

ARCHITECTURAL GUIDELINES  
FOR  
LAKES OF MISSION GROVE

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## **DEFINITIONS**

Terms used in this document have the following meanings:

Association	Lakes of Mission Grove Homeowners Association, Inc.
ACC	The Architectural Control Committee of the Association
Board	The Board of Directors of the Association
Declaration	The “Declaration of Covenants, Conditions and Restrictions” applicable to Lakes of Mission Grove
DRC	The Deed Restriction Committee of the Association
Guidelines	Rules, standards and procedures established by the ACC pertaining to buildings, additions or other improvements in Lakes of Mission Grove
Lakes of Mission Grove	All sections of the Lakes of Mission Grove subdivision under the jurisdiction of the Association
Deed Restrictions	Declaration of Covenants, Conditions and Restrictions, as Amended
Thirty Days	Thirty (30) business days, not including legal holidays. <u>This thirty business day time period begins to run upon receipt of the application and plan(s) by the ACC</u>
Common Facilities/ Properties	Includes parks, lakes, and nature trails
Right of Way (“ROW”)	Public street right of way

## **OVERVIEW**

The purpose of architectural design is to keep the community attractive for the enjoyment of residents and for the protection of property and property values. The Declaration authorizes the ACC to establish rules, standards and procedures for the orderly development of the subdivision and requires homeowners to obtain written approval from the ACC for any buildings, additions, or other improvements to their property. This is to ensure that the improvements comply with the provisions of the Declaration and the ACC Guidelines. The ACC has established these guidelines in accordance with the authority granted by the provisions of the Declaration and certain grants made by the Declarant.

These guidelines have been established to assure uniform and fair application of the Declaration and are intended to provide all lot owners in Lakes of Mission Grove with information about the type, color, and quality of materials which may be used in construction of various kinds of improvements; the size and locations of such improvements; and information about the procedures used by the ACC in reviewing plans for proposed improvements.

The ACC reserves the authority to review and approve plans for buildings, additions, or improvements which are not explicitly described by these Guidelines, grant variances and to consider additional guidelines in the review process whether published or not. These Guidelines may be amended by the ACC as it deems necessary and appropriate.

Architectural Fees and Compliance Fines are stated in the schedule attached hereto (Page 19).

Owner accepts and agrees to abide by all requirements of the Architectural Control Committee guidelines and of the Declaration of Covenants, Restrictions, and Conditions.

Lakes of Mission Grove Homeowners Association, Inc. has arranged for mowing, at Owner's expense, lots where the Owner is not mowing regularly.

#### **A. Procedure for Submission of Plans**

1. **Submission.** Owner will pay a Construction Plan Review fee of \$400 payable to Mission Grove L.P., when Owner submits construction plans for approval, which fee is subject to amendment by the Architectural Control Committee. All site or building construction, improvements, modification alterations or additions thereto require approval in writing from the ACC prior to construction. This covers new construction as well as, but not limited to, additions, fences, porches, storage buildings, pools, and changes in house colors. All plans for approval to site or building construction, improvements, modifications, alterations or additions thereto must be submitted to the ACC in writing. The submission must contain all the information required by these guidelines and must be delivered by certified mail, return receipt requested, or if by hand delivery, a written receipt from a member of the committee or any person designated by such members must be obtained in order for the initial thirty day review period to commence. They must consist of ONE SET of Residential Plan drawings / specifications (this set is to remain for record keeping for the Association). All plans and specifications shall be drawn in a professional manner based on an architectural scale of 1/4" = 1'0". The Plan must consist of the following:

- a. Drawing(s) of the proposed structure showing the top, front, side, and rear exterior views and elevations.

- b. A site plan showing location of easements, existing buildings and structures, the proposed placement of the improvement on the lot, and applicable building set back lines. Owner will obtain and submit a Form Survey before pouring the foundation to verify that the location of the forms matches what is reflected in the approved site plan.
- c. Floor Plans
- d. Framing Plans including:
  - 1. Wall sections showing details of construction.
  - 2. Ceiling and floor joist size, directions, and spacing.
  - 3. Roof sections, structural details and materials.
- e. Electrical Plans
- f. Plumbing Plans
- g. Unless otherwise required by applicable law, the owner and builder must comply with current International Residential Code (IRC) requirements.
- h. By submitting plans, Owner and Contractor represent a) that the plans do not violate any copyrights and that the Owner and Builder have permission to use the plans and b) that they will defend, indemnify and hold the ACC and Declarant harmless from any loss or claims arising from any unauthorized use.
- i. The plan review conducted by the ACC is to check compliance with ACC guidelines to protect the value of the community, NOT to inspect construction or certify architectural or engineering adequacy of the plans submitted.

2. Along with the Residential Plan, the following items must be submitted:

- a. Drawing of a foundation plan prepared and sealed by a professional engineer based on a soil test and analysis of the lot or of such close proximity that the engineer is confident the test is sufficient for all design purposes. All foundations must be termite treated at time of construction. Upon completion of the foundation treatment, a copy of the termite certificate must be submitted to the ACC.

- b. Drawing and documentation of the landscaping and irrigation plan. The landscaping plan must show proposed trees, shrubs, and plants to be used and their placement on the lot. The plan must conform to the ACC specifications regarding minimum number and size of trees. (See Landscape Criteria section of these Guidelines).
- c. Drawing of the mailbox design including dimensions, description of exterior material and color, placement of address marker, and plan for pier foundation.
- d. Description and specifications of all materials used including, but not limited to, brick, stone, concrete siding, roofing material, driveways, sidewalks, fencing, and exterior paint.
- e. Color samples for all exterior colors being used including roof, walls, doors, and trim.

It is the owners responsibility to determine all easements and setbacks that exist upon their property. No construction shall occur within these easements or building set back lines. If any changes to the approved design are made, the plan must be resubmitted for approval by the ACC. All building or other permits required by governmental authorities must be in effect at the time of construction. The ACC has thirty (30) business days from final submission of plans to approve the plans and authorize commencement of construction. Final submission occurs when all documents requested have been submitted.

The ACC reserves the right to request any additional information deemed by it to be necessary to properly evaluate the submitted plans. In the event that the ACC requests additional information and such information is not submitted to the ACC by the applicant in a timely manner (so that the plan may be approved or disapproved within thirty (30) business days of its receipt by the ACC), the plan shall be denied. However, the applicant may thereafter submit a new plan with the requested information to the ACC for its review.

All plans shall be mailed or delivered to:

Lakes of Mission Grove Architectural Control Committee  
1117 FM 359, Suite 200  
Richmond, Texas 77406

Any questions pertaining to these standards may be directed to the Lakes of Mission Grove Homeowners Association, Inc., either by mailing your questions to the above address or by calling at (281) 762-6800.

3. Builder / Contractor / Owner Construction Requirements. The owner and builder agree to be jointly responsible for and abide by the following:

- a. No improvements shall be constructed on the Property by any person other than those included on the list of Approved Builders, as determined by Mission Grove LP, in its sole discretion.
- b. The job site shall be kept clean at all times. A dumpster is required to be on site during construction. The property owner and the contractor are responsible for picking up all trash and debris daily and placing them in the dumpster. No dumping in the lake or on any property within Lakes of Mission Grove is allowed. Burning of debris is strictly prohibited. A portable toilet is required to be on site at the start of construction and is required for each construction site requiring more than seven (7) days construction, or as may be otherwise required by applicable laws and regulations.
- c. Contractors are responsible for keeping mud, dirt, etc. off of the roadway and meeting all E.P.A. requirements regarding control of the movement of silt and other materials from building site to drainage ditches and/or adjacent properties, including compliance with the EPA's NPDES General Permit for Storm Water Discharges from Construction Activities. Contractors will be responsible for repair to any road or road right-of-way, shoulders or ditches damaged during the course of construction.
- d. Observe all posted speed limits and other signage. Speed limits for passenger vehicles are posted. Trucks shall not exceed 25 miles per hour and shall proceed with caution at all times.
- e. No dumping or cleaning of cement trucks or dumping of construction material is allowed within Lakes of Mission Grove common areas and right-of-way (*i.e.*, ditches, parks, all easements). No construction debris or residue shall remain on the site after completion of construction.
- f. Design of roadside ditches and drainage swale must not be altered. Upon completion of construction of the residence, contractors are responsible for final shaping and grading of the roadside ditches to facilitate correct flow of water to detention areas.
- g. The culvert size shall be as specified on the plat. Contractors are responsible for obtaining the grade and pipe diameter size for the driveway culverts from Fort Bend County Road and Bridge, 281-342-

4513, [requests@co.fort-bend.tx.us](mailto:requests@co.fort-bend.tx.us). Minimum length for the culvert as required by the County will be 20 feet. All culverts must be of concrete construction and must be approved by the ACC. The culvert must be installed and properly covered before site preparation and construction begins.

If your lot includes a utility service pad culvert in the utility easement, the driveway culvert must be affixed to the utility service pad culvert so that the utility service pad culvert and the driveway culvert form a single continuous culvert. No culvert shall be more than 40 feet in length.

**Culverts must comply with all applicable Fort Bend county regulations concerning installation of driveways and culverts. A copy of these regulations is available from the county website ([www.co.fortbend.tx.us/County\\_Services/Road\\_and\\_Bridges/construction\\_of\\_drive\\_ways\\_and\\_culverts.htm](http://www.co.fortbend.tx.us/County_Services/Road_and_Bridges/construction_of_drive_ways_and_culverts.htm))**

- h. Lot Drainage. All drainage of water from any Lot and the improvements thereon shall drain or flow as set forth below:
  - (i) Any such water shall drain or flow from the Lot line into adjacent streets, drainage ditches, or detention areas, and shall not be allowed to drain, back up, or flow upon adjoining Lots unless an easement for such purpose is granted. The Owner shall provide drains or swales to effect such drainage upon construction of the Living Unit on the Lot.
  - (ii) All slopes or terraces on any Lot shall be maintained so as to prevent any erosion thereof upon adjacent streets or adjoining property.
  - (iii) No structure, planting or other material shall be placed or permitted to remain or other activities undertaken within the Property or any portion thereof by any Owner which might damage or interfere with established slope ratios or interfere with established drainage functions or facilities established for the Properties.
- i. No signs, advertisement, billboard or advertising structure of any kind may be erected or maintained on any Lot without the written consent of the Architectural Control Committee, except (i) one (1) sign not more than forty-eight inches (48") square advertising the builders of the Owner's residence may be placed on such Lot during the construction period of such residence from the forming of the foundation until completion, not to



exceed a twelve (12) month period, and (ii) one (1) sign measuring not more than 18" x 24" advertising an Owner's Residence for sale or rent may be placed on such improved Lot. Declarant or any member of such Committee shall have the right to remove any such sign, advertisement, billboard or structure which is placed on any Lot in violation of these

restrictions, and in doing so, shall not be liable, and are hereby expressly relieved from, any liability for trespass or other tort in connection therewith, or arising from such removal. After Declarant has sold all lots, an owner may erect one (1) sign measuring not more than 18" x 24" advertising an Owner's lot for sale.

- j. A temporary sign indicating the address of the improvement must be placed on the property during construction.
- k. Grinder pumps must be purchased and installed by Hurt's Septic. For current installation cost and schedule, call Hurt's Septic at 800-841-3447 or John Hurt's cell at 361-771-5586 . Lot owner must furnish influent line to pump station and proper electrical service for 2 hp load with breaker to the pump box site. Location of pump installation shall be adjacent to influent line from the home. Location must have a finish elevation mark prior to installation and pump must be installed before landscaping or final grading.

#### 4. Inspection Process:

a. Periodic Inspection: Inspections may be performed by the ACC to assure compliance of utility easement, drainage easements, flowage easements, set backs, and to assure compliance of all building requirements such as disposal of debris and all other requirements made on the builder/owner by the ACC.

b. Final Inspection: Prior to occupancy, the ACC may, at its discretion, review the site after completion of construction. Included are decking, walkways, driveways, fences, mailboxes, painting, landscaping, and other items necessary to present an aesthetic condition on the lot. Final inspection by the ACC shall not be relied upon by any person or entity as to the sufficiency, suitability, fitness, workmanship, or quality of the design or construction of the improvements. Neither the ACC, the Association, the Lakes of Mission Grove subdivision, nor any of their respective members, officers, directors, shareholders, employees or agents shall be liable because of the approval or non-approval of any improvement. Owner shall give written notice of construction completion and intent to occupy. The ACC may,

within five business days after receipt of Owner's notice of intent to occupy, at its discretion review the site and identify any matters requiring correction or completion.

c. Non-compliance with ACC approval: If for any reason a structure is deemed not to be in compliance with approved plans, or with any provision of these guidelines, the owner will be notified. The ACC will require the cessation of construction, until the item(s) in non-compliance are corrected. Other permits or approvals may be required from the City, County, or other governmental entities. It is the responsibility of the owner to obtain all required City, County, or other governmental approvals.

**FAILURE TO COMPLY WITH THE ABOVE REQUIREMENTS CAN RESULT IN FINES AND/OR LEGAL ACTION.** Unless otherwise provided in the attached schedule of Architectural Fees and Compliance Fines, a property owner will be fined \$100.00 per infraction, with an increase of \$50.00 for each subsequent infraction. Such infractions include but are not limited to: damage to road surfaces, drainage or utilities (minimum: fine plus repair cost); dirty job sites; absence of portable toilets or dumpster; and disturbance to surrounding lots.

5. ACC Decisions: ACC Committee members shall consider each plan for compliance with the restrictive covenants of the Declaration and with these guidelines. The decision of a majority of the members necessary to approve or disapprove a plan shall be considered the decision of the ACC.

ACC decisions shall be conveyed in writing by certified mail, fax or hand delivery to the applicant and shall include a statement of the conditions under which the plan is approved, if any, or the primary reason(s) for disapproving the plan.

Any plan that is not approved or disapproved within thirty (30) business days of the date of full receipt by the ACC of all required plan documents shall be deemed to have been automatically approved, provided however that (i) any such approval shall extend only to architectural guidelines and not to any of the use restrictions set forth in the Declaration and (ii) in no event shall non-action be deemed to constitute approval of a plan for any change, addition, or improvement or any other item that would violate the restrictive covenants in the Declaration. Unless otherwise stated in the ACC's written response, all approved changes, additions, or improvements (other than the construction of the main dwelling) shall be completed within thirty (30) business days of the date that construction, installation or erection is commenced.

## **B. General Guidelines**

Upon the review of each plan, the ACC shall consider the following factors for all site or building construction, improvements, modification, alterations or additions thereto:

- a. The quality of construction and materials, exterior colors, exterior design (elevation), size (dimensions), and location must be harmonious with existing and proposed structures and location with respect to topography and finished grade elevation, and must be in compliance with the provisions of the Declaration.
- b. The location must not violate the building set back lines, utility or drainage easements as shown on the official recorded plat, nor obstruct drivers' vision at street intersections. No fence, wall, tree, hedge, planting or object shall be maintained on the Property in such manner as to obstruct sight lines for vehicular traffic between two (2) feet and six (6) feet above the roadways within the triangular area formed by the intersecting right-of-way lines and a line connecting them at points twenty-five (25) feet from the intersection of the right-of-way line or extensions thereof.
- c. Any improvement, driveway or fence placed upon or across any utility easement by the Owner shall be constructed, maintained, and used at Owner's risk.
- d. Ceilings in the main dwelling, guest quarters, and garage must have at least a ten (10) foot plate height.
- e. Improvements that are intended for other than single-family residential purposes, or that may become an annoyance or nuisance to the neighborhood, are not permitted.
- f. Improvements must be located so that their use will not infringe upon the enjoyment of neighboring amenities nor place neighboring properties at increased risk of damage.

The ACC shall also consider the provisions of the Declaration and of applicable statutes, ordinances, and building codes. However, approval of a plan shall not be construed as a warranty or representation by the ACC that the change, addition, or improvement, as proposed or as built, complies with any or all applicable statutes, ordinances, or building codes, or as a warranty of representation by the ACC of the fitness, design, or adequacy of the proposed construction.

All building requirements in the General Guidelines and Architectural Guidelines shall apply, unless the Architectural Control Committee agrees to a variance in writing.

**C. Development Standards - Single Family Residential Estate**

1. Introduction. This neighborhood, from its concept, is intended to embody superior standards of single family detached housing; no building shall be erected, altered or permitted to remain on any single Lot, other than one single-family residential dwelling with approved servants' quarters and/or guesthouse of at least seven hundred (700) square feet of living area, and a private enclosed garage for not less than two (2) cars. All buildings, structures, and other improvements erected, altered, or placed in the Property shall be of new construction, and no structure of a temporary character, trailer, mobile home, tent shack, barn or outbuilding (except for a permanent structure functioning as a guest house approved by the Architectural Control Committee), shall be used in the Subdivision at any time as a residence. The following architectural control standards have been compiled in accordance with the Declaration and are intended as a guide to architects, designers, builders, and residents. With respect to new construction, please contact the ACC of Lakes of Mission Grove, c/o Lakes of Mission Grove Homeowners Association, Inc., 1117 FM 359, Suite 200, Richmond, Texas 77406 or call (281) 762-6800.

2. Designer Requirement. All plans and specifications shall be drawn in a professional manner.

3. Lot Criteria As to each lot in the Property the following building requirements shall apply unless the Architectural Control Committee agrees to the contrary in writing.

No building (i) shall be placed or built on any Lot nearer to the front Lot line or nearer to a side street line than the building lines shown on the Subdivision Plat, or (ii) shall encroach on any easement shown on the Subdivision Plat.

Unless the Architectural Control Committee agrees to the contrary in writing, (i) no building on any Lot in the Property shall be located nearer than ten feet (10') to an interior side line of the Lot, and (ii) no part of a main residential structure or guest house, inclusive of garages, shall be located nearer than ten feet (10') from the rear line of the Lot, or shall be located nearer than twenty-five feet (25') of a Restricted Reserve. Brick wing walls, provided that they are attached to the residence and parallel to the front Lot line, can be extended to the said Lot line.

4. Architectural Criteria.

a. Square Footage:

- (i) No building or Living Unit in the Property shall exceed three (3) stories in height or forty (40) feet to the top ridge line of the roof, whichever is lesser. Attics and/or basements which are finished but not air conditioned shall not be considered to be separate stories. No Living Unit shall contain less than 2,800 square feet of

living area and no Living Unit of more than one story shall contain less than 2,000 square feet of living area in the first (ground) floor level, unless the Architectural Control Committee agrees to a variance in writing.

Section One:

No waterfront Living Unit shall contain less than 3,000 square feet of living area and no waterfront Living Unit of more than one story shall contain less than 3,500 square feet of living area.

Living units on Lot 11, Block 1; Lots 1 and 7, Block 2; Lots 1 and 17, Block 5; Lots 2 and 3, Block 6; Lots 1, 10, and 11, Block 3; Lots 1 and 5, Block 4 shall contain no less than 4,000 square feet of living area. Living units on Lot 10, Block 2; Lot 1, Block 6; Lot 2, Block 5; Lots 12, 13, and 15, Block 3 shall contain no less than 5,000 square feet of living area, unless the Architectural Control Committee agrees to a variance in writing.

Section Two:

Living Units on Lots 35, 36, 37, 38, 39, 40, 41, 42 and 43, Block 1; Lots 2, 3, 4 and 36, Block 4; Lots 1 and 19, Block 5; Lots 1 and 8, Block 6 shall contain no less than 3,500 feet of living area, unless the ACC agrees to a variance in writing.

- (ii) All computations of living area shall be exclusive of attics, basements, open or screened porches, open terraces, stoops, patios, driveways and garages or detached servants quarters. Measurements shall be to the face of the outside walls of the living area.

b. Exterior Elevations: The front elevation of the residence must be oriented to the street.

c. Garage:

- (i) Each dwelling unit must have a garage for at least two automobiles. Garages may be attached or detached to the dwelling. Garage exteriors must receive the same degree of design attention as the dwelling and must be architecturally integrated with the dwelling.
- (ii) Careful consideration must be given to the location and orientation of garages to enhance the overall street scene. Garages which have

their front to the street must be set back a minimum of twenty feet (20') from the front plane of the dwelling.

(iii) No carports shall be permitted in the Subdivision; this provision shall not be construed to prohibit the incorporation of a porte cochere in the plans submitted to the Architectural Control Committee for its approval, provided that the porte cochere shall be an integral part of the architectural design of the proposed improvements and shall be constructed in a fashion and of materials which the Architectural Control Committee shall determine to be compatible with the overall character and aesthetics of the Property.

d. Brick: All brick used shall be of a type and specification satisfactory to the ACC. Mortar color shall be selected to compliment the brick.

e. Chimneys: Prefabricated metal fireplaces and metal flues may be used, but their chimneys must match the exterior materials of the house. No open or exposed metal flues are allowed.

f. Roof:

(i) Roofing material may be constructed of standing seam metal (factory-finished steel, terne or copper), metal shingle, clay or concrete tile, slate, or composition shingles (architectural grade 245# for fiberglass or 345# for asphalt shingles, three-tab shingles prohibited, must be multi-layered shingles).

(ii) Wood shingles are prohibited.

(iii) The location and design of all projections above the roof (other than chimneys, attic ventilators or vent stacks) are subject to approval. Where practicable, vent stacks and attic ventilators should be located on the rear slope of the roof and should not be seen from the street.

(iv) All exposed metal roof accessories (*i.e.*, stack vents, roof flashing, attic ventilators, metal chimney caps, skylight curbs, solar collector frames) shall match the color of the roofing material or shall be a compatible color.

- g. Windows: No reflective glazing is permitted; tinted glass is permitted subject to approval by ACC.
- h. Exterior Lighting Fixtures: All lighting should be placed so as not to cause a nuisance to neighboring owners.
- i. Exterior Materials/Colors:
  - (i) All exterior material and color selections must be approved by the ACC. The architectural style of the dwelling, in most cases, shall dictate the proper range of materials and colors. Materials and colors which are appropriate to one architectural style may not be appropriate to another.
  - (ii) Colors and materials shall be in harmony with the community and shall be subject to approval by the ACC.
  - (iii) The exterior finish or construction of any Living Unit shall be at least ninety per cent (90%) brick, stone, or other approved masonry. For purposes of the ninety per cent (90%) approved masonry calculation, concrete siding is not an approved masonry. In computing such percentage, roof areas and windows shall be excluded, but attached garages, porches, and other structures constituting part of the Living Unit proper shall be included. In addition, the first floor of each Living Unit shall be constructed at least ninety percent (90%) of brick, stone, or other approved masonry construction unless otherwise approved by the Architectural Control Committee. The Architectural Control Committee shall have the right to require additional brick, stone, or other approved masonry application in use in the construction of a Living Unit if, in the exercise of its approval of plans and specifications, it should determine that same will better maintain the aesthetic quality and general plan and scheme of the Properties and the Common Facilities.

5. Driveway and Sidewalk Criteria. All main dwellings must have a driveway. The driveway must be at least ten feet (10') in width the entire length of the driveway from the garage to an abutting street, including the portion in the street easement. The driveway must be constructed of approved bricks, pavers, or concrete and conform to the material, design and standard of construction imposed by the

Architectural Control Committee. Any damage to the street and/or drainage culvert occasioned by connecting the driveway thereto will be at the expense of the contractor and/or property owner.

Sidewalks shall conform to ACC specifications. Sidewalks may not cross over ditches into the street.

6. Landscape Criteria. Landscaping and/or screening of all structures is required to be approved by the ACC prior to installation. The owner of each Lot shall prior to occupancy of the residence, plant solid grass sod in the front and side yards of his Lot immediately adjacent to the residence. The grass shall be of a type and within standards prescribed by the Architectural Control Committee. The Owner of each Lot shall complete the landscaping plan of the Lot prior to occupancy of the residence.

Plants native to Texas should make up sixty percent (60%) or more of the plants used in any given area. The same percentage would apply for trees, shrubs, vines, and grasses. Native plants require less water, less upkeep, and are generally more pest resistant and therefore are more cost effective. Any trees already growing on the property will need to be protected and maintained. No trees will be cut down. Resources for plant selection may be found at the website of the Native Plant Society of Texas Houston Chapter at : [NPSOT.org/wp/houston/files/2014/08/INFORMATIONPAGES.pdf](http://NPSOT.org/wp/houston/files/2014/08/INFORMATIONPAGES.pdf).

Landscaping plans must include a minimum of six trees, three to be placed in the front yard and three to be placed in the back yard. These trees must have a trunk that is a minimum of 3 inches in diameter.

Landscaping must be provided in the form of a hedge or screen around pool pumps and air conditioning units.

7. Fence Standards. All fencing shall be constructed of galvanized, powder-coated wrought iron. The material used to construct the fence must be manufactured by Ameristar, PPS or an equivalent company. When material manufactured by any company other than Ameristar or PPS is proposed, detailed information on the company along with a sample of the product must be submitted for ACC approval.

Fences must be five (5) feet high and have three (3) rails.

All fences must be submitted to the ACC for approval before construction is begun. Items needed to be submitted will include:

--A site plan showing the location of the proposed fence, current residence and lot boundaries

--a description of the fence and material to be used (if using a manufacturer other than Ameristar or PPS, submit information on the company and sample of material)



Segments of fences constructed along the exterior perimeter of the subdivision may be subject to additional specifications.

No fencing shall be constructed between the front edge of the house and the front of the lot.

The Fence Standards outlined above are not meant to prohibit privacy screens or dog runs located in close proximity to the house. Both privacy screens and dog runs located in close proximity to the house are allowed but are subject to prior approval by the ACC.

8. Mailbox Standards. Mailboxes shall be of pier supported, capped masonry construction with exterior material and color consistent with the home.

The actual mail receptacle, Style #4140 (plain), must be ordered from mailboxes.com (or 1-800624-5269). The receptacle is a square container with a black door and gold knob. The cost of the receptacle is approximately \$100.00. The receptacle must be installed with the bottom of the receptacle 42" from the ground, and must be located so that the mail delivery person can deposit mail without getting out of their vehicle or driving into the ditch.

A custom address plaque Order #1600BG showing the street number, street name, and Lakes of Mission Grove logo must be ordered from Whitehall Products 1-800-728-5449, and must be mounted on the side of the mailbox. The custom address plaque will be black with gold lettering. The cost of the custom address plaque is approximately \$65.00.

9. Pools. All pool construction must be approved by the ACC prior to installation. Items needed to be submitted will include:

- A site plan showing the location of the proposed pool in relation to the location of the residence and the lot boundaries.
- All specifications including, pool size, depth, coping type, tile type, deck type and plaster type.
- A description of the pool equipment including details on the pool pump, and where the equipment will be located on the lot.
- Landscaping plans for any additional landscaping that will be installed.

Swimming pools must be encompassed by a fence. The fence must be completed before the pool is filled with water. The fence must be installed on both sides and along the rear of the lot on the property lines.

10. Structures on the Water. No bulkhead, boat stall, dock, boat slip, pier or any other structure can be built on the water. This restriction shall not apply to structures approved by the ACC for use in common areas.

11. Recreational Vehicles and Equipment Storage. No boat, trailer, recreational vehicle, camping unit, bus, truck or self-propelled or towable equipment or machinery of any sort shall be permitted to park on any Lot except in an enclosed structure, except that (i) during the construction of improvements on a Lot, necessary construction vehicles may be parked thereon for and during the time of necessity therefor, (ii) by a short term visitor upon receipt of a permit from the Association, and (iii) this restriction shall not apply to automobiles in good repair and attractive condition, provided that any such automobiles are parked on an improved driveway which has been approved by the Architectural Control Committee.

12. Out-Buildings. No metal storage outbuildings shall ever be erected, placed or maintained upon any Lot in the Property. Any other type of permitted outbuilding must be in keeping with the overall character and aesthetics of the Living Unit located on the Lot and must be approved by the Architectural Control Committee. An out-building shall be located in the back yard of the lot inside the fence. The placement of said structure shall conform to ACC guidelines and Deed Restrictions.

**D. Variances.** Variances to the design standards and development criteria may be granted at the sole discretion of the ACC. No variance shall be granted unless the general purposes and intent of the Declaration and design standards are maintained. Any variance granted shall only be applicable to the specific site and conditions for which the variance was granted, and shall not modify or change any design standards as they apply to other sites or conditions. All variances must be confirmed in writing and signed by the ACC prior to construction of the improvement. No oral variances shall be granted.

THIS DEVELOPMENT CRITERIA COMPLIES WITH THE AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF LAKES OF MISSION GROVE.

## **ARCHITECTURAL FEES AND COMPLIANCE FINES:**

### **Architectural Fees:**

Home Construction and Site Plan Review	\$400.00
Pool Construction Plan Review	\$150.00
Fence Construction Plan Review	\$150.00
Plan Review—Major additions, remodel, major repairs, outbuildings	\$250.00
Minor additions or repairs	\$100.00
	\$150.00

Major installation of landscaping or irrigation

### **Compliance Fines:**

Construction without approval	\$500 plus \$50 per day
Construction Site—No Dumpster	\$150 plus \$50 per day
Construction Site—No Portable Toilet	\$150 plus \$50 per day
Construction Site—Trash Not Contained, Excessive Construction Debris	\$200 plus \$50 per day
Encroachment on adjacent property	\$200 plus \$50 per day
Drainage of surface water at front impeded	\$150 plus \$50 per day
Change of grading, elevation or drainage of lot or adjoining ditches	\$250 plus \$50 per day
Excessive mud, debris or cement on street	\$150 plus \$50 per day
Grass on property tall or unsightly	\$150 plus \$50 per day
Miscellaneous construction violation	To Be Determined

In addition to these fees and fines, if the ACC is required to rectify or act to correct or prevent any of these items, the owner of the lot will be responsible for all legal fees, costs and expenses associated there with.