

**ADDITIONAL DEDICATORY INSTRUMENT FOR
FONN VILLAS CIVIC ASSOCIATION, INC.**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Christopher J. Archambault who, being by me first duly sworn, states on oath the following:


My name is Christopher J. Archambault I am over twenty-one (21) years of age, of sound mind, capable of making this affidavit, authorized to make this affidavit, and personally acquainted with the facts herein stated:

I am the Attorney for FONN VILLAS CIVIC ASSOCIATION, INC. Pursuant with Section 202.006 of the Texas Property Code, the following documents are copies of the original official documents from the Association's files:

**FONN VILLAS CIVIC ASSOCIATION, INC.
GUIDELINES FOR ARCHITECTURAL AND NEIGHBORHOOD STANDARDS**

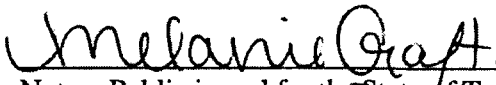
DATED this 28th day of June, 2021.

Fonn Villas Civic Association, Inc.,

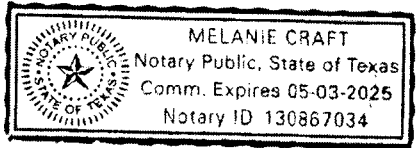
BY: 
Christopher J. Archambault, Attorney
(Printed Name)

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS INSTRUMENT was **acknowledged** before me on this the 28th day of June, 2021 by the said Christopher J. Archambault, Attorney for Fonn Villas Civic Association, Inc., a Texas non-profit corporation, on behalf of said corporation.


Notary Public in and for the State of Texas

After Recording Return To:
Daughtry & Farine, P.C.
17044 El Camino Real
Houston, Texas 77058
ATTN: CJA/mc
(2100.0001)



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**FONN VILLAS CIVIC ASSOCIATION, INC.
GUIDELINES
FOR ARCHITECTURAL AND NEIGHBORHOOD STANDARDS**

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**GUIDELINES FOR
ARCHITECTURAL AND NEIGHBORHOOD STANDARDS
FONN VILLAS CIVIC ASSOCIATION, INC.**

These Guidelines supersede the Guidelines for Architectural and Neighborhood Standards dated April 2, 2012 and its amendment dated July 31, 2015 in its entirety and are approved by the Fonn Villas Civic Association Board of Directors.

A. Purpose and Objectives

A set of guidelines for architectural and neighborhood standards (the Guidelines) has been created in an effort to promote the maintenance and appreciation of real estate values in the Fonn Villas Subdivision. These Guidelines stem from the covenants established in the Fonn Villas Restrictions (the Deed Restrictions) and, like the Deed Restrictions, are intended to preserve the harmonious and aesthetically pleasing design of individual properties in Fonn Villas, as well as the aesthetics, uniformity, and the natural setting and beauty of the whole subdivision.

In practice, these Guidelines create standards for Fonn Villas and aid Lot owners in their plans for any improvements or modifications to their properties.

Capitalized terms, which are not defined herein, are to be interpreted using the definitions contained in the Association's Restrictions or defined elsewhere in the Association's governing documents.

B. Architectural Control Committee (ACC)

The ACC is composed of the officers of Fonn Villas Civic Association (FVCA) and the Architectural Standards Committee (ASC) Chairman. The ASC Chairman functions as the administrative and operations officer of the ACC. Composition and chairmanship of the ACC is defined by the Fonn Villas Deed Restrictions.

The FVCA has jurisdiction over demolition, construction, modifications, and additions, made to the Improvements on a Lot. The FVCA Board of Directors (the Board of Directors) shall have the final authority over all actions taken by the ACC.

C. Application/Approval Process

1. **PRIOR TO COMMENCEMENT OF ANY DEMOLITION, CONSTRUCTION, MODIFICATION, OR ADDITION TO EXISTING IMPROVEMENTS (HEREINAFTER REFERRED TO AS "ALTERATIONS"), A WRITTEN APPLICATION (HEREINAFTER REFERRED TO AS "APPLICATION") MUST BE SUBMITTED TO THE ACC THROUGH THE ASC FOR REVIEW AND APPROVAL.**

Examples of Alterations include, but are not limited to, the construction or installation of roofs, sidewalks, driveways, parking lots, mail boxes, decks, patios, courtyards, swimming pools, exterior window treatment, walls, fences, exterior lights, certain landscaping, garages, demolition of any existing structure, new construction, exterior addition or any change or alteration thereof (including, without limitation, painting or staining of any exterior surface).

2. Applications for Alterations are divided into Major Construction and Minor Alterations and Construction. Major Construction is defined in the Major Construction Guidelines. The Application for Major Construction is Exhibit B in those Guidelines. All other Alterations are considered Minor Construction. The Application for Alterations and Minor Construction is Attachment 1 of this document. Both Applications can be obtained on the Fonn Villas Civic Association website (fonnvillas.org) or from the ASC Chairman.

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3. The ACC will respond in writing to all Applications. Upon approval or disapproval, one copy of the Application will be marked and returned. If an Application is not approved, the ACC will state in an explanatory letter why such approval was denied. If an applicant wishes to discuss or appeal a decision made by the ACC, the Chairman of the committee should be contacted for an appointment.

No ACC member can approve his/her own Alterations.

4. The Deed Restrictions provide that if the ACC fails to approve or disapprove an Application within forty-five (45) days of its submission, the Application will be deemed approved. For the purpose of determining when this time period starts, the period begins from the date the ACC receives a complete Application with all required documentation consistent with the intent of Section C1 and C2 above. If additional information is required by the ACC, the 45-day processing period will commence upon receipt of the additional information. Submission of an incomplete Application or submission of an Application without documentation outlined in Section C1 and C2 shall be considered disapproved without any action by the ACC and without notice to the applicant. Submission of an incomplete Application or submission of an Application without documentation outlined in Section C1 and C2 shall not start the forty-five (45) day time period for the ACC to respond. It is the applicant's sole responsibility to submit a complete Application and attach all required documentation and to timely supplement an incomplete Application with the necessary documentation.

The time period for implementation of the proposed Alterations should allow for the time required to complete the approval process. The ACC will make every effort to respond in less than the allowed time.

In the event the ACC fails to indicate its approval or disapproval within the 45 days after receipt of all required documents, the Application is deemed approved. However, failure to respond on the part of the ACC does not imply permission to encroach on an easement or building line or grant a variance to construct any item that is prohibited by the Fonn Villas Deed Restrictions or these Guidelines. See Section E, Variances, below.

D. Compliance/Noncompliance

A Lot owner is in non-compliance if: (1) the Alteration contradicts a provision of either the Deed Restrictions, these Guidelines or a granted variance; or (2) an Alteration is commenced without first filing an Application and obtaining approval from the ACC; or (3) the Lot owner did not obtain the required permits from a government agency having jurisdiction over the project prior to the commencement of construction. Unapproved or prohibited Alterations may have to be removed or modified at the Lot owner's expense. FVCA strongly suggests that all Lot owners study the Deed Restrictions and the Guidelines. If there are any questions concerning their terms, the Lot owner should contact the ACC for clarification.

From time to time, the FVCA Board may modify these Guidelines as the needs of the subdivision change. Proposed Alterations are to be in full compliance with the most current release of these Guidelines as filed with the County Clerk of Harris County, Texas. A copy of both the Deed Restrictions and these Guidelines may also be found on the Web at www.fonnvillas.org.

E. Variances

A "Variance" is hereby defined as approval by a majority vote of the ACC or Board of Directors for any construction that would not be in strict compliance with these Guidelines.

It is the sole responsibility of the Lot Owner to properly identify any portion of the proposed Alteration(s) that would require a Variance(s) and to request such Variance(s) at the time the Application for Alterations is submitted to the ACC.

Although the desire for a Variance may be considered an integral part of the Lot owner's proposed

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Alterations, a request for a Variance and an Application for Alterations are separate and require separate approvals. Therefore, the 45-day time frame that applies to an Application does not apply to a request for a Variance. The approval process for a Variance request is different from that of an Application for Alterations. See Section F., Procedure for Obtaining a Variance, below.

The applicant must submit a written request for a Variance detailing what Alterations are non-conforming to the Guidelines. In order for a Variance to be considered by the ACC it must meet at least one of the following criteria: 1) The Lot's physical characteristics are substantially different from similarly situated Lots in Fonn Villas creating a hardship on the Lot owner and making strict compliance to the Guidelines inequitable or 2) Strict compliance with the Guidelines would cause the Alterations to be in violation of the City of Houston Ordinances or Building Codes. Additionally the circumstances supporting the consideration of a Variance should not be the result of a hardship created or imposed by the actions of the Lot owner. The request for a Variance must be attached to the Application for Alterations. Each request for a Variance is considered on its own merit and the ACC may grant a Variance from these Guidelines if, in the sole discretion of the ACC one of the above criteria is met and the circumstances warrant.

All Variances must be granted in writing. Consideration of granting a variance is done on a case-by-case basis. APPLICATIONS FOR ALTERATIONS MUST BE SUBMITTED, REGARDLESS OF ANY VARIANCES PREVIOUSLY GRANTED.

F. Procedure for Obtaining a Variance

Application for a Variance – The request for a Variance must be submitted concurrently with the Application for Alterations in order to be considered by the ACC.

Scheduling and notification of the Variance Request Meeting – The ACC will schedule a meeting with the requesting Lot owner no sooner than 14 days from the date of receipt of the complete Application for Alterations and the Variance request by the ACC.

Variance Request Meeting Procedure - At the Variance Request meeting the Lot owner requesting the Variance will present the request, stating the specific applicable Guideline and why the Variance meets the criteria for request of the Variance. Following this, the members of the ACC are open to question or respond to the Lot owner requesting the Variance.

Once discussions are complete, the ACC will vote on the requested variance. A majority vote will rule. The ACC will have up to seven (7) days to vote and notify the requesting Lot owner of their decision.

G. Easements

The ACC cannot approve any Application if there is an encroachment on an easement until the Lot owner provides a letter of consent from the appropriate utility for such encroachment. Any non-portable structure on an easement is considered permanent, and thus an encroachment.

Approval by the ACC of any encroachment of an easement shall not serve as an amendment or change of that easement and shall not create liability through the ACC. Any encroachment upon such easement shall be at the sole risk and expense of the owner.

H. Enforcement

If a Lot owner is found to be in non-compliance as defined in Section D above, the Board of Directors for FVCA has the legal right to enforce the removal of the non-complying Alteration no matter at what time this non-compliant Alteration was brought to the attention of the ACC.

Further, the Deed Restrictions provide as follows:

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"If owners or their heirs or assigns shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning lands situated in Fonn Villas Subdivision to prosecute such actions at law or in equity as he or they may deem advisable against the persons violating or attempting to violate any of said covenants and restrictions."

Failure of the FVCA or any Lot Owner to enforce a covenant or restriction herein contained shall in no event be deemed as waiving the right to do so thereafter.

All Alterations are, during implementation and after completion, subject to inspection by the ACC.

I. Complaints Regarding a Violation

Lot owners are encouraged to help maintain the beauty of Fonn Villas. To this end, all residents have an obligation to conform to the Deed Restrictions and these Guidelines, and to ensure non-complying Alterations are corrected. Should any Lot owner have a complaint regarding a violation, notify the ASC in writing by letter or e-mail. Responses to complaints will be in writing by either letter or e-mail.

J. Controlling Documents

In the event of a conflict between these Guidelines and the Deed Restrictions, the Deed Restrictions shall control.

GUIDELINES FOR ARCHITECTURAL STANDARDS

1.0 Buildings

- 1.1 The maximum height of a Building (s) is thirty-four (34) feet as measured from the Pre-existing Threshold Elevation of the first Residential Unit built on the lot. The Pre-existing Threshold Elevation is defined as the elevation of the foundation relative to the closest street curb for the first residence built on the lot. Applications for Major Construction must contain the Pre-existing Threshold elevation. The Pre-existing Threshold elevation This elevation will serve as a Benchmark for the measurement of the maximum allowable height of all future Building(s).
- 1.2 The "Foot Print" of the Building(s) on any Lot may not exceed forty (40) percent of the "Lot size".
- 1.3 The "Foot Print" is defined as the area of the foundation slab as measured from the outer edges of the slab. The "Foot Print" includes garages and covered porches but excludes driveways, sidewalks and patios that are not part of the foundation slab for the Single Family Detached residence. However, in the event that the structure includes a porte-cochere and/or a covered patio that would accommodate or could be converted into living space above it, the area including the porte-cochere and/or covered patio is included in the "Foot Print".
- 1.4 "Lot size" is hereby defined as the area of the Lot as calculated from the survey plat filed with the County Clerk of Harris County, Texas.
- 1.5 For Major Construction, the new Finished Floor Elevation is limited to a height that is no higher than eighteen (18) inches above the Pre-existing Threshold Elevation as defined in Section 1.1.
- 1.6 The height of the exposed foundation is limited to twelve (12) inches above the finished grade.
- 1.7 The drip edge of the highest roof eave is limited to a height of twenty-four (24) feet as measured from the Pre-existing Threshold elevation.
- 1.8 The maximum eave projection into the side setback is eighteen (18) inches.

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- 1.9 All Applications for Major Construction that change the Foot Print must contain a drainage plan prepared and sealed by a Professional Engineer, licensed in the State of Texas.
- 1.10 In the event that a Lot or a portion of a Lot is cleared for new construction and living trees with a trunk diameter of 12" or greater are removed to accommodate the new construction, the Application must show the approximate location of an equal number of replacement trees that are to be planted. The new trees must be of the same general variety as existed prior to tree removal and each tree must have a minimum trunk diameter of 4 inches, measured twelve (12) inches above the surrounding ground.
- 1.11 Wind turbine attic vents must be mounted in the rear portion of the roof so that they are not visible from the street in front of the Residential Unit. The vents must be a color that will blend with the shingle color, or be painted to match the shingle color.
- 1.12 Stucco and Hardiplank or their equivalents can be used in place of wood, however it is not a substitute for brick, brick veneer, stone, stone veneer, concrete, or other masonry type construction. Notwithstanding anything contained within these Guidelines, the exterior walls of all residences shall be at least 51 percent brick, brick veneer, stone, stone veneer, concrete or other masonry type construction as is mandated under the Deed Restrictions.
- 1.13 All buildings shall be roofed with composition shingles, standing seam metal roofing material, or aluminum shingles unless otherwise approved in writing by the Architectural Control Committee. All roofing materials must be approved by the Committee prior to installation. Wood shingles are specifically prohibited for safety reasons.
 - 1.13.1 Composition shingles must be architectural shingles with a minimum thirty (30) year warranty. Shingles must have a laminated design. Three-tab shingles are specifically prohibited except for use as a starter and/or cap rows.
 - 1.13.2 Roof shingles must be dark brown or dark gray tones. Light brown, light gray, blue, green, red and white colors are not allowed.
 - 1.13.3 Roof overlays are not allowed. Prior to roofing, all existing materials must be removed down to clean decking. Any damaged or deteriorated decking must be replaced.
 - 1.13.4 Standing seam metal roofs must be 24 gauge or better, of a color similar to the colors and tones of roof shingles, and have a minimum thirty (30) year warranty. Galvalume colored roofs can only be used as accent roofs to cover porches or awnings and not as the main roof of the house.
 - 1.13.5 All roof protrusions, such as vents, roof jacks, must be painted to match the shingles.
 - 1.13.6 Subject to paragraph (h) of the Fonn Villas Restrictions, paragraph 1.13.7 below and with prior written approval from the Architectural Control Committee, an owner may install shingles ("Alternative Shingles") which are designed primarily to:
 - a. be wind and hail resistant; or
 - b. provide heating and cooling efficiencies greater than traditional composition shingles; or
 - c. provide solar energy capture capabilities.
 - 1.13.7 Once installed, any Alternative Shingles must:
 - a. resemble the shingles used or authorized to be used on other

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structures within the Subdivision; and

- b. be more durable than, and of equal or superior quality to, the shingles used or authorized to be used on other structures within the Subdivision; and
 - c. match the aesthetics of properties surrounding the owner's property; and
 - d. have a minimum thirty (30) year warranty.
- 1.14 Air Conditioning unit(s) must be located so as not to cause noise problems for the next-door neighbor(s) primary bedroom.
- 1.15 Considerations for approval of an Application may also include such factors as structural integrity, architectural suitability, and aesthetic harmony with the subdivision as a whole.
- 1.16 Any Garage except for the four properties on each cul-de-sac, and any corner lots with a side-out Garage, shall be at least forty-five (45) feet from the front lot line as measured to the garage door.
- 1.17 Any Garage on a cul-de-sac shall be at least thirty (30) feet from the front lot line as measured to the garage door.
- 1.18 Any Garage on corner lots with a side-out Garage shall have a setback in compliance with the then current City of Houston Ordinances and Building Codes.

2.0 Additions to Buildings

- 2.1 Exterior materials and colors should match the Residential Unit
- 2.2 Approval of the size and shape of an addition will depend on architectural style and layout of the altered Single Family Detached residence, size of lot, and how well the addition integrates with the existing Single Family Detached residence. Submitted plans must show room size in proportion to room dimensions of the Residential Unit. The roof of the addition must integrate with the existing roof so as to appear to have been part of the original Residential Unit.

3.0 Outbuildings

- 3.1 An "outbuilding" is defined as any Structure not designed for living that is not attached to the Residential Unit. This definition does not include bona fide additions to the Residential Unit or Garage(s), but does include and is not limited to storage sheds, gazebos, pergolas, lean-tos, and playhouse/forts.
- 3.2 The materials and colors should match, blend, or otherwise be consistent with the general appearance of the Residential Unit.
- 3.3 Storage sheds should have a peaked roof, no higher than eight (8) feet from the ground to the highest point, and a maximum often by twelve (10x12) feet of floor space. The structure must be kept a minimum of five (5) feet off any property line and not visible from the street. Locations must also be far enough away from property-line fences to allow for drainage to occur entirely on the owner's Lot.
- 3.4 Any outbuilding placed on a concrete slab on top of a utility easement will require a letter from the utility consenting to the encroachment. as it will not be considered portable. If an outbuilding is on a utility easement, but is not on a slab and can be moved, the ACC will consider it as portable.

4.0 Basketball Goals

- 4.1 Basketball goals must be mounted on the Garage or placed on the side of the driveway, as far to the rear of, property as possible. Basketball goals may not be erected beyond the front building line, and must be located so that errant or stray basketballs do not promote play in adjacent neighbors' yards.
- 4.2 If the backboard is mounted onto the roof by use of a mounting structure, the mounting structure must be painted to match the roof shingle color.
- 4.3 The basketball goal backboard, net and post must be maintained in usable condition. Basketball goals not maintained will be required to be removed
- 4.4 Only one basketball goal per lot will be permitted.
- 4.5 Basketball goals are not allowed to be placed in the street in accordance with City of Houston Ordinance.

5.0 Patio Covers/Porte Cocheres and Carports

5.1 Patio Covers

- 5.1.1 Patio covers should be constructed of materials that complement the Single Family Detached residence and must be integrated into the existing roof line and if attached must be flush with the eaves. Allowable construction materials are as follows:
 - a. Painted wood is to match the trim of the Single Family Detached residence.
 - b. Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be used. Staining or painting may not be required. All other woods must be painted or stained to match the trim of the Single Family Detached residence.
 - c. Supports must be brick, treated wood, painted wood, or metal columns. No pipe is allowed.

5.2 Porte Cocheres and Carports

- 5.2.1 Porte Cocheres and Carports must be integrated into existing rooflines and the shingles must match the roof of the Single Family Detached residence. The entire cover and posts should be trimmed out to match the Single Family Detached residence. At no time, however, shall a shingled roof be allowed with an unpainted frame whether treated or untreated wood is used.
- 5.2.2 Porte Cochere and Carports must be situated on the Lot such that it provides drainage solely onto the owner's Lot. A roof located less than five (5) feet away from a side property-line must be guttered with down spouts. In no event shall a carport be approved for construction that will be located closer to a Lot line than that allowed by the Deed Restrictions.
- 5.2.3 A freestanding porte cochere or carport is not permitted.

6.0 Exterior Painting

- 6.1 Exterior colors must be approved by the ACC, even if a Lot owner intends to paint in accordance

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with an original color scheme. Coordination with the color of brick used in the Single Family Detached residence would also be a consideration for choosing a color. Extremely bold colors or patterns are prohibited.

- 6.2 Exterior paints and stains for each Single Family Detached residence shall be selected to complement or harmonize with the colors of other materials with which they are used.
- 6.3 Trim colors should complement the principal color of the Residential Unit and generally stay within the earth tone color family (i.e., black, brown, tan, beige, gray, green, or white, and muted or pastel tones of primary colors). Extremely bold colors or patterns are prohibited.
- 6.4 Front doors may be stained a natural wood color, or painted the same color as the Residential Unit trim or a different color that blends with the main principal color of the Residential Unit. Other paint colors may be approved on a case-by-case basis.
- 6.5 All exterior surfaces of the Buildings must be properly maintained so that there is no chipping or peeling of paint, mildew, rotted wood, and vegetation growth in the rain gutters or on the roof.

7.0 Windows and Doors

- 7.1 The window frames, windows and doors must be of a style and color that is compatible with the exterior color and general appearance of the Single Family Detached residence.
- 7.2 All storm doors must be a full glass door. No screen doors are allowed as front doors.
- 7.3 Materials, colors and glazing patterns of windows that are visible from any street must complement the existing Building 's architectural theme.
- 7.4 A property owner or resident may display or attach one or more religious items to each or any entry to their dwelling. Such item(s) may include anything related to any faith that *is* motivated by the resident's sincere religious belief of tradition.
 - 7.4.1 Individually or in combination with each other, the religious items at any entry may not exceed 25 square inches in total size.
 - 7.4.2 The item(s) may only be displayed on or attached to the entry door frame and may not extend beyond the outside edge of the door frame.
 - 7.4.3 To the extent allowed by the Texas state constitution and the United States constitution, any such displayed or affixed religious item(s) may not:
 - a. threaten public health or safety; or
 - b. violation any law; or
 - c. contain language, graphics or any display that is patently offensive to a passerby.
 - 7.4.4 Approval of the Architectural Control Committee is not required for display of a religious item(s) in compliance with these Guidelines.

8.0 Decks

- 8.1 Construction materials should be compatible with the Single Family Detached residence. Treated wood or naturally rot and insect resistant woods (such as cedar and redwood) may be used, in

which case staining or painting may not be required. All other woods must be painted or stained to match the trim of the Single Family Detached residence.

- 8.2 Decks may not encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 8.3 Decks should not be situated such that they pose a problem to the effective drainage of the property or adversely affect drainage of a neighboring lot.
- 8.4 The floor of a deck higher than eighteen (18") inches above the ground is not permitted.

9.0 Swimming Pools and Spas

- 9.1 No pool or spa of any type, including any associated decking may encroach into any utility easement unless the utility companies involved have granted their written consent to such encroachment.
- 9.2 Any pool or spa should be located at least five (5) feet from a side and rear property-line to maintain proper drainage on the Lot. The pool must meet all building-line and easement restrictions on the recorded plat and the Deed Restrictions. Pools should not be situated such that they pose a problem to the effective drainage of the property or adversely affect drainage of a neighboring Lot.
- 9.3 All private swimming pools and spas shall be completely enclosed by a fence, (see Section 12 below) protected from unauthorized entry, and are in compliance with applicable City of Houston building and safety codes.
- 9.4 Above-ground pools are not permitted.
- 9.5 Pools are to be drained to the street and into the storm drain system.
- 9.6 Pool Pump motor(s) shall be located so as not to cause noise problems for the next-door neighbor(s) master bedroom.
- 9.7 New pool construction must include a drainage plan prepared and sealed by a Professional Engineer, licensed in the state of Texas.

10.0 Solar Panels/Screens/Film

- 10.1 These guidelines apply to solar energy devices ("Devices") as defined in Section 171.107(a) of the Texas Tax Code. A solar energy device means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or electrical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.
- 10.2 Such Devices may only be installed with prior written approval of the Architectural Control Committee subject to these Guidelines.
- 10.3 Any such Device must be installed on land or a structure(s) owned by the property owner. No portion of the Device(s) may encroach on adjacent properties or common areas.
- 10.4 Such Device(s) may only be installed in the following locations:
 - a. on the roof of the main residential dwelling; or

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- b. on the roof of any other approved structure;
- c. within a fenced yard or patio.

10.5 For Devices mounted on a roof, the Device must:

- a. have no portion of the Device higher than the roof section to which it is attached; and
- b. have no portion of the Device extend beyond the perimeter boundary of the roof section to which it is attached; and
- c. conform to the slope of the roof; and
- d. be aligned so the top edge of the Device is parallel to the roof ridge line for the roof section to which it is attached; and
- e. have a frame, brackets and visible piping or wiring that is a color to match the roof shingles or a silver, bronze or black tone commonly available in the marketplace; and
- f. be located in a position on the roof which is least visible from any street or common are, so long as such location does not reduce the estimated annual energy production more than 10% over alternative roof locations (as determined by a publicly available modeling tool provided by the National Renewable Energy Laboratory (www.nrel.gov) or equivalent entity.

10.6 For Devices located in a fenced yard or patio, no portion of the Device may extend above the top of the fence. If the fence is not a solid fence which blocks view of the Device, the Association may require the Device(s) be placed in a location behind a structure or otherwise require visual screening. The Association may consider installation of such Device(s) on properties without a fenced yard if there is adequate screening from public view from any street or common area.

10.7 All Devices must be installed in compliance with manufacturer's instructions and in a manner, which does not void material warranties. Licensed craftsmen must be used where required by law. Permits must be obtained where required by law.

10.8 Installed Device(s) may not:

- a. threaten public health or safety; or
- b. violation any law; or
- c. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to any adjoining property owner.

10.9 All Devices must be maintained in good repair. Unused or inoperable Device(s) must be removed.

10.10 Solar screens are allowed on windows only if they blend with the brick and roof color.

10.11 Solar window film must be non-reflective type. Samples of window film must accompany each Application.

11.0 Flag Poles/Antennas

11.1 **One** free standing flagpole is allowed and cannot exceed twenty (20) feet in height. The location must be approved by the ACC. Bracket mounted flags placed near the front entry or attached to a front yard

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tree of the Residential Unit are permitted.

- 11.2 No exterior antennas or satellite dishes of any type shall be erected, constructed, placed or permitted to remain on any Single Family Detached residence structure, improvement or building unless the antenna or satellite dish is located to the rear of the roof ridge line, gable or center line of the Residential Unit unless it is impossible to receive signals from the location as described in this Section 11.2. In that event, the receiving device may be placed in a visible location as approved by the ACC. The ACC may require as much screening as possible while not substantially interfering with reception.
- 11.3 Freestanding antennas or satellite dishes are not permitted, unless it is impossible to receive signals from the location as described in Section 11.2 above. In that event the receiving device may be placed in a visible location as approved by the ACC. The ACC may require as much screening as possible while not substantially interfering with reception.
- 11.4 Where possible, the Lot owner is encouraged to place the antenna inside the attic space.

12.0 Fences, Fence Extensions, Walls and Hedges

- 12.1 Any fence or wall shall be no greater than eight (8) feet in height and shall be no nearer to the front property line of the Lot which it serves than the building line which is closest to that property line.
- 12.2 Any hedge intended for the purposes of privacy and/or security planted along a property-line is subject to the approval of the ACC. The hedge shall be no higher than eight (8) feet and is subject to the same location limitations as fences and walls. The hedge must be maintained and trimmed so that it does not exceed the maximum height limit nor encroach upon the neighboring Lot
- 12.3 Fence materials and style should be selected to complement or harmonize with the Residential Unit. Any painting, staining or varnishing of the fence must be approved by the ACC. Chain link fence is not permitted.
- 12.4 No fence, wall or hedge may extend so as to encroach across the recorded front building line and may not extend beyond the actual front building line of the Residential Unit.
- 12.5 Repair of fences, walls or hedges must be made with similar materials and construction details as used in original fence, wall or hedge.
- 12.6 Gates and gate covers shall be full wooden panels to match the trim of the Residential Unit or existing fence. No chicken wire, barbwire, chain link or lattice is permitted. Wrought iron and simulated iron gates are permitted, but shall be painted black or a color that blends with the Residential Unit's trim.

13.0 Exterior Lighting

- 13.1 Exterior lighting should not be of a wattage or lumen count that will affect neighboring Residential Units.
- 13.2 Exterior decorative lights, security lights or floodlights must be aimed or shielded so as not to shine onto a neighboring property.
- 13.3 Low voltage landscape lighting does not require approval by the ACC.
- 13.4 Exterior lights must not impair the overall aesthetic appeal.

14.0 Landscaping

- 14.1 Landscaping (defined as living plants, trees, shrubs, flowers, etc. and utilization of non-living material necessary for growth, e.g., bark, mulch, etc.) is generally not subject to ACC review. However, in circumstances wherein such landscaping is intended to accomplish a structural object, such as a property line hedge or a visual barrier, such hedge or visual barrier is subject to approval by the ACC (see Section 12.0).
- 14.2 The exception to Section 14.1 above is covered by Section 1.5 regarding the removal of living trees to accommodate the new construction or additions.
- 14.3 All lawns must be kept mowed, edged, and in an attractive condition. Failure to maintain a lawn could result in the exercise of the Fonn Villas Civic Association's right to mow and edge the lawn and charge all costs back to the Owner.
- 14.4 Trellises, window boxes, arbors and permanent brick borders visible from the street, must be approved by the ACC.

15.0 Driveway Extensions/Sidewalks

- 15.1 An Application showing conformance with City of Houston Ordinances and Building Codes must be submitted for any driveway removal, addition, or modification. Driveways, entry walks and sidewalks on each Lot may be constructed of concrete or other materials as approved by the ACC. Asphalt driveways and asphalt sidewalks or walkways are specifically prohibited.
- 15.2 The area directly in front of the Garage door is defined as the Apron. The width of the Apron may not exceed the width of the garage door or doors, if there are multiple garage doors, plus one (1) foot on each side outside edge of the garage door and cannot exceed twenty (20) feet width in total. This area may extend out to the building line. At the building line the driveway must immediately begin narrowing to no wider than twelve (12) feet within eighteen (18) feet past the building line. Exhibit A shows examples of driveways meeting these standards.
- 15.3 Exceptions will be made for corner lots with side-out Garages and attached Garages where the Garage front entrance is located within ten (10) feet to the front building line of the lot. The driveway may not exceed the width of the garage door by more than one (1) foot on each side of the garage door and will extend straight out to the apron at the street curb.
- 15.4 Circular driveways and turnouts are not permitted.
- 15.5 Any concrete spilled, poured, or washed on a street must be immediately removed leaving the street clean and unstained.
- 15.6 Driveways must be maintained.
- 15.7 Painting a topcoat on driveways and sidewalks is not permitted.
- 15.8 Colored concrete is subject to approval by the ACC.

16.0 Window Air Conditioners

- 16.1 Auxiliary window or wall-type air conditioners shall be permitted but must not be visible from the street.

17.0 Exterior Window Treatment

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17.1 Exterior window treatments (such as shutters, storm windows, awnings, and etc.) should be consistent with the color of the exterior shell and trim, and with the general appearance of the Residential Unit.

17.2 Awnings must be maintained.

18.0 **Signs/House Numbers**

18.1 The use of Real Estate signs is addressed in the Deed Restrictions which state: "No sign of any kind shall be displayed to the public view except one sign of not more than 5 square feet, advertising the property for sale or rent. The FVCA 'Guidelines' may authorize additional signs."

18.2 The Board of Directors asks that political signs be put up no more than 30 days before the election involved and that the signs be taken down immediately after the election.

18.3 A small sign indicating home security systems must be placed next to the Residential Unit.

18.4 Small high school booster signs placed next to the Residential Unit are authorized if kept to a minimum. All other signs promoting, advertising or announcing a commercial enterprise are not allowed.

18.5 House numbers may be placed on the Residential Unit and/or painted on the street curb in the front of the Residential Unit.

19.0 **Rain Barrels**

19.1 Rainwater Recovery Systems may be installed on a Lot only after the owner has completed and submitted the requisite Architectural Control Application to and received the written approval of the Architectural Control Committee ("Committee") subject to these guidelines.

19.2 All such System(s) must be installed on land owned by the property owner who is requesting installation of a System(s). No portion of the System(s) may encroach onto adjacent properties or onto a common area.

19.3 Other than gutters and downspouts conventionally attached to a residential dwelling or appurtenant structure, all components of the System(s), such as tanks, barrels, filters, pumps, motors, pressure tanks, pipes and hoses, must be substantially screened from public view from any street or common area. Screening may be accomplished by:

- a. placement behind a solid fence, a structure or vegetation; or
- b. by burying the tanks or barrels; or
- c. by placing equipment in an outbuilding otherwise approved by the Architectural Control Committee.

19.4 A rain barrel may be placed in a location visible from public view from any street or common area only if the configuration of the guttering system on the structure precludes screening as described above with the following restrictions:

- a. the barrel must not exceed 55 gallons; and
- b. the barrel must be installed in close proximity to the structure on a level base with the

guttering downspout leading directly to the barrel inlet at a substantially vertical angle;
and

- c. the barrel must be fully painted in a single color to blend in with the adjacent structure or vegetation; and
- d. any hose attached to the barrel discharge must be neatly coiled and stored behind or beside the rain barrel in the least visible position when not in use.

19.5 Overflow lines from the System(s) must not be directed onto or adversely affect adjacent properties or common areas.

19.6 Inlets, ports, vents, and other openings must be sealed or protected with mesh or other similar material to prevent children, animals and debris from entering the barrels, tanks or other storage devised. Open top storage containers are not allowed, however, where space allows and where appropriate, the Architectural Control Committee may approve a pond for water storage.

19.7 Harvested water must be used and not be allowed to become stagnant or a threat to health.

19.8 All System(s) must be maintained in good repair. Unused System(s) should be drained and disconnected from the gutters. Any unused System (s) in public view must be removed from public view from any street or common area. These Guidelines are effective upon recording in the Public Records of Real Property of Harris County, Texas, and supersede any guidelines for rainwater recovery systems which may have previously been in effect. Except as affected by Section 202.007 and/or by these Guidelines, all other provisions contained the Declarations or any other dedicatory instrument of the Association shall remain in full force and effect.

20.0 Garage Sales

20.1 In the best interest of the neighborhood, a limit of two (2) garage sales per year per Residential Unit are permitted.

20.2 Garage sales may be conducted only on Thursdays, Fridays or Saturdays, and all items must be cleared from view no later than Saturday at 5:00 p.m. following the sale.

21.0 Trailers, Boats, Campers, Recreational Vehicles, etc.

21.1 No temporary Structure (sales structure, trailer, travel trailer, tent, shack, garage, barn or other outbuildings) shall be used on any lot at any time as a residence, either temporarily or permanently.

21.2 Trailers, boats, campers, recreational vehicles, or other similar vehicles shall be stored out of view from the street at all times and shall not be connected to utilities within a lot.

21.3 No dwelling, motor home or manufactured housing previously constructed elsewhere may be moved onto any lot in the Subdivision controlled by these covenants.

22.0 Trash, Recycling and Yard Clippings

22.1 These materials may not be placed at the curb prior to darkness on the day before scheduled pickup. Garbage and recycling containers shall not remain in public view beyond the day of scheduled pickup.

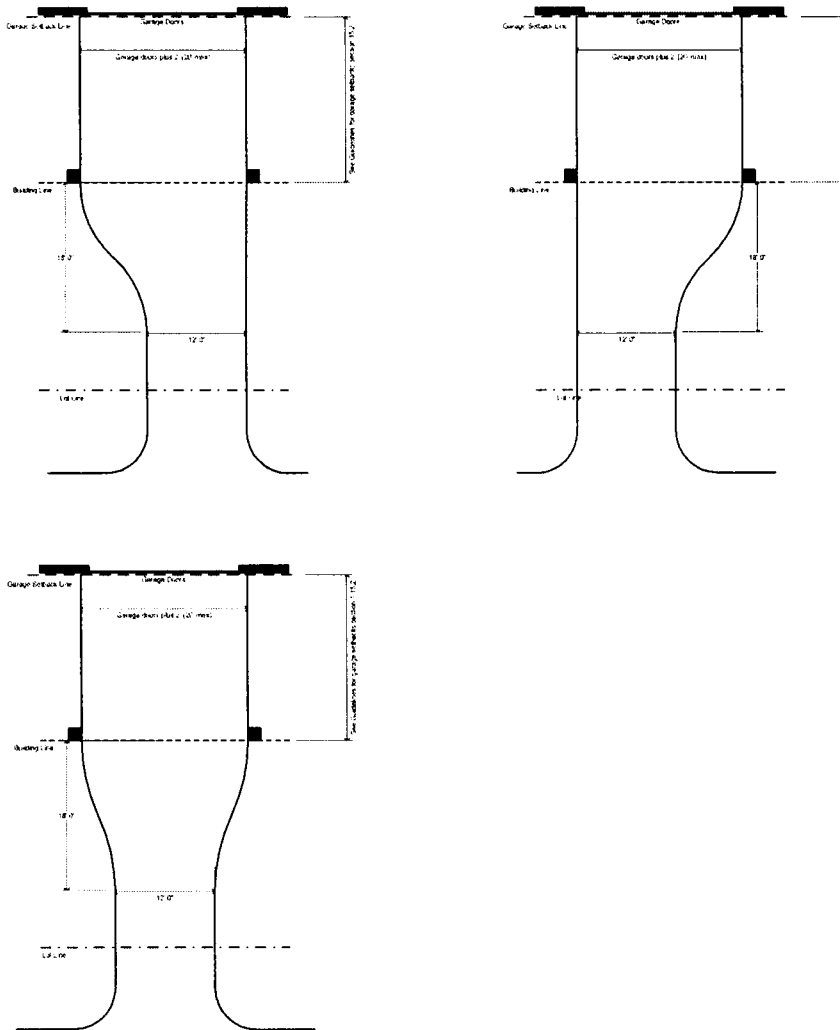
23.0 Overnight Parking

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23.1 Vehicles are to be parked in the garage or in the driveway, not in the street.

EXHIBIT A
Driveway Examples

Examples of driveways designed to meet the standards set in section 15.2 of the Architectural Guidelines.
Driveways must minimize amount of hardscape in the front and side yard.



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ATTACHMENT 1

APPLICATION For Minor Alterations and Construction

(To be submitted by the Lot Owner only)
(Also available at www.fonnvillas.org)

(Form revised 2021)

To: Fonn Villas Civic Association
C/O Chairman of the Architectural Standards Committee (ASC)
P.O. Box 97007
Houston, Texas 77279-9007
(Can be mailed or emailed to the current Chairman of the Architectural Standards Committee)

RE: Modifications, additions, improvements, or alterations to be made by:

Lot Owner: _____

Fonn Villas Address: _____, Harris County, Texas

Dear _____:

I/We hereby make this written application as per the Restrictions and the Guidelines for Architectural and Neighborhood Standards of Fonn Villas Civic Association, Inc. for the purpose of:

Exterior repair, modification, addition or alteration to existing improvements as listed on the attached document(s) and as described below:

During the work of this application the organization doing the work needs to comply with the following:

- * The street(s) and gutters adjoining the *Lot* shall be kept clean from all debris, including but not limited to dirt, trash, and vegetation materials. Dumpsters, if required, must be located in the driveway and may not be placed in the street.
- * Construction hours shall be no earlier than 7:00 a.m. nor later than 6:00 p.m., Monday through Saturday. Work on public holidays is strongly discouraged.
- * Parking of construction and worker's vehicles shall be limited to one side of the street. No vehicles shall be parked so as to block other property owner's driveways, allowing sufficient room for access to driveways, mail delivery, remote pick-up of trash barrels, and street transit of school buses, trash trucks, and emergency vehicles.

I/We have reviewed the duly recorded Fonn Villas Restrictions and the Guidelines for the Architectural and Neighborhood Standards of Fonn Villas Civic Association, Inc. Yes _____; No _____
(available at www.fonnvillas.org):

I/We have included samples and/or technical information. Yes _____; No _____

I/We have included a copy of a proposal, work order, or a signed contract. Yes _____; No _____

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Applicant contact information: Phone: _____; The best time to call is: ___ PM; ___ AM

E-mail address: _____

Mailing Address: _____

Approval of this application by the ASC, ACC, or the Board of directors does not constitute a representation of the adequacy or safety of design or compliance with Codes or other legal requirements and all such legal requirements must be complied with.

Lot Owner Signature Date: _____

Date Received by ASC: _____

This application **IS APPROVED** as submitted.

This application **IS NOT APPROVED** because of the following:

Association Use Only

Reviewed By: _____ Date: _____

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Pages 21
06/29/2021 09:17 AM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$94.00

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.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

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