

# **Architectural Design Standards for Plantation Springs Homeowners Association, Inc.**

## **Introduction**

1.01 **Authority.** This Design Standards document is adopted pursuant to the authority granted to the Architectural Control Committee (ACC) of Plantation Springs Homeowners Association, Inc. The requirements and provisions of the Design Standards shall be in addition to, and not in lieu of, the requirements and provisions of the Declaration of Covenants, Conditions and Restrictions for Plantation Springs, Phase One, City of Frisco, Collin County, Texas (the "Covenants").

1.02 **Purpose.** Plans must be submitted to and approved by the ACC pursuant to the Covenants and these Design Standards for the sole and exclusive purpose of assuring that all structures within Plantation Springs are in harmony of external design in terms of massing, general styling and size and that all structures and landscaping conform to a high standard of quality construction as established by the Common Property landscaping and improvements and existing standards of the neighborhood. These design standards are not intended to provide absolute rules for every situation. There will be situations where the ACC will grant exceptions to the Design Standards. Similarly there will be situations where the ACC will determine that literal compliance with these Design Standards in a particular situation does not reflect the high standards of the community.

1.03 **Application of Design Standards.** Approval by the ACC is required for any visible or structural modification to the external appearance of a lot or any structure on a lot. The approval requirements are all encompassing and include by way of illustration and not limitation any required landscaping, any repainting of a structure, the placement of any object on a lot and the erection of any fence. All property owners are responsible for obtaining the necessary review and approvals to comply with the terms of the Covenants. There are no exemptions or automatic approvals and each application is reviewed on an individual basis. If a property owner proceeds with any modification prior to approval by the ACC, the property owner runs the risk of having to correct any violation at his own expense. In making its determination, the ACC generally will impose a higher, more formal standard for modifications in a front yard.

1.04 **Application for Review.** Applications for review must be made on the form prescribed for this purpose. The form should be submitted to the management agent for the Homeowners' Association. The application should contain the information described in the submittal requirements. The ACC must act on an application within 30 days of the filing of the application. Approval and/or non-approval of a modification by the ACC shall be made by a written document, which should be preserved by the applying property owner. The procedural rules applicable to the ACC are described in further detail in the Covenants.

1.05 **Variance.** Any requests for variations must be submitted to the ACC prior to the work starting. Given the great variety of configurations and materials, it is understood that these restrictions may not be exhaustive. Therefore, upon submission of a written request, the Committee may, from time to time, at its sole discretion, permit the construction of things, which are in variance with the provisions listed.

## **The Design Standards**

2.01 **Additions and/or Remodels.** Additions must comply with all building setbacks as set forth on the recorded plat of the subdivision.

Additions and remodels may need to be approved by the City of Frisco. Any and all permits as may be required by the City are the sole responsibility of the homeowner and must be obtained prior to commencing work. It is recommended that permits not be obtained prior to receiving ACC written approval.

2.02 **Attic Ventilation / Rooftop Appendages.** Attic ventilators are recommended to be the "pancake" low profile type. Low profile ridge vents are recommended. Use of roof turbine vents is discouraged, except on backside of home.

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Attic ventilators and other rooftop appendages shall be located on the rear slopes of the roof and shall not be visible from the street. Attic ventilators, rooftop appendages and flashing must be painted to match or blend with the color of the roof.

**2.03 Awnings.** Exterior window awnings are not permitted on fronts of home.

**2.04 Basketball Goals.** Portable goals are recommended. The portable goal must not obstruct sidewalks or streets when not in use. If portable goals are not used, backboards must be metal pole mounted in removable sleeves, located adjacent to the driveway, and shall be preferably transparent acrylic. White or gray backboards are also acceptable. Only one goal per lot is allowed.

Placement of basketball goal and pole must be located so as to minimize impact on neighboring properties. All goals must be maintained with a net and painted. In ground posts should, if possible, be behind a fence. All basketball goals need to be approved by the ACC.

Basketball goals are not allowed to be roof mounted.

**2.05 Birdhouses.** Pole mounted birdhouses shall not exceed 15 ft. in height. They should only be placed in the rear or side yard behind the property's screening fence and no more than 3 pole-mounted birdhouses per lot are recommended. Exceptions to these guidelines must be submitted to the ACC.

**2.06 Clotheslines.** Clotheslines are not allowed.

**2.07 Decks, Patios and Covers.** Decks are recommended to be of redwood or cedar. Pressure treated pine may also be permitted. Decks are permitted in rear yards only.

Patios may be concrete, concrete stepping blocks, brick, concrete pavers, stone, or other materials as approved by the ACC. Patio covers of fiberglass, galvanized tin or aluminum are not permitted. Decks and patio covers must be approved by the City of Frisco and the ACC.

**2.08 Disallowed Items.** Disallowed items shall include but not be limited to the following:

- Exterior antenna of any kind with the exception of miniature satellite dishes as detailed in these Design Standards.
- Garage conversions
- Chain link property line fencing
- Window unit or wall mounted air conditioners

**2.09 Dog Houses/Dog Runs.** Dog houses/dog runs must be located on side or in rear yards only and must not be visible from the front of the homeowner's dwelling. Doghouse/dog run fencing may not exceed 5 feet in height. Doghouses may not exceed 15 square feet in size. Doghouses and dog runs must be fully screened behind 6-8 ft. privacy fences or otherwise screened so as not to be seen from the street. Only 1 dog run is allowed per yard.

Dog runs must be well maintained, with regard to smell and appearance.

**2.10 Driveways/Parking Pads.** Additions to existing driveways will be approved by the ACC only if they are determined by the ACC to be consistent with existing construction and landscaping. Driveways and additional parking pads must match the concrete texture of the existing driveway. No driveway may be constructed closer than one foot from any one side or rear property line.

Note that R.V.'s, boats, recreational vehicles, etc., may be stored on a lot only if they are kept from street view and comply with the City of Frisco restrictions and the HOA Covenants and Covenants.

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Changes to driveways and parking pads must be approved by the City of Frisco and the ACC.

**2.11 Fencing Guidelines.** No fence, wall or hedge shall be erected or maintained on any Affected Lot nearer to the street than the front building setback lines reflected on the Plat. No chain link fences or other wire type fences shall be erected on any Affected Lot, which is visible at ground level from an adjacent Lot or a public view. All fencing shall: (a) be of wood material and present a solid facing toward any street; (b) have a minimum height of six (6) feet and a maximum height of eight (8) feet (as measured from the highest point of the finished grade); (c) have slats measuring between three (3) and six (6) inches in width which are installed vertically only; (d) not be stained or painted on any surface which is visible from any street or adjoining Lot; provided, a clear or wood color stain may be used.

Given the great variety of potential fencing and screening configurations and materials, it is understood that these fencing restrictions may not be exhaustive. Therefore, upon submission of a written request, the Committee may, from time to time, at its sole discretion, permit the construction of fences or walls, which are in variance with the provisions listed above.

Posts may be steel pipe columns, cedar, redwood or pressure treated pine. Posts must be imbedded in concrete. Two 2"x4" stringers are to be used between posts. Posts are to be spaced no further than 8 ft. apart. Slats must be either cedar or redwood. Double fencing is prohibited.

If an easement occurs within a property, it is to be maintained by the property owner. Fence construction within any easement is at the risk of the owner. Fences shall not obstruct lot drainage easements. A fence may not be attached to a tree. Fences must not encroach beyond the property line to encompass a tree.

Fences must be approved by the ACC and the City of Frisco prior to and during construction/repair.

**2.12 Flags and Flagpoles.** Not more than two flags may be displayed at any one time. Flags shall be maintained in good order and replaced when faded or worn/frayed. Mounting brackets may be affixed to the main structure of the home. A flagpole may be erected but shall not be more than 12 feet in height. Placement of pole must be located so as to minimize impact on neighboring properties.

**2.13 Fountains and Statuary.** Fountains and statuary must comply with building setbacks. Fountains and statuary are generally limited to back/side yards. Placement of fountains or statuary must be located so as to minimize impact on neighboring properties.

**2.14 Gazebo/Trellis/Arbor.** All gazebos, trellises and arbors must be approved by the ACC. If painted, the structure shall coordinate with and/or complement the colors of the house. Overall height of the structure shall not exceed 12 ft. in height. Gazebos must not exceed 75 square ft. in size. Roofing materials should match that of the house. Gazebos shall be located in side or rear yard locations and must comply with the building setback lines. Gazebos must have a 5ft. minimum clearance from any fence or property line. Refer to the Covenants and the City of Frisco Accessory Building Requirements. Gazebos and patio shade covers must be approved by the ACC and the City of Frisco.

**2.15 Gutters/Downspouts.** Gutters and downspouts shall match/coordinate with the color of the existing trim of the house. Downspout must direct water to your property, not to your neighbors.

**2.16 Hot Tubs and Spas.** Spas and hot tubs must be located and screened from public view. Spas and hot tubs are limited to side and rear yards. Only one spa or hot tub is allowed per lot. Homeowners should consult the City of Frisco for fencing requirements around hot tubs and spas. All hot tub/spa equipment must be fully screened from view from the street with landscaping or a privacy fence.

**2.17 House Numbers.** House numbers affixed to the house shall be cast stone. Fluorescent or brightly colored numbers are not allowed.

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**2.18 Lighting.** Outdoor lighting must not be obtrusive or glare unduly toward streets, neighboring properties, walkways or housing units. Hoods on floodlights to shield glare may be required. Soffit mounted down lighting and building mounted lighting shall be subtle and use attractive fixtures and enclosures. Tree uprights shall be concealed underground or in shrub masses. Colored lights are discouraged except as part of holiday decorations. Wattage is limited to 150w maximum. No barnyard lights or sodium vapor lights (yellow light source) are permitted.

**2.19 Landscaping.** Two or more 3 ½ inch caliper or greater shade trees must be maintained in each front yard. If one of the required trees dies, it must be replaced with a tree of the required minimum size. Grass must be maintained in front, side and back yards.

All homes must have and maintain front shrubbery landscaping.

**2.20 Maintenance of Structures and Landscaping.** Each owner shall maintain his lot, structures on the lot, and landscaping in good condition and repair, including but not limited to:

1. Repairing and painting all structures so as to retain a high level of maintenance consistent with the Association's standard of maintenance for the common areas.
2. Seeding, mowing and watering of all lawns and weed control must be maintained.
3. Pruning and trimming all trees, hedges and shrubbery to present a neat appearance and to avoid obstructing the view of motorists and pedestrians of street traffic.
4. Removing and replacing any trees or shrubbery that dies. Tree stumps must be entirely removed. All yards must be grassed. This maintenance requirement also extends to the curbing of the right of way bordering the lot.

**2.21 Painting/Staining/Color Changes.** If a homeowner wishes to repaint his/her home with same existing color, no submission is required. Any color/stain change on trim, fencing, doors, siding, etc., must be submitted to the ACC for approval.

**2.22 Play Equipment.** Play equipment must be located in rear yard areas, must be located behind a six ft. privacy fence or otherwise screened, must be set back a minimum of 5 ft. from all property lines. No portion of the play equipment (including banners) shall extend higher than 12 ft. above grade.

**2.23 Playhouses.** Playhouses must be located in rear or side yard areas and must be located behind a 6ft. or 8 ft. privacy fence. Playhouses may not be visible from the front of the home.

**2.24 Pools/Equipment.** All swimming pools and associated decks shall be located in side and rear yards. They may not be located in easements. Pool equipment must be located where it will not cause a nuisance to neighbors and must be fully screened with a privacy fence or shrubbery. Lattice-type fencing will be considered for this purpose. Pneumatic pool enclosures are not permitted.

All swimming pools must be approved by the City of Frisco.

**2.25 Roof Materials.** Shades must conform to the existing neighborhood. Changes must be approved by the ACC.

Roofing materials must be 25 or 30 yr. Grade.

**2.26 Satellite Dishes/Antennas.** The diameter of the dish shall not exceed 24 in. Dish locations are to be (1) at ground level in the rear yard of the house or (2) on the roof of the house. All antennas/erials must be located in the attic.

Dishes installed at ground level shall not be higher than 5 ft. above ground level and be screened with a fence so as to conceal the entire installation other than the face of the dish. Towers are not allowed.

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Dishes installed on a house must be installed so as to minimize visual impact to neighbors and shall reasonably match or blend with the color of the roof. Wiring of satellite dishes should not be visible from the street.

**2.27 Shutters.** Shutters shall be painted to match or compliment the existing home.

**2.28 Signs.** All signs other than For Sale or For Rent signs must be approved by the ACC prior to installation. For Sale or For Rent signs must be placed 10 feet from the street pavement. In addition, the maximum size of the sign is six square feet (see City of Frisco Sign Ordinance). Garage Sale signs are permitted without prior approval provided that they are small, are put up no sooner than 24 hours in advance of a sale, and are removed promptly after a sale has ended. School Signs are permitted without prior approval. Election or political signs are permitted without prior approval provided they are put up no sooner than three weeks prior to the election and are promptly removed after the election. Two security company signs per lot are permitted, provided that are ground mounted and are of a reasonable size. No sign may be placed on the Common Property of the Development except as approved by the ACC.

**2.29 Solid Waste Container Screening.** All garbage and other solid waste containers shall be kept concealed from view by neighboring residences and streets and may not be maintained in the front yard or in the side yard adjacent to a street. Containers shall be placed at the curb for collection no earlier than 6:00 p.m. the evening prior to the day of collection and shall be removed from the curb on the day of collection.

**2.30 Sports Courts.** Sports courts should be confined to back or side yards not visible from street view.

**2.31 Screen and Storm Doors.** Screen and storm doors shall match or complement the window mullions or the house trim. Silver finished aluminum doors or windows are prohibited.

**2.32 Storage Sheds/Accessory Buildings.** Storage sheds must be located in rear or side yard areas, located behind a 6 ft. or 8 ft. privacy fence and must not be visible from the street. They may not exceed 8 ft. in height from peak to ground. Shed must reasonably match home in color and shingle composition. Storage sheds shall have a maximum square footage of 200 ft. No shed or structure next to a side street may be closer than 7 ft. to the street. Only one storage shed is allowed per lot.

All sheds and "accessory buildings" must be approved by the ACC and the City of Frisco.

**2.33 Solar Screens.** Adhesive-backed sunscreens/window films must be professionally installed so as to assure that it presents a neat appearance. Sunscreen must be integral to the window or the screen.

**2.34 Woodpiles.** All woodpiles must be located behind a 6 ft. or 8 ft. privacy fence and must not visible from the street and to conceal them from view by neighboring residences and must be maintained in the rear/side yard only.

**2.35 Yard/Patio Furniture.** Yard/patio furniture generally is limited to back yards. Yard furniture will be permitted in front or side yards if it meets the standards as determined by the ACC.

**2.36 Retaining Walls.** Retaining walls other than those in the rear yard must be approved by the ACC.

**2.37 Yard Art/Ornamental Structures.** Yard art (hand painted and/or decorative signage, etc.) and other ornamental structures are generally limited to back and side yards (except for holiday decorations).

**2.38 Holiday Decorations.** Holiday decorations (lighting, seasonal yard art, etc.) are to be set up for viewing not earlier than four weeks prior to the holiday and are to be removed not later than fourteen (14) days after the holiday.

### **MISCELLANEOUS**

## **Architectural Design Standards for Plantation Springs Homeowners Association, Inc.**

3.01 **Enforcement.** The provisions for enforcement of the Covenants of the Plantation Springs Homeowners Association, Inc. shall apply to the enforcement of these Design Standards in addition to any other available remedies.

3.02 **Waiver, Amendment and Third Party Benefit.** The ACC maintains the right from time to time, at its sole discretion, to make exception to these Design Standards. Neither the ACC nor its agents, representatives or employees shall be liable for failure to follow these Design Standards as herein defined. These Design Standards confer no third party benefit or rights upon any person.

3.03 **Non-Liability of the ACC.** Neither the ACC nor its agents, representatives or employees shall be liable for damages or otherwise to anyone submitting plans to it for approval by reason of mistake in judgment, negligence or non-feasance, arising out of any action of the ACC with respect to any submission, or for failure to follow these Design Standards. The role of the ACC is directed toward review and approval of site planning, appearance, architectural vocabulary and aesthetics. The ACC assumes no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing or electrical design, methods of construction or technical suitability of materials.

3.04 **Accuracy of Information.** Any person submitting plans to the ACC shall be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, grades, elevations, utility locations and other pertinent features of the site or plans.

3.05 **Conflicts with the Covenants.** In the event of a conflict between these Design Standards and the terms of the Covenants, the latter shall prevail.

3.06 **Regulatory Compliance.** Plans submitted for ACC review must comply with all applicable building codes, zoning regulations and the requirements of all agencies having jurisdiction over the building project. It is the responsibility of the property owner to obtain all necessary permits and ensure all governmental compliance. Regulatory approvals do not preclude the authority and responsibility of the ACC for design review and approval by the ACC does not preclude the property owner from obtaining any necessary governmental approvals.

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## **APPENDIX A SUBMITTAL REQUIREMENTS**

All requests must be submitted in duplicate. One copy remains in the ACC file, the second copy is returned to the homeowner with the ACC's decision.

### **Additions and/or Remodels.**

1. Two sets of floor plans, roof plans, and site plans are to be submitted to the ACC for review.
2. All colors and materials (roofing, siding, masonry, etc.) should match or complement the existing home. Submit color samples for review.
3. Property owner must verify that the addition complies with City of Frisco ordinances and codes.
4. Additions must maintain the percentage of masonry that exists for the residence prior to the addition. Homeowner must verify that percentage of masonry is maintained.

### **Decks, Patios, and Covers.**

1. A plot plan showing the house, the location of the deck, and the property line.
2. Building/drawing plans, including railing, bench, screening and other details.
3. Photographs of the existing house showing where the proposed deck will be located.

### **Driveways/Parking Pads.**

1. A site plan showing proposed driveway in relation to existing structures, fences, driveways, sidewalks, property lines, etc.

### **Fences.**

1. A site plan showing the location of the fence, existing structures, and property lines.
2. A description of the type and height of fence and materials to be used.

### **Gazebos.**

1. Construction plans and dimensions.
2. Proposed exterior color and materials.
3. A site plan showing the location of the existing and proposed structures and property lines.

### **Painting/Staining/Color Changes.**

1. Sample of stain or paint color, if not on recommended list, manufacturer and color specifications (color name and number).

### **Storage Sheds / Accessory Buildings.**

1. A site plan showing the location of the shed, existing structures and property lines.
2. A description and the dimensions of the shed (i.e., construction drawing).
3. A description of materials and color for the shed and those of the house.

### **Hot Tubs, Spas, Pools.**

1. Construction plans and dimensions.
2. Proposed color and materials.
3. A site plan showing the location of the existing and proposed structures and property lines.

**Existing Structures.** Existing structures and items noted within the design standards will be audited for compliance by the ACC. Exceptions will be noted and homeowners will be given the opportunity to comply or petition for exception.

**Architectural Design Standards  
for Plantation Springs Homeowners Association, Inc.**

**IT IS FURTHER RESOLVED** that this Architectural Design Standards Policy replaces and supersedes in all respects all prior resolutions with respect to design guidelines and the enforcement of architectural control violations by the Association, and is effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

Architectural Control Committee Certification

This is to certify that the foregoing resolution was adopted by the Committee at a meeting of same on \_\_\_\_\_, \_\_\_\_\_, and has not been modified, rescinded or revoked.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Chairperson  
Architectural Control Committee

This is to certify that the foregoing resolution and certification was endorsed by the Board of Directors at a meeting of same on January 21, 2003 and has not been modified, rescinded or revoked.

DATE: \_\_\_\_\_

\_\_\_\_\_  
Secretary,  
Board of Directors

**Plantation Springs Homeowners Association, Inc.  
Request for Architectural Control Committee Approval**

Please fill out this application requesting approval for a proposed architectural change to your lot. It should be accompanied by drawings, pictures or any other requirements as specified in the submittal requirements noted in the design standards. Please send this form, along with supporting documents to:

**ACC, Plantation Springs Homeowners Association, PO Box 135, Frisco, TX 75034.**

The Architectural Control Committee will review your information and will either approve or not approve your request. You will receive a written response not later than thirty (30) days following the receipt of this request by the committee.

**NAME:** \_\_\_\_\_ **HOME PHONE:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_ **WORK PHONE:** \_\_\_\_\_

**E-MAIL:** \_\_\_\_\_ **FAX NUMBER:** \_\_\_\_\_

**DESCRIPTION OF REQUESTED ARCHITECTURAL CHANGE:** \_\_\_\_\_  
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**Anticipated Completion Date of Project:** \_\_\_\_\_

**CERTIFICATION AND AGREEMENTS:**

Homeowner certifies that all materials and information submitted for this application are true and correct. Homeowner understands and agrees that no work may be performed prior to or in deviation from the terms of an approval by the Architectural (Control) Committee. Homeowner understands that they are bound by the Homeowners Association of Plantation Springs Declaration of Covenants (Covenants) Conditions and Restrictions as well as the Design Standards. Homeowner acknowledges that their Association dues account is current.

**DATE OF APPLICATION:** \_\_\_\_\_

**HOMEOWNER SIGNATURE:** \_\_\_\_\_

Architectural Control Committee Use Only	
<b>DATE RECEIVED:</b> _____	<b>APPROVED:</b> _____
<b>DATE OF DECISION:</b> _____	<b>NOT APPROVED:</b> _____
<b>ACC MEMBER SIGNATURE:</b> _____	