

Somerset Place Association, Inc.

Architectural Control Guidelines

January 1, 2017



**SOMERSET PLACE ASSOCIATION, INC.
ARCHITECTURAL CONTROL GUIDELINES**

TABLE OF CONTENTS

ARTICLE I: AUTHORITY AND CRITERIA		Page
1.	Architectural Committee (AC)	2
2.	Application Process	2
3.	Approval Process	2
4.	Disapproval Process	2
5.	Timing	3
6.	Compliance with Governing Documents and Governmental Laws	3
7.	Safety	3
8.	Work Stoppage	3
 ARTICLE II: GUIDELINES		
1.	Structural Alterations	4
2.	Party Walls	4
3.	Building Exterior	4
4.	Exterior Painting	4
5.	Landscape Improvements	4
6.	Lawn Decorations, Outdoor Lawn Furniture and Silk Plants	5
7.	Exterior Courtyard or Patio	5
8.	Front Porch	5
9.	Side Yard Enclosure	5
10.	Exterior Window and Sliding Door Replacement	5
11.	Fences	5
12.	Garage Doors	5
13.	House Number Identification	5
14.	Garage Conversions	5
15.	Driveway Replacement	5
16.	Window Treatment	5
17.	Window Air conditioners	6
18.	Burglar Bars	6
19.	Trim and Gutters	6
20.	Roofing Materials and Wind Turbines	6
21.	Rain Barrels and Rain Harvesting Systems	6
22.	Political Signs	7
23.	Solar Energy Devices	8
24.	Storm and Energy Efficient Shingles	8
25.	Flag Display	9
26.	Religious Items	10
27.	Seasonal Decorations	11
28.	Satellite Reception Dishes and Antennas	11
29.	Garage Sales	12
30.	Clotheslines	12
31.	Exterior Cables	12
32.	Standby Electrical Generator	12
 ARTICLE III: EXHIBITS		
A.	Exhibit A – Color and Material Specifications	
1.	Roofing Specifications	14
2.	House Numbering	14
3.	Painting Specifications and Color Selections	15
B.	Exhibit B - Application for Home Improvements and Modifications	
1.	Application Submittal	16
2.	Permit Submittal	16
3.	Application Form	Attachment

ARTICLE I: AUTHORITY AND CRITERIA

This outline of minimum acceptable construction and finish standards is promulgated pursuant to the authority of the Declaration of Covenants, Conditions and Restrictions for Somerset Place.

1. **Architectural Committee (AC):** The Architectural Committee (AC) shall be comprised of the persons appointed by the Board of Directors of Somerset Place Association. The AC shall evaluate all proposed modifications submitted for approval on the individual merits of the particular application. Judgments and decisions of the AC shall be based on criteria applied in accordance with the aesthetics, environment, architectural appearance or standards generally prevailing in Somerset Place as of the date of submission of the application.
2. **Application Process:**
 - a. In an effort to provide and protect each individual Owner's rights and property values, it is required that any Owner considering improvement(s) and/or changes to their home or property submit an **"Application for Home Improvements and Modifications"** (see Exhibit B for form information) to the Architectural Committee.
 - b. All applications must be in writing and submitted to the AC at the address on the application. The AC will not respond to verbal requests. Plans, sketches, drawings, illustrations, photographs, dimensions, and materials samples should be provided to sufficiently describe the project in detail.
 - c. Proposed improvements or modifications are subject to inspection by the AC.
 - d. If any change is made that has not been approved, per the governing documents, the Association may require an Owner to change or remove an improvement.
3. **Approval Process:**
 - a. The AC at its sole discretion and to the extent wherein expressly prohibited by the Declaration is hereby permitted to approve in writing deviations in the general use restrictions in instances where in its judgment, such deviations will result in a more common beneficial use.
 - b. The approval of a deviation in the general use restrictions by the AC does not obligate the AC to approve a similar deviation at a later time.
 - c. The AC has thirty (30) days upon receipt of an application for review and comment. In the event that the AC fails to approve or disapprove a written request within thirty (30) days after such request is submitted to it, approval will not be required.
4. **Disapproval Process:** The AC may disapprove any request for approval submitted pursuant to these guidelines for any of the following reasons:
 - a. Failure to comply with any applicable Architectural Control Guideline as set forth herein.
 - b. Lack of sufficient information, plans, or specifications as reasonably determined by the AC to enable the AC to fairly and fully evaluate the aesthetic, environmental or architectural impact of the proposed Modification(s) or failure to include any information as may be requested by the AC.
 - c. In the event of disapproval, the AC shall so notify the applicant in writing; and if disapproval is based on lack of sufficient information, then the AC shall also notify applicant of the additional information required.

5. **Timing:** Projects which remain uncompleted for long periods of time are visually objectionable, and can be a nuisance and a safety hazard for neighbors and the community.

All applications must include a reasonable estimation of the time necessary to complete the project. Work on all modifications must commenced within sixty (60) days after approval is obtained or after receipt of a Building Permit, if applicable, and completed within the time period submitted with the application unless otherwise expressly approved by the AC. If construction does not commence within sixty (60) days the approval expires and the specifications must be resubmitted for approval. Additional time may be secured by submission of a request to the AC.

6. **Compliance with Governing Documents and Governmental Laws:** The proposed Modification must not contravene applicable provisions of the Declaration, Bylaws of Somerset Place Association, Inc. or governmental laws, ordinances and regulations.

The AC approval for the proposed improvement or modification does not substitute for any City of Houston, Harris County, or State of Texas required permits.

When the scope of work for an improvement or modification requires a building or other permit, final approval to begin the proposed construction work is contingent upon written notification to the AC, submitted through the managing agent contracted by the Association that the required permit(s) have been obtained and are available for viewing at the proposed work site.

7. **Safety:** Neither the Association nor the AC assume any responsibility for the safety of any construction by virtue of design or workmanship. Neither the Association nor the AC, nor any member, subcommittee, employee or agent of either, shall be liable to any Owner, Member or any other person for any actions or failure to act as a member of the AC, or in connection with an approval, conditional approval or disapproval of any request for approval or request for variance, including without limitation, mistakes in judgment, negligence, malfeasance or nonfeasance and any other situation that may arise not aforementioned.
8. **Work Stoppage:** The AC shall have the authority hereunder to require any Owner or Owner's agents or contractor to cease and desist in constructing or altering any improvements on any Property, where such actions have not first been reviewed and approved, or constitute a violation of the Declaration, the Architectural Control Guidelines or any other documents promulgated by the Association. The violating Owner shall remove such violating improvements or sitework at its sole expense and without delay, returning same to its original condition or bringing the Property into compliance with the Declaration. It shall be the owner's responsibility to protect the area in violation to ensure additional damage does not occur as a result of the work stoppage.

ARTICLE II GUIDELINES

1. **Exterior Structural Alterations:** All additions such as balconies, room expansions, additions, etc. must be approved prior to construction and will be reviewed on a case by case basis after evaluation of the impact on the privacy of adjacent owners.
2. **Party Walls:** No penetrations may be made through party walls. All party wall penetrations shall be properly closed or sealed with noncombustible material having a fire resistance rating equal to that of the wall.
3. **Building Exterior:** No altering the appearance of the exterior of the townhouse or fences without written consent of the Board of Directors as provided in Association documents.
 - a. All exterior materials must be approved by the AC prior to commencement of any work, not only to confirm that the proposed building material complies with these Guidelines, but also as to color, texture, size and other factors affecting harmony of design with other buildings within Somerset Place.
 - b. Any building material that exists on the exterior of a Living Unit, as of the date of these Architectural Guidelines as recorded and does not conform to the Architectural Guidelines need not be immediately replaced; however, upon the voluntary replacement of the building material or at the point at which the building material requires replacement due to normal deterioration, the same type of non-complying building material shall not be used. Rather, the building material must be replaced with a material that complies with these Guidelines.
 - c. Vinyl, vinyl-coated aluminum or steel, and aluminum, steel and other metal sidings are expressly prohibited on the exterior of a Living Unit in Somerset Place.
 - d. If a portion, but not all, of the exterior siding of a wall on a Living Unit is replaced, it must be of the same type, quality, size and color as the existing siding on the Living Unit.
 - e. Owners are required to match current siding material (i.e. cedar, Hardiplank, stucco, etc.) on the home when repairs are being made. If an Owner wishes to completely replace the siding on the entire town home or on an entire wall, the owner must obtain AC approval prior to changing materials. Hardiplank is preferred for use as a replacement for cedar siding. Changing from diagonally placed material to horizontal is permitted provided that the new material matches in dimension (width) as closely as possible to the existing material. New siding width shall match the prior material's width.
 - f. Only two styles of Hardiplank siding are permitted: Cedarmill or Colonial Roughsawn.
 - g. All exterior building materials must be installed and maintained to avoid snagging, waving, warping or irregular coloration. The AC may require the owner of a Living Unit to repair or replace exterior siding that fails to adhere to the Guidelines.
4. **Exterior Painting:** Standard paint and stain colors are required in Somerset Place. Paint Specifications are included in Exhibit B.
5. **Landscape Improvements:** Article V, Section 17 of the Declaration states:

“All landscaping, fountains, stationary mailboxes, house numbers, sidewalks, lighting, or other improvements on any Lot which are not concealed from view of any other Lot or other portions of the properties must be harmonious and in keeping with the overall character and aesthetics of the properties.”

All modifications to landscape areas that are “not concealed from view of any other Lot or other portion of the property” require approval of the AC.

6. **Lawn Decorations/Outdoor Lawn Furniture/Silk Plants:**
 - a. Permanently installed decorative accessories and lawn furniture will require prior AC approval. Trellises, window boxes and permanent brick or decorative rock borders in public view must have AC approval.
 - b. Silk plants may not be used in any area that can be seen from the street or in common areas. Only live vegetation is allowed in courtyards. Planters and pots may be limited by the Property Management Committee and Board of Directors as they see fit as not to deter from the general appearance and integrity of the community.
7. **Exterior Courtyard or Patio:** No accessory building (including, but not limited to sheds, greenhouses, gazebos, play houses, shade trellis or storage sheds) shall be constructed or placed without prior written approval of the AC. All patio covers will be approved on an individual basis. This does not apply to interior courtyards.
8. **Front Porch:** All front porch modifications such as entrance door, coverings, and stoop modifications must be approved by the AC prior to construction.
9. **Side Yard Enclosure:** Side yard easement areas that are the property of the Owner may be enclosed upon written approval of the AC.
10. **Exterior Window and Sliding Door Replacement:** Custom wood doors and windows may be used to replace aluminum doors and windows but must be approved by the AC.
11. **Fences:** All fences must be approved by the AC. Wrought iron fencing will be considered on a case by case basis. No chain link fence type construction will be permitted. Any painting, color staining or varnishing of a fence (wood or wrought iron) must be approved by the AC. Clear coat protectors do not require approval.
12. **Garage Doors:** All garage doors are to be consistent with existing garage doors except that when garage doors are replaced, windows are prohibited. Garage doors installed previous to this amendment must be painted to match the garage door color as stated in the Paint Color Requirements. Any changes in design on a new door must be approved by the AC.
13. **House Number Identification:**
 - a. **Garage Area Numbers:** House numbers should be located above the garage door. House number specifications are identified in Exhibit A.
 - b. **Courtyard Wall Numbers:** For emergency and other similar purposes rear courtyard areas require house number identification adjacent to the courtyard gate. House number specifications are identified in Exhibit A.
 - c. **Front Area Numbers:** This standard does not apply to front door numbers.
14. **Garage Conversions:** Conversion of a garage into living areas is not permitted.
15. **Driveway Replacement:** Concrete driveway replacement pads are permitted on aprons in alleyways ONLY, provided that AC approval is obtained prior to commencing work. This does not pertain to pea gravel driveways facing the main street.
16. **Window Treatment:**
 - a. An Owner shall maintain appropriate window treatment in keeping with the aesthetics of Somerset Place. Appropriate window treatments include curtains and draperies with backing material of neutral color, blinds or mini-blinds of neutral colors or natural stained wood or vertical blinds of a neutral color.
 - b. The installation of solar screens must be approved by the AC. The color must be in harmony with the exterior color of the house. After installation, they must be maintained in excellent condition at all times.

17. **Window Air Conditioners:** No window air conditioners are permitted.
18. **Burglar Bars:** Burglar bar installation on front doors and windows are permissible provided that AC approval is obtained prior to commencing work.
19. **Trim and Gutters:** All trim and accent colors must compliment the primary color of the residence. The color of the gutters must blend into the trim of the townhouse.
20. **Roofing Materials and Wind Turbines:**
 - a. Standard roof material and colors are required in Somerset Place. All approved manufactures and materials are identified in Exhibit B. See Storm and Energy Efficient Shingles below.
 - b. Wind turbine vents shall be located in the rear portion of the roof so that they are not visible from the front or above the ridge line. They must be a color which will blend with the shingle color or must be painted to match the shingle color.
21. **Rain Barrels and Rain Harvesting Systems:** Section 202.007 of the Texas Property Code provides that a property owner's association may not enforce a provision in a dedicatory instrument that prohibits or restricts a property Owner from installing rain barrels or a rain harvesting system on the property Owner's Lot.

The following Guidelines shall be applicable to rain barrels and rain harvesting systems in Somerset Place.

- a. **Approval:** In order to confirm the proposed rain barrel or rain harvesting device is in compliance with these Guidelines, Owners are required to apply to the AC for prior approval. The AC may require an Owner to remove a rain barrel or rain harvesting device that does not comply with requirements of these Guidelines.
- b. **Location:** A rain barrel or rain harvesting system is not permitted on a Lot between the front of the residential dwelling on the Lot and an adjacent street.
- c. **Color and Display:** A rain barrel or rain harvesting system is not permitted:
 - (1) Unless the color of the rain barrel or rain harvesting system is consistent with the color scheme of the residential dwelling on the Owner's Lot; or
 - (2) If the rain barrel or rain harvesting system displays any language or other content that is not typically displayed by the rain barrel or rain harvesting system as it is manufactured.
- d. **Rain Barrel Regulations if Visible:** If a rain barrel is located on the side of the residential dwelling on the Lot or at any other location on the Lot that is visible from a street, another Lot, or a common area, the rain barrel or rain harvesting system must comply with the following regulations.
 - (1) **Size:** A maximum height of forty-two (42) inches and a maximum capacity of fifty (50) gallons.
 - (2) **Type:** A rain barrel that has the appearance of an authentic barrel and is either entirely round or has a flat back to fit flush against a wall. A rain barrel must have a manufactured top or cap to prevent or deter the breeding of mosquitoes.
 - (3) **Materials:** Wood, metal, polyethylene or plastic resin designed to look like an authentic barrel.

- (4) **Screening:** The rain barrel must be screened with evergreen landscaping to minimize its visibility from a street, another Lot, and common area, unless otherwise approved in writing by the AC.
 - (5) **Downspout:** The downspout which provides water to the rain barrel must be the same color and material as the gutters on the residential dwelling. Further, the downspout must be vertical and attached to the wall against which the rain barrel is located.
- e. **Rain Harvesting System Regulations if Visible:** A rain harvesting system must collect and store the water underground. The portion of a rain harvesting system that is above ground must appear to be a landscape or water feature. The above-ground portion of the rain harvesting system shall not extend above the surface of the ground by more than thirty-six (36) inches. The above-ground portion of the rain harvesting system must be screened with evergreen landscaping to minimize visibility from a street, another Lot, and common area, unless otherwise approved in writing by the AC.

Provided that, the regulations in this section shall be applicable only to the extent that they do not prohibit the economic installation of the rain barrel or rain harvesting system on the Lot and there is a reasonably sufficient area on the lot in which to install the rain barrel or rain harvesting system.

22. **Display of Political Signs:** Section 202.009 of the Texas Property Code provides that a property owners' association may not adopt a restrictive covenant that prohibits a property owner from displaying on the Owner's property one or more signs advertising a political candidate or ballot item for an election. The AC may require an Owner to remove a sign that does not comply with requirements of these Guidelines.

Display Period: Sign(s) may be placed on or after the 90th day before the date of the election to which the sign relates and must be removed by the 10th day after that election date.

- a. **Sign Type:** All signs are required to be ground-mounted.
- b. **Sign Quantity Limitations:** No more than one sign for each candidate or ballot item may be placed on an Owner's Lot.
- c. **Sign Design/Content Limitations:**
 - (1) Signs may not contain roofing materials, siding, paving materials, flora, one or more balloons or lights, or any other similar building landscaping, or nonstandard decorative component.
 - (2) Signs may not be attached in any way to plant material, a traffic control device, a light, a trailer, a vehicle, or any other existing structure or object.
 - (3) Signs may not be painted on architectural surfaces.
 - (4) Signs are not allowed that threaten the public health or safety.
 - (5) Signs may not be larger than four (4) feet by Six (6) feet.
 - (6) Signs are not allowed that violate a law.
 - (7) Signs are not allowed that contain language, graphics, or any display that would be offensive to the ordinary person.
 - (8) Signs are not allowed that are accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

23. **Solar Energy Devices:** Section 202.010 of the Texas Property Code provides that a property owners' association may not enforce a provision in a dedicatory instrument that prohibits or restricts a property Owner from installing a solar energy device except as otherwise provided therein. A "solar energy device" has the meaning assigned by Section 171.107 of the Tax Code.
- a. **Approval:** The installation of a solar energy device requires the prior written approval of the AC. Provided that, the AC may not withhold approval if these Guidelines are met or exceeded, unless the AC determines in writing that placement of the device as proposed constitutes a condition that substantially interferes with the use and enjoyment of land causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. The written approval of the proposed placement of the device by all Owners of property adjoining the Lot in question constitutes prima facie evidence that substantial interference does not exist.
 - b. **Location:** A solar energy device is not permitted anywhere on a Lot except on the roof of the residential dwelling or in a fenced yard or patio within the Lot.
 - c. **Devices Mounted on a Roof:** A solar energy device mounted on the roof of the residential dwelling or other permitted structure on a Lot:
 - (1) Shall not extend higher than or beyond the roofline.
 - (2) Shall conform to the slope of the roof and have a top edge that is parallel to the roofline.
 - (3) Shall have frames, support brackets and/or visible piping or wiring that is silver, bronze or black tone, as commonly available in the marketplace.
 - (4) Shall be located on the roof as designated by the AC unless an alternate location increases the estimated annual energy production of the device by more than ten percent (10%) above the energy production of the device if located in the area designated by the AC. For determining estimated annual energy production, the parties shall use a publicly available modeling tool provided by the National Renewable Energy Laboratory.
 - d. **Devices Mounted in a Fenced Area:** A solar energy device located in a fenced yard or patio shall not be taller than or extend above the fence enclosing the yard or patio.
 - e. **Warranties:** A solar energy device shall not be installed on a Lot in a manner that voids material warranties.
 - f. **Limitations:** A solar energy device is not permitted on a Lot if, as adjudicated by a court, it threatens the public health or safety or violates a law.
24. **Storm and Energy Efficient Shingles:** Section 202.011 of the Texas Property Code provides that a property owners' association may not enforce a provision in a dedicatory instrument that prohibits or restricts a property Owner from installing shingles that:
- a. Are designed primarily to:
 - (1) be wind and hail resistant;
 - (2) provide heating and cooling efficiencies greater than those provided by customary composition shingles; or
 - (3) provide solar generation capabilities; and
 - b. when installed:

- (1) resemble the shingles used or otherwise authorized for use on property in the subdivision;
 - (2) are more durable than and are of equal or superior quality to the shingles described below; and
 - (3) match the aesthetics of the property surround the Owner's property.
- c. **Approval:** In order to confirm the proposed shingles conform to the foregoing Guidelines, Owners are required to apply to the AC for prior approval. The AC may require an Owner to remove shingles that do not comply with these Guidelines.
- d. **Regulations:** When installed, storm and energy efficient shingles must resemble, be more durable than, and be of equal or superior quality to the types of shingles otherwise required or authorized for use in Somerset Place as set forth above. In addition, the storm or energy efficient shingle must match the aesthetics of the Lots surrounding the Lot in question.
25. **Flag Display:** Section 202.012 of the Texas Property Code provides that a property owner's association may not enforce a provision in a dedicatory instrument that prohibits, restricts, or has the effect of prohibiting or restricting a flag of the United States of America, the flag of the State of Texas, or an official or replica flag of any branch of the United States armed forces, except as otherwise provided therein.

The following guidelines shall be applicable to flagpoles and the three (3) types of flags listed in Section 202.012 of the Texas property code.

- a. **Approval:** Above-ground flagpole stands and/or footings and illumination must be approved by the AC. The AC may require an Owner to remove flagpoles, flagpole footings, or flags that do not comply with these Guidelines.
- b. **Flag of the United States:** The flag of the United States must be displayed in accordance with applicable provisions of 4 U.S.C. Sections 5 – 10, which address, among other things, the time and occasions for display, the position and manner of display, and respect for the flag.
- c. **Flag of the State of Texas:** The flag of the State of Texas must be displayed in accordance with applicable provisions of Chapter 3100 of the Texas Government Code, which address, among other things, the orientation of the flag on a flagpole or flagstaff, the display of the flag with the flag of the United States and the display of the flag outdoors.
- d. **Flagpoles:**
 - (1) Not more than one (1) freestanding flagpole or flagpole attached to the residential dwelling or garage (on a permanent or temporary basis) is permitted on a Lot.
 - (2) A freestanding flagpole shall not exceed twenty (20) feet in height, measured from the ground to the highest point of the flagpole.
 - (3) A flagpole attached to the residential dwelling or garage shall not exceed six (6) feet in length.
 - (4) A flagpole, whether freestanding or attached to the residential dwelling or garage, must be constructed of permanent, long-lasting materials with a finish appropriate to materials used in the construction of the flagpole and harmonious with the residential dwelling on the Lot which it is located.
 - (5) A flagpole shall not be located in an easement or encroach into an easement.

- (6) An Owner is prohibited from locating a flagpole on property owned or maintained by the Association.
- (7) A flagpole must be maintained in good condition; a deteriorated or structurally unsafe flagpole must be repaired, replaced or removed.
- (8) A freestanding flagpole must be installed in accordance with the manufacturer's guidelines and specifications.
- (9) If the footing and/or stand for a freestanding flagpole extend above the surface of the ground, the AC may require the installation of landscaping to screen the stand and/or footing from view.

e. **Flags:**

- (1) Not more than two (2) of the permitted types of flags shall be displayed on a flagpole at any given time.
- (2) The maximum dimension of a displayed flag on a freestanding flagpole or on a flagpole attached to the residential dwelling or garage shall be three (3) feet by five (5) feet.

f. **Illumination:** Illumination of a flag is permitted but the lighting must be in-ground and have a maximum of 150 watts, unless otherwise approved by the AC. High intensity lighting such as mercury vapor, high pressure sodium or metal halide is not permitted. The lighting is required to be compatible with exterior lighting within the subdivision and appropriate for a residential neighborhood. Lighting used to illuminate a flag shall be positioned in a manner so that the lighting is not directed toward an adjacent Lot or a street adjacent to the Lot and does not otherwise unreasonably affect an adjacent Lot.

g. **Noise:** An external halyard on a flagpole is required to be securely affixed to the flagpole so that it is not moved by the wind and thereby permitted to clang against the flagpole.

26. **Religious Items:** Section 202.018 of the Texas Property Code provides that a property owners' association may not enforce or adopt a restrictive covenant that prohibits a property Owner or resident from displaying or affixing on the entry to the Owner's or resident's dwelling one or more religious items, the display of which is motivated by the Owner's or resident's sincere religious belief, except as otherwise provided therein. Section 202.001 (4) of the Texas Property Code defines "restrictive covenant" to mean any covenant, condition, or restriction contained in a dedicatory instrument.

The following Guidelines shall be applicable to the display of religious items in Somerset Place.

- a. **Approval:** Approval from the AC is not required for displaying religious items in compliance with these guidelines.
- b. **Location:** A property owner or resident may display or attach one or more religious items to each entry to their dwelling (entry door or door frame). Such items may include anything related to any faith that is motivated by the resident's sincere religious belief or tradition. A religious item shall not extend past the outer edge of the door frame.
- c. **Size:** The religious item(s) individually or in combination with each other, shall not have a total size greater than twenty-five (25) square inches.
- d. **Content:** The religious item cannot threaten public health or safety, violate any law, or contain language, graphics, or any display that is patently offensive to a passerby.

- e. **Color of Entry Door and Door Frame:** an Owner or resident is not permitted to use a color for an entry door or door frame of the Owner's or resident's residential dwelling or change the color of an entry door or door frame that is not authorized by the AC. (See Exhibit B for approved door colors).
 - f. **Other:** These Guidelines shall not prohibit or apply to temporary seasonal decorations related to religious holidays.
27. **Seasonal Decorations:** Seasonal decorations are only allowed four (4) weeks prior to the holiday and must be removed within two (2) weeks following the holiday. The Board of Directors reserves the right to ask for the removal of those decorations that might be offensive.
28. **Satellite Reception Dishes and Antennas:** This section is intended to be in compliance with the Telecommunications act of 1996, as the act may be amended from time to time.
- a The regulations promulgated herein regarding the placement of satellite dishes are intended to comply with the Federal Communications Commission (FCC) regulations that they shall not (1) unreasonably delay or prevent installation, maintenance or use of satellite dishes; (2) unreasonably increase the cost of installation, maintenance or use of satellite dishes or (3) preclude reception of an acceptable quality signal.
 - (1) The FCC has found that approval processes of the location of the antenna, even if expedited, cause an unreasonable delay; therefore, the Application for Home Improvements and Modifications is only required as a simple notification to the Association that the homeowner has installed or is about to install an antenna. The primary purpose of the notification process is to enable the Association to promptly inspect an antenna after it is installed to confirm compliance with permissible restrictions.
 - (2) The satellite dish shall be placed in a location and manner that minimizes the visual impact of the satellite dish. The Association's preference for the installation sites are as follows:
 - (a) In an area that is not visible from the street, alley or common area.
 - (b) On the back roof, below the roof ridge line.
 - (c) On, or adjacent to the chimney below, or above if necessary, the roof ridge line.
 - (d) On a balcony below the handrail/wall line.
 - (3) After installation, the Association may require painting or screening of the antenna, which may not interfere with an acceptable quality signal.
 - b. In no event are the following items permitted:
 - (1) Satellite dishes which are larger than one (1) meter (39.37 inches) in diameter.
 - (2) The masts of MDS and other antennas that exceed the height of twelve (12) feet above the center ridge of the roof line (unless the occupant of the property can prove to the satisfaction of the Board that an acceptable quality signal cannot otherwise be obtained and there no safety concerns)
 - (3) No exterior antennas, aerials, satellite dishes or other apparatus will be permitted, placed, allowed or maintained upon any lot which transmits television, radio, satellite, or other signals of any kind.

- (4) No satellite dish shall be placed, allowed or maintained on the Association's common property.

29. **Garage Sales:** Garage sales are prohibited for aesthetic and security reasons.
30. **Clotheslines:** Hanging of clothes, rugs, towels, laundry or other items outside the home from close lines, balconies, shrubbery's, on cars on fences or in any area of the common areas is prohibited. Clotheslines within patio areas must not be visible from the street or drive.
31. **Exterior Cables:** It is the Owners responsibility to ensure that exterior cables (TV, computer, telephone, etc.) are mounted in wire mold and attached in an aesthetically organized manner.
32. **Standby Electric Generator:** Section 202.019 of the Texas Property Code provides that a property owners' association may not enforce a provision in a dedicatory instrument that prohibits, restricts, or has the effect of prohibiting or restricting a homeowner from owning, operating, installing, or maintaining a permanently installed standby electric generator. A standby electric generator has the meaning assigned by section 202.019 of the Texas Property Code.

The following guidelines shall be applicable to a standby electric generator (a Generator) in Somerset Place:

- a. **Approval:** The installation of a Generator requires the prior written approval of the AC. Provided that the AC may not withhold approval if these Guidelines are met or exceeded. The AC may require an Owner to remove the Generator that does not comply with requirements of these Guidelines.
- b. **Location:** The location should take advantage of screening provided by existing or proposed structures and/or vegetation.
- c. **Specific Guidelines:**
 - (1) A Generator must be fully enclosed in an integral manufacturer-supplied sound attenuating enclosure.
 - (2) Any generator installed by an Owner must be installed and maintained in compliance with the manufacturer's specifications and all applicable governmental health, safety, electrical, and building codes
 - (3) Any and all electrical, plumbing, and fuel-line connections for a Generator must be installed by a licensed contractor only.
 - (4) Any and all electrical connections for a Generator must be installed in accordance with all applicable governmental health, safety, electrical, and building codes.
 - (5) Any and all natural gas, diesel fuel, biodiesel fuel, or hydrogen fuel line connections for a Generator must be installed in accordance with all applicable governmental health, safety, electrical, and building codes.
 - (6) Any and all liquefied petroleum gas fuel line connections must be installed in accordance with the rules and regulations promulgated and adopted by the Railroad Commission of Texas and all other applicable governmental health, safety, electrical, and building codes.
 - (7) Non-integral Generator fuel tanks must be installed to comply with all applicable municipal ordinances and all applicable governmental health, safety, electrical and building codes.

- (8) A Generator, its electrical lines, and its fuel lines must be maintained in good condition. If any component of a Generator, including its electrical or fuel lines, becomes deteriorated or unsafe, that component must promptly be repaired or replaced. Failure to promptly repair or replace the component will be grounds for the Association to require removal of the Generator. Any such component must be repaired or replaced in accordance with the manufacturer's specifications or any applicable governmental health, safety, electrical, and building codes. The Owner must routinely and periodically test the Generator in a manner consistent with the manufacturer's recommendations.
- (9) Generator may not be located in the front yard of a residential structure and cannot be visible from any area accessible by the general public. An Owner is prohibited from locating a Generator on any property that is Common Area whether or not owned by the Association.
- (10) A Generator must be screened from view if it is: (a) visible to the street faced by the residential structure; (b) located in an unfenced side or rear yard of a residential structure and visible either from an adjoining residential structure or from any adjoining Common Area; or, (C) located in a side or rear yard fenced by a wrought-iron or other "open" fence and visible through the fence either from an adjoining residential structure or from adjoining Common Area. The screen must comply with any and all architectural design guidelines as established by the AC.
- (11) An Owner is prohibited from using a Generator to generate all, or substantially all, of the electrical power for a residential structure, except when utility-generated electrical power to the residential structure is not available or is intermittent due to causes other than non-payment for utility services to the residential structure.
- (12) Prior to installation of a Generator, an Owner must submit plans and specifications to the AC showing the proposed location of the Generator, as well as any proposed plans and specifications for screening/ An application to install a Generator will be submitted and reviewed in the same manner and following the same process as any other request to modify or improve the exterior of a residential structure. Installation of a Generator cannot begin until approval has been received from the AC. The AC is not responsible for ensuring that an approved submission complies with an applicable governmental health, safety, electrical, and building codes.

ARTICLE III: EXHIBITS

EXHIBIT A: COLOR AND MATERIAL SELECTIONS

1. **ROOFING SPECIFICATIONS:** The following roofing materials and colors are required in Somerset Place.
 - a. The only Roof Shingle acceptable is GAF Timberline HD, Color Weathered Wood
 - b. Miscellaneous Requirements:
 - 1) Use STAIN RESISTANT shingles only.
 - 2) Eve Metal 2 x 1 ½ DL
 - 3) All roof metals are to be Bronze in color
 - c. See Article II, Item #24 “**Storm and Energy Efficient Shingles**” for exceptions.
2. **HOUSE NUMBERING:** Garage Area and Courtyard Wall Numbers within Somerset Place should be consistent. Homeowners are not required to change their numbers until such time as work is done to garages and existing numbers need to be replaced. Specifications for new numbers are as follows:

Manufacture: Alno
Brand: Creations
Finish: Bronze
Size: 5 inch

Number	Part #
1	AP1-5-BRZ
2	AP2-5-BRZ
3	AP3-5-BRZ
4	AP4-5-BRZ
5	AP5-5-BRZ
6	AP6-5-BRZ
7	AP7-5-BRZ
8	AP8-5-BRZ
9	AP9-5-BRZ
0	AP0-5-BRZ

House numbers are available from the manufacturer and on various web sites.

Sample: Alno Creations Home Accents House Numbers

1 2 3 4 5 6 7 8 9 0

3. **PAINTING SPECIFICATIONS:** Standard Paint colors are required in Somerset Place. All numbers and colors listed are for Sherwin - Williams Paints, which must be used to maintain consistency. NO SUBSTITUTES ARE PERMITTED.
- a. All siding and stucco paint shall be Sherwin - Williams SuperPaint Exterior Acrylic Latex, Satin Finish. All paint shall have a mold inhibitor and a minimum of two coats shall be applied. Color selections are specified in the chart below.
 - b. Doors may be stained wood or painted using Sherwin – Williams SuperPaint Exterior Acrylic Latex, Satin Finish. All paint shall have a mold inhibitor and a minimum of two coats shall be applied. Color selections are specified in the chart below.
 - c. Garage Doors paint shall match the adjacent siding or stucco paint color. The following chart lists the approved and designated paint colors specific to each courtyard.

COLOR SELECTIONS: The following chart lists the approved and designated paint colors specific to each courtyard.

Unit Numbers	SIDING PAINT	STUCCO PAINT	DOOR PAINT
Units #1 - #13 Units #53 - #66 Units #121 - #124 Units #144 - #151 Units #166 - #170	Taupe Tone SW 7633	Popular Gray SW 6071	High Tea SW 6159
Units #15 - #20 Units #79 - #83 Units #95 - #116 Units #125 - #142 Units #154 - #163	Camel Tan 20YY41/165 Note: Request that Sherwin-Williams match Glidden Paint Camel Tan #20YY41/165.	China Doll SW 7517	Protégé Bronze SW 6153
Units #22 - #43 Units #72 - #78 Units #87 - #94 Units #171 - #185	Moderate White SW 6140	Moderate White SW 6140	Red Barn SW 7591
Units #44 - #52	Prairie Grass SW 7546	Jogging Path SW 7638	Best Bronze SW 6160

EXHIBIT B: APPLICATION FOR HOME IMPROVEMENTS AND MODIFICATIONS

1. Application Submittal:

In order to complete the application, please attach any additional information, including plans, sketches, drawings, illustrations, photographs, dimensions, material samples, etc., which may be necessary to accurately communicate the nature of the proposed modification(s). Accurately identify the location(s) of the proposed modification(s) either on or in relation to the physical structure.

Submit the completed form to the address identified on the application:

2. Permit Submittal:

When the scope of work for an improvement or modification requires a building or other permit, final approval to begin the proposed work is contingent upon written notification to the AC submitted through the managing agent contracted by Somerset Place Homeowners Association that the required permit(s) have been obtained and are available for viewing at the proposed work site.

Submit notification of the required permit(s) to the address identified on the application,

Post the permit(s) at the proposed work site.

3. Application Form (see Attachment – 2 pages):

Somerset Place Association

Application for Home Improvements and Modifications

In an effort to provide and protect each individual homeowner's rights and property values, it is required that any homeowner considering improvement(s) and/or changes to their home or property submit an **"Application for Home Improvements and Modifications"** to the Architectural Committee. If any change is made that has not been approved, per the governing documents, the Homeowner Association may require an owner to change or remove an improvement. In addition plans, sketches, drawings, illustrations, photographs, dimensions, and material samples should be provided to sufficiently describe the project in detail. If you should have any questions consult the Architectural Committee or Board.

It is requested that you review the Somerset Place Homeowners Association Architectural Control Guidelines prior to submitting your Application. The guidelines provide information regarding approved alterations and modifications, materials, required paint and color selection, etc. A copy may be found on the Somerset Place web site.

Homeowners Information:

Name _____		Date: _____
Address _____		
Email Address _____		
Home Phone No.: _____	Work Phone No.: _____	Mobile Phone No.: _____

Exterior Improvement or Modification:

_____ Siding/Trim Repair/Replacement	_____ Window/Sliding Door Replacement	_____ Garage Door Replacement
_____ Exterior Courtyard/Patio	_____ Exterior Door Replacement	_____ Fence Repair/Replacement
_____ Roof Deck Modification	_____ Roof Repair/Replacement	_____ Satellite Dish
_____ Painting	_____ Gutter/Downspout Replacement	_____ Landscaping
Other (Fully describe requested scope of work): _____ _____ _____		

Interior Improvement or Modification: (The information for interior improvements or modifications is only required to identify who will perform the work should damage occur to adjacent Homeowner or Association property.)

Contractor/Individual who will perform exterior or interior work:	
Name:	_____
Address:	_____ _____
Phone No.:	_____

Application for Home Improvements and Modifications Continued

Please identify and/or provide a sample, manufacturer specification sheet and/or material specifics for your improvements or modifications. (Example: Paint name and number, roof shingle name and color, siding material, special material(s), etc.)

In signing this application, I certify that all of the information provided by me in connection with my application whether on this document or not, is true and complete. I understand that any misstatements, falsification or omission of information shall be grounds for denial of this application. I further understand that the Architectural Committee has forty-five (45) days upon receipt to review my application and I agree not to begin property improvements or modifications until the Committee notifies me, in writing, of their decision.

The Homeowner Association approval for the proposed improvement or modification does not substitute for any City of Houston, Harris County or State of Texas required permits. I understand that any work requiring permitting by the City of Houston, Harris County or the State of Texas will not be approved to begin the proposed work until such time as a copy of the approved permit has been secured, the Association notified in writing and the document is made available for viewing at the proposed work site. The Owner is responsible for adhering to all Local/County/State guidelines.

I have answered, truthfully, all questions pertaining to the proposed mentioned improvement or modification and have attached all samples, manufacturer specification sheets, plans and/or sketches, and required permits.

Homeowner Signature:	Date:
Proposed Start Date:	Proposed Completion Date:
Please submit the application to the Architectural Committee by one of the following: <ol style="list-style-type: none"> 1. A copy place in the Association Drop Box located at the exit side of the guard House. 2. Electronically to theboard@somersetplace.org 	
Date of receipt of application:	
Date of receipt of permit (if required):	

Architectural Committee (AC) Use Only

Date of AC Review:	AC Recommendation: ___ Approved ___ Approved w/conditions ___ Denied
Comments/Conditions/Reason(s) for Denial: _____ _____ _____	
AC Signature:	Date:

Somerset Place Association Board Use Only

Date of Board Meeting:	Board Action: ___ Approved ___ Approved w/conditions ___ Denied
Comments/Conditions/Reason(s) for Denial: _____ _____ _____	
Board Approval Signature:	Date: