

**WHISPERING LAKES RANCH  
ARCHITECTURAL CONTROL BULLETIN**

VERSION 2012-01

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## **1. AUTHORITY**

- 1.1. The Architectural Standards Committee (ASC) is a committee of at least three (3) persons appointed by, and serving at the pleasure of, the Board pursuant to Section II.A of the Deed Restrictions (DR) for Whispering Lakes Ranch (WLR) recorded under Film Code No. 200-30-48058, et seq. in Galveston County Real Property Records. The ASC is empowered under Section III of the DR to review and accept or deny, as it determines is appropriate, improvements proposed to property in WLR.
- 1.2. This Architectural Standards Bulletin, commonly referred to as the “ASC Guidelines” is promulgated by the Board under the authority of Section III.A.6 of the DRs. A resolution by the Board adopting these standards can be found in Appendix 2. This document is intended only to provide standards as mentioned above, and is not intended to, and shall not be construed to create any right not already created under the DR. This document does not amend or modify the DRs. Any conflict between anything contained in this document and any provision of the DR shall be controlled by the DR to the extent of the conflict.
- 1.3. The Board may, from time to time, by resolution of the majority of the Board Members, revise these standards as it deems necessary within its authority. A current version of these standards will be maintained on the WLR web site (<http://wlrhome.com>).

## **2. PURPOSE**

- 2.1. The overarching purpose of these standards is to optimize the lasting value of WLR and its properties by ensuring:
- 2.2. A consistent and harmonious appearance throughout the subdivision.
- 2.3. That all properties remain in good repair and in a generally attractive state.
- 2.4. This document is issued by the Board to provide guidance to the ASC as it fairly and reasonably reviews Requests for ASC Review and addresses deficiencies in properties that may require remediation.
- 2.5. Along with the DRs, this ASC Bulletin will also offer insight to owners as to the process by which an improvement or alteration to property may be proposed and submitted to the ASC for review and to highlight what is expected by the ASC relative to the most commonly occurring improvements and alterations. Not every possible circumstance can be written into these guidelines; the ASC is granted the latitude to exercise its best judgment in all cases.

## **3. PROCEDURES FOR ASC REVIEW OF A PROPOSED HOME IMPROVEMENT**

### **3.1. GENERAL**

- 3.1.1. A homeowner desiring to make any change, modification or addition to his or her yard, driveway, patio or exterior of the home or garage or fencing, other than the changing out of flowering annual plants, i.e. seasonal color, as stated in Section IV below, must file a written request for review of the change, modification or addition with the WLR ASC. An example of the ASC Form with which to request such a review can be found in Appendix 2. A current version of the form will be maintained on the WLR website (<http://wlrhome.com>).
- 3.1.2. Requests and plans and specifications for Improvements are to be delivered to the ASC in advance of any commencement of construction or purchase of materials. The ASC is not obligated to consider any request for Improvement after the work is commenced or completed, and reserves the right not to approve any such request. No special

consideration will be given in those instances when post-construction acceptance is requested of the ASC by an owner.

3.1.3. Plans and specifications should include:

- The nature of the change or addition
- Specifications
- Kind
- Shape
- Measurements
- Materials
- Color
- Location on the property and in relation to existing structures
- Harmony of design
- Location in relation to topography
- Location of utility easements
- Timing of completion
- Signature of owner(s)
- Additional information as requested by the ASC

3.2. SUBMITTAL

- 3.2.1. A property Owner submits a formal request for review by the ASC to the Management Company on a current version of the ASC Request Change Form (example in Appendix 3), referred to herein as the “ASC Form.” A current, downloadable version of the ASC Form will be posted on the WLR web site (<http://wlrhome.com>). Additional forms may be obtained from the Management Company.
- 3.2.2. All complete and signed requests for review will be date stamped or electronically logged by the Management Company upon receipt. The Management company shall not accept forms that are obviously incomplete, have not been signed by the owner(s), or have been modified as to the clauses and terms included on the form.
- 3.2.3. The Management Company will forward properly completed ASC Forms to the ASC within five (5) business days and will confirm to the Owner that the ASC Form has been received and is under review.

3.3. FORMAL REVIEW

- 3.3.1. All items will be reviewed by the ASC. A review consists of the following:
- 3.3.2. A reading and understanding of the ASC Form by at least a majority of the members of the ASC. If there are questions, the ASC Form will be sent back to the Management Company requesting further information from the Owner.
- 3.3.3. An evaluation of the ASC Form will be based on:
- 3.3.3.1. Its compliance with, or violation of, the DRs and these Guidelines.
  - 3.3.3.2. The most current criteria or precedents for evaluating unusual or unique requests.
  - 3.3.3.3. Input, if any, from other Owners available at the time of review or solicited by the ASC.
  - 3.3.3.4. Standards established by the ASC, as may be revised or amended from time to time.
  - 3.3.3.5. Judgment of the ASC.

### 3.4. INFORMAL REVIEW

- 3.4.1. If the cost or effort to submit a formal review that complies with the DRs is excessive, the Owner may submit a less formal, and less detailed, request to the ASC for a non-binding evaluation. The request must be in writing and a written reply will be sent. Such an evaluation is only for the guidance and convenience of the Owner and will NOT be considered as permission to proceed with construction until formal request is submitted and formal approval given.

### 3.5. FINDINGS

- 3.5.1. A summary of the findings and the reason(s) for the decision will be forwarded to the Management Company, normally within three (3) weeks of ASC Form submittal to the Management Company. The outcome will be one of the following:
  - 3.5.2. Approval.
  - 3.5.3. Denial with request for further information.
  - 3.5.4. Denial with reason.
  - 3.5.5. Denial resulting from no determination by the ASC. The ASC should not normally fail to reply to a completed ASC Request Change form, but in the case that no determination has been made within 30 days from submittal of the request, it is deemed automatically denied.

### 3.6. OWNER NOTIFICATION

- 3.6.1. The Management Company will notify the Owner, in writing either by e-mail or mailed letter, of the ASC's findings or non-response, not more than thirty (30) days after the ASC Form was submitted to the Management Company.
- 3.6.2. If the recommendation is a conditional approval or denial, the letter will include the ASC's reason(s) for such findings.
- 3.6.3. The ASC reserves the right to request additional information at any time after its receipt of any formal request. Should the ASC request additional information or deem the formal request to be incomplete, the application will be denied and returned for more information. Re-submittal by the Owner will be considered a new request to be responded to as stated in para 3.2. above.

## 4. STANDARDS

### 4.1. General Information

- 4.1.1. Throughout this document, no distinction will be made between "permanent" and "temporary" structures. Unless otherwise specified, they will be considered the same.
- 4.1.2. It is essential that all requests for improvements (ASC Forms) be filled out completely. An ASC Form that is not complete will be returned for more information. Applications for improvements must include details of color, height, size, materials used, location on a to scale plot plan and a picture or drawing of structures. Additional information may be requested if not provided with the original request and could delay the approval process.
- 4.1.3. All structures, concrete and/or paint which are not the original color of the house, roofing color different than existing roofing or changes visible from streets and common areas in the neighborhood must have an ASC Form on file that was acted on and accepted by the ASC.

- 4.1.4. Structures may not be installed in easements.
  - 4.1.5. Backyard structures, e.g. swimming pools, gazebos, play structures, and spa coverings, should be located within (toward the center of the property in relation to) the original survey build lines (usually twenty (20) feet on sides and fifty (50) feet at the rear of Lot), or otherwise where they are reasonably shielded from view from the front yard, the street, and neighbor's homes/yards.
  - 4.1.6. Wooden structures, other than pre-finished commercial play structures, are to be either painted to match the house if constructed of treated pine, fir or similar type of wood, or stained to match wood cedar fences prevalent in WLR. Stained wood requires a minimum of two coats of Sherwin Williams WoodScapes® Exterior Acrylic Solid Color House Stain (A15 Series, color: Cedar SW3034).
  - 4.1.7. All structures must be maintained in a state of good repair.
  - 4.1.8. All ground-based outdoor equipment including but not limited to air conditioning units, pool pumps and filters, rain catchment barrels, solar energy devices, standby generators, and gas valves and meters, must be thoroughly shielded by approved fences, shrubberies or other approved vegetation. In some instances, the ASC may require plants or trees to be installed to screen an improvement that would not be considered ground-based outdoor equipment from outside view.
- 4.2. Grandfathering and Sunset Provisions
- 4.2.1. Grandfathering Provision: Any change in DRs or these ASC Guidelines will have no effect on the approved status of an existing and previously approved feature of a property that remains in good repair. However, any modification without an ASC approval on record is in violation of the DRs until such time as an approval may, if determined appropriate by the ASC, be granted.
  - 4.2.2. Sunset Provision: A feature that has been so grandfathered but requires repair or replacement, or that the homeowner further modifies without ASC approval, is no longer in compliance. The proposed changes, repairs, or replacement must be submitted to ASC for approval based on then-current law, DRs, and ASC Guidelines.
- 4.3. Landscaping
- 4.3.1. Installation of landscaping beds and trees in addition to those provided with the original home construction requires prior ASC approval; however, the installation of seasonal flowers in existing beds and tree wells does not require prior ASC approval.
  - 4.3.2. Proposed landscape edging, bricks, stones, flowerbed borders, landscaping lights, trellises, underground sprinkler systems and similar improvements require ASC approval. Railroad ties, landscape timbers, loose brick, scalloped concrete borders etc. are not permitted.
  - 4.3.3. Homeowners will be responsible for the removal and replacement of dead tree(s) with the same size (or 3-½" caliper if the existing tree exceeds that size) and variety new tree(s). This procedure must be approved by the ASC.
  - 4.3.4. Front yard gardening of fruits and/or vegetables is categorically denied. Artificial plants in the front yard are not permitted except in pots on the front porch.
  - 4.3.5. Trees may not be located in a utility easement.
  - 4.3.6. Trees and other vegetation that normally mature at more than (twenty) 20 feet in height must be planted a minimum of ten (10) feet from side and rear property lines and

situated in a manner so as not to interfere with drainage of adjacent property. Vegetation of lesser mature height may be planted closer to the fence as long as it does not affect drainage or create a nuisance for neighbors.

#### 4.4. Roofing

- 4.4.1. Roofing additions and/or re-roofing shall exactly match the shingles originally installed on the home/garage in color, style and specifications unless otherwise approved by the ASC.

#### 4.5. Patio Covers (Including Porches, Screened-In Porches, Patio Covers and Solariums)

- 4.5.1. Post builder additions such as porches, screened-in porches, patio covers and solariums must be professionally designed, fabricated and constructed subject to the ASC review and approval process.
- 4.5.2. Shingled roof patio covers must integrate with the existing roofing, including pitch, eaves, soffits, materials and colors. Supports must consist of painted wood to match the home, or brick or stone that matches that of the home.
- 4.5.3. Patio covers may not encroach into any utility easement. Corrugated material is prohibited.
- 4.5.4. Patio covers must be situated on the lot to provide drainage solely into the owner's lot and within build lines as described in para 4.1.5. The ASC may require guttering with downspouts be installed.
- 4.5.5. Structures using wood frames consisting of cedar, redwood or treated pine may be allowed to go unpainted.
- 4.5.6. Time for completion will not exceed thirty (30) days unless a request for an extension has been applied for and granted by the ASC.

#### 4.6. Room Additions

- 4.6.1. Exterior materials must match existing structure.
- 4.6.2. Detailed plans must be submitted to the ASC.
- 4.6.3. Room additions may not encroach into any utility easement.
- 4.6.4. Additions will be reviewed on an individual basis. Size and shape will depend on architectural style and layout of home, size of the lot and how well the room addition integrates with existing home. Plans for room additions must show a room of reasonable size to constitute a legitimate requirement for room addition. Roof of the addition must integrate with existing roofline so as to appear to have been part of the original home.
- 4.6.5. ASC acceptance, if granted, will come with the provision that a copy of the city permit must be received by the ASC before construction commences.
- 4.6.6. Conversion of garage space, attached or detached, to living space, is prohibited. Room additions above detached garages will be considered if the home is greater than one story in height.

#### 4.7. Swimming Pools and Spas

- 4.7.1. Pool contractor will be required to submit a written statement describing the location of the intended ingress and egress to the subject property and the location of the intended site for disposal of excavated materials. The ASC will not permit access

across common areas or private property, nor will it approve of the dumping of excavated materials within the master planned community of Whispering Lakes Ranch. A \$500.00 cash deposit is required of the property owner to ensure compliance with the ASC requirements. Said deposit will be returned to the owner if inspection by the ASC confirms compliance.

- 4.7.2. Above ground pools are prohibited.
  - 4.7.3. Pools must be located in the backyard within the build lines as described in para 4.1.5.
  - 4.7.4. Landscaping damaged during pool construction must be replaced upon pool completion if it is visible from public/common areas.
  - 4.7.5. The property owner will be responsible for the repair or replacement of damaged sidewalks, curbing and/or driveways upon completion of the pool.
  - 4.7.6. Pool enclosures are permitted pending acceptance by the ASC. Height should not exceed twelve (12) feet. The ASC may require additional trees for screening.
- 4.8. Gazebos
- 4.8.1. Must be at least six feet (6') away from the house and may not be placed outside the back yard survey build lines as described in para 4.1.5 above. The maximum height at peak for the gazebo shall not exceed fifteen feet (15').
  - 4.8.2. Details of height, material, location on a plot plan and a picture or drawing of the structure must be submitted with the request prior to construction.
  - 4.8.3. May be constructed of cedar, redwood or treated pine. Other construction material will be considered on an individual basis. All wood must be either stained to match cedar fences or painted to match the house color scheme.
  - 4.8.4. If the gazebo is to have shingles, the shingles must match the color and specification of the existing shingles on the home.
  - 4.8.5. May not encroach into any utility easement.
  - 4.8.6. Will be reviewed and Accepted/denied on an individual basis. Size and shape will depend on architectural style, layout of home and size of lot.
  - 4.8.7. Construction of a gazebo shall be completed within thirty (30) days of commencement unless an extension is requested and granted by the ASC.
- 4.9. Decks and Patios
- 4.9.1. May not encroach into any easement.
  - 4.9.2. Should not be situated on the lot so that they may pose a problem to the effective drainage of the lot or neighboring lot.
  - 4.9.3. Cannot be higher than 24" above grade unless designed as an attached second floor deck that is integrated into the rear, backyard area of the main structure.
  - 4.9.4. May be constructed of cedar, treated timber, concrete, brick or stone.
- 4.10. Fences and Gates
- 4.10.1. The following standards are made in recognition of Section III.G.1 Fences, Walls and Hedges of the DRs. Where a conflict arises, Section III.G.1 will control to the extent of the conflict.
    - 4.10.1.1. Definitions:



- 4.10.1.1.1. Lake Lots – shall be defined as Lots that any portion of the lot that backs up to or adjoins a lake or common area around a lake.
- 4.10.1.1.2. Non-Lake Lots – shall be defined as all other Lots.
- 4.10.1.1.3. Common Areas – shall be defined as all areas other than platted lots as defined on the subdivision recorded plat.
- 4.10.2. These standards are made specific to requirements stated in the DRs and any Annexation Agreement (if applicable) for such lots backing up to Common Areas, Lakes, Bulkheads or Association Properties.
- 4.10.3. Fence materials and styles (see also Figure 3 in Appendix 4):
  - 4.10.3.1. The Standard Wood Fencing will be cedar constructed of a three (3) rail number two (2) or better cedar fence with a cap on top and a 2” x 12” treated bottom kickboard. All cedar fencing shall have a minimum two (2) coats of Sherwin Williams WoodScapes® Exterior Acrylic Solid Color House Stain (A15 Series, color: Cedar SW3034) as described in para 4.1.6.
  - 4.10.3.2. The Standard Metal Fence will either be wrought iron or commercial grade aluminum fence with a semi-gloss black finish. Due to its low maintenance and longevity, aluminum is encouraged. The fence must be of three (3) rail design, with the top rail capping the vertical pickets.
  - 4.10.3.3. Any request for non-standard fence materials or styles, such as brick or stone pillars, must clearly demonstrate how the non-standard fence will integrate and be harmonious with the existing property style, and clearly depict the proposed non-standard fence.
- 4.10.4. Except for the perimeter fence around the Subdivision, no fence, wall or hedge shall be placed on any Lot in the Subdivision nearer to any front or to any side street than is permitted for the home (building line) on said Lot, and no fence, wall or hedge located between interior Lot lines and building setback lines shall be higher than eight (8) feet from the ground unless it is an integral part of the home or building structures.
- 4.10.5. Fencing may abut, but shall NOT be physically affixed to the Subdivision’s perimeter fencing behind or to the side of any Lot.
- 4.10.6. Other than the Subdivision’s perimeter fence, a fence clearly intended to follow in parallel with a Lot line:
  - 4.10.6.1. May not straddle or cross the Lot line, but should be carefully constructed so posts are within three (3) inches of the surveyed Lot line. This allows the neighbor on the other side of the Lot line to place a perpendicular fence on their side of the Lot line with a small enough remaining gap that adequate security for children and pets exists.
  - 4.10.6.2. If the side closest to the Lot line of any posts are more than three (3) inches from the surveyed Lot line, the fence owner may choose to re-install the fence or allow at the expense of the non-compliant fence the installation of an approximately perpendicular fence across the Lot line, as approved and documented by the ASC on the ASC Form for the fence, so as to tie in the two fences. The non-compliant owner still owns that portion of the fence on his/her side of the property line.
  - 4.10.6.3. Any additions or attachments to the Standard Metal Fencing for the purpose of enclosing an area for pets or children must be first approved by the Grantor or the

Association in writing. Otherwise, no wire, mesh or chain link fence is permitted on any part of any Lot.

4.10.7. All fencing anywhere in the subdivision must be Standard Metal Fence, Standard Wood Fence, or accented with masonry/brick as may be explicitly approved by ASC described as follows:

4.10.7.1. Fencing that connects to the home or any other structure visible from the street or other common areas must be Standard Metal Fencing. No wood fencing shall be allowed to connect the side fencing to the home. For those Lots adjacent to drainage easements, no fencing shall be allowed on any drainage easement as denoted on recorded plat or other recorded instruments.

4.10.7.2. Non-Lake Lots: For side Lot lines, cedar fencing must be fifteen (15) feet or more back from front corner of home extending back to and but not crossing the rear property line.

4.10.7.3. Lake Lots (see also figure 2 in Appendix 4):

4.10.7.3.1. For any rear or side Lot line along a common area in or around a lake, four (4) foot standard metal shall be installed. A single four (4) feet wide standard metal gate matching the adjoining fencing will be allowed for access to the common area to the rear of the lot.

4.10.7.3.2. For side lot lines shared with another lot, or with a common area other than in or around a lake (eg, drainage easements) either a combination of Standard Wood Fence and Standard Metal Fence may be installed, or it may be all Standard Metal.

4.10.7.3.3. Requirements for use of wood: Must be at least fifteen (15) feet back from front corner of home and shall be located no closer than twenty-four (24) feet from the rear property line. Starting from where the cedar fence stops, the first eight (8) feet of standard metal fencing shall be six (6) feet in height. The remaining rear-most sixteen (16) or more feet of side fence must be four (4) feet high standard metal fencing that ties into the rear lot line four (4) foot standard metal fencing.

4.10.7.3.4. Requirements for Metal-only: Six (6) feet in height may not extend closer to sixteen (16) feet from rear lot line, and remaining sixteen (16) or more feet to the rear lot line must be four (4) feet in height.

4.10.8. No fencing, wall, shrub or hedge shall exceed the above referenced height requirements.

4.10.9. Decorative steel gates across the driveways are permitted subject to prior ASC review of a complete submittal package. As a general rule, the gate must be set back three (3) feet from the corner of the house and be painted semi-flat or semi-gloss black.

4.11. Swing Sets and Play Structures

4.11.1. Play structures/forts must not exceed twelve feet (12) feet in height (inclusive of the canopy). Platforms must not exceed six (6) feet above grade.

4.11.2. Hunter green, brown or other earth tones are acceptable colors for play structure canopies. Brightly colored canopies on existing and approved play structures (such as blue, orange, rainbow, etc.) are only allowed in until they appear weathered, worn, or damaged. (See para 4.2).

- 4.11.3. Approved play structures with fixed roofing shall match the color, style and specifications of the shingles and soffits on the home.
  - 4.11.4. Swing sets will not exceed eight (8) feet in height.
  - 4.11.5. Details of color, height, material, location on a plot plan and a picture or drawing of the structure must be submitted with the request prior to installation.
  - 4.11.6. No play structure may be placed outside the back yard survey build lines as described in para 4.1.5 above.
- 4.12. Exterior Painting
- 4.12.1. Houses near the home to be painted will be evaluated to ensure all the homes in an area are in harmony with one another.
  - 4.12.2. Bright colors such as shocking pink, vivid blue, orange, etc. are not allowed.
  - 4.12.3. The main color of the house (and/or brick color) and the trim color must be submitted at the same time for approval. EXAMPLE: Requesting to change the trim color; must submit existing brick color.
  - 4.12.4. Once the painting of the house is started, the work must be completed within thirty (30) days unless an extension is applied for by the Owner and Accepted by the ASC.
  - 4.12.5. No approval is needed for homes being painted the same color as currently existing on home.
- 4.13. Exterior Lighting
- 4.13.1. The following standards are made in recognition of Section III.J Landscaping/Light of the DR's. Where a conflict arises, Section III.J controls to the extent of the conflict.
  - 4.13.2. Additional exterior lighting should not be of a wattage or lumen count, which will affect neighboring homes. Only white lighting provided by fixed enclosed systems will be considered. All exterior lighting is subject to ASC approval.
  - 4.13.3. Directional lights or floodlights must be aimed so as not to shine in windows of neighboring homes.
  - 4.13.4. Subject to ASC approval of proposed design and placement, low voltage landscape lighting is acceptable.
  - 4.13.5. Subject to ASC approval, security lighting must be attached to the front of the house, preferably the garage or the front of a detached garage. Mercury vapor, fluorescent light, high pressure sodium vapor and metal halide are not permitted in back or side yard.
- 4.14. Solar Energy Devices
- 4.14.1. As with any other improvement, ASC approval is required prior to installation. The ASC strongly supports alternative energy and is mindful of the need to maximize the efficiency of solar energy devices, while at the same time acknowledging that improper installations could be detrimental to WLR. Thorough, complete plans including location and consideration of the visibility of equipment should be included in the ASC Form.
  - 4.14.2. The preferred location for solar panels is affixed to the ground on the side or back yard. Ground-affixed equipment must be shielded from view from streets, common areas,

and neighbors' yards by fencing and/or approved shrubberies. Equipment may not be higher than height of the perimeter fence.

- 4.14.3. If an Owner can objectively demonstrate that the proposed Solar Energy Device(s) cannot reasonably be affixed to the ground or cannot operate efficiently if so placed, the Owner may propose a roof location. The equipment must be carefully positioned to minimize visibility from outside the Lot, must conform to the slope of the roof, and may not extend higher than or beyond the roofline.
- 4.15. Satellite Dishes and Antennas
  - 4.15.1. Except as may otherwise be stated in Section III.L.19:
  - 4.15.2. Dishes must be eighteen (18) inches or smaller in diameter.
  - 4.15.3. Placement is preferred below the fence line, or behind the roofline so as to not be visible from the street or common areas.
  - 4.15.4. Wiring/cable must be secured to the home and painted to match the trim of the home.
  - 4.15.5. Placement of antennas in the attic is preferred. Variances may be approved as the ASC deems necessary.
- 4.16. Air Vents and Wind Turbines
  - 4.16.1. Air vents (static or powered) and wind turbines must be mounted in the rear portion of the roof so they are not visible from the front or above the roofline.
  - 4.16.2. Air vents and wind turbines must either be a color that will blend with the shingle color or painted to match the shingle color. Unfinished aluminum is not permitted.
  - 4.16.3. The exterior of the air vents or wind turbines can not be covered or wrapped at any time, i.e. covered during the winter season to reduce the inflow of cold air into the attic. Internal devices for such use placed in the attic are available.
- 4.17. Storm Windows, Storm Doors and Screen Doors
  - 4.17.1. Screen doors and storm doors will not be considered on the front of the home or any other location readily visible from street or other common area.
  - 4.17.2. Screen doors and storm doors with screen panels will be considered on the back door if color and design are in harmony with the house.
  - 4.17.3. Solar screens will be allowed on windows, provided the screen material and color are complimentary to the color of the house.
  - 4.17.4. Solar film (window tinting) must be a non-reflective type and must be maintained in good condition at all times.
  - 4.17.5. Colors and manufacturers must be Accepted by the ASC for both the solar screening and solar film.
- 4.18. Mailboxes
  - 4.18.1. A replacement mailbox does not require ASC approval IF it does not contain any unique elements of style, size, location, materials, or functionality. If the box DOES contain such unique elements, ASC approval is required. If in doubt, ASK!
  - 4.18.2. A replacement mailbox must be located in the same location as the original mailbox, unless another location is explicitly approved in writing by the ASC on the ASC Form.

- 4.18.3. All mailboxes must comply with all Postal Service regulations including a street address number of one (1) inch in height displayed on the side of the mail carrier's approach. Street number may be displayed as well on the opposite side and on the receiving door of the mailbox.
- 4.18.4. Two types of mailboxes are allowed.
  - 4.18.4.1. Standard black metal Postmaster-approved domed box on a decorative post. Numbers must be of an italics slant and gold/bronze in color against the black background of the mailbox.
  - 4.18.4.2. Locking decorative mailbox in a single brick arch enclosure as depicted in Figure 1 in Appendix 4. This type of mailbox is subject to the following:
    - 4.18.4.2.1. Shall be fifty-six (56) inches in height, thirty (30) inches in width and twenty-eight (28) inches deep, plus/minus two (inches) for each dimension.
    - 4.18.4.2.2. The brick must match the home in both manufacturer brick style and the pattern in which bricks are arranged.
    - 4.18.4.2.3. Street Address Numbers displayed on the side of the mailbox must use a white block with black letters of identical style and size as the standard block street address numbers built into the home.
    - 4.18.4.2.4. May not include pedestal bases, antennae, artwork, or other decorative appurtenances.
- 4.19. Decorative Appurtenances
  - 4.19.1. Placement of decorative appurtenances, such as sculptures, birdbaths, fountains, swing sets, benches or other decorative embellishments in the front yard is discouraged and may not receive ASC approval if requested.
  - 4.19.2. Seasonal decorations shall not be displayed earlier than 30 days before the holiday and must be taken down within two (2) weeks after the holiday. Seasonal decorations do not require ASC acceptance if displayed in accordance with the above.
  - 4.19.3. The ASC may require removal of any decorative appurtenance, including seasonal decoration, that violates a law, in any way threatens public health or safety, or contains language, graphics, noises, or other forms of display that would be offensive to the ordinary person.
- 4.20. Signage
  - 4.20.1. Excepting political signs as allowed by Texas law, no sign or poster shall exceed twenty four (24) inches by twenty four (24) inches in size.
  - 4.20.2. Signs must be ground-mounted. Signs and posters may not be mounted on a fence, utility pole, traffic control device, a light, a trailer, a vehicle, mailbox or any other existing structure or object mailbox; nor may they include the painting of architectural surfaces.
  - 4.20.3. Signs may not contain roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component; nor may any sign be accompanied by music or other sounds, or streamers or anything that is otherwise distracting to neighbors or motorists.

- 4.20.4. Signs may not violate a law, in any way threaten public health or safety, or contain language, graphics, or any display that would be offensive to the ordinary person.
- 4.20.5. School spirit signs, one per sport, activity, or event, may be placed in yards and must be placed within five (5) feet of the home. The preferred location is within a flowerbed.
- 4.20.6. Political signs, no more than one for each candidate or ballot issue, may be placed in the yard during a period of time commencing ninety (90) days prior to the election for which the sign is intended, and must be removed within ten (10) days following such election.
  - 4.20.6.1. Only signs that pertain to candidates or ballot issues that pertain to WLR are allowed.
  - 4.20.6.2. Signs must meet the laws of the State of Texas, the laws of Galveston County, and the ordinances of the City of League.
  - 4.20.6.3. Political signs may be no larger than the minimum enforceable size per state law (currently not greater than 4 feet by 6 feet). Residents are asked, however, to voluntarily limit signs to 24 x 24 inches.
- 4.20.7. Alarm / Security signs must not exceed size of 8" X 10" and must be placed within five feet (5') of the home.
- 4.20.8. Advertising signs, other than realty signs, shall not be placed in yards.
- 4.20.9. Only signs Accepted by the ASC may be placed on WLR maintained property; all other signs will be removed without notice.
- 4.20.10. NO SIGN AREAS - No signs will be allowed at anytime within the entrance area at FM 646 and Whispering Lakes Ranch Dr., inside the landscape areas and at the intersection of Whispering Lakes Ranch Dr and Sunset Terrace Dr or Lake Landing Dr. No signs are permitted at any time in flowerbeds or at Parks and Recreation sites or in the grass areas on the medians or right of ways of Whispering Lakes, including around lakes and detention areas. Contact the Management Company for specific locations prior to placing signs in any common area.
- 4.21. Basketball Goals
  - 4.21.1. The basketball goal backboard, net and post must remain in a state of good repair at all times. Pole or mounting structure must be positioned to confine normal play to the driveway of the owner. Use must not violate Article III.L.3 of the DR's.
  - 4.21.2. Backboards mounted to the roof above the garage must utilize a small, triangular mounting structure and the structure must be painted to match the shingle color.
  - 4.21.3. Portable goals are prohibited.
  - 4.21.4. Basketball goals mounted on poles must be placed adjacent to the garage doors at homes with attached garages. At homes with detached garages, basketball goals must be placed well back of the front building line, near the rear of the house.
- 4.22. Bird Houses
  - 4.22.1. Maximum preferred height is twelve (12) feet.
  - 4.22.2. Should be mounted on a minimum two (2) inch diameter metal pipe or 4" x 4" treated wooden post, painted the color of the house trim or black.

- 4.22.3. Must be positioned so as not to create a nuisance to neighboring properties.
- 4.22.4. Must be placed in the backyard only within the build lines of the original property survey as described in para 4.1.5 above.
- 4.23. Flags and Flag Poles
  - 4.23.1. Decorative flags, banners and windsocks are acceptable without ASC acceptance provided they meet the following criteria:
    - 4.23.1.1. Attached to the home or garage
    - 4.23.1.2. Must not be of a controversial nature
    - 4.23.1.3. Must remain in a state of good repair
    - 4.23.1.4. Do not exceed three (3) feet by five (5) feet in dimensions and, as displayed, do not represent a hazard to persons on sidewalks, doorways, patios, or other places people may normally traverse.
  - 4.23.2. ALL flagpoles and proposed location must be considered for approval by the ASC in accordance with state law. No flagpole or part thereof may exceed twenty (20) feet above grade.
    - 4.23.2.1. Only one free-standing flagpole per lot is allowed, and then only on condition that it properly display one or more of the flag of the United States of America, the flag of the State of Texas, and/or flags of one or more military services in strict accordance with applicable laws and standards for the display and care of those flags. No other flags or banners may be displayed on a free-standing flagpole.
    - 4.23.2.2. Free-standing flagpoles may only be placed within the backyard survey build lines as described in para 4.1.5 above. The ASC may further restrict location as needed for special circumstances and will state in writing on the approval form the reason for any such restriction.
    - 4.23.2.3. No flag displayed on a free-standing pole may exceed four (4) feet vertically or six (6) feet in length.
  - 4.23.3. ASC may require removal of any flag, banner, or pole, if complaints are received and deemed valid by the ASC. Such reasons may include poor condition, excessive flapping noise or rattling of ropes or wires.
- 4.24. Window Air Conditioning Units
  - 4.24.1. Window air conditioners are not permitted.

## 5. APPENDICES

### 5.1. Appendix 1: GLOSSARY OF TERMS AND ABBREVIATIONS

All capitalized terms contained in this document shall have the same meaning as ascribed to them in the DR. Additional terms, defined solely for convenience of reference within this document, are as follows:

Accepted: The term “Accepted” as found throughout this document and as found in Section 8 of the ASC form, is used interchangeably with the term “approval” as also found throughout this document.

ASC: Whispering Lakes Ranch Architectural Standards Committee.

ASC Form (or) Request for ASC Review: The document for review and approval of any Architectural Standards Change Requests.

ASC Guidelines: An abbreviation for this document, the Architectural Standards Bulletin.

ASC Members: Those persons appointed by the Board to be members of the Architectural Standards Committee (ASC).

Association: The Maintenance Association of Whispering Lakes, a Texas non-profit corporation.

Board: The Association’s Board of Directors.

DR: Deed Restrictions applicable to WLR.

Governing Documents: The combination of the Articles of Incorporation, the By-Laws, the Deed Restrictions for Whispering Lakes Ranch and any subsequent Annexation Agreement, and these standards.

Improvements: Per Section III of the DR’s, an improvement of any kind or character whatsoever erected, placed or altered on any Lot.

Management Company: The organization or company that provides management services to Whispering Lakes Ranch on a contractual basis.

Owner: “Owner” shall mean and refer to the record owner, whether one or more persons or entities, of fee simple title to any “Lot” or parcel which is part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Request For ASC Review (or) ASC Form: A formal, written, signed, request from an Owner for permission to make specific improvements to his/her lot or existing structures on the lot. See Whispering Lakes Ranch ASC form in Appendix for an example. The current version of the form will be available on the WLR web site at <http://wlrhome.com> or by contacting the Management Company.

WLR: The subdivision known as Whispering Lakes Ranch, including all properties and assets under the jurisdiction of the Maintenance Association of Whispering Lakes Ranch, a Texas non-profit organization.



5.2. Appendix 2: Resolution to adopt Bulletin

**Unanimous Written Consent of the Architectural Standards Committee (ASC)  
of Whispering Lakes Ranch**

The undersigned, being the duly elected Board of Directors of the Maintenance Association of Whispering Lakes Ranch, a Texas Non-profit Corporation, (herein, "The Association") do hereby consent that the following resolution be adopted.

WHEREAS, Section III.A.1, of the Deed Restrictions for the Association provides;

"No Improvement of any kind or character whatsoever shall be erected, or the erection thereof begun, or change made in the exterior design thereof after original construction, on any Lot in the Subdivision until the complete plans and specifications and a Lot plan showing the location of the structure have been approved by the Grantor or the Committee or its designated coordinating architect in accordance with the following procedure."

WHEREAS, Section III.A.6, of the Deed Restrictions for the Association provides;

"The Grantor of the Committee shall have the right to from time to time promulgate and publish Architectural Control Bulletins. A copy of any Bulletin in effect at the time will be furnished to Owners and builders on request. Such Bulletins supplement these Restrictions and are hereby incorporated herein by reference. Such Bulletins may make other and further provisions as to the approval and disapproval of plans and specifications, prohibited materials and other matters relating to the appearance design and quality of improvements."

WHEREAS, the rights of the Grantor have transferred to a Board of Directors of homeowners by a "Termination of Declarant Control Period" signed Nov 10, 2010 by the representatives of League City Investors, Inc. and recorded to Galveston County Records on May 26, 2011 as document 2011026704.

NOW, THEREFORE, BE IT RESOLVED THAT the Association shall promulgate and adopt an Architectural Control Bulletin to offer guidance to an appointed ASC and to provide insight to the property owner as to the process by which an improvement or alteration to property may be proposed and submitted to the ASC for review and to highlight what is expected by the ASC relative to the most commonly occurring improvements and alterations.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors of the Association may, from time to time, by resolution, revise these standards as it deems necessary within its authority.

RESOLVED FURTHER that this resolution be effective the 23<sup>rd</sup> day of January 2012.

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Steve Glenn, President

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Jeff Farmer, Treasurer

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Frank Prisco, Vice President

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Roy Hunter, Director

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Peter Bauer, Secretary

5.3. Appendix 3: Example of ASC Form

<b>WHISPERING LAKES RANCH</b> c/o Houston Community Management Services 17049 El Camino Real, Suite 100 Houston, Texas 77058 Phone: 832/864-1200 • Fax: 281/218-6973 • E-Mail: emcitrath@houcomm.com	<b>WLR ASC FORM</b>
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**REQUEST FOR ARCHITECTURAL STANDARDS COMMITTEE REVIEW OF A PROPOSED IMPROVEMENT**

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**1** **PROPERTY OWNERSHIP AND DESCRIPTION**

OWNER: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ WORK PHONE: \_\_\_\_\_ FAX PHONE: \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_ SECTION: \_\_\_\_\_ LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_

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**2** **IMPROVEMENT PROPOSED (CHECK AS PROPOSED)**

LANDSCAPING     SWIMMING POOL     PATIO COVER     ROOM ADDITION     BIRD HOUSE

CONCRETE OR BRICK PATIO ADDITION OR EXTENSION     WOODEN DECK ADDITION OR EXTENSION

WOODEN FENCE ADDITION OR EXTENSION     DECORATIVE STEEL OR ALUMINUM DRIVEWAY GATE

EXTERIOR LIGHTING     EXTERIOR PAINTING     SWING SET OR PLAY STRUCTURE     GAZEBO

DECORATIVE APPURTENANCE     SATELLITE DISH OR ANTENNAE     WINDOW SCREENING

STORM DOOR     AIR VENT OR WIND TURBINE     CONCRETE OR BRICK DRIVEWAY ADDITION

DETACHED GARAGE ADDITION OR MODIFICATION     ROOFING     VINYL TRIM/SIDING     SIGN

BASKETBALL GOAL     MOUNTED FLAG POLE     OTHER: \_\_\_\_\_

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**3** **CONTRACTOR (WRITE OWNER BELOW IF OWNER PROPOSES TO ACT AS HIS/HER OWN CONTRACTOR)**

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

\_\_\_\_\_ PHONE: \_\_\_\_\_ FAX PHONE: \_\_\_\_\_

IF BY OWNER, STATE QUALIFICATIONS FOR DOING IMPROVEMENT YOURSELF: \_\_\_\_\_

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**4** **REQUIRED SUBMITTALS (CHECK AS APPROPRIATE)**

COPY OF LOT SURVEY SHOWING LOCATION OF IMPROVEMENT(S) (REQUIRED WITH ALL PROPOSED IMPROVEMENTS THAT MODIFY HOME, GARAGE, DRIVEWAY, PATIO OR YARD)

PLANS AND SPECIFICATIONS (REQUIRED AS ABOVE)

PROPOSED EXTERIOR PAINT COLOR: \_\_\_\_\_ (STATE COLOR HERE AND ATTACH SAMPLE)

EXISTING PAINT COLOR: \_\_\_\_\_ (REQUIRED FOR EXTERIOR PAINTING)

EXISTING BRICK COLOR: \_\_\_\_\_ (REQUIRED FOR EXTERIOR PAINTING)

*INCOMPLETE SUBMITTAL PACKAGES WILL DELAY REVIEW PROCESS. SUBMITTAL OF COLOR PHOTOS ARE REQUESTED AND IN SOME CASES MAY BE REQUIRED BY ASC. COLOR PHOTOS MAY SPEED REVIEW PROCESS.*

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PAGE 1 OF 2

**5 WRITTEN DESCRIPTION OF PROPOSED IMPROVEMENT(S)**

*PROVIDE A DETAILED DESCRIPTION OF THE IMPROVEMENT(S) PROPOSED. DISCUSS, AS APPROPRIATE, SIZE, LOCATION, DIMENSIONS, HEIGHT, COLOR, MATERIALS TO BE USED. SPECIFY A DESIRED START DATE AND AN ANTICIPATED COMPLETION DATE FOR THE IMPROVEMENT(S).*

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**6 NOTICES:**

**UTILITIES**

WITH THE EXCEPTION OF FENCES, IMPROVEMENTS THAT PROPOSE EXCAVATION OR DIGGING WITHIN THE LIMITS OF UTILITY EASEMENTS IS DISCOURAGED AND IN MOST WILL NOT BE APPROVED BY THE ASC. BEFORE DIGGING OR EXCAVATING ANYWHERE IN YOUR YARD, CALL THE GAS, POWER, TELEPHONE AND CABLE COMPANIES FOR STAKING OF THE LOCATION OF DISTRIBUTION AND SERVICE LINES. SOME LINES ARE LOCATED IN EASEMENTS AND SOME ARE NOT. PHONE NUMBERS TO CALL ARE AS FOLLOWS:

ENTEX 281/534-4569 • TEXAS-NEW MEXICO POWER 800/344-8377 • GTE 800/483-1000 • TCI CABLE 713/645-2311

**ASC RESPONSE**

A FORMAL RESPONSE SHOULD BE FORTHCOMING TO THE HOMEOWNER FROM THE ASC WITHIN THIRTY (30) WORKING DAYS; *TO AVOID POSSIBLE DELAYS, FILL OUT THE ASC FORM COMPLETELY AND INCLUDE ALL REQUIRED SUBMITTALS.* IF NO RESPONSE IS RECEIVED WITHIN THIRTY (30) WORKING DAYS, IMPROVEMENT SHOULD BE PRESUMED DENIED.

**7 OWNER'S ACKNOWLEDGEMENT**

THE UNDERSIGNED REQUESTS ARCHITECTURAL STANDARDS COMMITTEE (ASC) REVIEW OF THE IMPROVEMENT(S) PROPOSED HEREIN IN ACCORDANCE WITH THE COVENANTS, CONDITIONS AND RESTRICTIONS OF THE MAINTENANCE ASSOCIATION OF WHISPERING LAKES RANCH. IT IS UNDERSTOOD THAT THE ASSOCIATION MAY REQUIRE REMOVAL OR MODIFICATION OF ANY IMPROVEMENT(S) MADE PRIOR TO ASC REVIEW. IT IS FURTHER UNDERSTOOD THAT MODIFICATIONS OR ADDITIONS TO STRUCTURES OR NEW STRUCTURES MAY REQUIRE A CITY OF LEAGUE CITY BUILDING PERMIT FOR WHICH APPLICATION SHALL BE MADE SEPARATELY BY THE OWNER.

SIGNATURE OF HOMEOWNER: \_\_\_\_\_ DATE: \_\_\_\_\_

**8 FOR ARCHITECTURAL STANDARDS COMMITTEE USE ONLY**

REQUEST: \_\_\_\_\_ ACCEPTED \_\_\_\_\_ DENIED \_\_\_\_\_ DENIED & RETURNED FOR MORE INFORMATION

ASC COMMENTS: \_\_\_\_\_

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ASC ACKNOWLEDGEMENT(S): \_\_\_\_\_ DATE: \_\_\_\_\_

By: \_\_\_\_\_ By: \_\_\_\_\_

5.4. Appendix 4: Photos and Graphics



Figure 1: Locking Brick Enclosure Mailboxes. Simple arch design with brick matching home is the accepted standard. Street numbers in cast white block the same as house address block.

Figure 2: (Pending) Diagram of Lake Lot Fence options

Figure 3: **(Pending)** Photos of Standard Metal Fence and Standard Wood Fence (stained cedar)

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