

# Williams Creek Owners Association

## Architectural Control Committee – Rules and Guidelines

### Purpose

The Board of Directors of the Williams Creek Owners Association (“WCOA”) has developed and adopted these Architectural Control Committee Rules and Guidelines to aid Williams Creek Owners and their builders and contractors in the development and submission to the WCOA Architectural Control Committee (“ACC”) of Plans and Specification for the construction and installation of Improvements on an Owner’s Lot in the Williams Creek Subdivision. These Rules and Guidelines supplement, but do not replace, the Declarations of Covenants, Conditions and Restrictions for Williams Creek Subdivision **Phases 1, 2, 3, 4, 5 & 7 (“CCR’s”)**. Capitalized terms used in these Rules and Guidelines and not otherwise defined herein shall have the meaning given them in the CCR’s.

These Rules and Guidelines will be used and applied by the ACC in conjunction with the CCR’s in effect at the time the Owner submits a request for ACC approval of Plans and Specifications for the construction of Improvements on the Owner’s Lot. Owners should use these Rules and Guidelines, together with the applicable CCR’s and other applicable state and local codes and government regulations, when designing and building Improvements in the Williams Creek Subdivision. ***No Improvement shall be constructed on an Owner’s Lot without the ACC’s prior, written approval of the Plans and Specifications with respect thereto. (See CCR Section 3.01). For ease of reference, the CCR’s define “Improvement” to mean:***

*“...every structure and all appurtenances thereto of every type and kind, including, but not limited to buildings, outbuildings, storage sheds, patios, tennis courts, swimming pools, garages, storage buildings, fences, screening walls, retaining walls, stairs, decks, landscaping, poles, signs, exterior air conditioning, pumps, walls, tanks, reservoirs, pipes, lines, meters, antennae, towers and other facilities used in connection with water, sewer, gas, electric, telephone, regular or cable television, or other utilities.” (See CCR Section 1.11)*

### Goal

It is the goal of the ACC not only to ensure compliance with the requirements of the CCR’s, but also to balance an Owner’s needs and desires for property improvements with construction quality and standards which will enhance the appearance and value of our neighborhood. The ACC will strive to acknowledge question regarding the approval process within 48 hours and to review and approve, or disapprove Plans and Specifications within 14 days of the Owner’s submission of a comprehensive and complete request for approval.

Owners shall submit requests for approval of their Plans and Specifications to the ACC ***prior to beginning construction of any Improvement(s)***. For ease of reference, the CCR’s define “Plans and Specifications” to mean:

*“...any and all documents designed to guide or control the construction or erection of any Improvement, including, but not limited to, those indicating location, size, shape, configuration, materials, site plans, design development plans, excavation and grading plans, specifications on all building products and construction techniques, samples of exterior colors,*

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*plans for utility services, and all other documentation or information relevant to such Improvement. (See CCR Section 1.18)*

In addition to the Plans and Specifications, the submittal should include a sketch, a picture, and/or a diagram showing the construction concept and illustrating the landscape plan, showing proposed plantings, as applicable. The use of a property survey is recommended, as this will illustrate that all Improvements are located within both the Owners' property boundaries and all applicable setbacks. Please verify that your submittal includes a copy of the existing site plan showing the house, patios/decks, existing fences, accessory structures, significant vegetation, property lines, easements and the location of the proposed Improvement on the Lot.

It is recommended that Owners, at the on-set of their Improvement, discuss Improvement Plans and Specifications and construction schedules and locations with immediate neighbors so as to minimize any concerns or complaints.

*In the event the Architectural Control Committee fails to approve the Owner's submitted Plans and Specifications within thirty (30) days after the receipt thereof (including any additional or supplemental information requested by the ACC), they shall be deemed to be disapproved. (See CCR Section 6.08)*

An Owner whose request for approval of their Plans and Specifications has been disapproved (or deemed to have been disapproved) by the ACC may appeal that decision to the Board.

The specific design Rules and Guidelines listed below function to supplement the CCR's. Reasonable exceptions to these Restrictions and Guidelines may be granted by the ACC at the sole discretion of the ACC or the Board of Directors.

### ***Fence Designs (Sept 2017)***

#### ***General Considerations***

In order to maintain the open character of the Williams Creek neighborhood, the use of fences should be limited. Wherever possible, alternatives such as plant materials should be used to define Lot boundaries and create privacy. Fences should minimize the physical and visual impact on neighboring properties and roadways. Fences should be well designed, constructed of durable, high quality materials and compatible with the architecture of the Lot's dwelling and landscape.

Fences should not be placed in front yards and should not extend beyond the front corner of the house. A 50% setback from the front corner of the house is recommended. Fences should be located to avoid removing existing trees or significant vegetation.

All fencing within view of any access road, Common Area, dwelling on another Lot, trail or a lake shall be of a size, design, color, location, height and material approved by the Architectural Control Committee. Fencing Guidelines will include, without limitation, requirements regarding fence types, locations and quality of materials. Prior to designing, ordering or acquiring any fencing materials or designs for a Lot, all Owners must obtain approval from the Architectural Control Committee. (See CCR Section 3.28)

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Owners shall be responsible for keeping Drainage Easements and Drainage Maintenance Easements free of obstructions and shall not permit fences or other obstructions to be placed in said easements. (See CCR Section 3.20)

No fence, wall, hedge, or shrub planting which obstructs sight lines from streets on the Property shall be placed or permitted to remain on any corner Lot within the area defined by a line drawn between two points located forty (40') feet from the point of intersection of the street right-of-way property lines immediately adjacent to the Lot. (See CCR Section 3.34)

**Wrought iron is the preferred material for front exposure fences, to maintain the open look of the neighborhood**

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Wood fences shall be left natural, stained or painted as approved by the ACC. The finished side shall be installed facing the street or exterior of the property. Vinyl or corrugated metal fences are not endorsed and likely to be denied approval.

Gates shall match or compliment the design, material, color and construction of the fence.

Ornamental gates of distinctive design will be reviewed on a case-by-case basis.

Wire fencing should not be visible from any road, Common Area, or other Lot.

Chain link fencing may be used in areas not within view of any road or Common Area, so long as the fence is coated in green, brown or black vinyl.

No fencing shall be constructed in any easement (front, back, or side) of any Lot. Fences should be no more than 6 feet in height and no less than 4 feet in height.

### **Fence Repairs**

Fence damage or missing boards on wood fences must be replaced within 14 days.

Any fence leaning more than 10 degrees from vertical must be repaired, replaced, or removed within 60 days. Leaning fences may be temporarily repaired with braces which shall only be used on the inside of the fence (on the Owner's property). Braces should not be used on the outside of a fence or on the exterior or any right of way (easement).

**No wire fence (hog wire, chicken wire or chain link) may be built if visible from an access road, trail, Common Area, or dwelling on another Lot. Chain link fencing may be used in areas not within view of any Access Road as long as the fencing is coated in green, brown or black vinyl. No fire hydrants can be fenced so as to impede access thereto from a public right of way. (See CCR Section 3.28)**

### *Specific Guidelines*

#### **Ornamental Iron or Aluminum Fencing**

- Wrought iron or aluminum rod fencing is the recommended fence style for front facing yard separations. Wrought iron fences should be 60% or greater open view but may include columns and retaining or barrier walls. Columns should be 12" to 20" in diameter of masonry stone or brick to match dwelling and/or retaining/barrier wall.
- Fence posts should not have shiny metal post caps. Metal post caps should be painted to match the color of the fence.
- Black mesh or similar type material should be used inside a wrought iron fence as a temporary pet barrier. If it is to be used permanently, then the mesh must be screened by evergreen vegetation to the street. Height of the mesh must not exceed 3 feet.

#### **Open Style Fencing**

- Ranch style fencing may be used on rear or side yards on homes along natural areas, vegetated lots and road ways.
- Ranch style fences should be 48" with 3 rails, no taller than 60" or less than 48".
- Use of weld wire on 3 rail fence is permissible for animal control. Any Weld Wire mesh should be heavy gauge (galvanized, black or dark green) with a square or

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rectangular weave, installed on the inside of the fence, and should not extend above the top rail.

- “Open” property-line fences should be installed to slope with the grade. All vertical members should be straight and plumb. Horizontal members should be parallel with one another. Any metal post caps should be painted to compliment the color of the fence.
- Split rail fences may be utilized as a property separation indicator or aesthetic feature.

### Privacy fences, Solid or Semi Solid Fencing

- Wooden privacy fencing may be acceptable in certain situations for rear or side yards for homes along a major road.
- The maximum height of privacy fencing shall be six foot, except as listed below along Rock Prairie Road. Higher fencing may be approved by the ACC if special situations are impacted by the topography.
- Fence tops (for solid privacy-type fences) should be level and not slope with grade.
- Depending upon the fence design and topography, fence bottoms for solid types of fences should either be level to match the top or may slope to follow the grade if the grade is severe. A rot board, no taller than 12” is preferred.
- Tops of fences should have a substantial cap board. Any metal post caps should be painted to match the color of the fence.
- On properties adjacent to Rock Prairie Road (a major thoroughfare). A seven-foot fence is acceptable along the property line that is parallel to the major thoroughfare.
- Where seven-foot fencing will adjoin a lower fence height along the major thoroughfare, the seven-foot fencing should be vertically “stepped down” to meet the lower height. On a corner lot, the seven-foot fence may extend around the corner the length of one span (no more than eight feet), then should be “stepped down” vertically to meet the lower height.
- Solid or semi-solid rear or side lot fencing used for homes along a major road should be uniform and conform to the standard fence design. Such lot line fencing should have at least one 3’ jog or off-set within each lot in order to prevent long lines of straight fencing.

### Other conditions

- Driveway access gates may exceed the overall fence height.
- Privacy structures, courtyard enclosures, wing walls and breezeway fences should be integrated into the architectural design of the dwelling.
- Wing walls should not exceed 60 inches in height at the property line.
- Approved decorative columns, posts and gates along the front of lots should be 12 inches above the approved fence height. Decorative columns, posts and gates located in the rear or side yard should be seven feet in height.

### *Out-Buildings* (Sept 2018, updated)

**Every outbuilding, inclusive of such structures as a detached garage, storage building, greenhouse, or barns, shall be compatible with the dwelling to which it is appurtenant in terms of its design and material composition. All such buildings are subject to approval by the Architectural Control Committee. (CCR Section 4.02)**

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The Board presents the following interpretation of restrictions to ensure uniformity of compliance and understanding for the placement and context of “out buildings”. This Statement is to be used by the ACC as guidance in the approval process of new or replacement out-buildings and storage sheds.

- ✓ Comply with published set-backs and deed restrictions.
- ✓ Color of the storage outbuilding should be harmonious with the rest of the Williams Creek subdivision, as close to the color of the main building as is reasonably practicable.

Please include with submittal:

- Photographs, plans, specifications and descriptions illustrating the house feature(s) and design(s) being proposed along with the out building location on the property with respect to main dwelling, septic systems, property lines, and set-back requirements.
- A drawing or photograph of the building design, including dimensions, materials and color description or example.
  - Buildings 100 square feet and larger (i.e. detached garage, storage building, workshop, carport, greenhouse, barns, pool house, etc.)
    - Out-buildings shall be constructed on slab or a permanent concrete foundation.
    - Garages, carports, pool houses, workshops and storage buildings shall be compatible with the main dwelling including more than 50% of the same architectural elements and material features. This includes installation of stone, brick, siding, stucco, roofing, and trim features. If main dwelling utilizes more than 2 wall coatings the out-building should incorporate 2 of the coating styles.
    - Building(s) are expected to have screening material, such as landscape, flower bed vegetation or fencing, to provide a break in sight view(s) to neighbors, roads, and common areas.
  - Open structures built detached from the main dwelling (i.e. Cabana, pergola, gazebo, pavilion, arbors, trellises, etc.)
    - Open structures with heights exceeding 8 feet, at highest point, may be granted leniency if installed in a location and manner as to not be conspicuous from streets or neighboring houses. Building materials may be of predominately wood construction with open roofing or composition of cover materials to match the dwelling and the need for a concrete foundation may not be necessary.
  - Buildings smaller than 100 square feet (i.e. tool sheds, playhouses, etc.)
    - Structures not exceeding 100 square feet of floor area and 8 feet, at highest point, may be granted leniency if installed in a location and manner as to not be conspicuous from streets or neighboring houses. Building materials may be of predominately wood composition with roofing to match the dwelling and the need for a concrete foundation is not necessary.

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- Buildings less than 15 square feet (i.e. dog houses, equipment covers, etc.)
  - Small sheds not exceeding 15 square feet of floor area are exempt from ACC review if they are located in areas not perceptible from streets or neighboring houses, and built to blend to landscape harmonizing with natural colors of the surrounding areas. Vinyl, plastic and aluminum building materials are not preferable.

No tent, shack or other temporary building, improvement or structure shall be placed upon the Property without the prior written approval of the ACC. (CCR Section 3.26)

### **Tanks, above ground** (tanks for the storage of gas, propane, oil or water)

Tanks for the storage of gas, propane or oil shall be fenced so as not to be visible from any other Lot, Access Road or Trail or installed below ground level. (CCR Section 3.17)

Above ground tanks shall be installed or concealed from view from streets with plants, hedges, fences, lattice, or furniture to cover 70% or more of the outlined shape. This provision is intended to make above ground infrastructure obscure to residence and neighbors.

### **Walls, Screening or Retaining** (Sept 2017)

No fence, wall, hedge, or shrub planting which obstructs sight lines from streets on the Property shall be placed or permitted to remain on any corner Lot within the area defined by a line drawn between two points located forty (40') feet from the point of intersection of the street right-of-way property lines immediately adjacent to the Lot. (See CCR Section 3.34)