



# ROCKY CREEK

PROPERTY OWNERS ASSOCIATION

## **Architectural Control Committee Guidelines for New Construction**

### **Preamble**

Unless expressly stated otherwise herein, all new exterior construction, exterior building material and colors shall be submitted to the ACC for approval prior to work commencing for both new construction homes and existing constructed homes.

### **ARTICLE I**

#### **BUILDING PERMITS AND ARCHITECTURAL CONTROL**

Section 1. No building or other improvements shall be erected, placed or altered on any lot until the construction plans and specifications and a plot plan showing the location of the structure or improvements have been approved in writing by the Association, The Architectural Control Committee or their designated representative. Plans and specifications for new structures, or additions or alterations to existing structures, shall include indications as to use, quality of workmanship and materials, and location with respect to topography and finish grade elevation. The exterior design of new structures and additions and alterations of existing structures shall be in harmony with the external and structural design and quality of existing structures, and in conformity with the esthetics and values of the neighborhood. Plans and specifications shall be submitted, in writing, to the President or Vice President of the Association, who shall forward the plans and specifications to the Architectural Control Committee for consideration. If the plans and specifications have not been approved or rejected, in writing, by the Architectural Control Committee within thirty(30) days from the date of submission, then said plans and specifications shall be deemed to be approved and all requirements under this paragraph complied with. Any alteration or amendment of approved plans and specifications shall be submitted for approval in the same manner as submission of original plans and specifications. Notice of approval or disapproval shall be delivered in person or by mail, addressed to the Owner's address set forth in the request for approval, and said notice will set forth in detail the elements disapproved and the reason therefor. Such notice need not, however, contain any suggestions as to the methods of correcting the matters and things disapproved. The judgment of the Association or Architectural Control Committee, so long as exercised in good faith, shall in all things be final and conclusive.

Section 2. No more than two (2) buildings or structures having similar exterior design shall be approved for construction anywhere within the subdivision and only then if the two lots are on separate streets. No more than two (2) buildings or structures may be under construction at any time by a single property owner or builder.

Section 3. No building or structure shall be erected with its main body nearer than fifty (50) feet from the street (right-of-way) on which the lot fronts. No residence or outbuilding shall be erected nearer than twenty-five (25) feet to the side street lot line. No building or structure shall be erected on



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any lot nearer than fifteen (15) feet, including roof overhand, from any interior lot line. All garages, carports, and outbuilding shall conform to the architecture of the residence on the same lot.

Section 4. All dwellings erected on any residential lot shall have a ground floor interior living area of no less than 2,200 square feet, unless otherwise approved by the Architectural Control Committee or other designated representative. No building or structures shall be occupied or used until the exterior thereof is completely finished. All outbuildings must be approved in writing by the Architectural Control Committee, according to the procedures established in Article III, Section 1 of the Restrictions for Rocky Creek Estates.

Section 5. Construction: All designs and materials used in the exterior construction of any residence or other structure must be approved by the Architectural Control Committee or its designated representative before any structure may be erected and only new construction materials shall be used except for used brick. The exterior of all main structures shall consist of a minimum of 50% of brick, stone, stucco or other approved masonry material. No concrete blocks used in the construction of walls shall be visible from the exterior of said construction and all building shall be built on a slab, solid concrete beam foundation, or a solid continuous concrete block foundation filled with concrete and engineered to FHA standards. Solid block foundations must be finished on the exterior and concealed from view on the front and sides with landscaping. No raised foundations consisting of beams placed on individual concrete blocks are allowed. The first floor of every home must be at least 12 inches above the elevation of the street in front of the structure. Roofing materials and design or porches, carports, outbuilding, and garages are included in the architectural control requirements as described herein. Garages are to be side loading only unless the garage doors are located behind the rear wall of the main house structure. All dwelling, garages, outbuilding and patio covers shall be roofed with composition shingles with a stated warranty of at least 25 years. Shingles must have a laminated design. Three tab shingles are specifically prohibited except for use as a started and cap rows. Roof shingles must be dark brown or dark grey in color. No metal or flat roofs will be allowed. In no event shall any old house or building be moved on any lot or lots in said subdivision. The exterior construction of any kind and character, be it in the primary residence, garage, porches, or appendages thereto shall be completed within nine (9) months after the start of foundation. No window air conditioners will be installed or permitted. Windows, with the exception of upper panels of palladium windows, shall be covered on the interior of said Units by blinds, shades, drapes, or other appropriate window coverings and shall not be covered with sheets, bedspreads, newspaper or foil. All garage doors of Units shall be closed except when opened temporarily for ingress and egress. Swimming pools are subject to approval by the architectural control committee and must be located in the rear yard of homes.

Section 5 (a) Access. No driveways or roadways may be constructed on or across any lot in said property that will furnish access to any adjoining lots or property unless the lots are owned by the same owner and the combined lots are used as his residence.

Section 5 (b) Driveways. All driveways must be paved with concrete before any new house may be occupied.



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Section 5 (c) Culverts. The size and construction of all drains tiles or culverts in any drainage ditch (including road ditches) in the said property must be approved by the Architectural Control Committee and in no event shall any such drain tile or culvert have an inside diameter of less than eighteen (18) inches or be less than specified by County or POA engineering specifications.

Section 5 (d) Utilities. Each and every residence shall be required to connect to the water lines, furnished by the Water Utility Supply Corporation as designated by Rocky Creek Land Development, Inc., or its successors and /or assigns. Discharge of any material (other than clean, potable water) onto the property, including brine, or saline discharge from water systems is prohibited. No external radio or television mast, tower, pole, wire, aerial or antenna, or appurtenances there to shall be maintained on the exterior of any Dwelling or on any other portion of any Lot except one (1) satellite receiving dish, not to exceed twenty four inches (24") in diameter, may be placed on the property. Under no circumstances may this dish be placed higher than the bottom of the roof line on the Dwelling. Wherever possible, the dish must be located so as to screen its appearance from any abutting street. No electrical machinery, devices or apparatus of any sort shall be used or maintained on any Lot which causes interference with the normal television or radio reception of any other resident. Propane or other natural gas tanks may be installed behind a home for residential use provided they are screened from view of the street. All utility connections from the primary residence to outbuilding shall be underground and installed in compliance with county regulations.

Section 5 (e) Re-subdivision. No lot may be split or divided without written approval of the Rocky Creek Property Owners Association, Inc., and any subdivision of a lot may not result in a contiguous tract of less than one-half acre.

Section 5 (f) Sanitary Sewer Requirements. All construction plans must include provisions for sanitary sewer service to all structures that will have water service and drains. This includes (but is not limited to) outbuilding, garages, pool cabanas, and studio/workshops. All sanitary sewer systems must be approved and permitted by Harris County and be kept in good working condition at all times. This subdivision has filed an On-Site Sewer Facility Feasibility Report with Harris County as part of it's development process which specifies the types and sized of sanitary sewer systems.

Section 5 (g) Mailboxes. Centralized mailboxes have been provided. No individual mail boxes will be permitted.

Section 5 (h) Exterior Paint Colors. All exterior paint colors must be approved by the Architectural Control Committee prior to painting. Exterior colors cannot be primary or secondary colors. Exterior body colors are to be subdued, not brilliant or bright in nature. Trim colors are to be complementary to the body color and not primary or secondary colors. All exterior colors are to be complementary to the roofing material color.