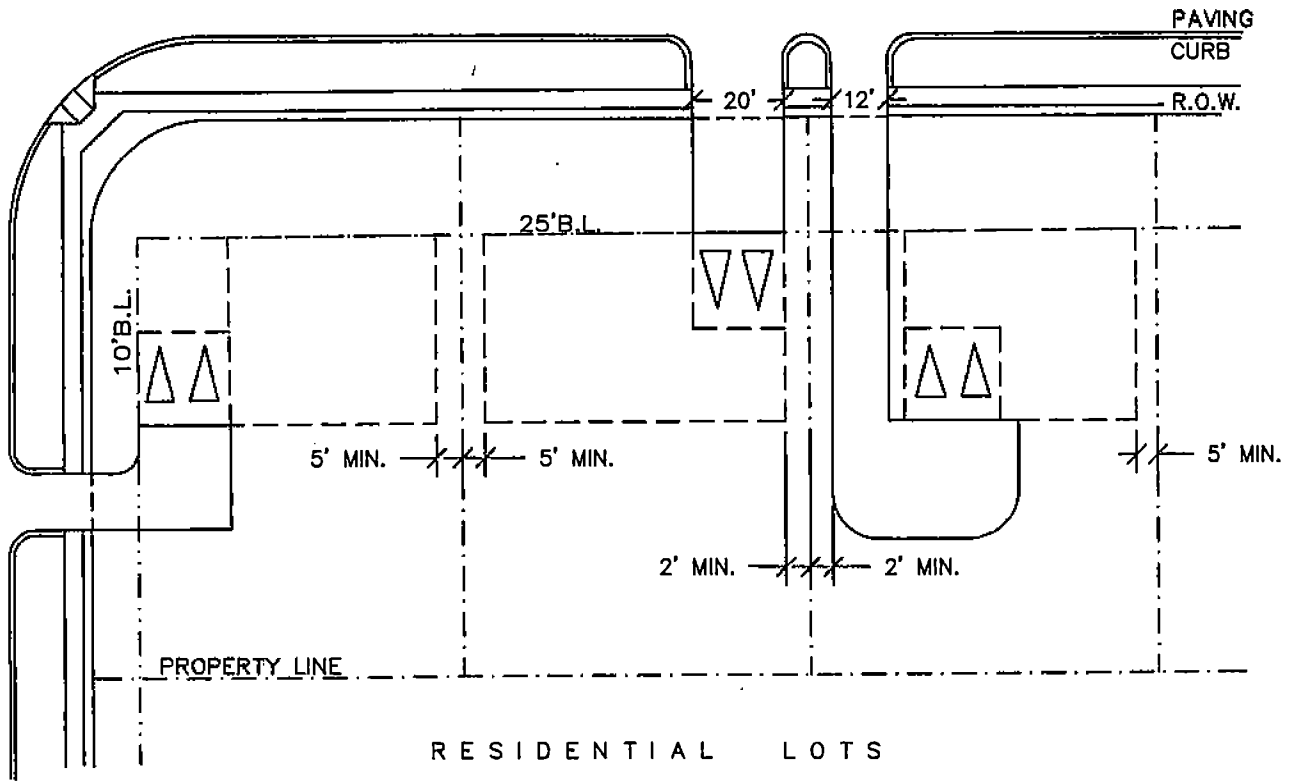
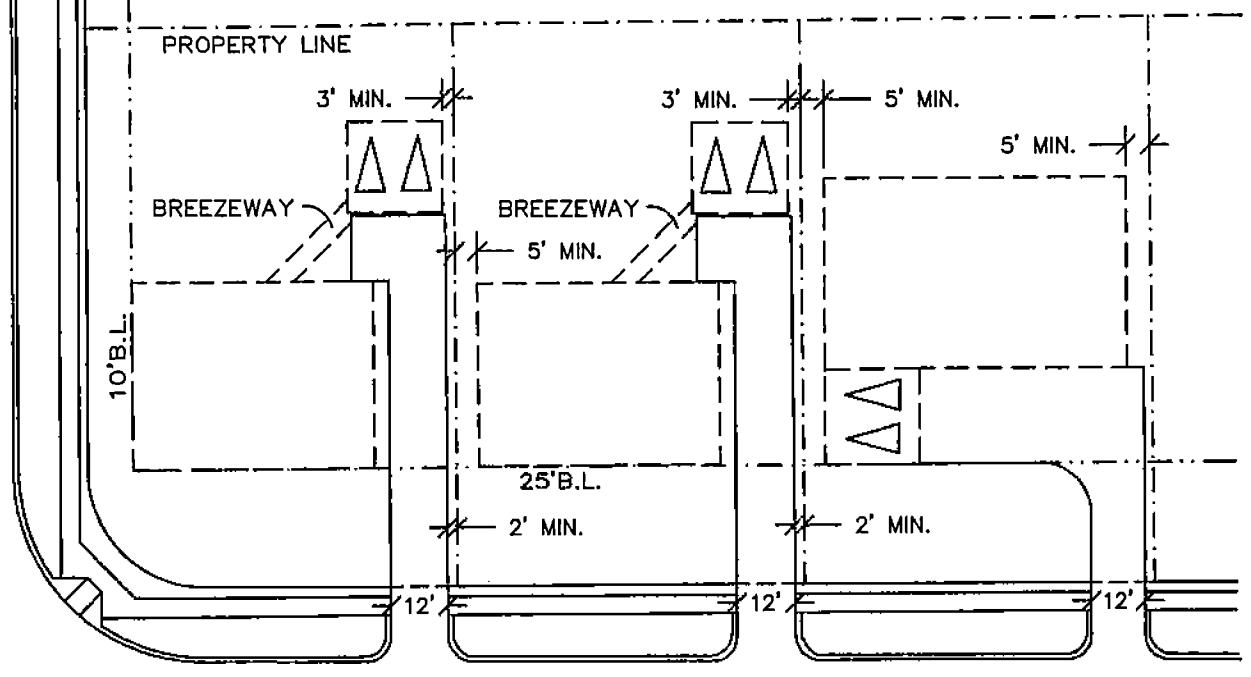
**ILLUSTRATION II-1**

RP-2017-356991



PAVING CURB R.O.W.

RESIDENTIAL LOTS



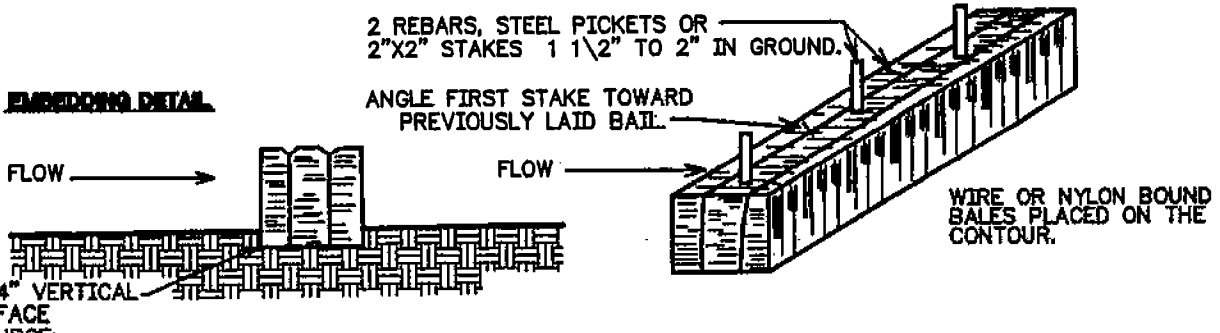
NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**GARAGE AND DRIVEWAY PLACEMENT**

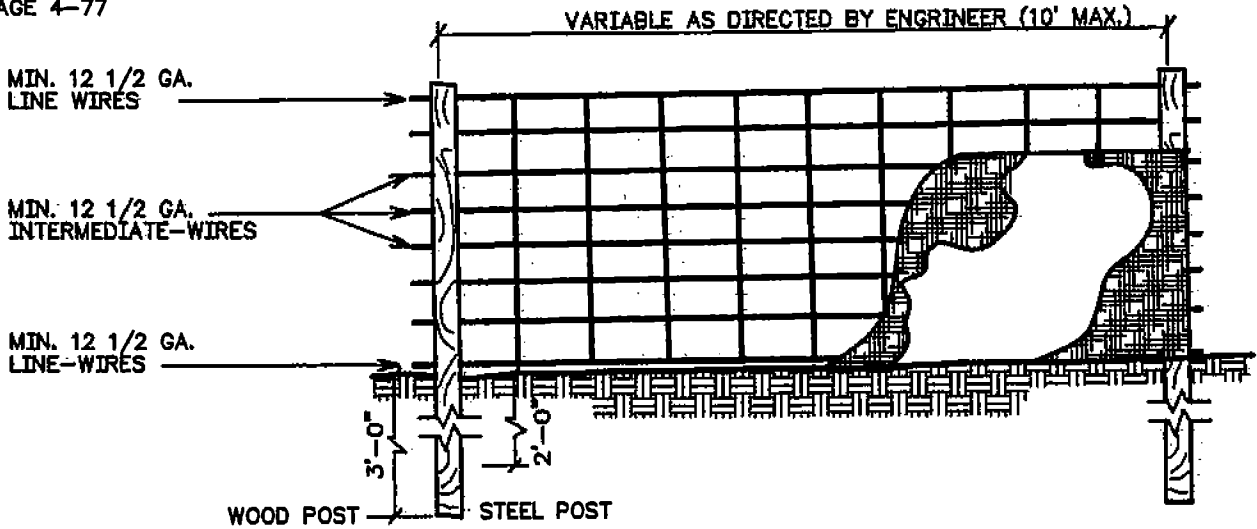
**ILLUSTRATION II-2**

RP-2017-356991

**EMBEDDING DETAIL**



SOURCE:  
EROSION AND SEDIMENT CONTROL GUIDELINES FOR DEVELOPING AREAS IN TEXAS, U.S. DEPT. OF AGRICULTURE SOIL CONSERVATION SERVICE FIG. 4-B, PAGE 4-77



SOURCE:  
CITY OF GREENVILLE, N.C. MANUAL OF STANDARD DESIGNS AND DETAILS STD. NO. 20.05

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

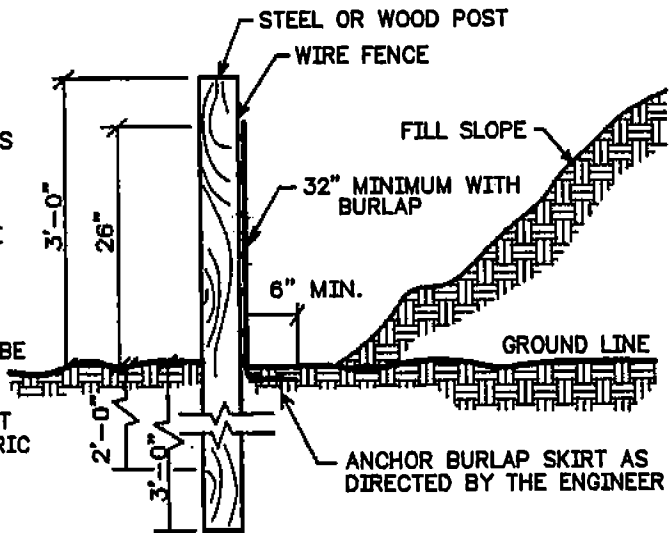
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFIT 140 OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

SOURCE:  
CITY OF GREENVILLE, N.C. MANUAL OF STANDARD DESIGNS AND DETAILS STD. NO. 20.05

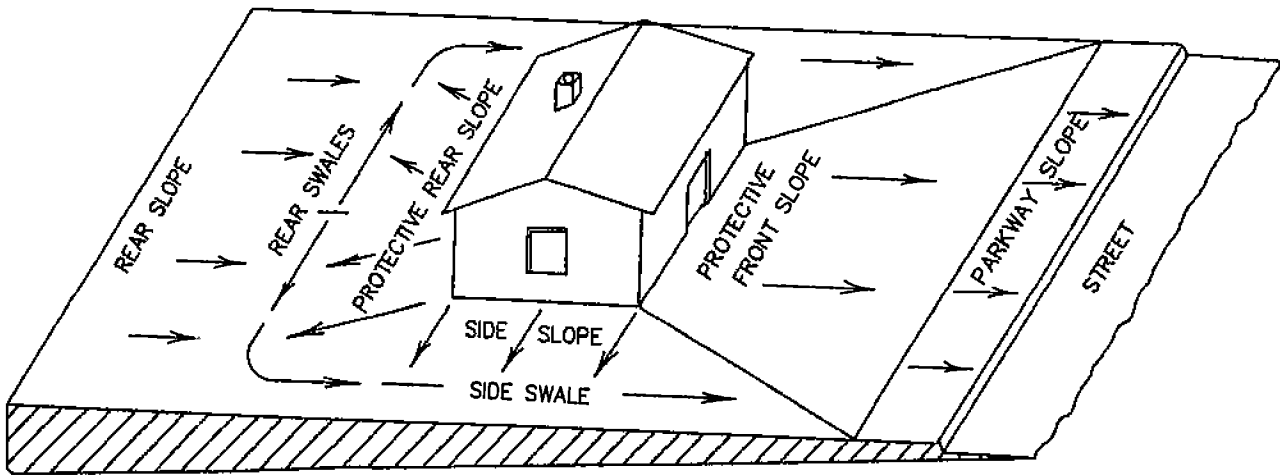
**NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.**



**TEMPORARY SEDIMENT CONTROL**

**ILLUSTRATION III-1**

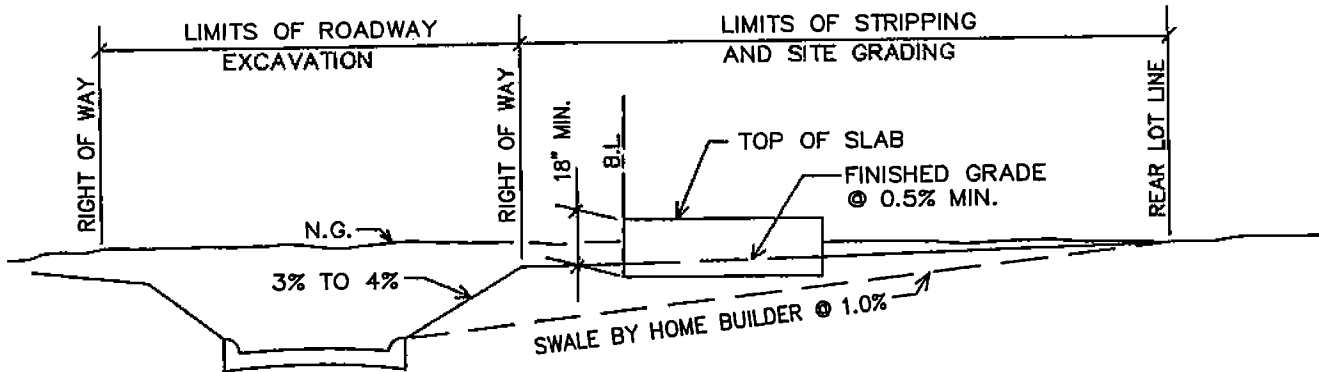
RP-2017-356991



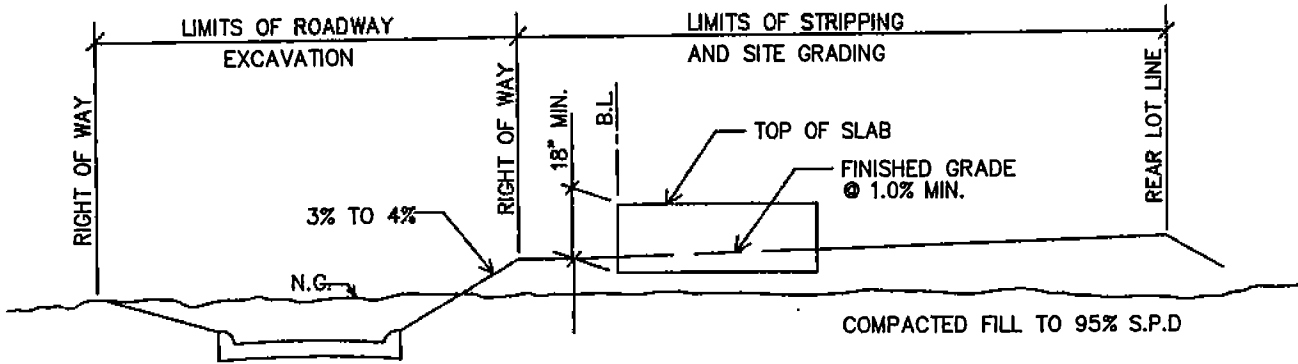
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**FHA LOT GRADING TYPE "A"**



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18"**  
**FHA BLOCK GRADING, TYPE "T"**

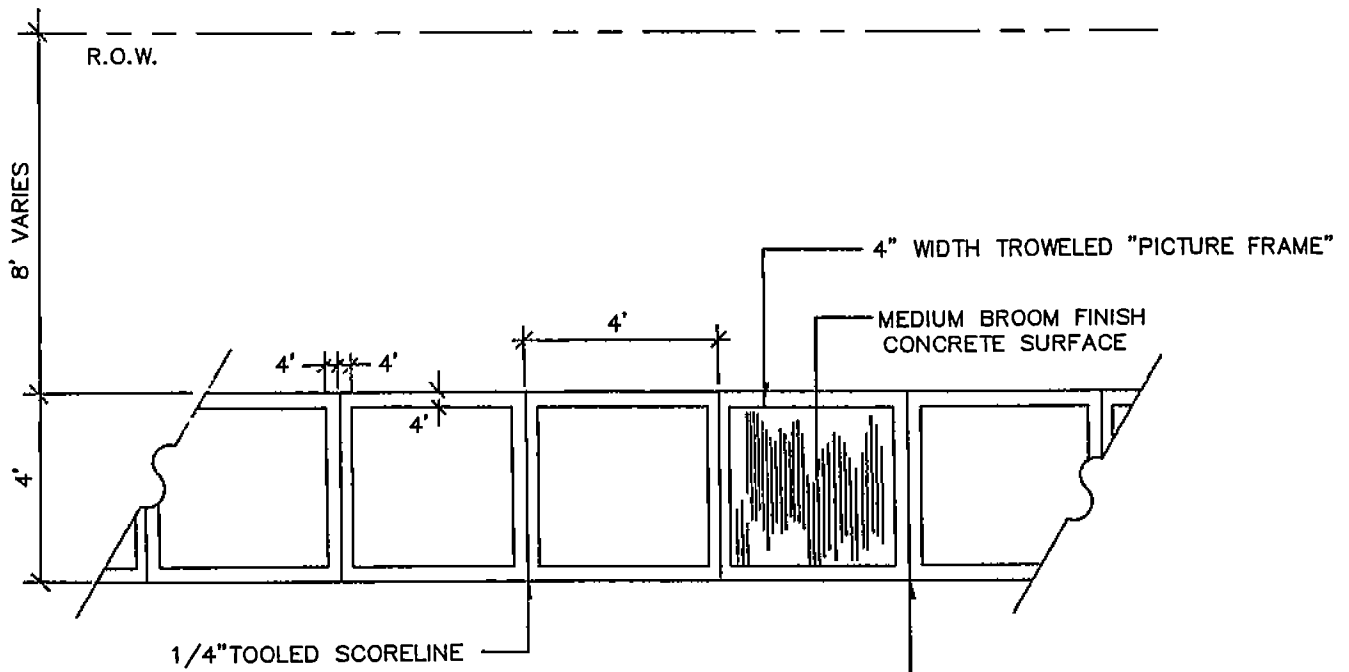


**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18"**  
**FHA BLOCK GRADING, TYPE "T"**

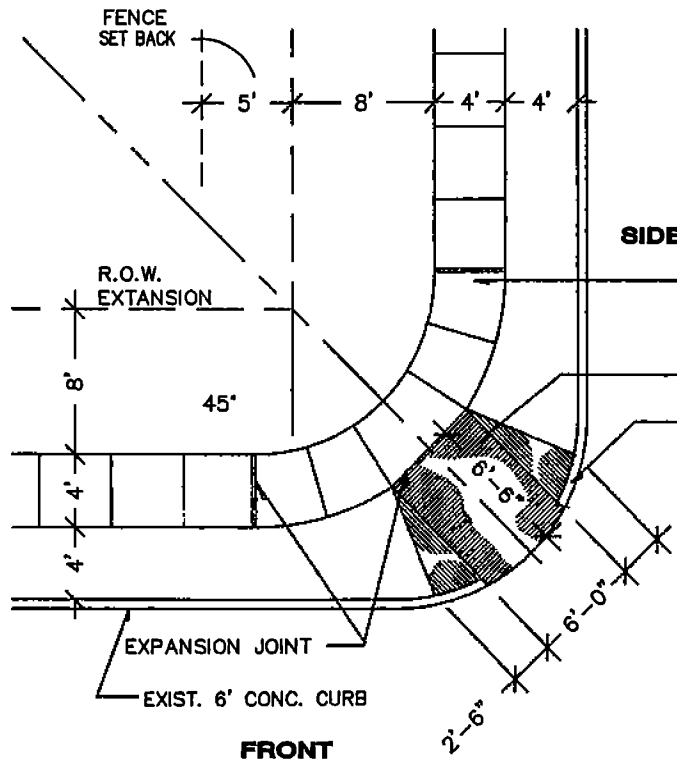
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**

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EXPANSION JOINT 16" O.C. (4' SIDEWALK). EXPANSION JOINT MATERIAL TO BE 1 X 4 C.C.A. TREATED WOOD WITH POLYURETHANE SURFACE SEALANT



NOTE:

1) HANDICAPPED ACCESS IS REQUIRED ON ALL PUBLIC SIDEWALKS.

SIDE

4' SIDEWALK

RAMP: ROLLED TRANSITION PAVING (BOTH SIDES)

SAWCUT AND REMOVES 6" WIDTH OF EXISTING CONCRETE PAVEMENT. LEAVE REBAR EXPOSED WHERE APPLICABLE. (CLEAN) BITUMINOUS SEALER APPLIED TO ENTIRE SAWCUT FACE OF EXISTING PAVEMENT PRIOR TO POURING NEW WALK RAMP.

SECTION AT HANDICAP RAMP

FOR "SECTION DETAIL" SEE (ILLUSTRATION II-9) HANDICAPPED RAMP DETAIL

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

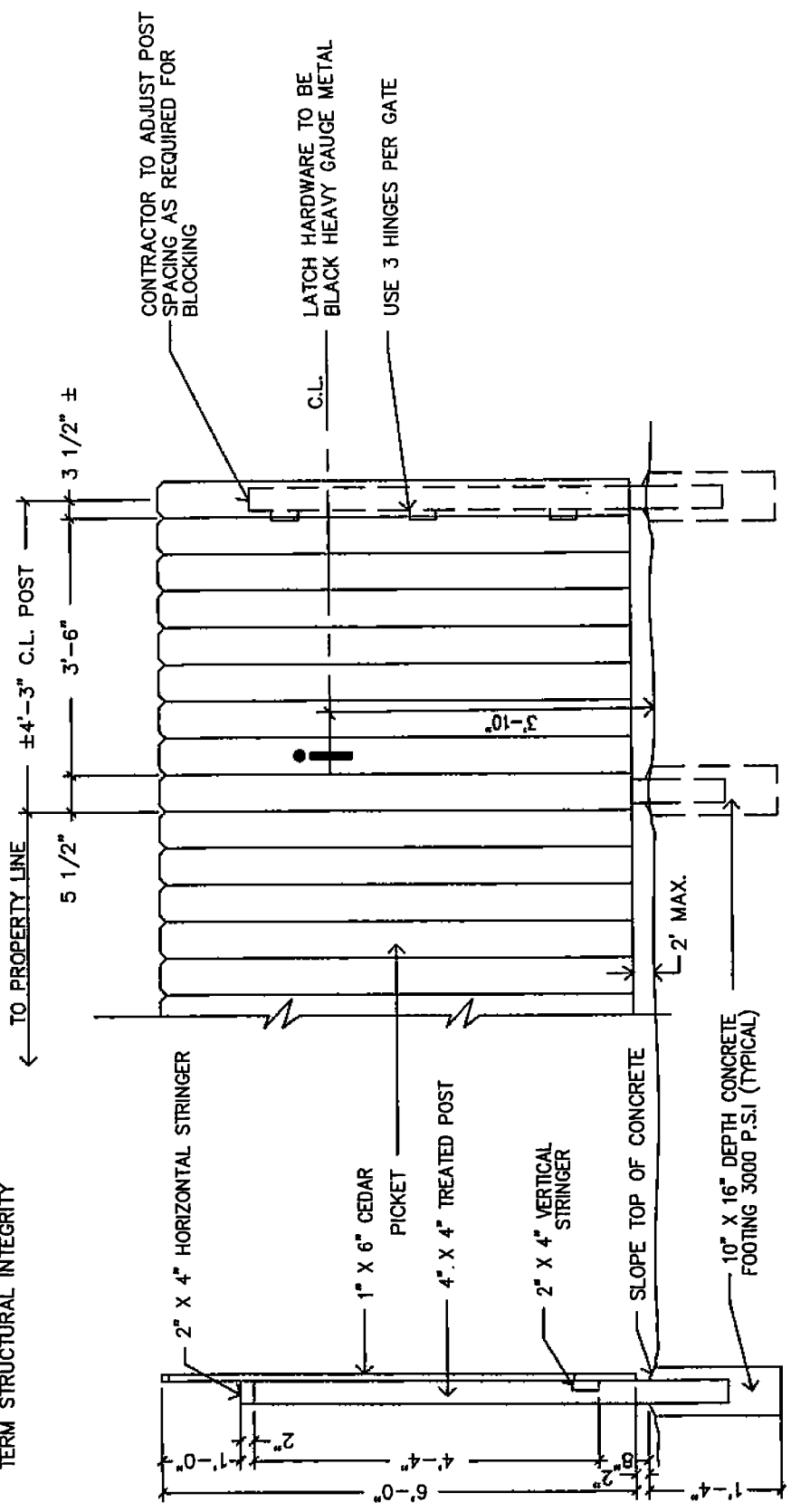
## SIDEWALK DETAIL

## ILLUSTRATION IV-2

RP-2017-356991

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINIUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRANCHING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY

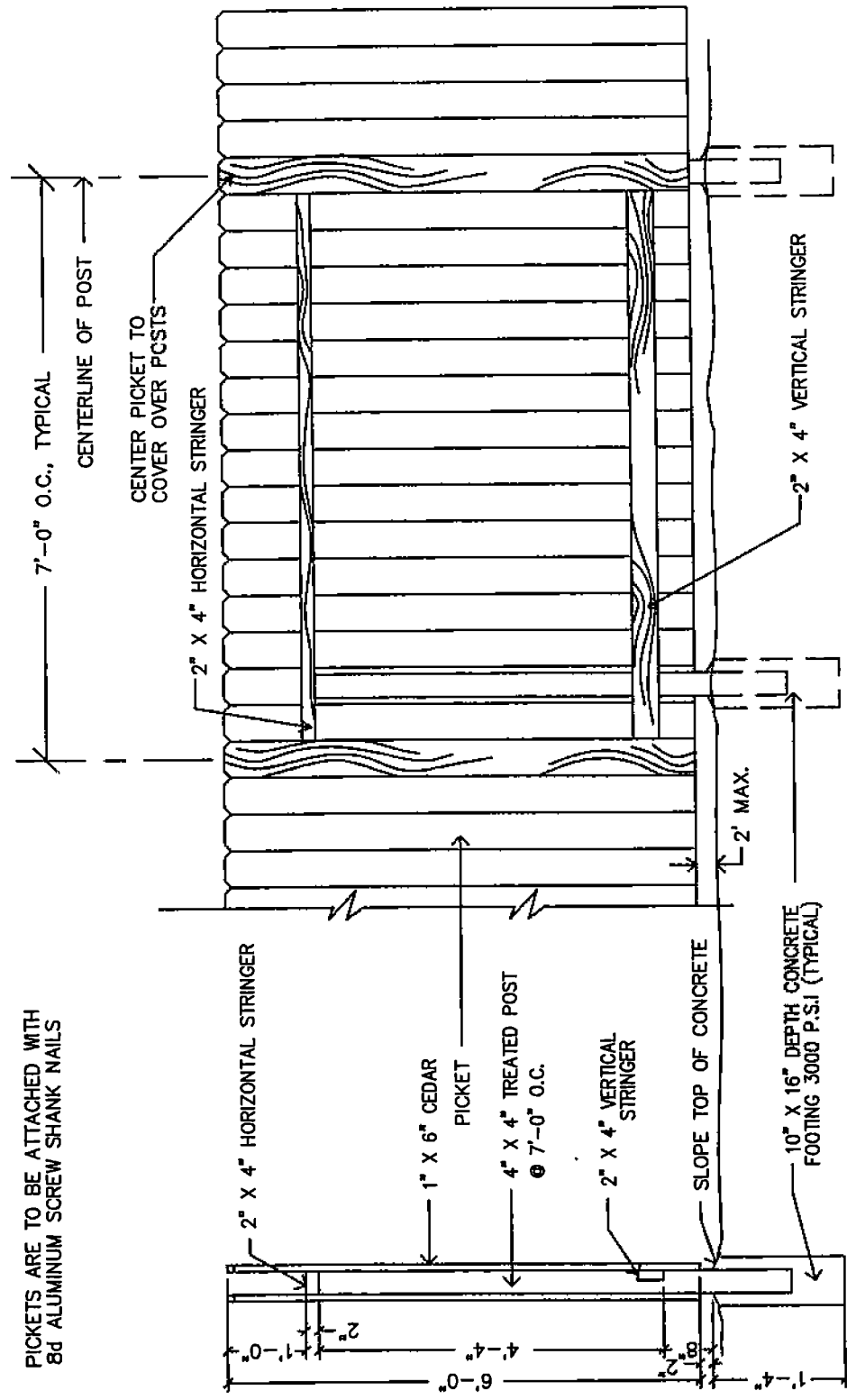


NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**STANDARD RESIDENTIAL HINGED GATE**

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS

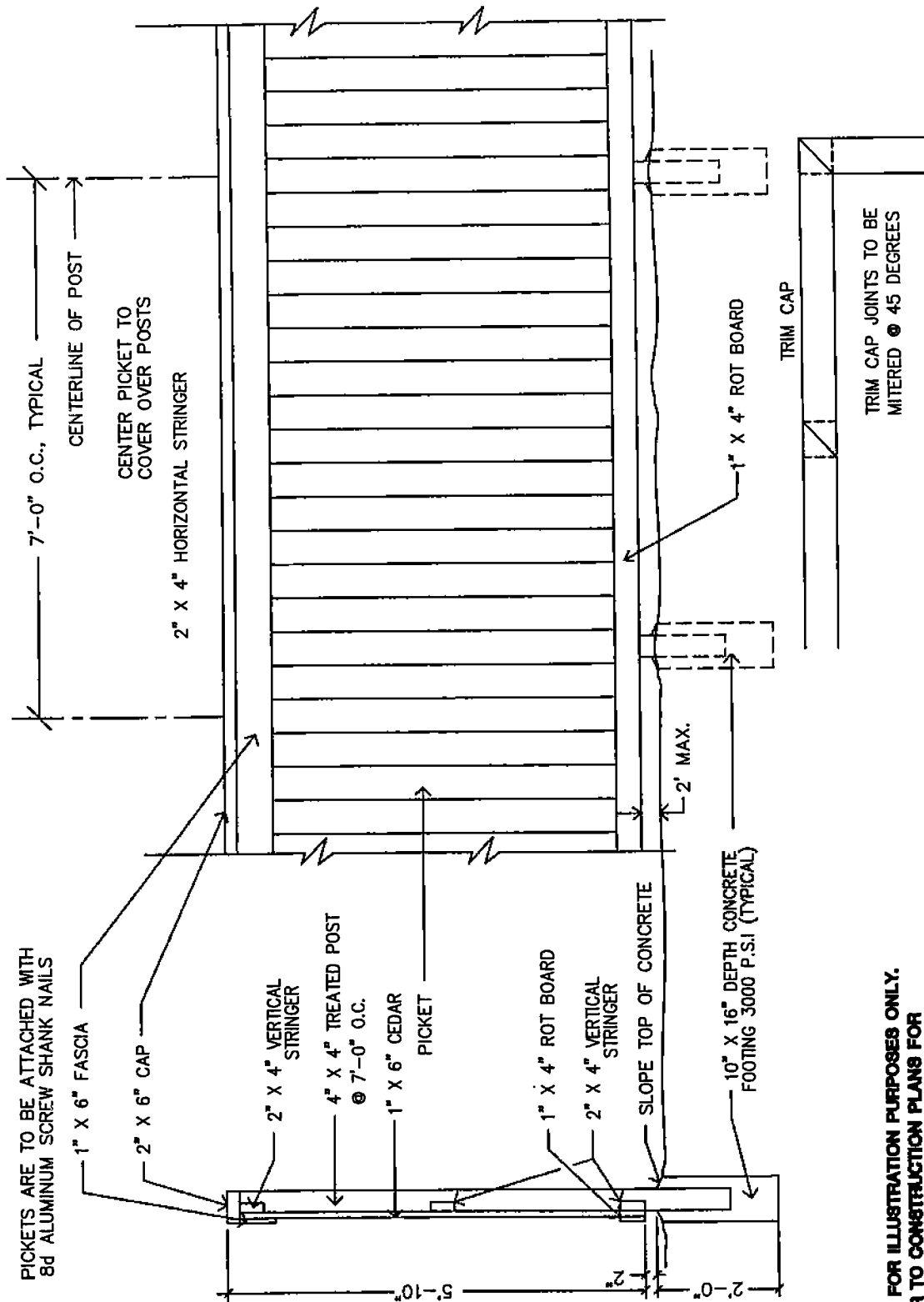


NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**STANDARD RESIDENTIAL WOOD FENCE**

NOTES:

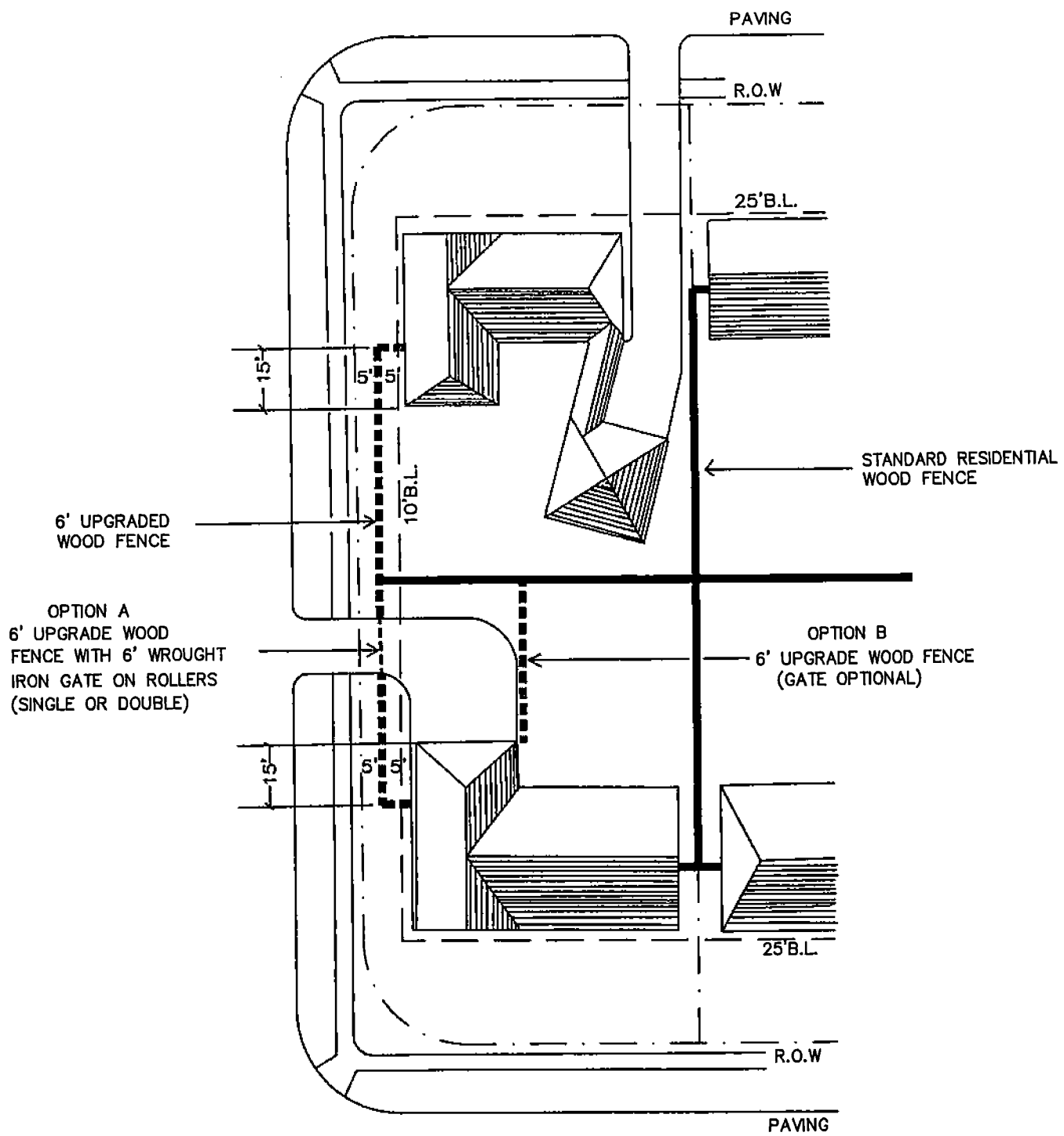
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE**

RP-2017-356991



NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

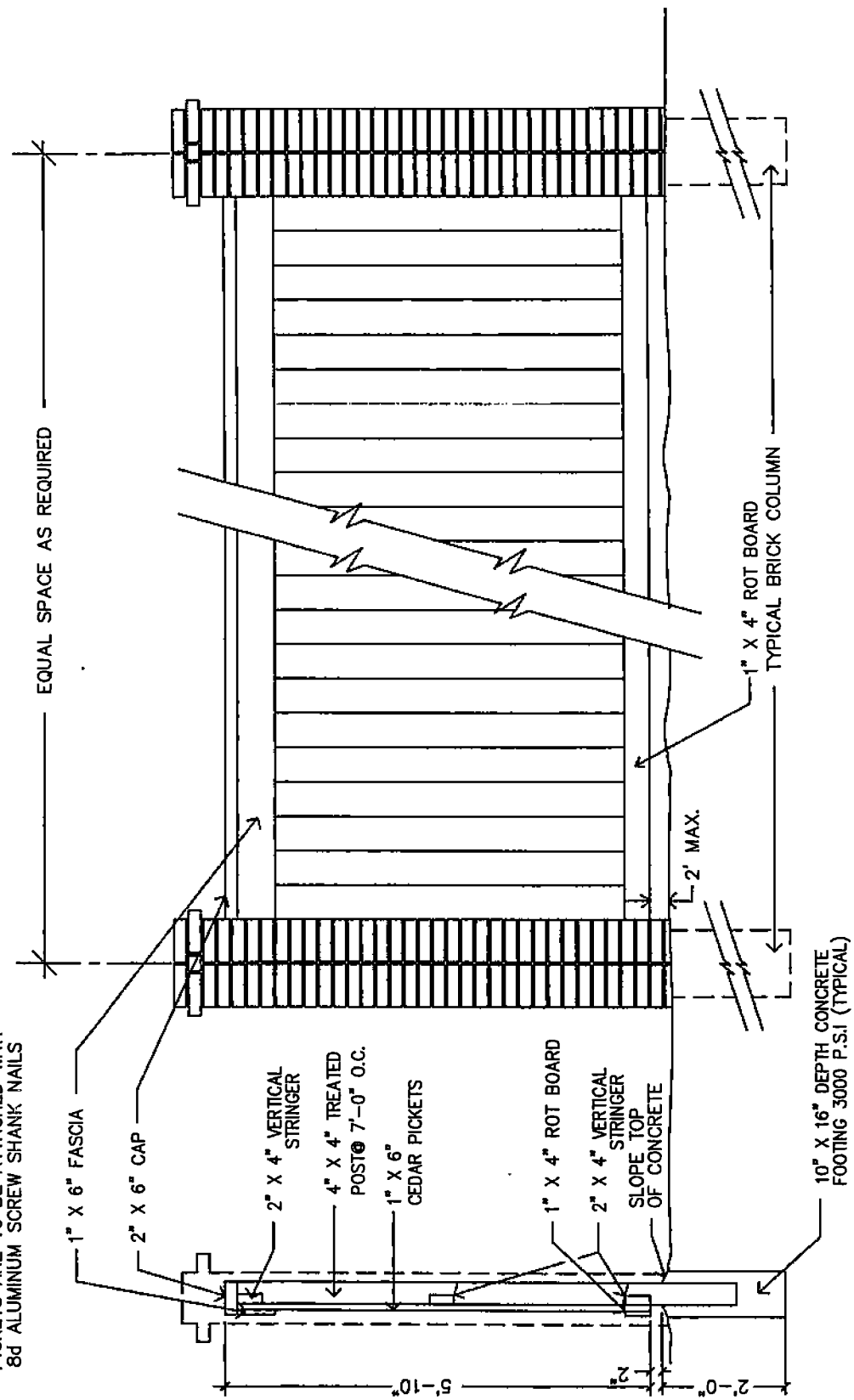
### SIDELOT FENCING SETBACK/ CORNER LOTS

ILLUSTRATION IV-6



NOTES:

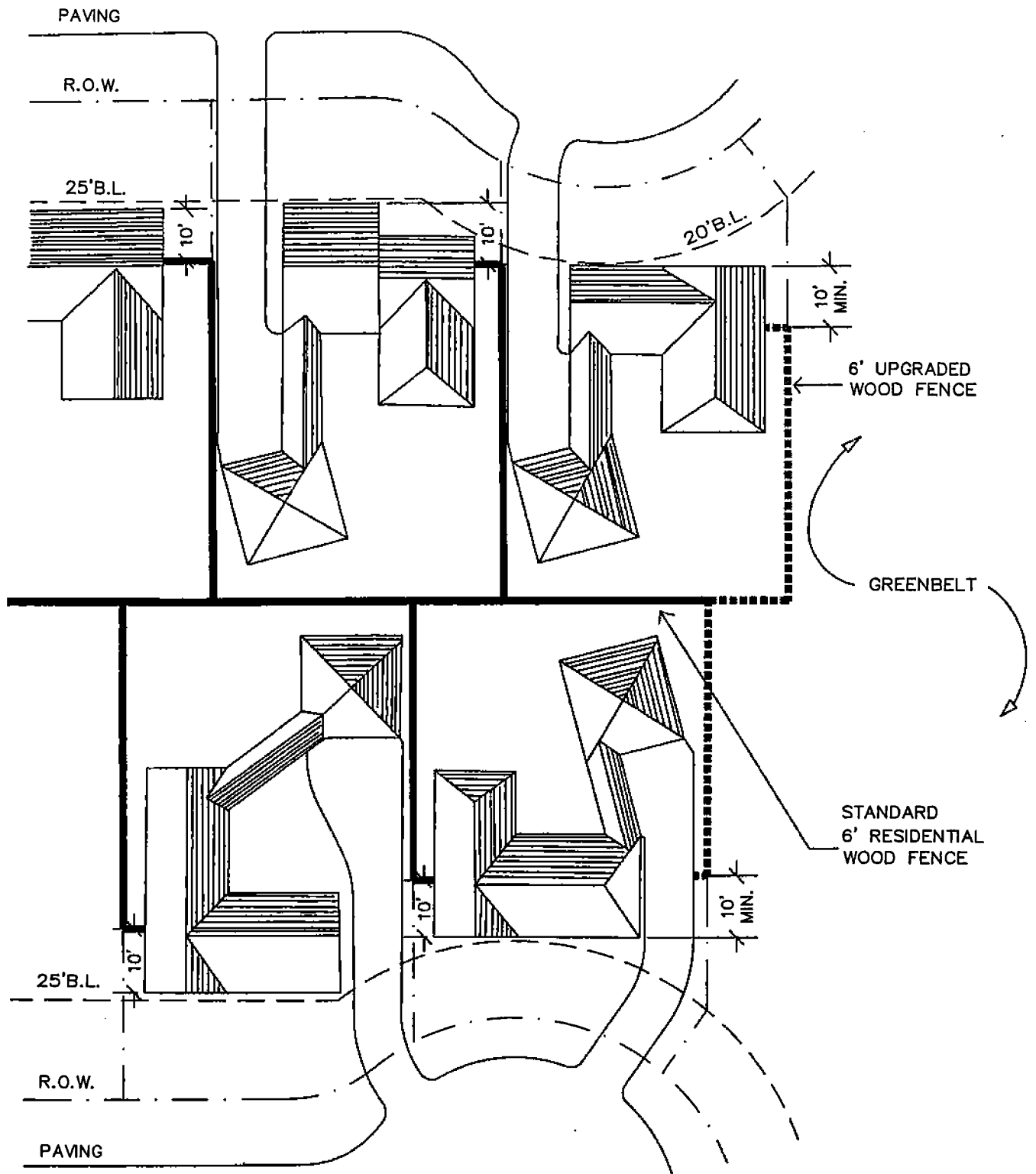
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 8d ALUMINUM SCREW SHANK NAILS



NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE WITH BRICK COLUMNS**

RP-2017-356991

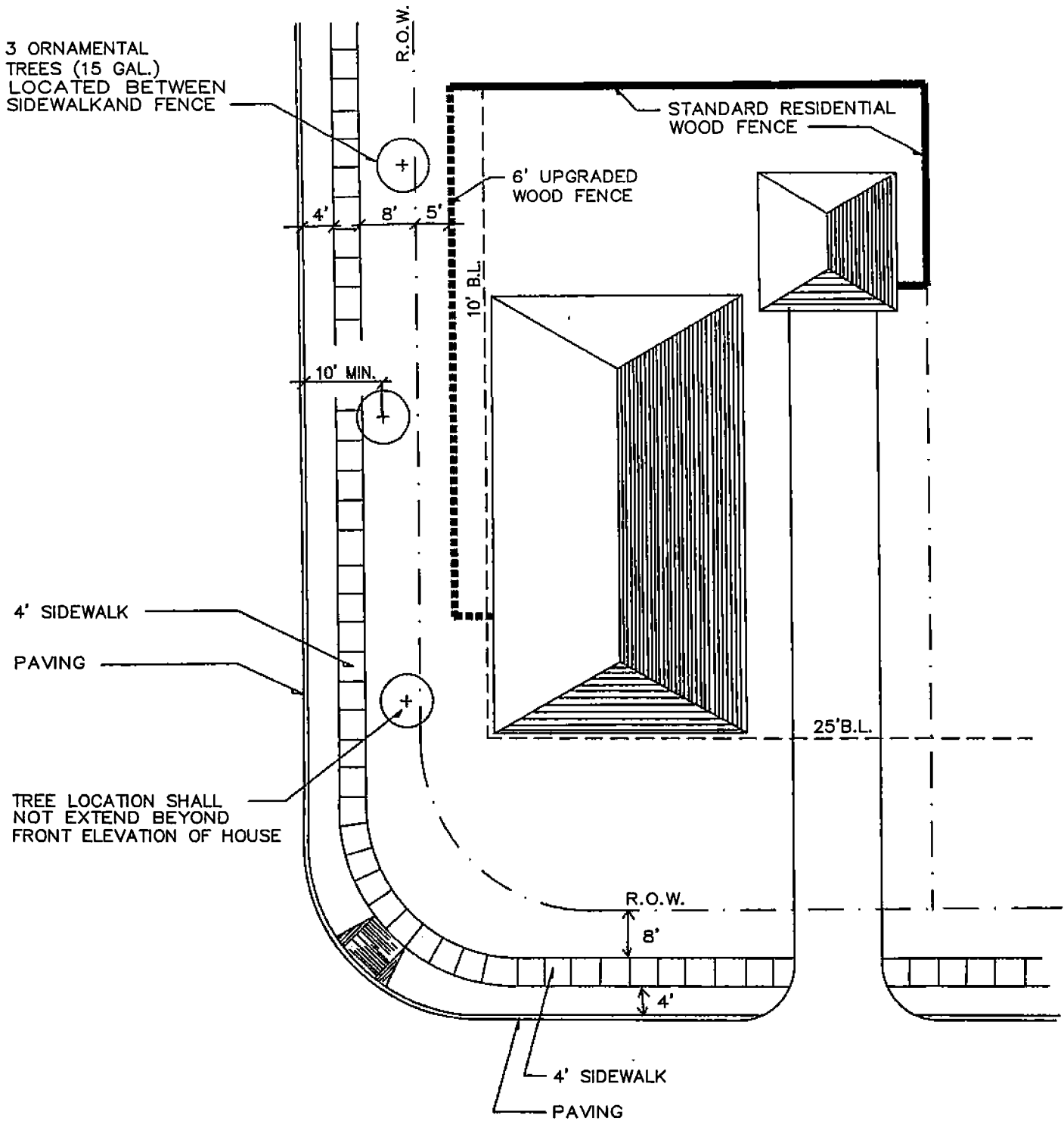


NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEYARD FENCING SETBACK /  
GREENBELT LOTS**

**ILLUSTRATION IV-8**

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**NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.**

## CORNER LOT LANDSCAPING

**ILLUSTRATION IV-9**



WINDSTONE  
*Society*

PMS blue 5395, Beige 472

ILLUSTRATION V-1

RP-2017-356991  
# Pages 51  
08/08/2017 03:33 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$212.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2017-356991

WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.

SECRETARY'S CERTIFICATE  
(Windstone Colony South, Sec. 5)

I, the undersigned, do hereby certify:

1. I am the duly elected and acting secretary of the Windstone Colony Community Association, Inc., a Texas non-profit corporation;

2. Attached hereto as Exhibit "A" is a true and correct copy of the Builder Guidelines for Windstone Colony South Section Five, a subdivision of 1.9854 acres of land, according to the map or plat thereof recorded in Film Code No. 678480 of the Map Records of Harris County, Texas.

IN WITNESS WHEREOF, I have hereunto subscribed my name on this 30<sup>th</sup> day of August, 2016.

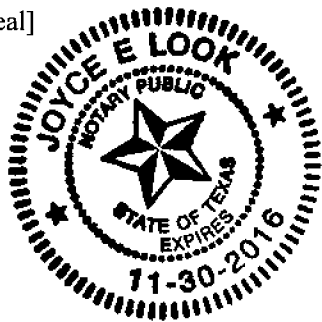
*Dawn Haywood*  
Secretary  
**Dawn Haywood**

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged on this 30<sup>th</sup> day of August, 2016 by *Dawn Haywood*, Secretary of Windstone Colony Community Association, Inc., a Texas non-profit corporation.

[Seal]

*Joyce E Look*  
Notary Public—State of Texas



RP-2016-388200

**EXHIBIT "A"**

RP-2016-388200

\*\*\* THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE\*\*\*

ALL IMPROVEMENTS TO PROPERTY  
ARE REQUIRED TO BE SUBMITTED TO  
THE WINDSTONE COLONY ARCHITECTURAL REVIEW COMMITTEE (A.R.C.)  
FOR REVIEW AND APPROVAL PRIOR TO THE INCEPTION OF ANY CONSTRUCTION

FURTHER, IT IS THE APPLICANT'S RESPONSIBILITY TO ENSURE COMPLIANCE  
WITH THE LATEST REVISIONS TO THESE GUIDELINES.  
COPIES WILL BE MADE AVAILABLE UPON REQUEST TO THE A.R.C.

**BUILDER GUIDELINES**  
**for**  
***WINDSTONE COLONY SOUTH***  
***SECTION FIVE***

I. INTRODUCTION

Windstone Colony South is a residential development of Windstone Development, Ltd. The objective of these Builder Guidelines is to achieve quality and uniformity in building construction and to address certain items and areas which are common to residential construction within Windstone Colony South and over which Windstone Colony Architectural Review Committee (A.R.C.) will exert strict control.

**Intent of Guidelines**

The Builder Guidelines are intended for the use of the various builders in Windstone Colony South and the design professionals they employ. They are aimed at providing an attractive, coordinated physical environment both during and after construction. Design diversity is encouraged in order to create a pleasing street scene and to provide a separation of product line. However, certain standards have been adopted for key elements to provide continuity throughout the project.

The Builder Guidelines contain the construction and development standards adopted by the Windstone Colony Architectural Review Committee (A.R.C.) but do not necessarily represent all of the restrictions which may be imposed on a specific lot or parcel of land. Prior to commencing design of a project, the property deed, the recorded subdivision plat and the "Covenants, Conditions and Restrictions" should be referred to. In addition, Windstone Colony South is located within the extraterritorial jurisdiction (ETJ) of the City of Houston and is, therefore, subject to Houston's development ordinance and any other ordinance which Houston may, by law, extend outside its corporate limits. In addition, Builders must comply with any other governmental agency (i.e., MUD, TCEQ) having applicable jurisdiction.



Builders within Windstone Colony South are responsible for compliance with all applicable city, county, state and federal regulations.

Windstone Colony South is located in Harris County, Texas, and must adhere to any and all development regulations, including road paving and construction standards. In addition, Harris County should be contacted regarding plan approval and permit procedures.

Although State law does not presently permit the establishment of building codes within unincorporated areas, it is the intent that construction within Windstone Colony South be of the highest quality. As a minimum, Builders will be required to warrant compliance with the Southern Building Code.

The Builder shall develop and maintain individual lots in a manner prescribed by the Declaration of Covenants, Conditions and Restrictions, recorded plats/replats, rules and regulations of the Windstone Colony Community Association, Inc. and by these builder guidelines and standards. Compliance with building setback lines, lot layouts, driveways, sidewalks, garages, wiring requirements, etc. are required of the Builder. Ties to utilities are the responsibility of the Builder.

## **II. NEIGHBORHOOD PLANNING ELEMENTS**

Residential development within Windstone Colony South is encouraged to produce "street scenes" that are visually unique in characteristics and reflect the feeling of a community. Creating a "street scene" requires Builders to coordinate their architectural designs and landscaping styles in a manner that promotes street and neighborhood individuality while maintaining a level of continuity. The purpose of this section is to identify those elements that will influence the overall neighborhood appearance.

The Builder shall be responsible for individual site development and maintenance including the area within the public street right-of-way (between the back of the street curb and property lines). The Builder of corner lots shall be responsible for the right-of-way for both streets.

### **Living Areas**

In order to enhance the distinction between single-family housing in each neighborhood, the following living area requirements must be adhered to unless otherwise approved by the A.R.C. These living requirements establish the maximum and minimum requirements set forth in the Declaration of Covenants, Conditions and Restrictions for each section and may be modified by the A.R.C.

The square footage is to be calculated as the total living area of any single-family residence exclusive of open porches and garages:

**Windstone Colony South, Section Five:**

Minimum living area, single story	1350 sq. ft.
Minimum living area, two-story	1600 sq. ft.
Maximum living area	2950 sq. ft.

**Site Massing and Exterior Elevations**

If possible, corner lots in single-family residential villages are to be single story residences, or the single story portion of a double story residence is to be placed nearest the corner. Where a single story occurs next to a double story residence, the common single story elements should be adjacent to each other. Whenever possible, all single story residences should include some variation of the ridge line.

**Housing Plan and Elevation Repetition**

The following three scenarios represent Windstone Colony South guidelines for determining when a plan and elevation can be repeated within a subdivision.

- \* When building the same plan, different elevation, on the same side of the street, three (3) lots must be skipped (see Illustration II-1).
- \* When building the same plan, different elevation, on both sides of the street, two (2) full lots must be skipped (see Illustration II-1).
- \* When building the same plan, same elevation, on the same side of the street or on both sides of the street, four (4) full lots must be skipped (see Illustration II-1).

**Building Setback Lines**

Minimum building setback lines are established by the City of Houston's Development Ordinance and are reflected on the recorded subdivision plat. The deed restrictions and the final plat should be referred to in determining the appropriate setback line for specific building site. If there is a discrepancy between these two documents, the document specifying the greater setback lines of the two shall apply. Encroachment upon the aforementioned setback lines with residential structures and garages is prohibited. The A.R.C. may, in special cases, grant variances to building lines NOT specifically illustrated on the recorded plat. A variance may be allowed only if it can be demonstrated by the designers of a particular house that the variance will allow a significant positive contribution to the house design or, more importantly, to the site design of the community as a whole. Typical setback lines for residential lots are as follows:

- \* Twenty foot (20') front yard setback lines on typical lots;

- \* Twenty foot (20') front yard setback lines on typical cul-de-sac lots;
- \* Five foot (5') side yard setback lines on typical lots;
- \* Fifteen foot (15') side setback lines for side yard that is adjacent to a public street r.o.w. on typical corner lots (**Notwithstanding the foregoing, Lot 5, Block 1 of Windstone Colony South Section 5 may have a ten foot (10') side setback line adjacent to the public street or r.o.w.);**
- \* Detached garages, where allowed, have a three foot (3') side yard building setback line; and
- \* Fourteen foot (14') rear building setback line (except for split easements)

Pools, spas, decks and walkways, excluding accessory buildings, located in the rear yard, are not considered building encroachments to the side setback lines. However, a planted landscape area (of a minimum three feet in width) must be maintained between the fence line and the aforementioned structures.

Prior to the placement of any forms, Builder should review the most recently recorded plat or replat for the specific lot to verify all setback requirements.

### **Garage Placement**

- \* When a lot sides onto a neighborhood entry street, driveways and garages are to be placed near the property line farthest from the entry street.
- \* Lots that back onto or have a side exposed to a greenbelt may have detached garages positioned on either side of the lot.
- \* On corner lots, detached and attached garages may not face the side street and must be placed on the opposite lot side from the side street.
- \* See Illustration II-2 for all typical garage placements.

### **Utility Easements**

- \* All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. Utility easements are typically located along the rear lot line, although, selected lots may contain a side lot utility easement for the purpose of completing circuits or distribution systems. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specified lot.

- \* Generally, interior lots contain a seven foot (7') wide utility easement along the rear lot line. Perimeter lots or lots that back up to drainage facilities, pipeline easements, property boundaries, adjacent existing subdivisions, and non-residential tracts typically contain a fourteen foot (14') wide utility easement. Encroachment of structures upon the utility easement is prohibited.

### **III. SITE MAINTENANCE DURING CONSTRUCTION**

Each lot in Windstone Colony South shall be maintained in a neat, clean and orderly condition by the Builder during construction. The Builder shall place a minimum of one (1) wire basket large enough for trash and construction debris containment within the boundaries of the lot on which the house is being constructed. Such debris shall be removed from each lot as often as necessary to maintain attractiveness of the construction site. Construction debris, including excess concrete, may not be burned, dumped or disposed of in any area of the development unless a specific location for such purpose is approved in writing by the A.R.C. Guidelines developed by the Houston Clean Builder Program are available upon request from Clean Houston.

#### **Sediment Control**

In order to maintain clean streets and prevent siltation of storm sewers and drainage channels, all Builders in Windstone Colony South are required to practice sediment control during construction. As soon as earthwork commences which destroys the natural vegetative cover on any portion of a building tract, sediment control methods shall be installed in such a way as to filter all storm water runoff from the tract into the public street. Such sediment control methods shall be in compliance and accordance with all applicable governmental regulations. The sediment control system shall remain in place and in good repair until construction and landscaping is complete. If A.R.C. determines that a Builder has not maintained his sediment and drainage course, the Builder will be assessed the cost of clean up.

Builder agrees to complete a Texas Commission on Environmental Quality (the "TCEQ") construction general permit (TPDES) and comply with TCEQ rules and regulations for storm water discharge permit. Furthermore, Builder agrees to comply with any applicable rules and regulations of the MUD affecting the lots.

#### **Protection of Existing Trees and Development**

Trees existing on individual building sites should be evaluated carefully to determine their desirability and suitability to the proposed design. No trees measuring six inches (6") in caliper at a point of six inches (6") above ground

level may be removed without prior approval of the A.R.C. unless located within an approved building site, driveway or walk. The A.R.C. has the authority to require that houses, driveways and garages be staked out and that such setting be approved before any tree cutting is done or any construction site work is begun. Trees that are selected to be preserved on building sites, must be adequately protected from damage during construction. Work done in esplanades or landscape reserves (to connect utilities, etc.) must protect existing plantings, berms, etc. Existing adjacent developments must be protected during construction by erecting a temporary fence along or parallel to the property line. Builders will be responsible for the repair and/or replacement of trees, plants, sidewalks, lights, etc., damaged during construction.

Trees must be protected as follows:

- \* A tree protection fence shall be erected around all trees as far from the trunks as possible, ideally at the dripline of the tree. The tree protection fencing is to be constructed prior to the beginning of any construction including clearing and grubbing;
- \* Care should be taken when working in the vicinity of trees in order to prevent damage to trunks, branches or foliage. No nails, bolts, ropes or guy wires shall be attached to any trees;
- \* No materials or equipment of any sort may enter or be stored within the fenced protection area, or dripline of the tree;
- \* Potentially toxic materials such as solvents, paints, gasoline, etc., shall not be poured into the ground near the dripline of the trees;
- \* Protection fences shall not be removed without approval of the A.R.C.; and
- \* Trenching or boring near protected trees should be avoided if at all possible. When necessary, care should be taken to avoid damaging the tree's root system by hand trenching.

### **Temporary Buildings**

- \* Temporary buildings are permitted for use only during construction of permanent buildings, streets, utilities and driveways. The temporary buildings may be used only for construction offices, security offices, storage of tools and equipment and toilets. The location, design and general appearance of all temporary buildings must be approved by A.R.C. All temporary buildings must be placed a minimum of twenty-five feet (25') off of the street r.o.w.; no temporary buildings may be located in

a landscape setback. Temporary buildings must have access from hard paved or temporary gravel driveways.

#### **IV. LOT ELEMENTS**

##### **Grading and Drainage**

- \* In general, each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across the adjacent lots. Minimum grade shall be 1.0 percent (see Illustration IV-1). Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The A.R.C. must approve all exceptions.

##### **Lot Coverage**

- \* Total coverage of residential lots including dwelling, garage, driveway, walks and other structures shall not exceed sixty percent (60%) of the total lot area. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

##### **Driveways**

The lot builder is required to build driveways into the street right-of-way. All driveway locations must be approved by the A.R.C. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape and pedestrian environment.

- \* Concrete driveways are to be a minimum four inches (4") thick over a sand base. A #6, six inch by six inch (6"x 6") woven wire mesh shall be installed within the "drive-in" portion of the driveway between the curb and sidewalk. County specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.
- \* Driveways may be paved with concrete or unit masonry although use of materials should be consistent with the architectural character of the entire neighborhood. The use of stamped or colored concrete, interlocking pavers, brick pavers and brick borders are encouraged, but must be approved by the A.R.C. Asphalt paving is prohibited.
- \* Driveways should not be constructed over inlets or manholes. In instances where this is unavoidable, compliance with county regulations, which may require inlet adjustment and/or upgrade, will be necessary.
- \* Driveways shall be located no closer than two feet (2') from the side property line.

- \* Driveways serving residences with attached side or rear loaded garages and/or detached garages shall be twelve feet (12') in width (see Illustration II-2).
- \* Driveways serving attached two car garages facing the street shall be a minimum of sixteen feet (16') in width (see Illustration II-2).
- \* Driveway slopes should be uniform with smooth transitions between areas of varying pitch.
- \* The use of circular drives is prohibited and exceptions will only be allowed by the A.R.C. in instances where the width of the lot is sufficient to accommodate such driveways leaving significant amount of green space. Under no circumstances may an entire front yard be paved as a driveway.

**Sidewalks**

Sidewalks are required along both sides of local residential streets within Windstone Colony South and are to be constructed by the lot builder in accordance with the specifications shown on Illustration IV-2.

- \* All sidewalks within Windstone Colony South must conform to all applicable City of Houston rules and regulations and to the Americans with Disabilities Act standards.
- \* Locations of sidewalks are not to be varied except where required to avoid existing trees.
- \* Where sidewalks cross driveways with decorative paving, the standard sidewalk design does not have to be carried through the driveway.
- \* Where sidewalks deviate from a straight line, gentle radii, instead of abrupt curves and angles, shall be utilized.
- \* Manholes and valve boxes located within the sidewalks shall be flush with the concrete paving. Adjustment of heights may be required.

**Walkways**

Walkways should be a complimentary component of the site architecture and should not compete visually with the house and/or landscape.

- \* A walkway of at least three feet (3') in width and no more than five feet (5') in width shall be provided from the front door of the residence to the street curb or the driveway.
- \* Walkways shall be constructed with unit masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the A.R.C. Asphalt walkways are prohibited.
- \* In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum of two feet (2') in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate ground cover.
- \* Meandering walks, fountains and statuary within the walk and front yard require A.R.C. approval.
- \* Sidewalks shall not be visually or physically broken by crossing walkways.
- \* Steps at elevation changes are required on walkway slopes exceeding 4.0 percent.

#### **Pools, Decks and Other Structures**

Swimming pools, spas, decks, and other ancillary structures are restricted to the rear yard and must adhere to the following guidelines.

- \* Pool decks may extend beyond the established side setback lines so long as an adequate area of a minimum of three feet (3') for landscaping and fencing remains between the deck and the property line.
- \* Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated, installed above ground spas or hot tubs are acceptable.
- \* Swimming pools, spas and accompanying decks and equipment must be screened from public view, including public streets and other common areas.
- \* Swimming pool appurtenances, such as rock waterfalls and sliding boards, must not exceed six feet (6') in height.
- \* Pool structures that enclose the swimming pool area are discouraged and must receive approval from the A.R.C.



- \* All pools and spas must have security fencing and locking gates and must be constructed in compliance with all applicable regulatory specifications.
- \* All pools and spas, with a site and landscaping plan, must be approved in writing by the A.R.C. prior to construction.
- \* All other structures including gazebos, storage buildings, playhouses, decks, greenhouses, trellises, etc. must be submitted to the A.R.C. for approval and must be accompanied by a site plan. Such approval may be denied for any reason the A.R.C. feels said structure would have a negative impact on the community. If approved, the following general guidelines must be adhered to:
  - Structure must not exceed seven feet (7') in height at its highest elevation.
  - Structure must not exceed eighty (80) square feet in size.
  - Structure must be constructed of brick, hardiplank or wood. If constructed of wood, two coats of a neutral color of paint are required at the time of construction.
  - Roof must be the same color and type as the main dwelling.
  - Structure must be unobstructed from public view.

**Patio Covers**

Patio covers are restricted to the rear yard and must adhere to the following guidelines:

- \* Color must blend with the color of the main dwelling;
- \* Must be unobstructed to public view;
- \* Must not exceed nine feet (9') in height when attached to the roof of the main dwelling; and
- \* Must not exceed seven feet (7') in height if not attached to the roof of the main dwelling.

**Lot Fencing**

The Builder shall be responsible for installing a fence along the rear and side property lines of each residence, except where specifically stated otherwise, in conformance with the standards adopted for each lot type.

The following represents minimum fencing requirements. To ensure compatibility of fence design throughout Windstone Colony South, all fences

visible from the public street that depart from the guidelines must be approved by the A.R.C.

- \* Fence sides visible to the public must be the "finished" side.
- \* A maximum fence height of 6'0" is allowed, unless specifically approved in writing by the A.R.C. for an individual application.
- \* Fencing on slopes is to be staggered or stair-stepped down the slopes. The tops of these fences are to level with the horizon. Height levels should be changed at normal column spacing. Fences running parallel to the slope are not acceptable.
- \* One single-sided hinged gate shall be installed at the most appropriate side yard (see Illustration IV-3).
- \* The placement of fence gates within fencing located along rear and side property lines of a lot is prohibited.

The following information represents the fencing standards for the different lot types found in Windstone Colony South.

#### **Typical Interior Lot**

- \* Typical interior lots require wood fences of six feet (6') in height to be constructed with quality (no used fencing) treated cedar and treated pine in accordance with the specifications (see Illustration IV-4).
- \* Wood fences shall be installed with alternating seven foot (7') panels and exposed rails along common interior lot lines to provide a uniform, attractive fence to each abutting property.

#### **Typical Corner Lot**

- \* The fencing located on the exterior side (lot side abutting the public street) must be an upgraded wood fence with a trim cap (see Illustration IV-5). The 2' x 6' trim cap shall consist of treated cedar with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included. **Lots requiring this fencing are Lot 5, Block 1 and Lot 5, Block 2 of Windstone Colony South Section 5.**
- \* The upgraded wood fence must be located five feet (5') from the street r.o.w. line and constructed from the rear lot line parallel to the public street to a point located a maximum of fifteen feet (15') past the rear elevation of the house (see Illustration IV-6).

- \* Additional fencing for corner lots abutting a public street shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.

### **Corner Lots at Neighborhood Entrances**

- \* The fencing located on the exterior lot side (lot side abutting the landscape easement) shall be the adopted upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be 2' x 6' with a 1' x 6' fascia. Trim cap joints are to be mitered at 45 degrees. A 1" x 4' rot board must also be included.
- \* The upgraded wood fence must be constructed from the rear lot line adjacent to the landscape reserve to a point located a maximum of fifteen feet (15') past the rear elevation of the house.
- \* Additional fencing for corner lots at neighborhood entrances abutting a landscape easement shall be constructed in accordance with the aforementioned fencing criteria for typical interior lots.
- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Greenbelt & Commercial Reserve Lot Fencing**

- \* The exterior lot side of lots abutting a greenbelt or commercial reserve shall be constructed with a six foot (6') high upgraded wood fence with a trim cap (see Illustration IV-5). The trim cap shall be treated cedar 2' x 6'. Trim cap joints are to be mitered at 45 degrees.
- \* Where lots side onto a greenbelt or commercial reserve, the upgraded wood fence must be constructed along the common property line between the greenbelt and such lots from the rear property line to a point ten feet (10') behind the front elevation of the house (see Illustration IV-8).
- \* Additional fencing for lots abutting a greenbelt or commercial reserve shall be constructed in accordance with the aforementioned criteria for typical interior lots.
- \* The placement of fence gates within fences along the greenbelts or commercial reserves is prohibited.

- \* In certain locations, the A.R.C. may, at its discretion, require brick columns to be incorporated into the six foot (6') upgraded wood fence (see Illustration IV-7).

### **Perimeter Walls & Fencing**

Upon purchasing a lot with a fence installed by Developer, Builder shall reimburse Developer Fifteen Dollars (\$15.00) per linear foot where Developer has constructed a fence in place of typical builder fence on a lot. At sideyard fence junctions, Builder may not affix or attach sideyard fencing to the perimeter fence. Where side lot or other type wood fencing terminates into the perimeter wall, minimal space should exist between the two posts for the different fence types. The intent is to create a neat, well-constructed terminus for the builder fence.

### **Outdoor Lighting**

All outdoor lighting must conform to the following standards and be approved by the A.R.C.

- \* Floodlighting fixtures shall be attached to the house or an architectural extension and shall not illuminate areas beyond the limits of the property line.
- \* Ornamental or accent lighting is allowed but should be used in moderation and compliment the associated architectural elements.
- \* Mercury vapor lights, when the fixture is visible from public view or from other lots, is prohibited. Mercury vapor lights, when used for special landscaped lighting affects (such as affixed to trees as up and down lights) are permissible.

### **Screening**

Mechanical and electrical devices, garbage containers and other similar objects visible from a public street or common area, or located on property boundaries, must be screened from view by either fences, walls, plantings, or a combination thereof. Screening with plants is to be accomplished with initial installation, not assumed growth at maturity.

### **Landscaping**

The Builder is responsible for landscaping all areas on this property and the portion of the street right-of-way between the property line and the street curb. Plantings other than ground covers and low growing ornamentals between the street curb and the paved sidewalk is discouraged in order to preserve adequate sight lines for motorists. Automatic irrigation systems for all residential lots is

encouraged, but not required. Installation of all landscaping must occur immediately upon occupancy of the house or within 30 days after completion of construction, whichever occurs first. Installation of landscaping, including materials and workmanship, must be in conformance with acceptable industry standards.

The following landscaping standards are applicable to all typical lots. Planting materials for larger and/or oversized lots should be increased proportionally in plant size and quantity.

#### Lot 49' in Width and Less

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is four feet (4') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twelve larger shrubs (minimum 5 gallon), fifteen smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of five (5) different species of plantings may be utilized within a front yard.

#### Lots 50' to 64' in Width

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.
  - b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of sixteen larger shrubs (minimum 5 gallon), twenty smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
  - c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of six (6) different species of plantings may be utilized within a front yard.

#### Lots 65' in Width or Over

- \* Minimum planting bed specifications include:
  - a. Minimum planting bed width is five feet (5') from the house foundation. Curvilinear planting beds are encouraged.

- b. Shrubs are to be planted in a pleasing, organized design. Shrubs shall include a minimum of twenty larger shrubs (minimum 5 gallon), twenty-five smaller shrubs (minimum 1 gallon) and two 15-gallon specimens.
- c. The number and variety of plants utilized shall be appropriate for the size of the planting bed. A maximum of seven (7) different species of plantings may be utilized within a front yard.

- \* Isolated tree planting is not permitted between the sidewalk and street.
- \* Planting bed edging is not required, but is encouraged for maintenance purposes and to define the shape of planting beds. Loose brick, plastic, concrete scallop, corrugated aluminum, wire wicket, vertical timbers, railroad ties, etc. are not in character with the desired landscape effect and are prohibited. Acceptable edging materials are Ryerson steel and horizontal timber (2" x 4", 2" x 6", 4" x 4", and 4" x 6").
- \* All planting beds are to be mulched with shredded pine bark.
- \* The use of gravel or rock in front yard planting beds is prohibited, except as a border when set in and laid horizontally as quarried or utilized drainage purposes. Specimen boulders are permitted.
- \* The front yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.

\* Tree requirements are as follows:

Trees

Lot Width	Required	Type	Caliper	Height
49' or less	1	1 hardwood	4"	12'
50' – 64'	2	1 hardwood	4"	12'
		1 ornamental	N/A	
65' and over	3	2 hardwoods	4"	14'
		1 ornamental	N/A	

- \* Use of hardwoods is preferred; however, some pines can be introduced into planting. The accepted ratio is to be 2/3 hardwood and 1/3 pines.
- \* Tree stakes must be made out of wood, 2" in diameter by 6' long.
- \* After completion of landscaping, Builder shall see that the landscaping is maintained in a healthy and attractive appearance until the lot is sold to an owner/occupant. At that time Builder shall use its best efforts to notify

owner/occupant of the necessity to comply with all landscaping requirements under the landscape guidelines. Proper maintenance includes:

- a. Adequate watering;
- b. Appropriate fertilization;
- c. Pruning;
- d. Mowing;
- e. Weed control in lawns and planting beds;
- f. Seasonal mulching of planting beds;
- g. Insect and disease control;
- h. Replacement of diseased or dead plant materials; and
- i. Warranty of all planting materials.

### **Corner Lots**

Supplemental landscaping specifications for all corner lots include the following:

- \* The side yard of each completed residence shall be completely sodded with St. Augustine grass. Seeding and/or sprigging is prohibited.
- \* One additional hardwood tree in the front/side yard.
- \* Three (3) ornamental trees in fifteen (15) gallon containers are to be planted along the side street portion of corner lots. The trees are to be planted beginning at a point ten feet (10') from the rear property line or driveway, if applicable, on fifteen foot (15') centers, equidistant between the sidewalk and fence along the side yard (see Illustration IV-9). The trees shall not extend beyond the front elevation of the house.

### **Master Plant List**

A residential lot master plant list to be used by Builders is provided in the appendix for assistance in selecting species for landscaping lawns and landscape easements. The plants listed are generally suitable to conditions in the Houston area. However, in selecting plants from this list, careful consideration should be given to their cultural requirements as compared to the particular conditions they must endure in a given location. Any soil, water, or other tests necessary to determine the existing conditions on a particular site are the responsibility of the individual tract developer.

## V. HOUSING

It is the intent of this section to establish basic criteria for the construction of residences within Windstone Colony South. Emphasis is on quality in material, design and construction in order to promote well-crafted homes.

Texas law does not presently permit the establishment of building codes in unincorporated areas. It is the intention, however, that all building construction in Windstone Colony South be of the highest quality. As a minimum, Builders are required to warrant compliance with the Southern Building Code.

### **Foundations**

- \* Prior to foundation construction, an area soils test should be undertaken to ensure foundation quality.
- \* Prior to foundation construction, a form survey should be undertaken to ensure that building setback lines will not be violated.
- \* All foundation plans must be signed and sealed by a Texas Registered Professional Engineer. Minimum slab elevations are determined by and should be coordinated with the appropriate county agencies.

### **Exterior Materials**

Single-family residences within Windstone Colony South must be, at a minimum, comprised of at least 51.0 percent masonry products exclusive of windows, doors and other building openings. Hardiplank may be used on front and side elevations for accent or structural purposes, as approved by the A.R.C., or for other purposes approved by the A.R.C. Changes in materials should have a logical relationship to the changes in the form of the house.

- \* One story product – shall be 100% masonry on three sides
- \* Two story product – shall be 100% masonry on the front elevation; 100% masonry on the lower half of two side totaling 50% masonry on each side.
- \* Adjacent houses shall have different brick colors.

Samples of all exterior materials must be submitted to the A.R.C. for approval. Exterior building materials for single-family residences within Windstone Colony South must comply with the following standards and/or guidelines.

### **Masonry**

- \* **Stone**



The use of any type of stone on the exterior of a residence must be approved by the A.R.C. to ensure architectural compatibility within the neighborhood.

\* **Brick**

Brick used on residences in Windstone Colony South shall meet standard specifications established by the Brick Institute of America. These standards are found in the Selected Standards for Brick compiled by the American Society for Testing and Materials under designation C216-87.

\* **Mortar Joints**

All mortar joints shall be tooled; "slump" joints will not be allowed. Mortar color shall be selected to complement stone or brick color.

**Hardi Plank**

\* Hardi plank siding must be used for all siding product or in conjunction with masonry. Only hardi plank will be acceptable for such use.

\* Wood siding is prohibited.

\* Vinyl siding is prohibited.

\* Trim - All wood trim shall be smooth, high quality finish-grade stock and must be stained or polished as approved by the A.R.C. If a stain is used, a wood sealant must be utilized. Naturally weathered wood is prohibited.

**Stucco**

\* Stucco may be used as an exterior wall finish, provided its detailing is consistent with the style of the architecture. Stucco must be uniform in color with all other exterior housing materials.

**Metal**

\* Exposed metals shall be anodized aluminum, bronze, copper or painted galvanized steel.

**Synthetic Materials**

\* Synthetic materials such as metal siding masonite and vinyl siding may only be used with the approval of the A.R.C.

**Privacy Walls**

- \* Privacy walls must match dwelling unit materials and shall be no more than eight feet (8') in height. All privacy walls must have A.R.C. approval.

### **Window Treatment**

- \* Metal windows must be used and the finish shall complement the color and architectural style of the house.
- \* No reflective glass or glazing will be allowed on any front or side façade, or on any façade which is visible from a public street, golf course or common area.
- \* The use of wrought iron ornamentation on the exterior of any window is prohibited without the prior approval of the A.R.C.
- \* Solar screens, of a black or dark gray color may be installed. If used, they must be installed on all windows viewed from the street.

### **Roof Treatment**

#### Materials

- \* Roofing materials used on all homes shall be as a minimum a Portland Production 3 tab shingle, U.L. Class "A" ASTM D-3018-82, Type 1; minimum 20 year warranty; color: weather gray.
- \* Wood shingles are strictly prohibited.

#### Form

- \* Gabled and hipped roofs of varying pitch throughout the residence is preferred. The minimum allowance of roof pitch shall be four (4) in twelve (12), except where a deck is called for.

#### Chimneys

- \* Fireplace chimneys must be constructed of materials that match dwelling unit in style and color and that meet or exceed the chimney standards set forth in the Southern Building Code.

#### Exposed Roof Metal

- \* All exposed metal roof accessories, stack vents, roof flashing, attic ventilators, etc. shall match roofing material color. All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plane.

#### Skylights and Solar Collectors

- \* The location and design of all skylights and solar collectors shall be approved by the A.R.C. No solar collectors shall be allowed on any roof slope visible from a public street.

#### Rain Gutters and Drains

- \* The installation of rain gutters and drains is required on all roof sections where runoff occurs, affecting pedestrian entrances and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drain pipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover. The use of a splash pad or hidden drain pipe is required.
- \* Where gutters are not used, positive drainage away from the structure should be provided.

#### **Garages**

- \* Garages cannot exceed the residential lots main dwelling in height nor in stories.
- \* A detached garage, if allowed, must be connected to the residence by a breezeway or covered walk.
- \* Carports (porte cochere) constructed of the same building materials and as an integral part of the residence are acceptable. All other carports are prohibited.
- \* Garages, at a minimum, must be able to accommodate the storage of two (2) full size automobiles at the same time, and, at a maximum, accommodate the storage of three (3) full size automobiles at the same time. Extension in the length of a garage to permit additional storage is permitted.
- \* All garage doors should be of metal design and colored to complement the adjacent wall.
- \* Designs incorporating side or rear entry garages are encouraged to break up the monotony of multiple garage doors facing the street.

- \* Windows with shutters or blinds may be required on the façade of a side or rear loaded attached garage to enhance the front elevation of the residence and the street scene.
- \* Garage doors containing windows are prohibited.
- \* Automatic garage door openers must be installed on all garage doors.

**Exterior Lighting Fixtures**

- \* All exterior lighting fixtures visible from a public street or common area must have the approval of the A.R.C. and should complement the architectural features of the residence.

**Exterior Color Schemes**

- \* All exterior colors must be submitted to and approved by the A.R.C. The palette of exterior colors for each residence shall be selected to complement, coordinate or harmonize with the colors of building materials which are used in their natural state, such as brick, stone, copper, etc. The use of pastel colors or primary colors is strongly discouraged and may be used only by special approval of the A.R.C. Paints or stains should be limited to three (3) complimentary colors per residence.

**Mechanical Equipment**

- \* All air conditioning compressors, power and meter boxes and pool equipment shall be completely screened from public view. Screening may consist of architectural or planting elements as approved by the A.R.C.

**Maintenance**

- \* Each residence shall be maintained in a neat, clean, orderly condition by the Builder prior to and after the sale of such residence. Periodic repairs shall be made to correct any condition which suggests visual deterioration of a residence.

**VI. MODEL HOME PARKS/SALES CENTERS**

Model home parks and sales centers should be representative of the type of neighborhood environment the Builder/developer hopes to achieve. The project image is established by the way in which the model homes and sales office are handled. The following items should be considered when establishing a model home park and/or sales office.

## **Location**

The location of all proposed model home parks and/or sales centers must be approved by the A.R.C. Proposed sites will be reviewed on an individual case by case basis and, therefore, no specific criteria will be developed.

## **Models**

- \* The architectural controls and design guidelines established for all residences in Windstone Colony South shall be maintained in model homes to ensure compliance when the models are eventually sold. Temporary exceptions related to nonstandard driveways, sidewalks, lighting, flags and flagpoles, or other marketing techniques will be considered by the A.R.C. on an individual basis.
- \* Freestanding sales offices must be of permanent type construction and comply with these design guidelines. The use of temporary structures or portable buildings is prohibited, except in the interim time period preceding the completion of a permanent sales office. The relocation of temporary sales offices is subject to the approval of the A.R.C.

## **Site Improvements**

- \* Sidewalks do not necessarily need to be placed two feet in the r.o.w., perpendicular to the property line, but can meander between the units.
- \* Planters, flower pots, 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 landscape planting should exceed minimum requirements for other lots. Plants are to be selected from the plant list in the landscape section of this booklet.
- \* If planting beds are extended from one lot to another to create a park-like atmosphere, care is to be taken to not block drainage down side lot lines.

## **Parking**

- \* If possible, adequate off-street parking should be provided to accommodate prospective buyers and sales personnel. Traffic generated by model home parks and sales offices should not interfere or conflict with the traffic of the surrounding neighborhood(s). Available off-street parking adds to the convenience of prospective buyers and improves the streetscape in front of the model homes.

## **VII. SIGNAGE**

### **Model Home Park Signage**

- \* Signage for model homes parks shall be approved by the Declarant and conform to the City of Houston Sign Ordinance and any variance shall not be unreasonably withheld.
- \* Windstone Colony South logo and logo type .

### **Builder / Lot Signage**

- \* One standard builder lot sign per lot may be used following approval by the Declarant and any variance shall not be unreasonably withheld.
- \* Sign face may include Builder's name and/or logo or trademark. Colors and graphics shall be submitted to the A.R.C. for approval.
- \* Any sign that has not been approved and constructed in accordance with the specified regulations may be removed by the A.R.C. without liability.

## **VIII. SUBMISSION AND APPROVAL**

### **Architectural Review Committee**

The Windstone Colony Architectural Review Committee (A.R.C.) is composed of representatives selected by the Board of Directors of Windstone Colony Community Association, Inc. The A.R.C., at its sole and absolute discretion, has the authority to promulgate and administer standards, rules and regulations governing the planned development and improvement of all tracts within Windstone Colony South and has primary authority over the initial planned development.

Upon receipt of proper documentation, the A.R.C. also has the authority to grant variances to criteria established by the guidelines.

The approval of the A.R.C. of any and all submittal packages is limited to compliance with the criteria established by the Windstone Colony Builder Guidelines. The A.R.C. is not responsible for ensuring Builder compliance with city, county, state and federal requirements.

### **General**

The official submittal of plans and specifications to the Architectural Review Committee is to provide a review process for conformance to guidelines and standards adopted by the A.R.C. A clear direct statement as to the acceptability of construction plans is to be made within the review time period. The end result is to impart a visual character and a sense of community through controlled architecture.

All new construction, subsequent construction, remodeling with exterior exposure, expansion, and demolition of structures must be reviewed and approved by the A.R.C. prior to commencement of any on-site building or construction activity. The approval process can be facilitated if complete and high quality submittal documentation is provided to the A.R.C. The A.R.C. reserves the right to alter the review process in order to ensure adequate review of all submissions while accommodating the needs of the Builders and property owners.

The design for residences must be approved in writing by the A.R.C. before construction of a residence can begin. The A.R.C. is committed to a high level of design quality in Windstone Colony South by reviewing residential design and plotting submissions and working with our Builders to achieve this goal.

Submittals shall be sent to the attention of the Architectural Review Committee, in care of:

Windstone Colony Community Association, Inc.  
c/o VanMor Properties, Inc.  
8711 Highway 6 North, Suite 270  
Houston, Texas 77077

## **Requirements**

### Initial Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C. Submittals are to be made in phases prior to construction of or any exterior improvements upon any residential lot or parcel. Minimum submittal requirements for each phase are as follows (additional information is encouraged):

### Phase I

1. Plan Submittal Form (see enclosed)
  - a. Production (Initial Review)
  
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing

3. Preliminary plans including:
  - a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Outline specifications describing all materials to be used on the project

Phase II

1. Construction documents and specifications including:
  - a. Final architectural plans of drawings listed under Phase I above
  - b. Site plan at appropriate scale
  - c. Final specifications
  - d. Submittals of material samples
  - e. Foundation designed and sealed by the Registered Professional Engineer
  - f. Landscape planting plan

Each submittal shall consist of one (1) set of blue-line prints and supplementary specifications. Only complete sets will be reviewed.

On-Going Review

The Builder is required to submit complete and accurate design and construction documents for examination by the A.R.C.

Minimum submittal requirements for each phase are as follows (additional information is encouraged):

1. Plan Submittal Form (see enclosed)
  - a. Production
2. Schematic site plan including:
  - a. Site plan including location of trees greater than 8" in diameter
  - b. Building setbacks, easements and r.o.w. identification (survey)
  - c. Utility service locations
  - d. Siting of improvements/fencing
3. Construction documents and specifications for variations from standard
  - a. Floor plans @ ¼ in. = 1'0" minimum scale
  - b. Exterior elevations ¼ in. = 1'0" minimum scale
  - c. Final specifications
  - d. Submittal of material samples
  - e. Foundation designed and scaled by a professional engineer

**The Builder or his agent has complete responsibility for compliance with all governing codes and ordinances.**



For Builders that repeat floor plans, a submittal of each floor plan is not required for every house provided the floor plan has received A.R.C. approval. The Builder should reference the plan number and provide a site plan, exterior elevation, specifications and other items particular to the site not previously approved as outlined above.

### **A.R.C. Approval Time Lines**

The Architectural Review Committee shall review and approve, in writing, each submittal or recommend revisions to those aspects of the plans that are inconsistent with the builder guidelines. The review and approval process shall not exceed the following time constraints:

#### Initial Review

##### Phase I

Plan Submittal Form	
Schematic Site Plan	
Preliminary Building Development Plans	15 Days

##### Phase II

Construction Documents	15 Days
------------------------	---------

#### On-Going Review

Plan Submittal Form	
Schematic site plan	
Construction Documents (if applicable)	7 Days

These shortened time frames (as compared to the Declaration of Covenants, Conditions and Restrictions) are being made available to the Builders for initial construction and may be revoked.

Construction shall proceed only after approval of the final set of drawings and specifications. Changes that occur during actual construction that differ from approved drawings will require alterations at the Builder's expense to restore compliance with approved drawings. No drawings are considered approved unless they are approved in writing by the A.R.C.

### **Approval Not a Guarantee or Variance**

The review and approval of plans is made on the basis of aesthetic considerations only and no approval of plans and specifications and no publication of the Builder Guidelines shall be construed as representing or implying that such plans, specifications or guidelines will, if followed, result in properly designed improvements. Such approvals and design guidelines shall in no event be

construed as representing or guaranteeing that any improvements built in accordance therewith will be built in a good and workmanlike manner. Neither Developer, the Windstone Colony Community Association, Inc., the Windstone Colony A.R.C., nor any of their respective officers, partners, directors, employees, or members, shall be responsible or liable in damages or otherwise to any Person who submits plans for approval by reason of mistake of judgment, negligence or nonfeasance arising out of the approval or disapproval of any plans and specifications with any governmental ordinances and regulations, nor any defects in construction undertaken pursuant to such plans and specifications. The purpose of such review primarily is to conform the aesthetic appearances of development within the Properties. In addition, the approval of plans pursuant to this paragraph shall not be deemed to be a variance from the specific restrictions of the Declaration of Covenants, Conditions and Restrictions or the Builder Guidelines. All variances must be issued in accordance with the provisions of Section 8 of Article VI of the Declaration of Covenants, Conditions and Restrictions.

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**IX. PROJECT INFORMATION**

Developer and Project Management:  
**Windstone Development, Ltd.**  
5005 Riverway, Suite 150  
Houston, Texas 77056

Engineer:  
**Sherrington, Inc.**  
8203 Willow Place South, Suite 400  
Houston, Texas 77070

Land Planner:  
**Kerry R. Gilbert & Associates, Inc.**  
15810 Park Ten Place, Suite 160  
Houston, Texas 77084

Landscape Architect:  
**Robert E. Forsythe**  
2230 Shadowdale  
Houston, Texas 77043

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**X. APPENDIX**

**RESIDENTIAL LOT MASTER PLANT LIST – A1**

**TREES**

**Botanical Name**

**Common Name**

Acer rubrum	Red Maple
Betula nigra	River Birch
Carya illinoensis & vars.	Pecan
Cersis canadensis & vars.	Redbud
Crataegus marshallii	Parsley Leaf Hawthorn
Crataegus spathulata	Little Hip Hawthorn
Fraxinus pennsylvanica vars.	Green Ash
Ilex decidua	Possumhaw
Ilex opaca & vars.	American Holly
Ilex vomitoria	Yaupon Holly
Koelreuteria bipinnata	Goldenrain Tree
Lagerstroemia indica vars.	Crapemyrtle
Liquidambar styraciflua & vars.	Sweetgum
Ligustrum japonicum (tree form)	Wax Leaf Ligustrum
Magnolia grandiflora & vars.	Southern Magnolia
Magnolia soulangiana & vars.	Saucer Magnolia
Magnolia virginiana	Sweet Bay Magnolia
Myrica cerifera	Southern Bayberry
Parkinsonia aculeate	Retama
Platanus occidentalis	Sycamore
Prunus caroliniana	Cherry Laurel
Pyrus calleryana & vars.	Callery Pear
Quercus falcate & vars.	Southern Red Oak
Quercus nigra	Water Oak
Quercus nuttallii	Nuttall Oak
Quercus phellos	Willow Oak
Quercus shumardi	Shumard Oak
Quercus texana	Texas Red Oak
Quercus virginiana	Live Oak
Sapium sebiferum	Chinese Tallow
Taxodium districhum	Bald Cypress
Ulmus crassifolia	Evergreen Elm

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## Shrubs

### Botanical Name

### Common Name

Berberis thunbergii "Crimson Pygmy"	Crimson Pygmy Barberry
Buxus microphylla japonica	Japanese Boxwood
Camellia sasanqua vars.	Sasanqua Camellia
Chamaerops humulis	Mediterranean Fan Palm
Cleyera japonica	Japanese Cleyera
Cycas revoluta	King Sago Palm
Elaeagnus pungens vars.	Elaeagnus
Eriobotrya x "Coppertone"	Coppertone Loquat
Fatsia japonica	Fatsia
Feijoa sellowiana	Pineapple Guava
Gardenia jasminoides "Radicans"	Dwarf Gardenia
Ilex cornuta vars.	Chinese Holly
Ilex decidua	Possumhaw
Ilex vomitoria & vars.	Yaupon Holly
Juniperus spp. & vars.	Juniper
Lagerstroemia indica (dwarf vars.)	Dwarf Crapemyrtle
Ligustrum japonicum & vars.	Wax Leaf Ligustrum
Ligustrum sinense "Variegatum"	Variegated Privet
Mahonia bealei	Leatherleaf Mahonia
Michelia figo	Banana Shrub
Myrica cerifera	Southern Bayberry
Nandina domestica & vars.	Nandina
Nandina domestica "Compacta"	Compact Nandina
Nerium Oleander (hardy vars.)	Oleander
Photinia Fraseri	Fraser's Photinia
Pittosporum tobira & vars.	Pittosporum
Pyracantha spp. & vars.	Pyracantha
Raphiolepis indica vars.	Indian Hawthorn
Rhododendrom (Azalea) spp. & vars.	Azalea
Viburnum japonicum	Japanese Viburnum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Viburnum tinus & vars.	Laurustinus Viburnum
Xylosma congestum	Shiny Xylosma
Yucca spp. & vars.	Yucca

## GROUNDCOVERS

### Botanical Name

Ajuga reptans & vars.  
Asparagus sprengeri  
Berberis thunbergii "Crimson Pygmy"  
Cyrtomium falcatum  
Gardenia jasminoides "Radicans"  
Hedera canariensis  
Hedera helix & vars.  
Juniperus spp. & vars.  
Liriope muscari & vars.  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Nandina domestica "Harbour Dwarf"  
Ophiopogon japonica  
Ophiopogon japonicus "Nanus"  
Pyracantha "Red Elf"  
Pyracantha "Ruby Mound"  
Trachelospermum asiaticum & vars.  
Tachelospermum jasminoides & vars.

### Common Name

Ajuga  
Sprenger Asparagus  
Crimson Pygmy Bayberry  
Holly Fern  
Dwarf Gardenia  
Algerian Ivy  
English Ivy  
Juniper  
Liriope  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Harbour Dwarf Nandina  
Monkey Grass  
Dwarf Monkey Grass  
Red Elf Pyracantha  
Ruby Mound Pyracantha  
Japanese Star Jasmine  
Confederate Jasmine

## GRASS

### Botanical Name

Cynodon dactylon  
Cynodon hybrids  
Festuca arundinacea  
Lolium multiflorum  
Stenotaphrum sercumdetum & hybrids

### Common Name

Common Bermuda  
Hybrid Bermuda  
Tall Fescue KY-31  
Annual Rye Grass  
St. Augustine Grass

## VINES

### Botanical Name

Bignoia capreolata  
Clematis dioscoreifolia  
Campsis radicans  
Clytostoma callistegioides  
Ficus pumila  
Gelsemium sempervirens  
Lonicera japonica chinensis  
Lonicera japonica "Halliana"  
Lonicera sempervirens & vars.  
Millettia reticulata  
Rosa banksiae  
Wisteria sinensis

### Common Name

Crossvine  
Sweet Autumn Clematis  
Trumpet Creeper  
Lavender Trumpet Vine  
Climbing Fig Vine  
Carolina Jasmine  
Purple Japanese Honeysuckle  
Hall's Honeysuckle  
Trumpet Honeysuckle  
Evergreen Wisteria  
Yellow Lady Banks' Rose  
Chinese Wisteria

## PERENNIALS

### Botanical Name

Aster frikartii  
Chrysanthemum maximums vars.  
Coreopsis spp. & vars.  
Cyrtomium falcatum  
Fern spp.  
Gerbera jamesonii vars.  
Hymenocallis spp.  
Hemerocallis vars.  
Iris vars.  
Tulbaghia violacia

### Common Name

Firkarti Aster  
Shasta Daisy  
Coreopsis  
Holly Fern  
Fern  
Gerbera Daisy  
Basketflower  
Daylily  
Louisiana Iris  
Society Garlic

## ANNUALS

### Spring Planting

(March/April)  
Geraniums  
Lantana montevidensis vars.  
Periwinkle  
Petunia (last only through May)  
Purslane  
Scarletta begonia  
Marigolds  
Portulaca

### Fall Planting

(October/November)  
Calendula  
Pansy  
Snapdragons  
Dianthus  
Mums

**XI. LIST OF ILLUSTRATIONS**

- I-1 Windstone Colony South, Section Five
- II-1 Housing Plan and Elevation Repetition
- II-2 Garage and Driveway Placement
- III-1 Temporary Sediment Control
- IV-1 Lot Grading and Drainage
- IV-2 Sidewalk Detail
- IV-3 Standard Residential Hinged Gate
- IV-4 Standard Residential Wood Fence
- IV-5 6' Upgraded Wood Fence
- IV-6 Side Lot Fencing Setback – Corner Lots
- IV-7 6' Upgraded Wood Fence with Brick Columns
- IV-8 Side Yard Fencing Setback – Greenbelt Lots
- IV-9 Corner Lot Landscaping
- V-1 Windstone Colony South logo and Logo Type

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"Illustration I-1"

COUNTY OF TARRANT  
STATE OF TEXAS

This plat shows a subdivision of land, to-wit: a portion of the County of Tarrant, State of Texas, for the purpose of subdividing into lots, blocks, streets, and alleys, and for the purpose of recording same. It is a subdivision of land owned by the Windstone Colony, Inc., a corporation organized under the laws of the State of Texas, and is being subdivided into lots, blocks, streets, and alleys, and for the purpose of recording same.

The Windstone Colony, Inc., is a corporation organized under the laws of the State of Texas, and is being subdivided into lots, blocks, streets, and alleys, and for the purpose of recording same. The subdivision is being made for the purpose of subdividing into lots, blocks, streets, and alleys, and for the purpose of recording same.

The subdivision is being made for the purpose of subdividing into lots, blocks, streets, and alleys, and for the purpose of recording same. The subdivision is being made for the purpose of subdividing into lots, blocks, streets, and alleys, and for the purpose of recording same.

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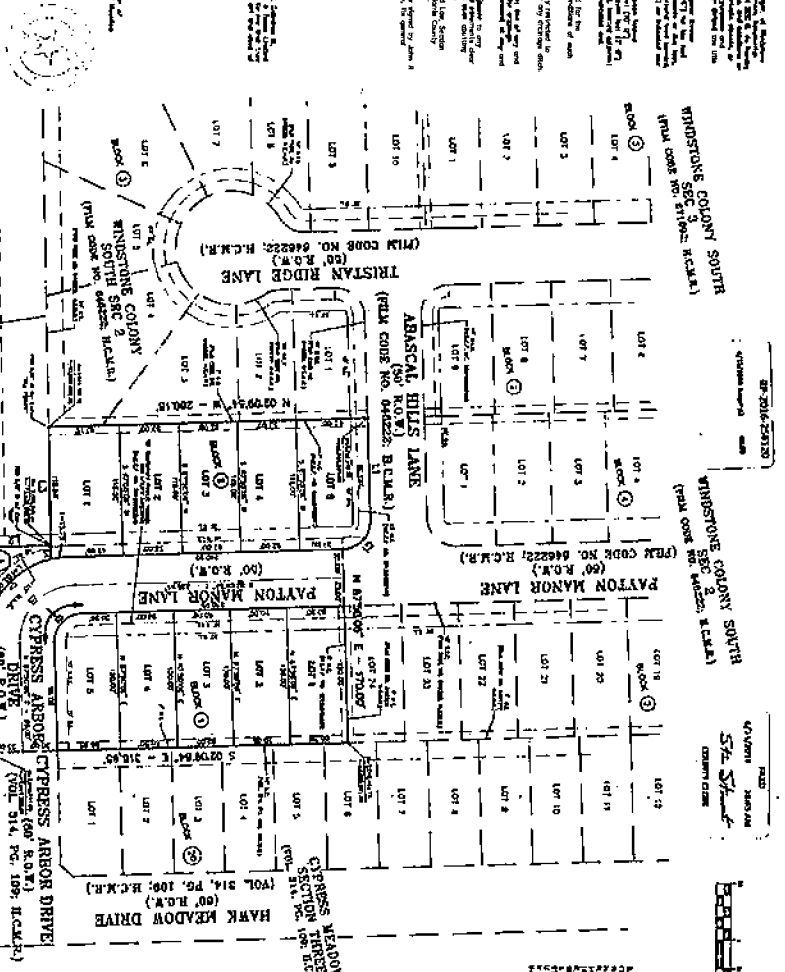
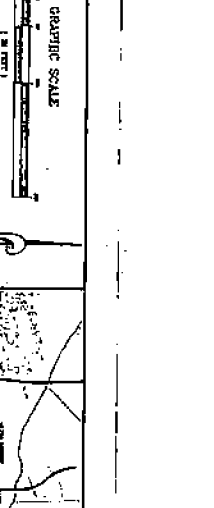


Table with columns for Lot No., Area, and other details. Includes lot numbers like 1017, 1018, 1019, etc.



LEGEND  
Dashed line - Proposed street  
Solid line - Existing street  
Dotted line - Proposed alley  
Shaded area - Restricted Reserve

RESTRICTED RESERVE TABLE  
Assigned to: Mark Meadow Drive, 1000 sq. ft.  
Assigned to: Cypress Arbor Drive, 1000 sq. ft.  
Assigned to: Cypress Arbor Lane, 1000 sq. ft.

### WINDSTONE COLONY SOUTH SEC 5

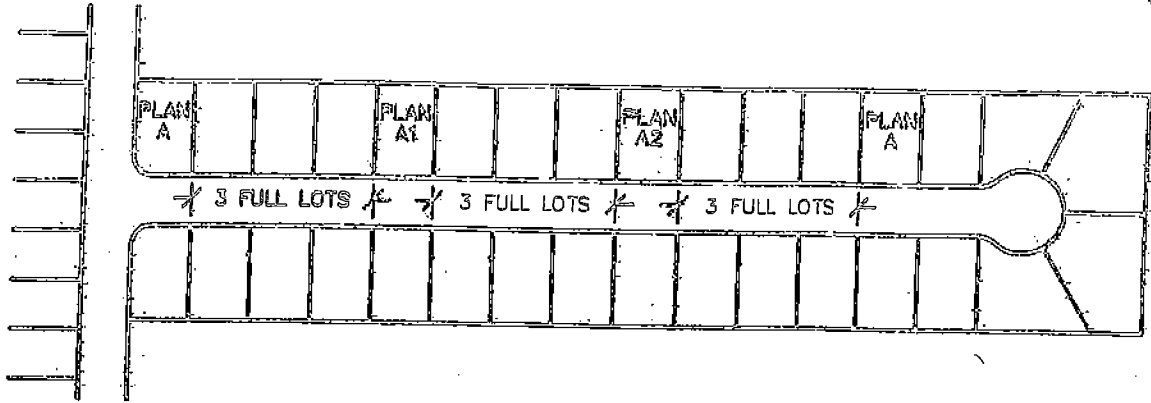
10 LOTS - 2 BLOCKS - 1 RESERVE  
A SUBDIVISION OF 1,985.4 ACRES OF LAND  
IN THE A. A. ALLEN SURVEY,  
ABSTRACT NO. 1844  
HARRIS COUNTY, TEXAS

WINDSTONE DEVELOPMENT, LTD.  
5005 Riverchase Lane  
Houston, Texas 77056  
ATTORNEY  
SHERIDAN, INC.  
1420 North Loop West  
Houston, Texas 77059

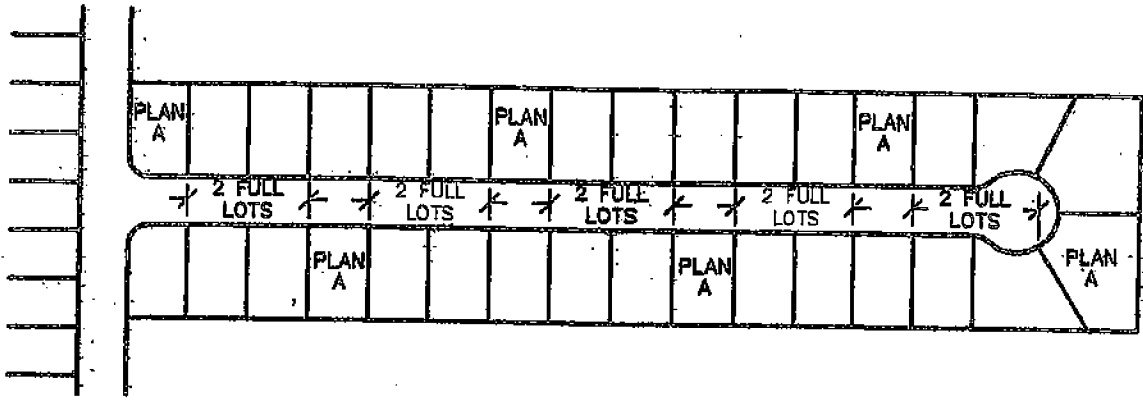
TEXAS ENGINEERING AND SURVEYING COMPANY  
3810 Parkway Drive  
Dallas, Texas 75246

RP-2016-388200

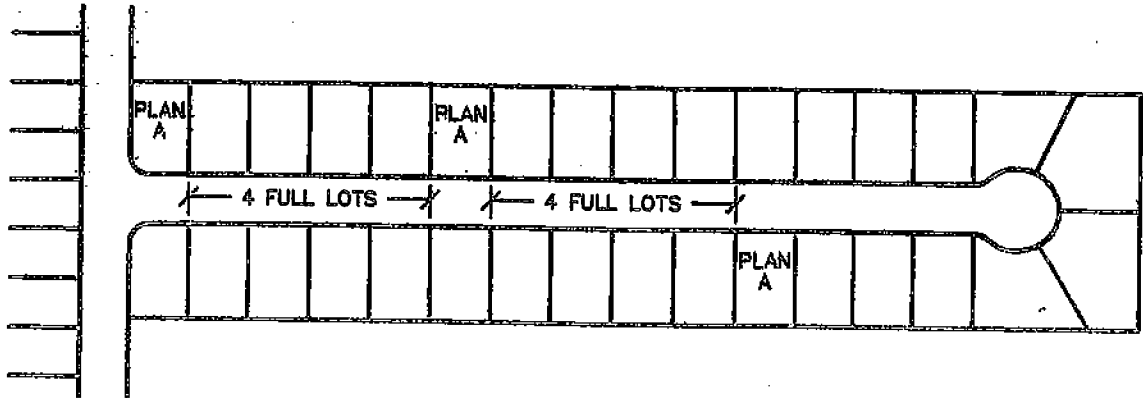
1 SAME PLAN, DIFFERENT ELEVATION, SAME SIDE



2 SAME PLAN, DIFFERENT ELEVATION, OPPOSITE SIDE



3 SAME PLAN, SAME ELEVATION, SAME OR OPPOSITE SIDE



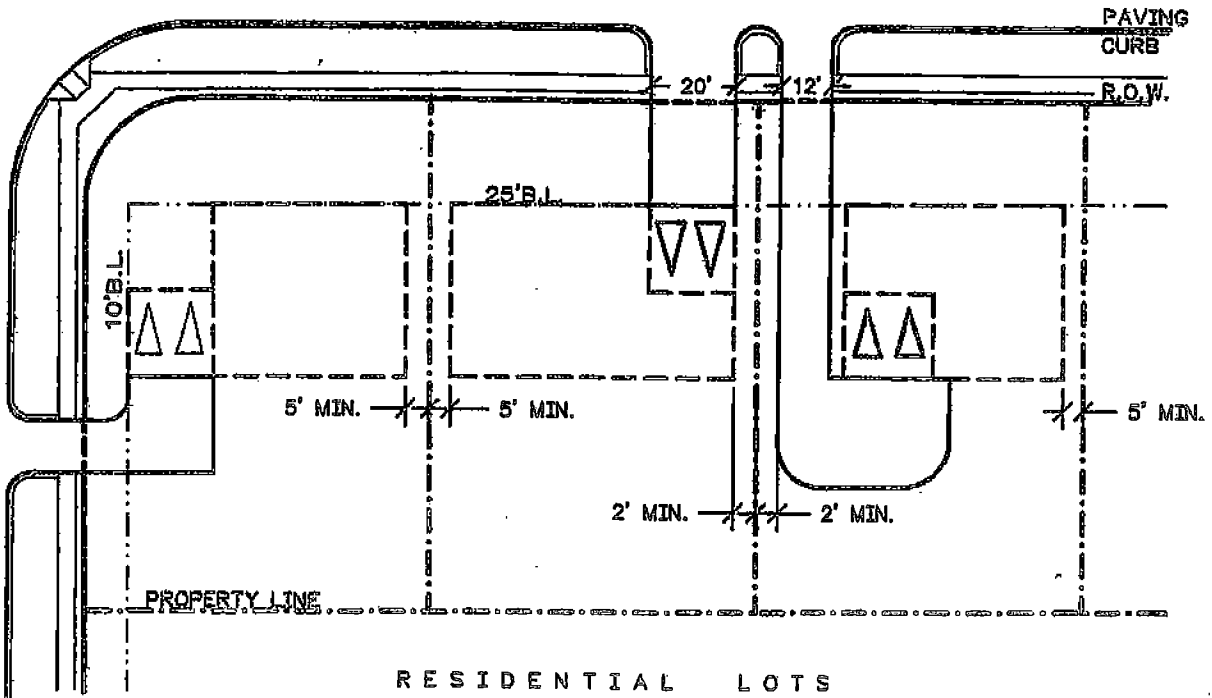
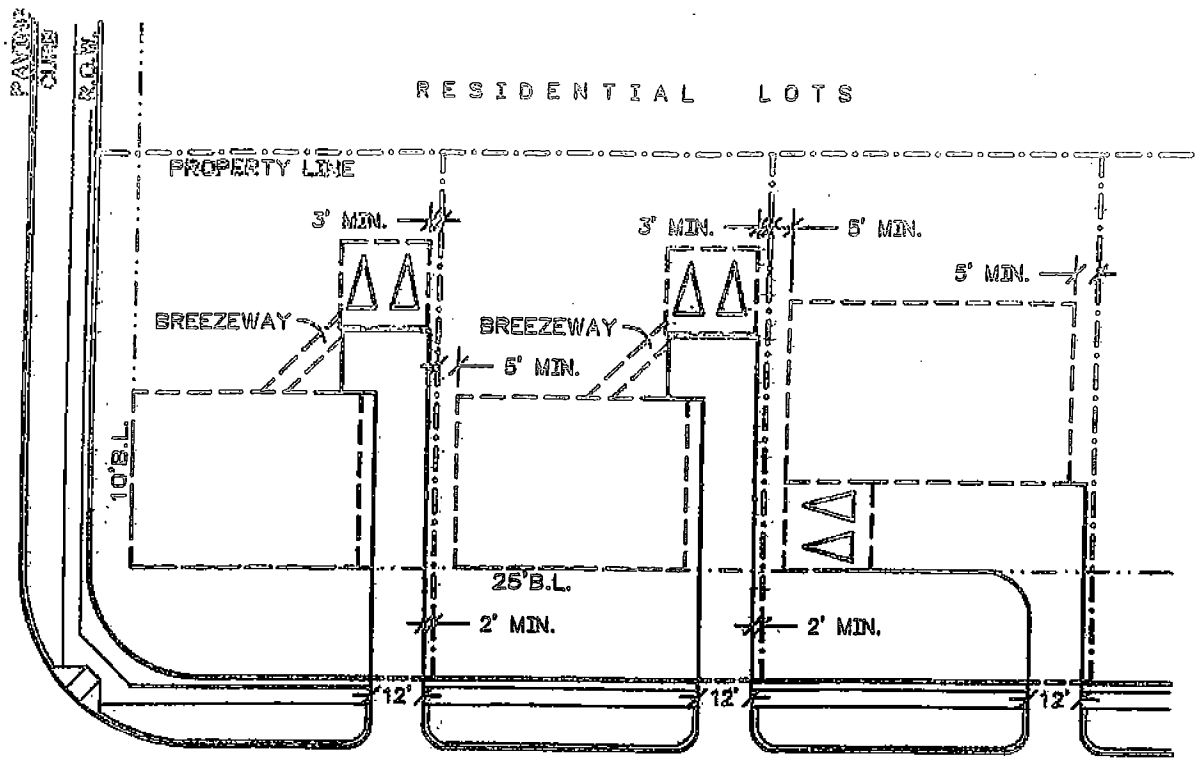
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

HOUSING PLAN AND  
ELEVATION REPETITION

ILLUSTRATION II-1

RP-2016-388200

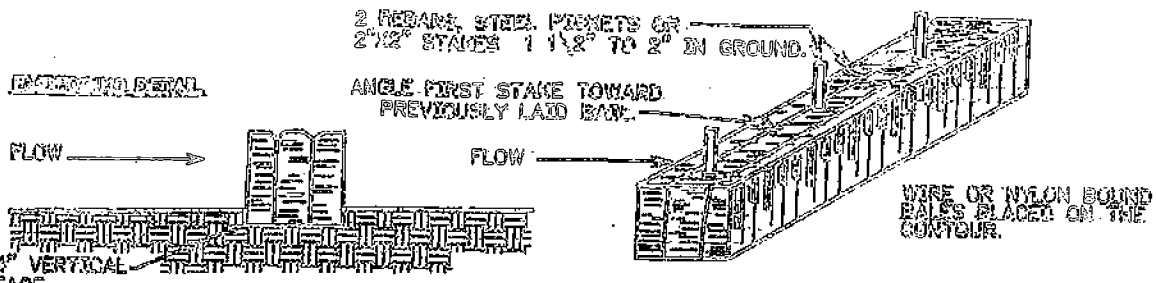
RP-2016-388200



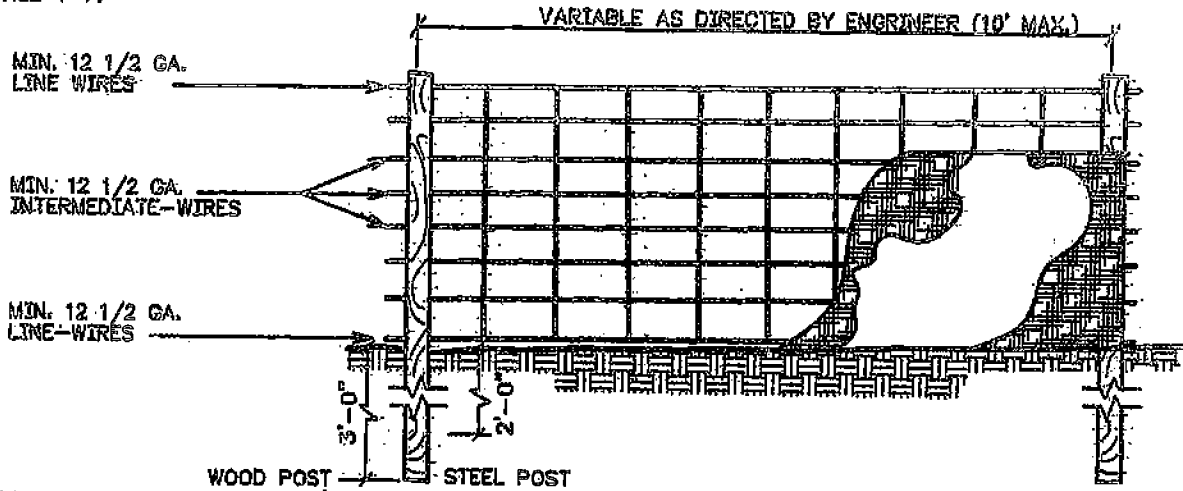
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

### GARAGE AND DRIVEWAY PLACEMENT

ILLUSTRATION II-2



SOURCE:  
 EROSION AND SEDIMENT CONTROL GUIDELINES FOR  
 DEVELOPING AREAS IN TEXAS, U.S. DEPT. OF  
 AGRICULTURE SOIL CONSERVATION SERVICE FIG. 4-8,  
 PAGE 4-77



SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

**GENERAL NOTES:**

FENCE FABRIC SHALL BE MINIMUM 32" WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAY SPACING.

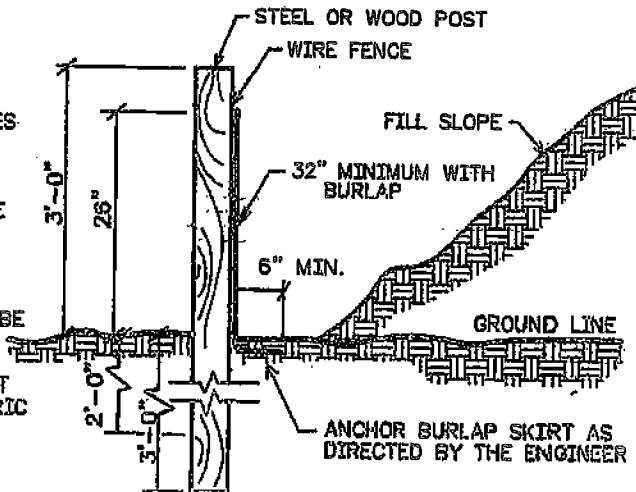
BURLAP SHALL BE 7-1/2 oz. WEIGHT AND A MINIMUM OF 32" IN WIDTH. BURLAP SHALL BE FASTENED ADEQUATELY TO THE FABRIC AS DIRECTED BY THE ENGINEER. MIRAFIT 140-OR EQUIVALENT MAY ALSO BE USED.

STEEL POST SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.

WOOD POST SHALL BE 6 TO 7 FEET IN HEIGHT AND 3 TO 4 INCHES IN DIAMETER. WIRE FABRIC

SOURCE:  
 CITY OF GREENVILLE, N.C.  
 MANUAL OF STANDARD DESIGNS AND DETAILS  
 STD. NO. 20.05

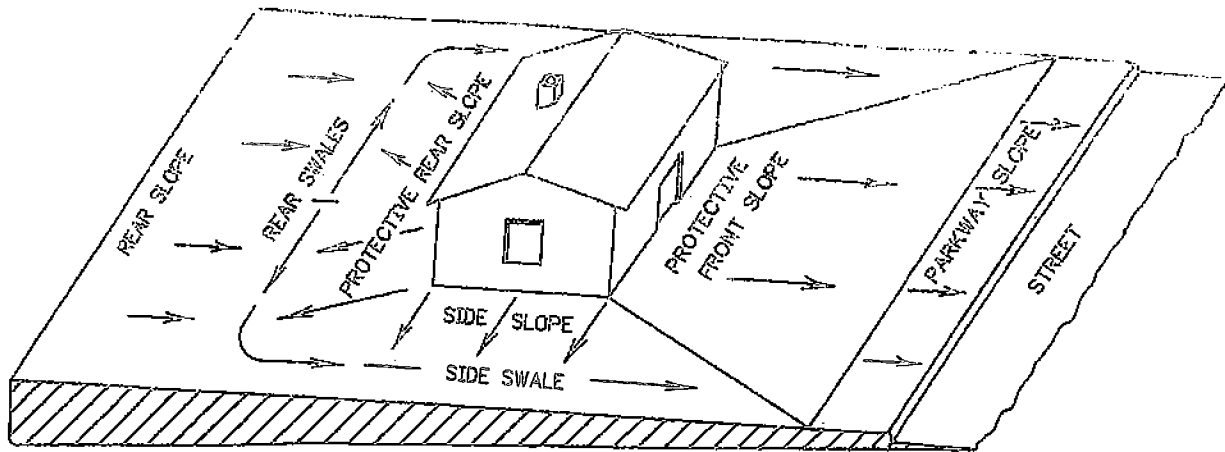
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.



**TEMPORARY SEDIMENT CONTROL**

ILLUSTRATION III-1

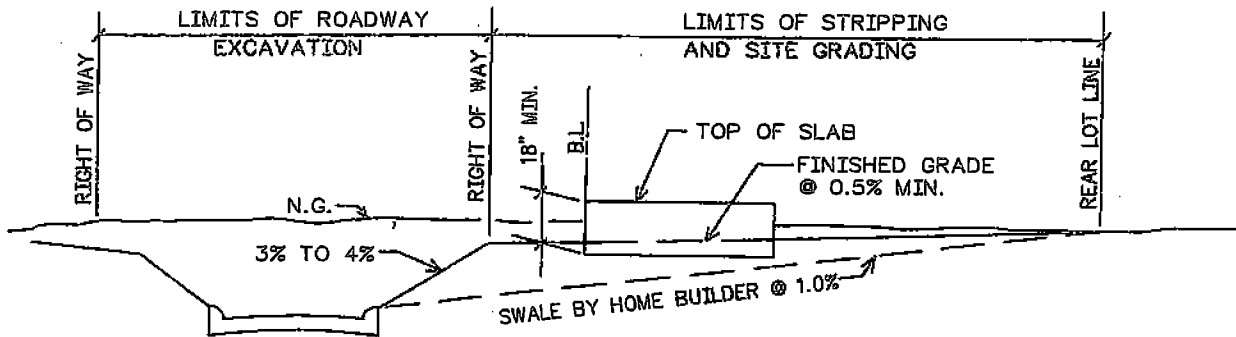
RP-2016-388200



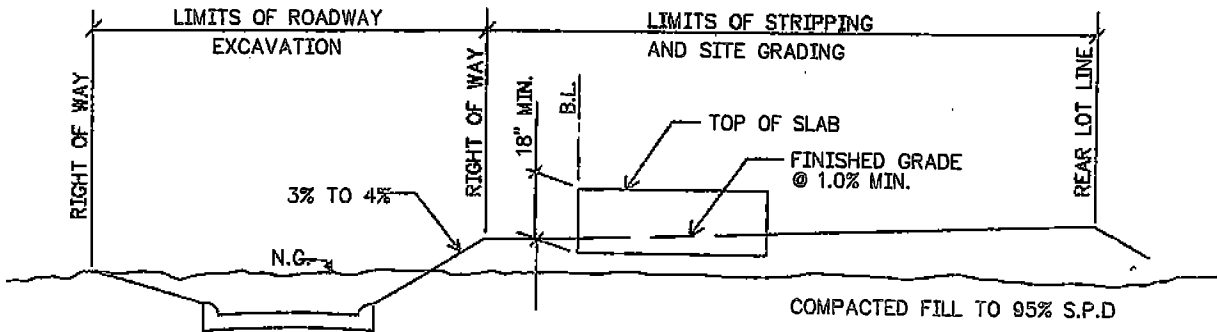
NOTE: ALL DRAINAGE TO STREET SWALES, SIDE SLOPES AND PROTECTIVE SLOPES BY HOME BUILDER

NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**FHA LOT GRADING TYPE "A"**



**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS GREATER THAN 18" FHA BLOCK GRADING, TYPE "T"**



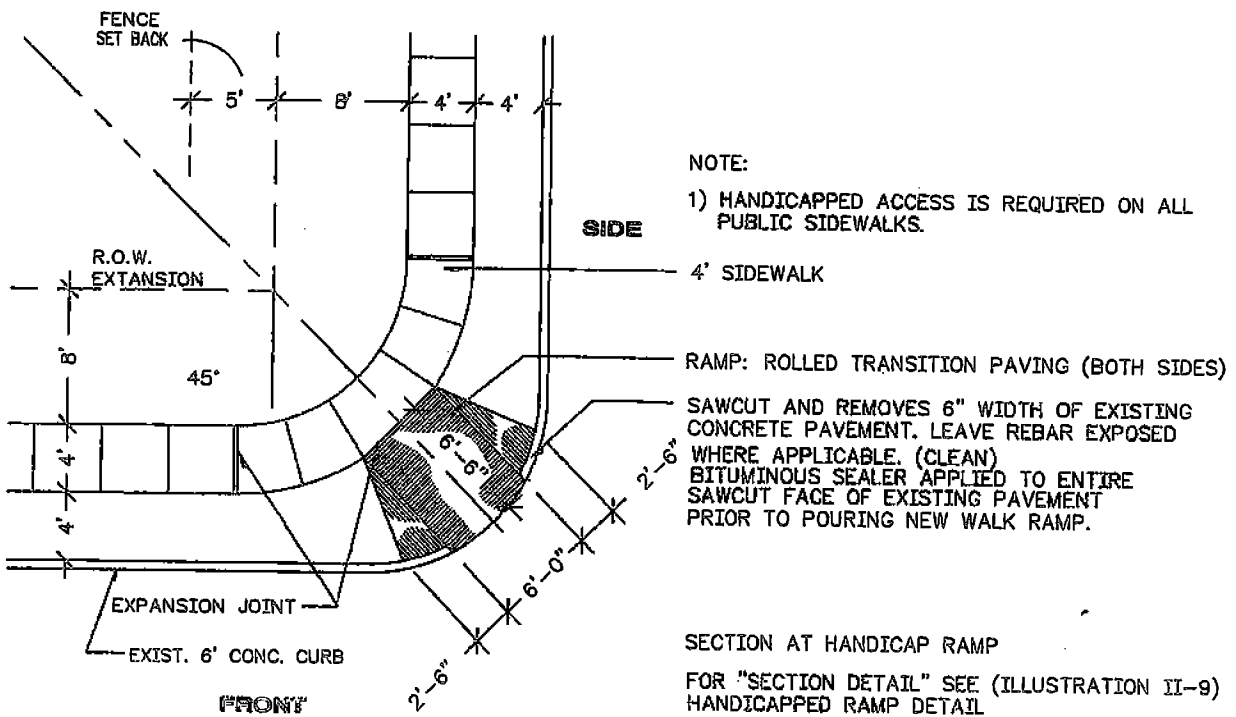
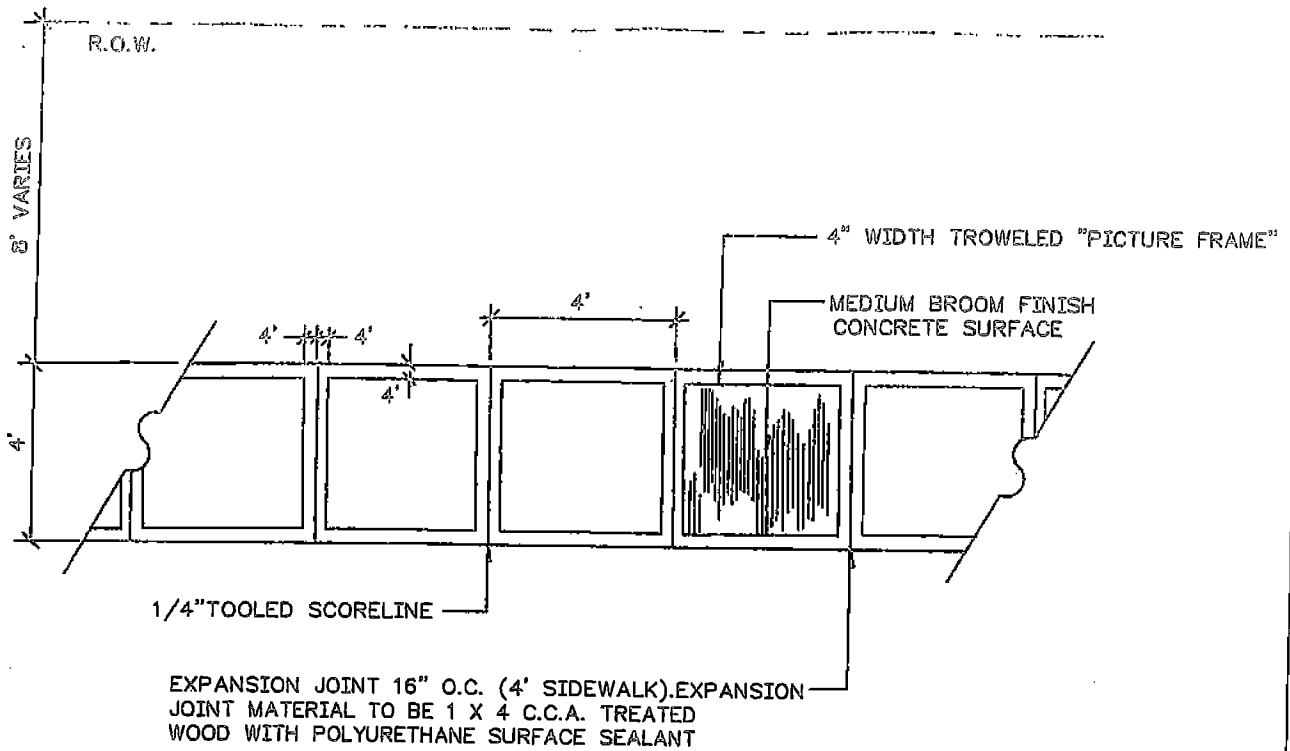
**TYPICAL GRADING ON LOTS WITH TOP CURB CUTS LESS THAN 18" FHA BLOCK GRADING, TYPE "P"**

NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**LOT GRADING AND DRAINAGE**

ILLUSTRATION IV-1

RP-2016-388200



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

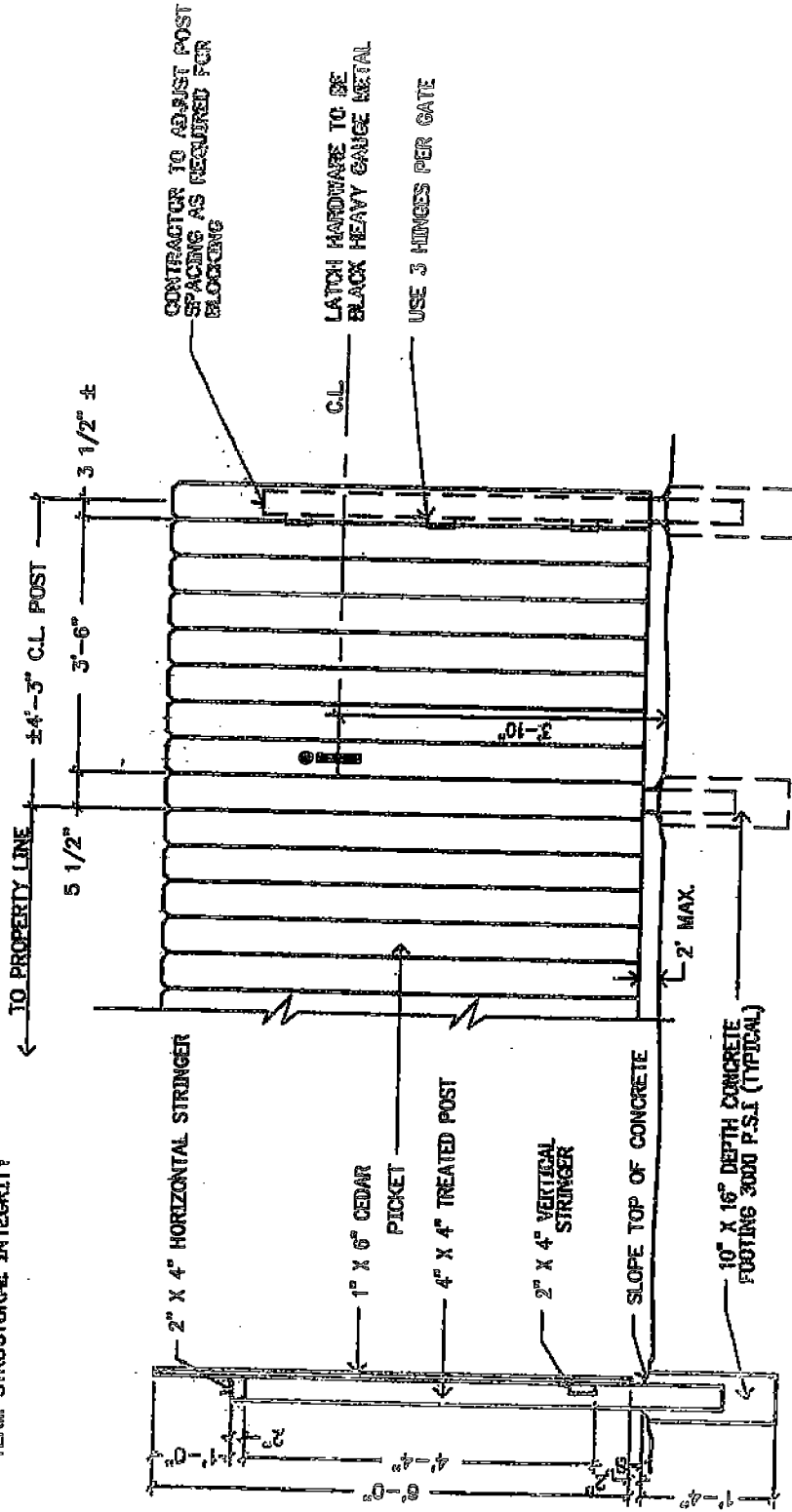
## SIDEWALK DETAIL

ILLUSTRATION IV-2

RP-2016-388200

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) PICKETS ARE TO BE ATTACHED WITH 60 ALUMINUM SCREW SHANK NAILS
- 4) ADD VERTICAL SUPPORTS, CROSSBRACING & METAL PLATES AS REQUIRED FOR LONG-TERM STRUCTURAL INTEGRITY



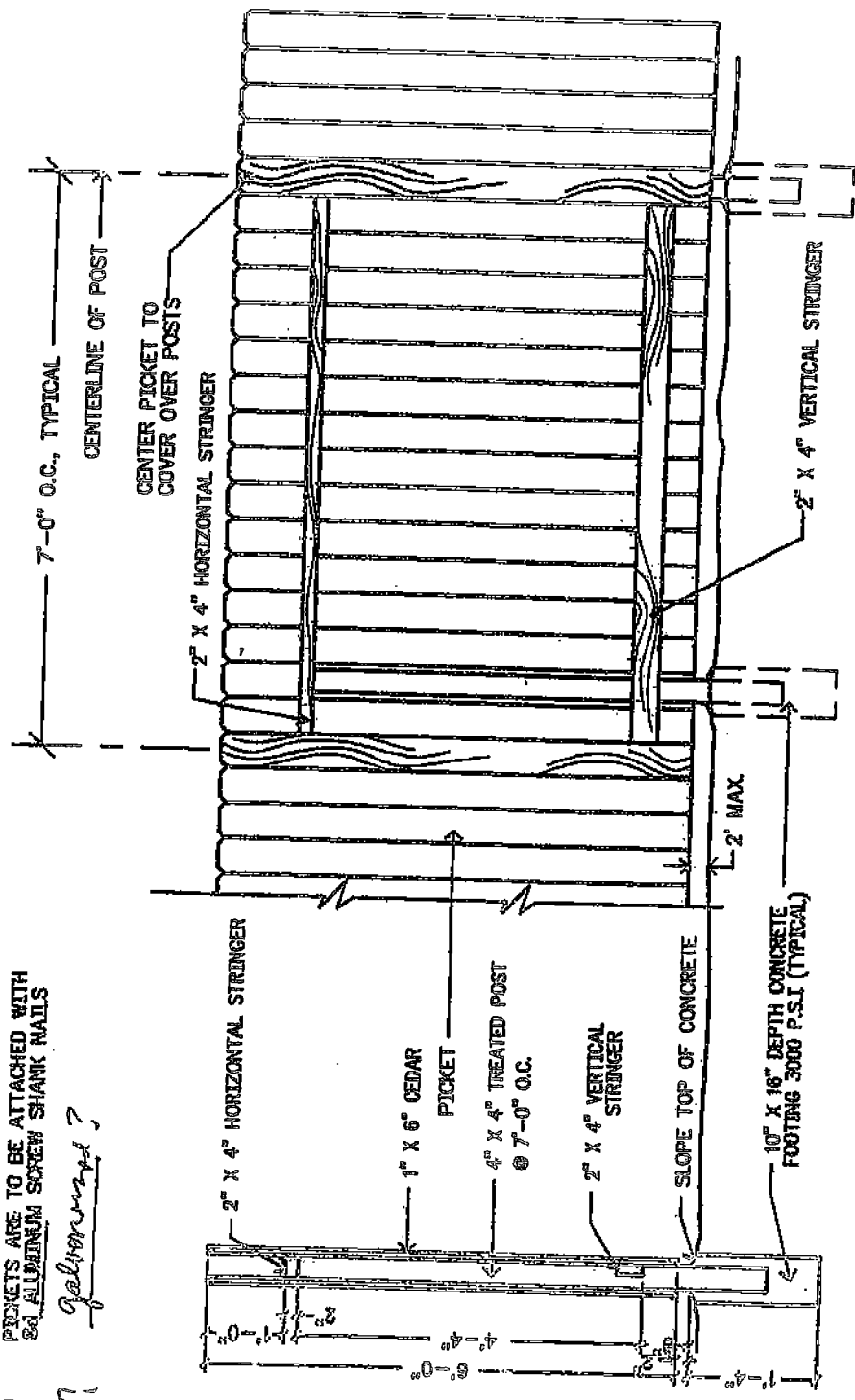
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
 REFER TO CONSTRUCTION PLANS FOR  
 COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL HINGED GATE

NOTES:

- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR NOTCHED TOP PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH GALV. ALUMINUM SCREW SHANK NAILS

*galvanized?*



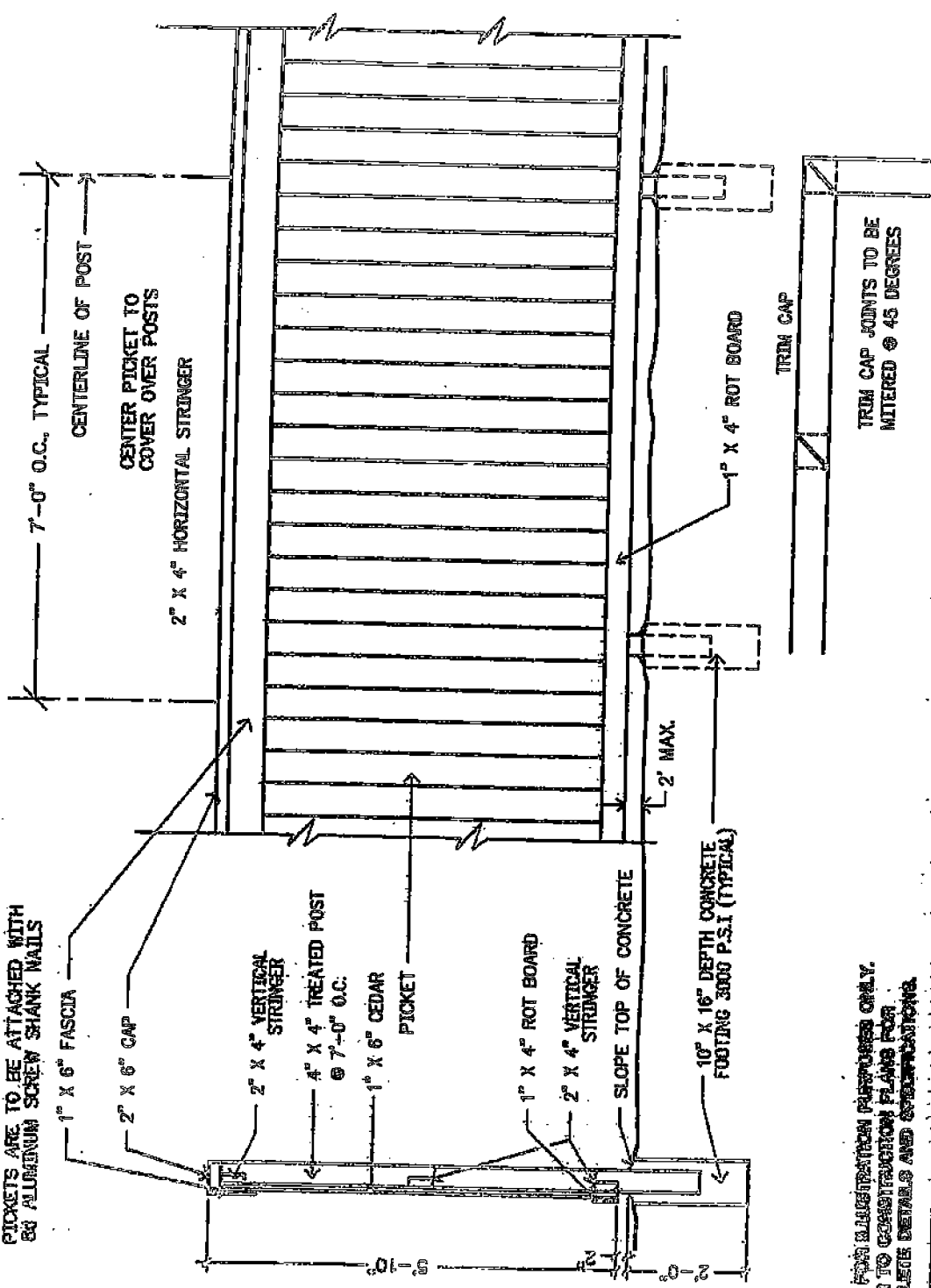
NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

STANDARD RESIDENTIAL WOOD FENCE



NOTES:

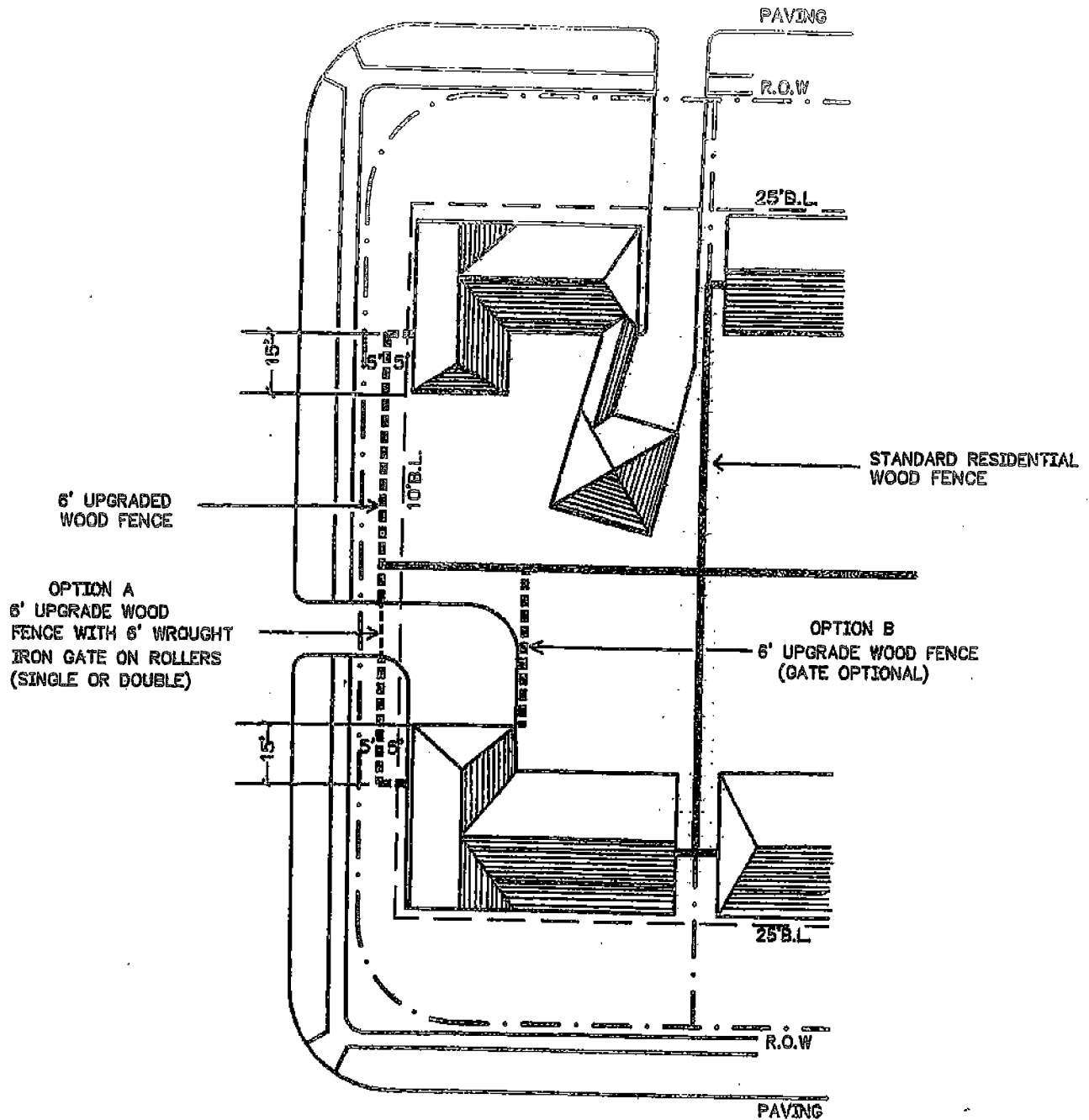
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 80 ALUMINUM SCREW SHANK NAILS



NOTE FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

6' UPGRADED WOOD FENCE

RP-2016-388200



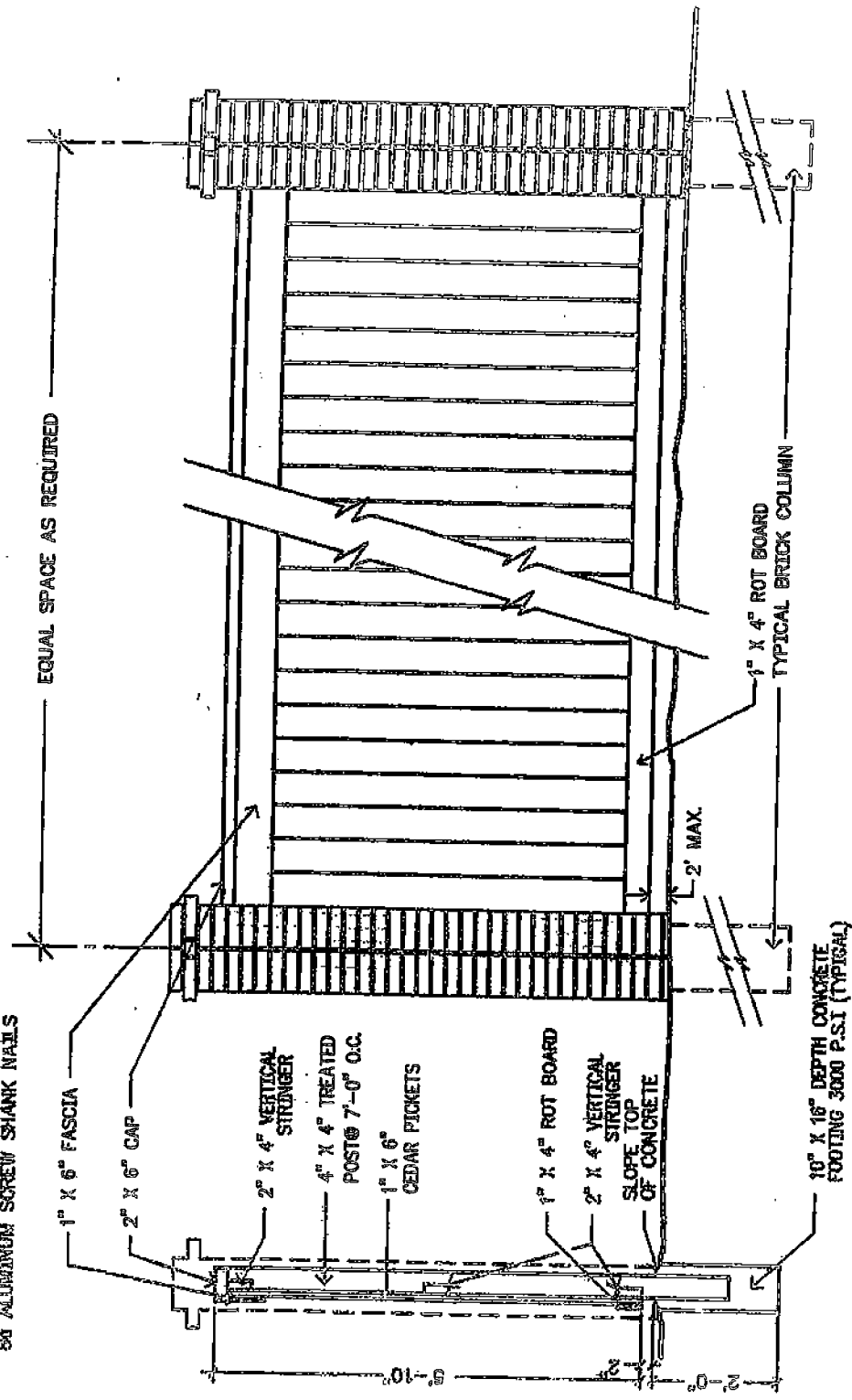
NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**SIDELOT FENCING SETBACK/  
CORNER LOTS**

ILLUSTRATION IV-6

NOTES:

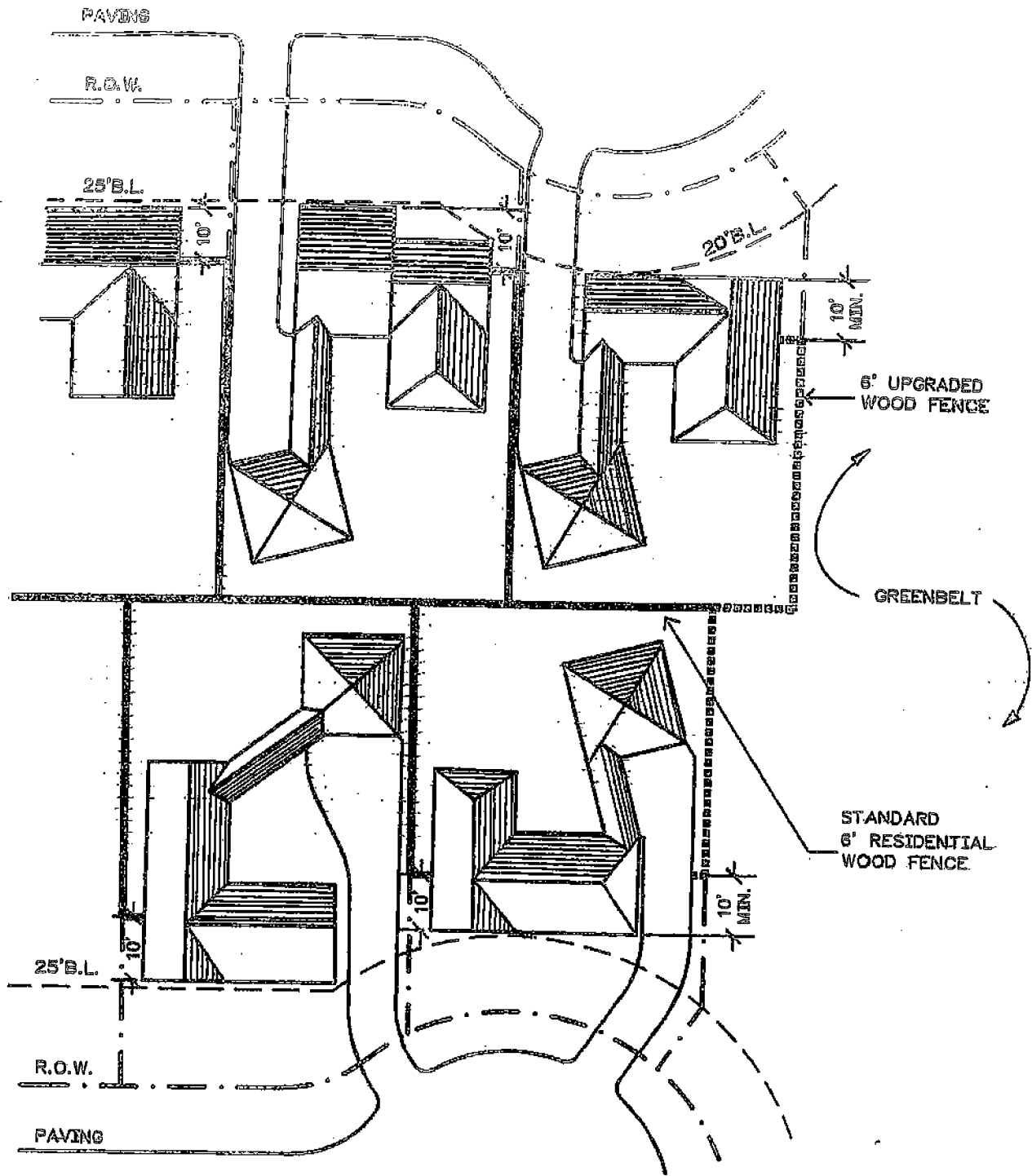
- 1) VERTICAL PICKETS TO BE NO.1, 1" X 6" CEDAR PICKETS
- 2) ALL OTHER WOOD TO BE PRESSURE TREATED PINE
- 3) 4" X 4" POSTS TO BE APPROXIMATELY 7'-0" O.C.
- 4) PICKETS ARE TO BE ATTACHED WITH 5d ALUMINUM SCREW SHANK NAILS



NOTE: FOR ILLUSTRATION PURPOSES ONLY. REFER TO CONSTRUCTION PLANS FOR COMPLETE DETAILS AND SPECIFICATIONS.

**6' UPGRADED WOOD FENCE WITH BRICK COLUMNS**

RP-2016-388200

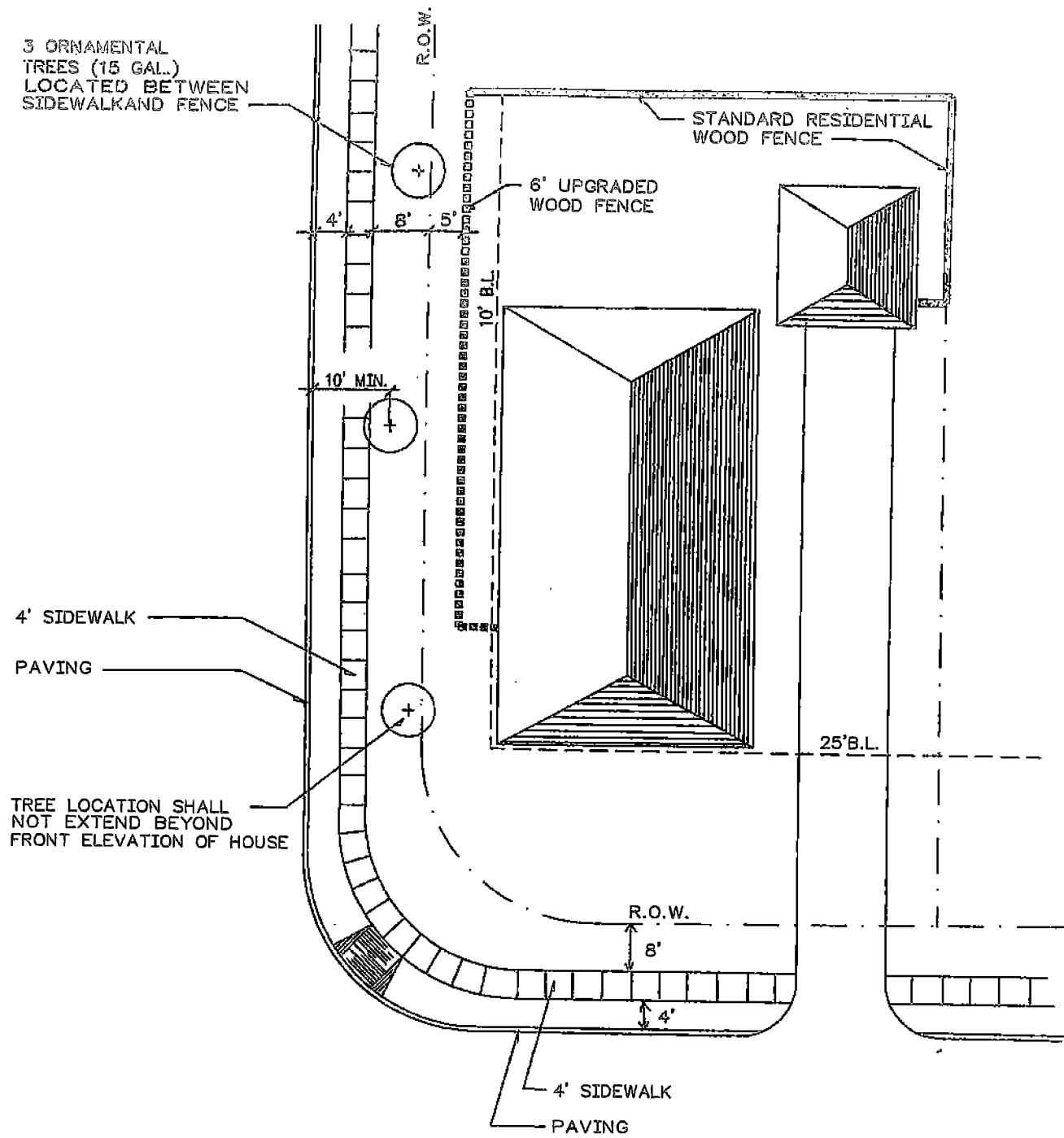


NOTE: FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

**SIDEYARD FENCING SETBACK /  
GREENBELT LOTS**

ILLUSTRATION IV-8

RP-2016-388200



NOTE FOR ILLUSTRATION PURPOSES ONLY.  
REFER TO CONSTRUCTION PLANS FOR  
COMPLETE DETAILS AND SPECIFICATIONS.

### CORNER LOT LANDSCAPING

ILLUSTRATION IV-9



WINDSTONE  
*Soeith*

PMS blue 5395, Beige 472

ILLUSTRATION V-1

RP-2016-388200  
# Pages 50  
08/30/2016 01:50 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees \$208.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP-2016-388200

*Index*  
*22*

Y625241  
07/19/05 300657493 \$22.00

*South Seas*  
*1,2,3 & 4 & 5*

**SUPPLEMENTAL DECLARATION OF ANNEXATION  
(WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.)  
(60.8678 Acre Tract)**

This Declaration of Annexation is made as of the date hereinafter stated by WINDSTONE DEVELOPMENT, LTD., a Texas limited partnership ("Declarant").

**WITNESSETH:**

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Windstone Colony dated as of April 17, 2000, and filed under Clerk's File No. U-342396 and recorded on April 19, 2000 under Film Code No. 531-83-2163 in the Official Records of Harris County, Texas, as amended (the "Declaration"), which imposed covenants, conditions and restrictions on certain property described therein;

WHEREAS, DUT INVESTMENTS, LTD., a Texas limited partnership ("DUT") is the owner of that certain 60.8678 acre tract of land more particularly described on Exhibit "A" attached hereto (the "Annexed Property"), which such property is adjacent to or in the general vicinity of the property described in and encumbered by the Declaration;

WHEREAS, Section 1 of Article VIII of the Declaration gives the Declarant the right as the owner, or if not the owner with the consent of the owner, to annex additional property into the jurisdiction of Windstone Colony Community Association, Inc., a non-profit corporation organized to administer the provisions of the Declaration (the "Association"), and to subject such annexed property to the provisions of the Declaration; and

WHEREAS, the Declarant desires to annex the Annexed Property into the jurisdiction of the Association and to subject the Annexed Property to all of the provisions of the Declaration and DUT, as the owner of the Annexed Property, desires to evidence its consent to such annexation.

NOW, THEREFORE, the Declarant hereby annexes the Annexed Property into the jurisdiction of the WINDSTONE COLONY COMMUNITY ASSOCIATION, INC. and declares that the Annexed Property shall be a portion of the Properties (as defined in the Declaration) and shall be subject to all provisions of the Declaration, including without limitation, the right of the Association to levy assessments as set forth in Article III of the Declaration.

DUT, as the owner of the Annexed Property, joins in the execution hereof to evidence its consent to this Supplemental Declaration of Annexation.

RP 008-64 1646

FILED  
05 JUL 19 PM 3:55  
HARRIS COUNTY CLERK  
HARRIS COUNTY TEXAS  
*Robert J. ...*

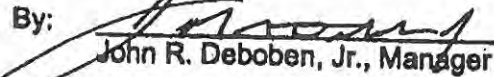


IN WITNESS WHEREOF this Supplemental Declaration of Annexation is executed the 14th day of July, 2005.

**DECLARANT:**

WINDSTONE DEVELOPMENT, LTD.,  
a Texas limited partnership

By: Windstone GP, L.L.C., Inc., a Nevada  
limited liability company, its general  
partner

By:   
John R. Deboben, Jr., Manager

15)  
20

**DUT:**

DUT INVESTMENTS, LTD., a Texas limited  
partnership

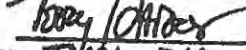
By: DUT Windstone, L.L.C., a Texas limited  
liability company, its general partner

By:   
John R. Deboben, Jr., President

20

**TO EVIDENCE ITS APPROVAL:**

U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT

By:   
Name: TERRY BARNES  
Title: DIRECTOR, SINGLE FAMILY DIV.

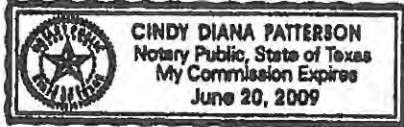
LOK

RP 888-64-647

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged before me on July 14, 2005 by John R. Deboben, Jr., Manager of Windstone GP, L.L.C., a Nevada limited liability company, which is the general partner of WINDSTONE DEVELOPMENT, LTD., a Texas limited partnership, on behalf of said limited partnership.

[Seal]

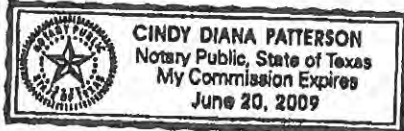


Cindy Diana Patterson  
Notary Public—State of Texas

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

This instrument was acknowledged before me on July 14, 2005 by John R. Deboben, Jr., President of DUT Windstone, L.L.C., a Texas limited liability company, which is the general partner of DUT INVESTMENTS, LTD., a Texas limited partnership, on behalf of said limited partnership.

[Seal]

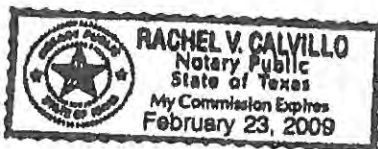


Cindy Diana Patterson  
Notary Public—State of Texas

THE STATE OF TEXAS §  
  §  
COUNTY OF TARRANT §

This instrument was acknowledged before me on JULY 18, 2005 by TERRY BARNES, DIRECTOR, SWALE FAMILY DIVISION of U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, on behalf of said agency.

[Seal]



Rachel V. Calvillo  
Notary Public—State of Texas

After Recording, Return To:  
**COATS | ROSE**  
A Professional Corporation  
Attorneys at Law  
3 Greenway Plaza  
Suite 2000  
Houston, Texas 77046

RP 988-64 .648

EXHIBIT "A"

April 21, 2005

60.8678 acres in the A.A. Allen Survey, Abstract No. 1344,  
Harris County, Texas

A FIELD NOTE DESCRIPTION of 60.8678 acres (2,651,403 square feet) of land in the A.A. Allen Survey, Abstract No. 1344, Harris County, Texas; said 60.8678 acre tract being out of a 106.268 acre tract of land conveyed to DUT Investment, LTD., as recorded under Harris County Clerks File No. T478267 and being more particularly described by metes and bounds as follows with the bearings being based on the Texas State Plane Coordinate System, South Central Zone (NAD 83) per GPS Observations on November 10, 2004, using NGS C.O.R.S.: lee

COMMENCING FOR REFERENCE in the northerly right-of-way line of Clay Road (80 feet wide) at the southwesterly corner of Unrestricted Reserve 'A' of Cypress Meadow, Section Three, according to the map or plat recorded in Volume 314, Page 109 of the Harris County Map Records;

THENCE: North 02° 09' 54" West - 268.02 feet along the westerly line of said Cypress Meadow, Section Three to a 1/8-inch iron rod with cap set for the southeasterly corner and POINT OF BEGINNING of this tract;

THENCE: South 88° 35' 05" West - 525.04 feet to a 1/8-inch iron rod with cap set for a southwesterly corner of this tract;

THENCE: North 02° 09' 54" West - 500.01 feet to a 1/8-inch iron rod with cap set for an interior corner of this tract;

THENCE: South 87° 50' 06" West - 975.91 feet to a 1/8-inch iron rod with cap set for a southwesterly corner of this tract;

THENCE: North 02° 13' 39" West - 531.00 feet to a 1/8-inch iron rod with cap set for a northwesterly corner of this tract;

THENCE: North 87° 50' 06" East - 172.68 feet to a 1/8-inch iron rod with cap set for an angle point of this tract;

THENCE: South 85° 23' 09" East - 93.19 feet to a 1/8-inch iron rod with cap set for an angle point of this tract;

THENCE: North 87° 50' 06" East - 44.73 feet to a 1/8-inch iron rod with cap set for an interior corner of this tract;

THENCE: North 02° 09' 54" West - 101.59 feet to a 1/8-inch iron rod with cap set for an angle point of this tract;

THENCE: North 08° 19' 28" East - 303.74 feet to a 1/8-inch iron rod with cap set for an angle point of this tract;

THENCE: North 06° 40' 35" East - 113.66 feet to a 1/8-inch iron rod with cap set for an interior corner of this tract;

THENCE, in a westerly direction with a curve to the left having a radius of 1,000.00 feet, a central angle of 04° 32' 43", a length of 79.33 feet and a chord bearing South 88° 15' 01" West - 79.31 feet to a 1/8-inch iron rod with cap set for a point-of-reverse-curvature;

THENCE, in a westerly direction with a curve to the right having a radius of 1,000.00 feet, a central angle of 08° 06' 35", a length of 141.54 feet and a chord bearing North 89° 58' 03" West - 141.42 feet to a 1/8-inch iron rod with cap set for a point-of-tangency;

PP 88B-64-1649

THENCE; North 85° 54' 46" West - 81.01 feet to a 1/8-inch iron rod with cap set in the easterly right-of-way line of Fry Road (100 feet wide), as recorded under Harris County Clerk's File No's J139645 & J139646 for a southwesterly corner of this tract;

THENCE, in an northerly direction with the easterly right-of-way line of said Fry Road and with a curve to the left having a radius of 2,050.00 feet, a central angle of 02° 30' 56", a length of 90.01 feet and a chord bearing North 04° 05' 14" East - 90.00 feet to a 1/8-inch iron rod with cap set for a northwesterly corner of this tract;

THENCE: South 85° 54' 46" East - 81.01 feet to a 1/8-inch iron rod with cap set for a point-of-curvature;

THENCE, in an easterly direction with a curve to the right having a radius of 1,000.00 feet, a central angle of 08° 06' 35", a length of 141.54 feet and a chord bearing South 81° 51' 29" East - 141.42 feet to a 1/8-inch iron rod with cap set for a point-of-reverse-curvature;

THENCE, in an easterly direction with a curve to the left having a radius of 1,000.00 feet, a central angle of 04° 32' 32", a length of 79.28 feet and a chord bearing South 80° 04' 27" East - 79.26 feet to a 1/8-inch iron rod with cap set for an interior corner of this tract;

THENCE; North 01° 35' 32" East - 96.48 feet to a 1/8-inch iron rod with cap set for an angle point of this tract;

THENCE; North 01° 06' 40" West - 89.15 feet to a 1/8-inch iron rod with cap set for an angle point of this tract;

THENCE; North 02° 09' 54" West - 270.00 feet to a 1/8-inch iron rod with cap set for an angle point of this tract;

THENCE; North 01° 08' 09" East - 44.27 feet to a 1/8-inch iron rod with cap set for a northwesterly corner of this tract;

THENCE; North 49° 41' 55" East - 903.77 feet with the southeasterly line of a 6.5698 acre tract of land conveyed to the County of Harris, as recorded under Harris County Clerk's File No. V185776 to a 1/8-inch iron rod with cap set for the northerly corner of this tract;

THENCE; South 80° 20' 01" East - 338.80 feet with the southeasterly line of said 6.5698 acre tract to a 1/8-inch iron rod with cap set for a northeasterly corner of this tract;

THENCE; South 02° 09' 54" East - 476.44 feet with the westerly line of a 60 foot Harris County Flood Control District Drainage Easement as recorded under Harris County Clerks File No. J163094 to a 1/8-inch iron rod with cap set for an interior corner of this tract;

THENCE; North 88° 37' 03" East - 60.01 feet with a southerly line of said 60 foot Harris County Flood Control District Drainage Easement to a 1/8-inch iron rod in concrete found for a northeasterly corner of this tract;

THENCE; South 02° 09' 54" East - 2,104.01 feet with the westerly line of said Cypress Meadow, Section Three to the POINT OF BEGINNING and containing 60.8678 acres (2,651,403 square feet) of land.

COMPILED BY:  
Texas Engineering And Mapping Company  
Civil Engineers - Land Surveyors  
Stafford, Texas  
Job No. 184-55

W:\184-55\_6\krcres.wpd



*B. Nevadba*  
Brian Nevadba  
Registered Professional Land Surveyor  
State of Texas No. 5776

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS UNLAWFUL 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

JUL 19 2005



*Dorothy B. Hayden*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

RP 000-64 1650

AFFT  
I

**SUPPLEMENTAL DECLARATION OF ANNEXATION**  
**(WINDSTONE COLONY COMMUNITY ASSOCIATION, INC.)**

This Declaration of Annexation is made as of the date hereinafter stated by **WINDSTONE DEVELOPMENT, LTD.**, a Texas limited partnership ("Declarant").

WITNESSETH:

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Windstone Colony dated as of April 17, 2000, and filed under Clerk's File No. U-342396 and recorded on April 19, 2000 under Film Code No. 531-83-2163 in the Official Records of Harris County, Texas, as amended (the "Declaration"), which imposed covenants, conditions and restrictions on certain property described therein;

WHEREAS, DUT Investments, Ltd., a Texas limited partnership ("DUT") is the owner of that certain 0.0901 acre tract of land more particularly described on Exhibit "A" attached hereto (the "Annexed Property"), which such property is adjacent to or in the general vicinity of the property described in and encumbered by the Declaration;

WHEREAS, Section 1 of Article VIII of the Declaration gives the Declarant the right as the owner, or if not the owner with the consent of the owner, to annex additional property into the jurisdiction of Windstone Colony Community Association, Inc., a non-profit corporation organized to administer the provisions of the Declaration (the "Association"), and to subject such annexed property to the provisions of the Declaration; and

WHEREAS, the Declarant desires to annex the Annexed Property into the jurisdiction of the Association and to subject the Annexed Property to all of the provisions of the Declaration and DUT, as the owner of the Annexed Property, desires to evidence its consent to such annexation.

NOW, THEREFORE, the Declarant hereby annexes the Annexed Property into the jurisdiction of the WINDSTONE COLONY COMMUNITY ASSOCIATION, INC. and declares that the Annexed Property shall be a portion of the Properties (as defined in the Declaration) and shall be subject to all provisions of the Declaration, including without limitation, the right of the Association to levy assessments as set forth in Article III of the Declaration.

DUT, as the owner of the Annexed Property, joins in the execution hereof to evidence its consent to this Supplemental Declaration of Annexation.

[Remainder of page intentionally blank]

ER 066 - 61 - 1951



IN WITNESS WHEREOF this Supplemental Declaration of Annexation is executed the 25<sup>th</sup> day of February, 2015.

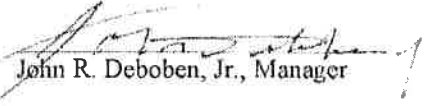
**DECLARANT:**

WINDSTONE DEVELOPMENT, LTD.,  
a Texas limited partnership

(4) 2OR

By: Windstone GP, L.L.C., Inc., a Nevada limited liability company, its general partner

By:

  
John R. Deboben, Jr., Manager

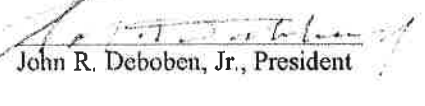
**DUT:**

DUT INVESTMENTS, LTD., a Texas limited partnership

2OR  
NO EE

By: DUT Windstone, L.L.C., a Texas limited liability company, its general partner

By:

  
John R. Deboben, Jr., President

ER 066 - 61 - 1952

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

This instrument was acknowledged before me on the 25<sup>th</sup> day of February, 2015 by John R. Deboben, Jr., Manager of Windstone GP, L.L.C., a Nevada limited liability company, which is the general partner of Windstone Development, Ltd., a Texas limited partnership, on behalf of said limited partnership.

[Seal]



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public—State of Texas

THE STATE OF TEXAS     §  
  §  
COUNTY OF HARRIS     §

This instrument was acknowledged before me on the 25<sup>th</sup> day of February, 2015 by John R. Deboben, Jr., President of DUT Windstone, L.L.C., a Texas limited liability company, which is the general partner of DUT Investments, Ltd., a Texas limited partnership, on behalf of said limited partnership.

[Seal]



*[Handwritten Signature]*  
\_\_\_\_\_  
Notary Public—State of Texas

ER 066 - 61 - 1953

**EXHIBIT "A"**

February 18, 2015

***0.0901 acre in the A. A. Allen Survey, Abstract No. 1344,  
Harris County, Texas***

A FIELD NOTE DESCRIPTION of 0.0901 acre (3,923 square feet) of land in the A. A. Allen Survey, Abstract No. 1344, Harris County, Texas: said 0.0901 acre tract being a portion of Restricted Reserve "A" and Lots 5-10, Block 5, Windstone Colony South Sec 3, according to the map or plat recorded in Film Code No. 671091 of the Harris County Map Records and also being out of the remainder of a 106.268 acre tract of land conveyed to DUT Investments, L.L.C., as recorded in Harris County Clerk's File No. T478267; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

D

BEGINNING at a 5/8-inch iron rod with cap stamped "TEAM" set in the south right-of-way line of Windstone Manor Boulevard, according to the map or plat recorded in Plat No. 598115 of the Harris County Map Records for the northwest corner of Windstone Colony South Sec 3, according to the map or plat recorded in Plat No. 671091 of the Harris County Map Records and for the northwest corner of this tract;

THENCE, in a northeasterly direction with the south right-of-way line of said Windstone Manor Boulevard, with a north line of said Windstone Colony South Sec 3, and with a curve to the right having a radius of 1,000.00 feet, a central angle of 01° 05' 15", a length of 18.98 feet and a chord bearing North 89° 58' 45" East - 18.98 feet to a point for the northeast corner of this tract;

THENCE, South 06° 40' 35" West - 113.66 feet to an angle point of this tract;

THENCE, South 08° 19' 28" West - 187.81 feet to a point in the west line of said Windstone Colony South Sec 3 for the south corner of this tract;

THENCE, North 02° 09' 54" West - 82.40 feet with the west line of said Windstone Colony South Sec 3 to a 5/8-inch iron rod with cap stamped "TEAM" set for an angle point of this tract;

THENCE, North 08° 19' 28" East - 88.61 feet with the west line of said Windstone Colony South Sec 3 to a 5/8-inch iron rod with cap stamped "TEAM" set for an angle point of this tract;

THENCE, North 08° 00' 41" East - 50.00 feet with the west line of said Windstone Colony South Sec 3 to a 5/8-inch iron rod with cap stamped "TEAM" set for an angle point of this tract;

THENCE, North 06° 29' 35" East - 44.93 feet with the west line of said Windstone Colony South Sec 3 to a 5/8-inch iron rod with cap stamped "TEAM" set for an angle point of this tract;

THENCE, North 00° 33' 53" West - 34.54 feet with the west line of said Windstone Colony South Sec 3 to the POINT OF BEGINNING and containing 0.0901 acre (3,923 square feet) of land.

Notes: This metes-and-bounds description was written in conjunction with an exhibit performed on even date herewith.

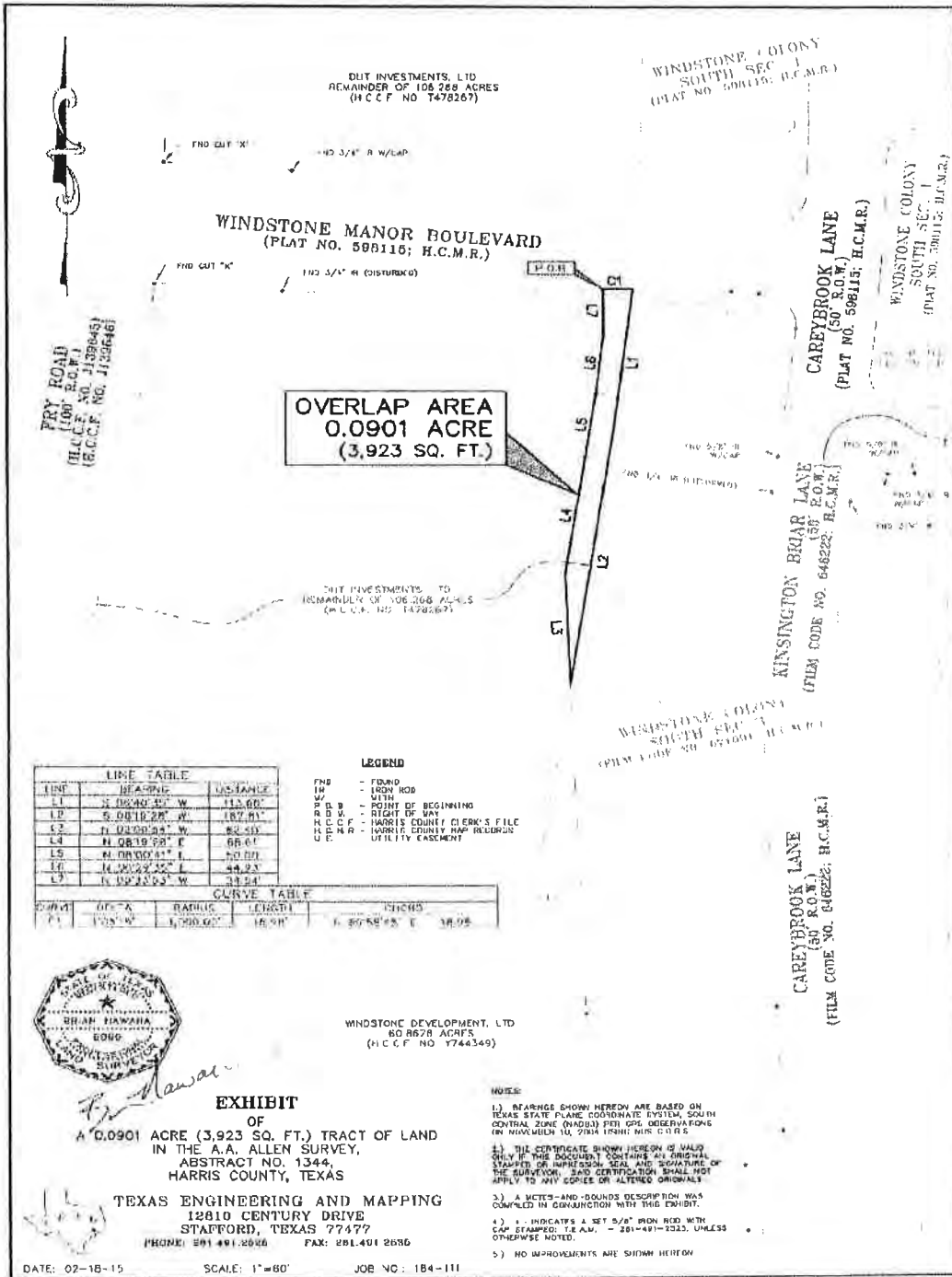
TEXAS ENGINEERING AND MAPPING CO.  
Civil Engineers - Land Surveyors  
Stafford, Texas  
Firm Registration No. 10119000  
Job No. 184-111



*Brian Nawara*  
Brian Nawara  
Registered Professional Land Surveyor  
State of Texas No. 6060

ER 066 - 61 - 1954





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03/03/2015 13:26:50 PM  
e-Filed & e-Recorded in the  
Official Public Records of  
HARRIS COUNTY  
STAN STANART  
COUNTY CLERK  
Fees 32.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

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.



*Stan Stanart*

COUNTY CLERK  
HARRIS COUNTY TEXAS