

# Modification Guidelines

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Firethorne Community Association, Inc.

Updated on August 17, 2011

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## **Purpose**

In order to establish and preserve a harmonious and aesthetically pleasing design for lots within the Firethorne project and to protect and promote the value of the Properties, all lots have been made subject to the restrictions set forth in the Declaration of Covenants, Conditions and Restrictions for Firethorne (the "Declaration"), dated March 7, 2005 and recorded under File No. 2005032616 of the Official Public Records, Fort Bend County, Texas on March 23, 2005.

## **Authority**

The Declaration creates the Firethorne Architectural Review Committee (the "Firethorne ARC") with broad powers to regulate construction and landscaping within Firethorne.

In accordance with the Declaration, the Board of Directors of the Association has created a separate "Modifications Committee" to exercise the authority of the Firethorne ARC with respect to the alteration or modification of improvements on a Lot in the Properties. The Firethorne Modifications Committee is referred to in these guidelines as the "Firethorne MC."

## **Approvals**

As described more completely in the Declaration, no construction of improvements, or modifications, additions, or alterations to the existing improvements shall be commenced without written approval by the Firethorne MC.

Plans for alterations, modifications, or additions must be submitted to the Committee in writing in duplicate, and show the nature, color, type, shape, height, materials, and location of the proposed project.

A reasonable fee may be charged for the review of the plans.

Once requests have been approved in writing Owners have six (6) months to complete the requested work without further approval.

Approval of plans shall not be deemed a variance from the specific restrictions set forth in the Declaration. Variances may only be granted in writing and under special circumstances after being reviewed by the Firethorne ARC. Variance and approvals shall be reviewed and/or approved on an individual basis and shall not be considered a waiver or variance of future approvals.

These guidelines are only intended to facilitate the application and approval process contemplated by the Declaration. The Association, the Firethorne ARC and the Firethorne MC retain all rights and discretion available to them pursuant to the Declaration, the other governing documents of the Association and under Texas law.

## **Guidelines**

### ***Address Treatments***

Each Lot shall have a house number identifying its street address made of materials and a color or colors specified by the Firethorne MC in keeping with the overall character and aesthetics of the community. Different materials and/or colors for street numbers may be specified by the Firethorne MC for different Neighborhoods or platted subdivisions.

House numbers must be kept free from all shrubbery, trees, etc. and may not be removed. House numbers must be kept in a manner that allows them to be visible from the street.

House numbers may not be peel and stick numbers.

Painting of address numbers on the curb is permitted, but numbers must be well maintained.

Painted addresses on curbs should be in black writing with a white background only. No logos or pictures are permitted.

## ***Attached Structures***

Structures attached to the home shall be integrated into the existing roofline (flush with the eaves). If the structure is to be shingled, the shingles must match the color and quality of those existing on the home. Supports for the covers must be either painted or wood, treated wood, or painted metal columns. Unfinished metal or corrugated fiberglass will be strictly prohibited from use. Pipe material used, as structural support must be concealed from view.

Must not be located or encroach on any easement or building line.

Structures may not encroach into any utility easement or building lines without prior written consent of appropriate utility companies. Structures must be located so that drainage is contained on the owner's lot. If a proposed structure's location is less than five feet (5') away from a side lot line and has an enclosed roof design, the ARC may require gutters and downspouts to be installed in order to control drainage.

Maximum height of the roof shall be determined based on the architecture of the home; however it shall be no more than one story in height.

Materials should match and complement the home.

No corrugated plastic, aluminum or metal roofs are allowed. Cedar, redwood, unpainted treated wood or treated wood painted to match the color of the home are acceptable. Creosoted wood is not acceptable.

Acceptable materials consist of baked enameled finish aluminum, painted wood to match the trim on the house, natural pressure treated wood such as cedar, fir, redwood or pine.

Retractable shade covers are permitted with prior written approval by the Firethorne MC. Canvas must be solid in color and maintained in like new condition.

Must be maintained in good condition.

Must seek Architectural Modification Committee approval prior to installation.

## ***Awnings***

Awnings must be limited to the rear yards and not visible from the street. Awnings shall be placed on the ground floor windows only. Awning colors shall be a solid color and match the color of the house. Awnings shall be well maintained.

Must seek Architectural Modification Committee approval prior to installation.

## ***Basketball Goals***

1. All portable goals must be approved by the Firethorne MC prior to placement.
2. Goals may not be placed any closer than 15 feet from the curb.
3. Goals must not encroach into side building lines.
4. All goal supports, backboards, rims and nets must be well maintained at all times.
5. The minimum construction specifications are as follows:
  - a. Pole must be metal. Creosoted posts are not acceptable.
  - b. Backboard must be commercially manufactured out of materials that will not weather, warp or disintegrate.
  - c. Color – only a shooting square may be painted on the face of the backboard. Logos, if any, shall not exceed 5% of the backboard area.
  - d. Net must always be well maintained.

### 6. Basketball goals may be “fixed in” the ground in the regard that it can be placed in a sleeve or bolted to a small concrete slab

- a. This is conditional on the fact that it must still be removable at a moment’s notice and it also she be taken down during severe weather.

No basketball goal will be permitted to be placed in the street. Residents may not be permitted to install goals on garages.

Backboards shall be constructed of heavy gauge fiberglass, plexi-glass, graphite blend or aluminum. Backboards shall be white, gray or clear. Fluorescent colors will not be permitted.

Poles must be metal of a sufficient gauge to prevent bending. Poles must be painted black and maintained free of rust. Portable goal bases shall be black or gray with no visible logos.

Nets shall be white, black or tri color. Fluorescent colors and chain nets are not permitted.

All basketball goals shall be maintained in such a manner as to not detract from the neighborhood. Maintenance shall include but not be limited to the following:

Replacement of torn or missing nets.

Repair bent or damaged supports, poles, or rims.

Replacement or repainting or worn or discolored backboards.

Repair or replacement of the structure or other improvements near to where the goal and backboard unit are mounted.

If damage to an adjoining property is incurred as a result of the installation of a basketball goal, the Firethorne MC has the authority to require the homeowner to relocate or remove the basketball goal.

## ***Clotheslines***

Clotheslines may not be placed on any Lot.

## ***Decorations***

On front lawns of Lots and on any portion of a Lot visible from any Street, there shall be no decorative appurtenances placed, such as sculptures, birdbaths and birdhouses, fountains or other decorative embellishments of any kind unless such specific item has been approved in writing by the Firethorne MC as part of the landscaping plan for such Lot. Such decorations must be positioned within a landscape bed screened at the base with landscape materials.

## **Holiday Decorations**

Decorative embellishments during the Christmas season may be installed the day after Thanksgiving and remain until January 15.

Other holiday decorations may be installed fourteen (14) days prior to the holiday and must be removed within five days after the holiday.

## ***Detached Structures***

Must not be located or encroach on any easement or building line.

Maximum height of the structure should not exceed 12 (twelve) feet in height.

Materials should match and complement the home.

No corrugated plastic, aluminum or metal roofs are allowed. Cedar, redwood, unpainted treated wood or treated wood painted to match the color of the home are acceptable. Creosoted wood is not acceptable.

Must be maintained in good condition.

Must seek Architectural Modification Committee approval prior to installation.

## ***Doors***

Front doors should enhance the overall appearance of the home. Natural wood stained doors are encouraged. Painting of doors will be permitted with prior ARC approval.

Storm doors shall be permitted within the following guidelines:

Storm doors must be full view glass.

Door trim must match the exterior colors of the homes.

Doors must be maintained.

Unfinished aluminum doors are not permitted.

Wood screen doors are not permitted.

## ***Drainage***

Catch basins and drainage areas are for the purpose of natural flow of water only. No obstructions or debris shall be placed in these areas. No Owner or Occupant of a Lot may obstruct or re-channel the drainage flows after the location and installation of drainage swales, storm sewers or storm drains.



## ***Driveways***

Driveways must be paved with a hard surface such as concrete pavers, exposed aggregate, patterned or stamped concrete. Picture frame broom finished concrete is the minimum requirement and patterned concrete or other special finishes are encouraged. Asphalt or crushed gravel is not an acceptable material. Driveway color shall be natural concrete.

Concrete driveways are to be a minimum of four inches (4") thick over a sand base. A #6 6x6 woven wire mesh shall be installed within the "drive in" portion of the driveway. No two driveways shall be any closer than six feet (6').

Stamped and colored concrete, interlocking pavers, concrete with brick borders, and exposed aggregate concrete paving may be used with written approval from the Firethorne MC.

Under no circumstances may all or substantially the entire front yard be paved as a driveway. Construction of all driveways must meet or exceed City of Fulshear and Fort Bend County standards and requirements.

## ***Easements/Setbacks***

Typical standard lots have a twenty-five foot (25') front building setback, and five-foot (5') building setbacks on each side unless otherwise shown on the recorded final plat. Detached rear garages have a three-foot (3') side setback and eight foot (8') rear setback except as otherwise noted. All rear setbacks are also noted on recorded plats.

There shall be no encroachment into any setback or easement on a lot. The Firethorne Community Association assumes no responsibility for an improvement made by an owner that encroaches into a utility easement. It is the responsibility of the homeowner to obtain any information regarding utilities located on individual lots.

## ***Fences***

No fence or wall shall be erected on any Lot nearer to the Street than the minimum setback from the Street shown on the plat of the subdivision containing such Lot. Further, unless otherwise approved by the Firethorne MC, no fence shall be constructed across or within a utility easement. The plans for all fences must be approved by the Firethorne MC which shall have the power to specify acceptable materials. No chain link fences shall be permitted within the Properties.

A minimum fence setback of ten feet (10') from the front elevation of the house is required unless otherwise approved by the Firethorne MC.

A minimum fence setback of five feet (5') from the public walk is required for a planting buffer. All corner lot fences require a planting buffer.

A maximum fence height of six feet (6') is permitted unless specifically approved by the ARC.

Fences may only be constructed of wood, ornamental iron, approved metal construction or masonry product.

All fencing visible to public view must be finished side out.

All wood fencing may be left in its natural color to ensure that as it ages and weathers, all fencing will maintain a uniformed color and appearance. No colored stain or paint of any kind is acceptable or permitted except that fencing may be stained with Wood Defender Coronado semi-transparent fence stain, or with a product which in the opinion of the Firethorne MC is an equivalent alternative stain. Prior to staining any fence, the Owner must present the Firethorne

MC with an application that includes a sample of the proposed stain and must obtain the written approval of the Firethorne MC.

## ***Flags***

Wall or post mounted brackets secured to the exterior of the home will be permitted to hold decorative or traditional flags. Permanent free standing flagpoles are not permitted.

The following standards are acceptable:

1. Size of flag should be limited to 3' x 5'.
2. No clanging chains or otherwise noisy apparatus shall be attached to flag.
3. The flagstaff must be mounted to the house and size of pole shall be limited to six feet (6') in length.
4. Flag must be well maintained at all times.
5. Flag etiquette must be followed at all times.
6. No permanent flagpoles are allowed in yards.
7. Flags must not be mounted in windows or doors of exterior of house.
8. Maximum of two (2) flags exhibited per household at any one time.

## ***Garages***

All buildings shall have a minimum of a two (2) car garage. Carports are not permitted. Detached garages shall be one (1) story unless otherwise approved by the Firethorne MC.

Studios may be constructed above garages when located on 80' wide or wider lots. In no instance may the studio exceed the residence in height.

Garage doors must be kept closed except when opened for entry or exit of vehicles. All residences are required to have an automatic garage door opener.

## ***Grass and Shrubbery***

The Owner of each Lot shall install or cause to be installed solid sod grass in the area between the front of his residence and the curb line of the abutting Street and the side yard of such Lot out to the curb on all corner Lots and landscape his Lot in accordance with the Landscaping Guidelines. Grass and weeds shall be kept mowed to prevent unsightly appearance, and all curbs, drives and walkways shall be kept edged. Dead or damaged trees shall be promptly removed or replaced, and if not removed by the Owner upon request, then the Association may remove or cause to be removed such trees at the Owner's expense and shall not be liable for damage caused by such removal. The Association may plant, install and maintain shrubbery and other screening devices on utility easements around boxes, transformers and other above-ground utility equipment, and mow and maintain the grass around such areas. The Association shall have the right to enter upon the Lots to plant, install, maintain and replace such shrubbery or other screening devices, and mow and maintain grass around such areas following reasonable advance notice to the Owner of such Lot.

## ***Gutters and Downspouts***

Gutters and downspouts shall be painted or have a factory applied color to match the approved siding or trim color of the homes. Gutters and downspouts are to be kept well maintained.

## ***Irrigation Systems***

Irrigation systems will not require approval by the Firethorne MC. The system should be designed to ensure that random watering does not occur on streets, sidewalks or neighboring yards. Screening of any above ground valves or controllers will be required.

## ***Lampposts***

Lampposts fixtures must meet the requirements of the Fort Bend County Lighting Ordinance.

Lumens may not exceed equivalent of 100 watt bulb or 1750 lumens

The fixture must be Underwriter Laboratories (UL) approved.

The lamppost must be constructed of metal.

The lamppost must conform in general design and color to other community lighting.

The lamppost and fixture must conform to other exterior fixtures on home and/or architectural design of home.

Must have written approval prior to installation.

## ***Landscaping***

### **Lawns**

Lawns must be mowed and maintained on a routine schedule. Grass may not be permitted to grow without proper maintenance. This includes mowing, edging and weeding all areas requiring said maintenance. Dead grass is to be treated and replaced immediately.

### **Beds**

All planting beds must have no less than two (2) inches of shredded pine bark or hardwood mulch.

No gravel of any size or color is permitted for use or substitution for shrubs, ground cover, mulch or grass lawns. Specimen boulders and rock are permitted.

*There must be flower beds around the front of the house. It is recommended that the original builder installed flower beds are maintained. Any changes in the flowerbed location must go through the Firethorne MC for approval.*

*Flower beds must not consume more than 50% of the yard.*

### **Borders**

Brick or concrete border may be used provided that the bricks must be laid in a manner that does not permit any holes to be visible to public view. Brick borders must match the exterior brick of the home.

Plastic borders must be laid in a manner that does not detract from the overall appearance of the lawn.

*Must seek Architectural Modification Committee approval prior to installation.*

## Weeds

All lawns, beds, driveways and sidewalks are to be kept free of weeds.

## Trees

Dead trees are to be replaced with the same caliper tree unless otherwise permitted by the Firethorne MC.

## Shrubs

Shrubs must be maintained in a manner that enhances the appearance of the home. Shrubs must be trimmed and shaped in an attractive manner and allow for visibility of address plates. Dead shrubs are to be removed and replaced immediately with like materials.

The following plant material is considered acceptable to the overall plant palette within the community:

Live Oak	Bald Cypress	Cottonwood (cottonless variety)
Red Oak	Magnolia	River Birch
Burr Oak	Ligustrum	Parsely Hawthorne
Crape Myrtle	Yaupon	Majestic Indian Hawthorne
Red Bud	Chinese Pistache	Photinia Tree
"Bradford" Callery Pear	Texas Pistache	Saucer Magnolia
Evergreen Pear	Slash Pine	Loquat
Evergreen Chinese Elm	Loblolly Pine	American Holly
Cedar Elm	Sweet Gum	Golden
Pecan	Chinese Parasol Tree	Raintree
Dwarf Yaupon	Cleyera	Texas Silverleaf
Dwarf Pyracantha	Fatsia	Banks Rose
Dwarf Chinese Holly	Compact Nandina	Floribunda Rose
Dwarf Chinese Holly	Nandina	Ligustrum
Dwarf Crape Myrtle	Sago Palm	Italian Jasmine
Dwarf Gardenia	Photinia "Frazeri"	Kumquat
Dwarf Nandina	Azalea Karume Varieties	Oleander
Dwarf Pittosporum	Azalea Indica Varieties	Bottlebrush
Dwarf Juniper	Abelia	Pineapple Guava
Eleagnus	Indian Hawthorne "Clara"	Laurel Leaf
Pyracantha	"Snowwhite" "Ballerina" Gardenia	Cocculus
Pittosporum	Camelia	Possum Haw
Variiegated Pittosporum	Pyrocantha	Pampass Grass
Philodendron	Texas Sage	

## *Park Benches, Porch Swings and Outdoor or Lawn Furniture*

### **Park Benches & Porch Chairs**

Must be well maintained.

Must be in harmony with the exterior design and color of the house and with the subdivision.

Must be approved by the Firethorne MC.

Black, brown, forest green, white and bronze are acceptable colors as well as a color nearest to the darkest color of the exterior of the home, brick variation included.

Must be located on front porch, not front yard.

## **Porch Swings**

Must be well maintained.

Must be in harmony with the exterior design and color of the house.

Must be located on front porch, not front yard.

## **Outdoor Lawn Furniture**

Must be well maintained.

Must be in harmony with the exterior design and color of the house.

Must not be located in the front yard of any lot and must not be located in the visible side yard on any lot.

## ***Patio Extensions/Decking***

The maximum allowable height of patio extensions or decking from finished slab elevation is eighteen inches (18”).

Multi-level decks are permitted but the highest level may not exceed eighteen inches (18”). Benches and railing may exceed this height. A patio extension or decking should not exceed more than twenty five percent (25%) of the back yard.

## ***Planters, Clay Pots, Barrels, Etc.***

Planters, clay pots, barrels, etc. are allowed provided that the plants are well maintained and thriving. If the planters do not contain flowers, they must be removed.

If planters, clay pots, barrels, etc are painted, the color must be compatible with the color of the house.

## ***Playground Equipment***

All playground equipment on a Lot must be placed at the rear of the Lot at a location approved by the Firethorne MC and behind a fence or otherwise screened from public view from any Street abutting the Lot. Such equipment must not be visible from the fronting Street and/or side Street in the case of a corner Lot.

Playground equipment shall be well maintained. Playground equipment shall not be located in the front yard of any lot or visible side yard of any lot. Any playground equipment over seven feet (7') in height shall be located no closer than eight feet (8') from the rear or side property lines.

The maximum allowable height for playground equipment and swing sets are [eleven feet](#).

Standing platforms shall not exceed four feet (4') above natural ground.

Any canvas exposed to public view shall be one of the following colors: brown, beige, burgundy, dark green, blue or rainbow tri color only. No “day-glow” or fluorescent colors are allowed.

Materials used must be metal, treated wood, cedar, commercially manufactured plastic, redwood or treated wood painted to be in harmony with the existing home.

Under no circumstances shall playground equipment be approved with elevated platforms or other structures which may infringe on the privacy of neighboring property owners.

Tree swings shall not be visible from the front or side yard.

Swing sets shall be well maintained.

Swing sets shall not be located in the front yard or visible side yard of any lot and should never be visible from the front yard.

Frame must be metal or treated wood. Creosoted wood or untreated, unpainted wood is not acceptable.

Swing sets permanently affixed to the ground must not be located in the ground utility easement.

## ***Pools***

Portable or permanent above ground swimming pools are prohibited. Smaller, prefabricated above ground spas or hot tubs are acceptable if part of an integrated deck system. Above ground spas or hot tubs may not be visible from public view or from other lots and must be skirted, decked, screened or landscaped to hide all plumbing, heaters, pumps, filters, accessories and other incidental items.

Skimmer nets, long handle brushes, pool chemicals, filters, pumps, heaters, plumbing, etc. must not be visible from public view. Swimming pool appurtenance such as rock waterfalls and sliding boards must not be over six feet (6') in height.

## **Screening**

- Privacy screens for pools or spas on Lake/Pond or greenbelt must be set back a minimum of eight feet (8') from rear property lines and must not exceed thirty feet (30') in width parallel to rear property lines.
- Maximum privacy screen height not to exceed six feet (6') above existing grade. Screening material must be with masonry wall (compatible with the residence), wood fence with finished side out, or other screening material approved by the Firethorne MC. Privacy screens must be landscaped to conceal from public view.

## **Easements**

- Pool walls or plumbing shall not encroach on utility easements. Owner should contact utility coordinating committee before digging.
- Wood or concrete pool decks may be placed on utility easements at Owner's risk, but are subject to removal or damage by utility companies.

## **Drainage Requirements**

- Pools must have a discharge drain connected to the storm or sanitary sewer system. Pools are not allowed to drain over lots, to the street or to any other location.
- Drains must meet all requirements of Fort Bend MUD 151, Fort Bend County and City of Fulshear.
- All pool connections must be made in accordance with the City of Houston Plumbing Code. Resident and/or the pool contractor are responsible for notifying Severn Trent in writing of the intentions to begin construction of a swimming

pool. Once Severn Trent has been notified an inspection will be done to ensure all drains from the swimming pool are connected to the utility districts sanitary sewer system.

## **Site Plan Inspection and Fees**

- All pool construction plans must be submitted to the utility districts engineer for plan approval.
- Plan review is \$125.00 and all checks must be made payable to the Firethorne Community Association.
- Written utility district approval of all plans must be received prior to the Firethorne MC reviewing the construction plan.
- After the drains have been installed the resident shall notify Southwest Water and an inspection shall be done to verify that the proper connection has been made before service is authorized for the swimming pool.
- Resident and/or pool contractor is responsible for paying an inspection fee of \$50.00 to Severn Trent.
- All pools and spas shall have a site and landscaping plan approved in writing by the Firethorne MC and Fort Bend MUD 151 engineer prior to construction.

## **Contractors Obligation**

- Pool contractor, not the individual resident, must pay a \$5000.00 deposit made payable to the Firethorne Community Association prior to beginning any construction. Checks will be deposited upon receipt. Returned checks will cause pool construction to halt immediately.
- Pool contractors are not permitted to use reserves or any other lot to access lot while installing pools.
- Pool contractor will be subject to a loss of the deposit for any damage to any reserve or other property during construction. Damages exceeding the amount of the deposit may result in legal action to recover a loss.
- Pool contractor will provide address and name of land owner where excavation will be disposed before excavation work begins.

Residents are asked to install swimming pools in accordance with the following process and asked to submit the following information:

1. Complete the Firethorne Modification Application and include the following:
  - a. Site plan for swimming pool that includes all easements and building lines as indicated on lot survey.
  - b. Landscape plan
  - c. A check for \$125.00 payable to the Firethorne Community Association. This will cover the cost of MUD 151 review of pool construction plans. Plans will be submitted to MUD 151 on behalf of the resident by the Firethorne Community Association.
  - d. A check from the pool contractor for \$5000
2. Once approval has been granted by the MUD 151 the Firethorne Modifications Committee will proceed with the review process. Owners will be notified in writing of the Modifications Committee decision.
3. The check from the pool contractor for \$5000 will be deposited and construction may begin, upon written notice of excavation location.
4. Once approval has been granted in writing by the Firethorne Modifications Committee an Owner is responsible for contacting Severn Trent for a drainage inspection, the cost for this inspection is \$50.00 and residents are billed directly.
5. Provide the Firethorne Modifications Committee with proof of drainage inspection approval.
6. Excavation material must be disposed of outside of the Firethorne Community or vicinity or the \$5000 deposit will be forfeited to FCA.

## ***Rooftop Elements***

All stack vents and attic ventilators shall be located on the rear slopes of roofs and mounted perpendicular to the ground plate. All exposed roof stack vents, flashings, attic ventilators, etc. on each Single Family Residence must be painted to match the color of the roof of the Single Family Residence unless otherwise approved by the Firethorne MC. No solar collectors shall be allowed on any roof slope visible from a Street, the Common Area or any other Lot.

## ***Roofs***

All asphalt shingles must be a minimum classified weight of 230 pounds and must be black in color. Wood shingles of any kind will not be permitted. Painting of roofing material is also prohibited.

Roof tiles made of clay or pre-colored concrete may be allowed provided they compliment the architectural style of the home and are approved in writing prior to installation.

## ***Satellite Dishes***

Satellite dishes must be installed in a location to the rear of the home so as not to detract from the overall appearance of the home. Satellite dishes must be painted to match the exterior of the home if located in any area other than the roof. Rear of the home is defined as the back half of the home.

## ***Screen Enclosures***

All screen enclosures shall be located within setback requirements of a lot and must be single story in height. Screen enclosures shall be constructed of anodized or black enamel painted aluminum. All colors are subject to Firethorne MC approval.

Only porches on the rear of the home are allowed to be screened.

## ***Security Lights***

All lighting must meet requirements of Fort Bend County. Any security lighting must be approved by Fort Bend County Engineering prior to installation and by Firethorne MC.

Under no conditions shall light be a nuisance to adjoining residents or illuminate any area outside of residence when installed.

## ***Sidewalks***

Each owner shall maintain, repair, and replace, when necessary, the sidewalk along the front of his Lot as well as the sidewalk on the side of corner Lots.

[Must meet same construction guidelines as driveways.](#)

[Sidewalks cannot be stamped or colored.](#)

All sidewalk construction is to meet or exceed City of Fulshear and Fort Bend County Standards.



## ***Signage***

All signage must meet the requirements of the City of Fulshear signage ordinance.

No signs, billboards, posters, or advertising devices of any kind shall be permitted on any Lot without the prior written consent of the Firethorne MC other than (a) one sign not in excess of a size prescribed by the Firethorne MC advertising a particular Lot and residential structure on which the sign is situated for sale or rent, or (b) one sign to identify the particular Lot during the period of construction of a Single Family Residence thereon as for sale; provided, however, no sign advertising a Lot and residential structure for sale shall contain the word "foreclosure" or any derivative of such word. The right is reserved by Declarant to construct and maintain, or to allow Builders to construct and maintain signs and other advertising devices on land they own and on the Common Area as is customary in connection with the sale of developed tracts and newly constructed residential dwellings. In addition, the Declarant and the Association shall have the right to erect and maintain identifying signs and monuments at entrances to subdivisions. In addition to any other remedies provided for herein, the Board of Directors or its duly authorized agent shall have the power to enter upon a Lot to remove any sign which violates this Section provided the violating Owner has been given forty-eight hours' written notice by the Board of Directors of its intent to exercise self-help. All costs of self-help, including reasonable attorney's fees actually incurred, shall be assessed against the violating Owner and shall be collected as provided for herein for the collection of Assessments.

### **For Sale/Lease Signs**

Only one sign permitted on lot.

Must not exceed two (2) feet wide by two (2) feet tall.

Must never be located in the street right of way.

Must be well maintained.

Must be in good taste, i.e., no bright or fluorescent colors allowed on sign.

Sign holders must be constructed of metal or wood. Metal must be painted black and cannot exceed 3.5' in height. A wood holder may not exceed a post of 4" x 4" wide and 3.5' in height. The cross bar may not exceed 2' in width. It may be painted to match the colors of the Real Estate Company. If it is a "For Sale by Owner" the wood must be natural or painted to match the trim on the house.

Sign cannot be affixed to a stake or to a fence.

### **Warning Signs**

The following types of warning signs are permitted all others are prohibited.

"Beware of Dog"

Only one sign permitted on lot, per side of house and must be affixed to fence facing front yard (maximum 2 allowed per lot). Lettering shall not exceed two inches (2") in height, sign shall not exceed 144 square inches.

Must be well maintained.

Must be in good taste, i.e., no bright or fluorescent colors allowed on sign.

### **Security Signs**

The minimum acceptable standards for the placement of security signs are as follows.

One sign allowed per lot in front yard.

Sign must be in good taste, i.e., no bright or fluorescent colors allowed on sign.

Sign must be located in the landscaping, in a discreet location, as near to the house as possible. Location to be approved by the Committee.

Total sign, including pole, must not exceed eighteen (18) inches in height.

Total size of sign alone must not exceed fifty (50) square inches.  
Signs must be well maintained.

## **Political Signs**

Political signs are only permitted as temporary signs on private property for all local, state or federal election purposes and must meet the following criteria:

Sign may not exceed 24" x 35"

Sign may not be mounted on any exterior part of the dwelling such as garages, patios, fences or walls.

Sign may be posted no earlier than ninety (90) days prior to the elections and must be removed within ten (10) days following the election.

Sign may not contain roofing material, siding, paving materials, flora, one or more balloons or lights, or any other similar building, landscaping, or nonstandard decorative component;

Sign 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;

Sign may not include the painting of architectural surfaces;

Sign may not threaten the public health or safety;

Sign may not violate a law;

Sign may not contain language, graphics, or any display that would be offensive to the ordinary person; or

Sign may not be accompanied by music or other sounds or by streamers or is otherwise distracting to motorists.

Political signs are prohibited on any Firethorne right of way, facilities or common area.

## ***Solar Panels***

All solar panels shall be recessed mounted (flush) into the roof structure with no visible piping. The color of the solar panel must be black to match the roof. Solar panels shall be commercially manufactured. Solar panels must be well maintained. Solar panels shall not be visible from the front elevation of the home. Solar panels must be approved by the Committee prior to installation.

## ***Storage Buildings***

Storage buildings are not permitted on non-fenced lots, or lots with wrought iron fencing. All storage buildings must be located in rear yard only and may not encroach on any easement or building line.

Storage buildings may not be visible from the street or any common or open area. Storage buildings may not exceed [seven feet](#) in height.

Materials used should match the materials used on the home. Building should be painted to match the house. Roof shall be composition shingles and must closely match those on the home.

The Firethorne MC may approve prefabricated storage buildings provided the color blends with the house.

## ***Temporary Buildings***

Temporary buildings or structures shall not be permitted on any Lot; provided, however, Declarant may permit temporary toilet facilities, sales and construction offices and storage areas to be used by Builders in connection with the construction and sale of residences and by contractors performing land development activities within the Properties for Declarant. Builders may use garages as sales offices for the time during which such Builders are marketing homes. A storage building may be located in the backyard of a Lot if it complies with applicable guidelines adopted by the Modifications Committee.

## ***Trampolines***

Trampolines may not be placed any closer than five feet (5') to any fence line.

## ***Weather Vanes***

Cannot be made of plastic.

Cannot be painted.

Must be metal, preferably metal that will develop a weathered patina.

May be located on top of detached garage only.

## ***Window Treatments***

Within three (3) months of occupying a residence, the Owner of such residence shall install window treatments or coverings in accordance with the Builder Guidelines. Expressly prohibited both before and after the initial three (3) months of occupancy are any temporary or disposable coverings not consistent with the aesthetics of the Subdivisions, such as reflective materials, sheets, newspaper, shower curtains, fabric not sewn into finished curtains or draperies, paper, aluminum foil, plastic, cardboard, or other materials not expressly made for or commonly used by the general public for permanent window coverings.

All window coverings must have a neutral color when viewed from the Street with either a white or off-white lining. In the case of shutters, white or a wood tone color is permitted.

All aluminum windows, screens, sliding doors and frames for fixed glass shall have a factory applied baked enamel or anodized bronze or white finish. Bright mill finish material is prohibited. The use of oil or reflective mirror finishes on windows is also prohibited. Vinyl clad, aluminum clad and wood windows will be permitted subject to color approval.

Factory installed tinted glass shall be permitted to be used on a residence to reduce solar exposure. The application of a film or other forms of material over windows or door glazing will be permitted provided they meet the following acceptable colors,: gray, charcoal or crystal/light silver clear film. All windows on any particular side of a home must be tinted.

The installation of burglar bars on the exterior of any window or door visible to the public street is prohibited. Any such window or door ornamentation must be installed on the inside of the home and screened at all times by shade, shutter, curtain, blind or other acceptable material. Residents are further cautioned that installation of burglar bars is not recommended by the Fire Department as they may delay emergency response time.

Solar screens must be made of heavy gauge vinyl mesh in brown, black or gray.

The screens must be enclosed in an aluminum frame that matches the window screen that is being applied. The screens must compliment the overall appearance of the home. Screens must be applied to all windows on any particular side of the home.

### ***Window Units***

No window or wall type air conditioners shall be permitted to be used, erected, placed or maintained on or in any Single Family Residence.