

Guidelines for Idlewilde Architectural Control Committee

Approved 10/24/2021

The identification and authority of the IPOA Architectural Control Committee (ACC) is established in the IPOA Deed Restrictions, ARTICLE VI, Paragraph 2 of 2021 Amended Deed Restrictions.

2. Duties and Powers: The purpose of the Committee is to protect the environmental and architectural integrity of the Subdivision in accordance with the provisions of this Declaration. No building, fence, bulkhead, dock, pier, wall or other structure or improvement of any nature shall be placed, constructed, erected or maintained on any Lot, nor shall any exterior addition to or change or alteration therein be made until the construction plans and specifications shall have been submitted to and approved in writing by the Committee as to conformity and harmony of external design and location in relation to surrounding structures and topography. Any plans and specifications to be submitted shall specify, in such form as the Committee may reasonably require, the location upon the lot where the improvements are to be placed and the dimensions thereof as well as appropriate information concerning the structural, mechanical, electrical and plumbing details and the nature, kind, shape, height, color scheme and materials of the proposed improvements or alterations. The Committee shall develop guidelines, where not otherwise set forth herein, to specify:

- (a) Minimum setbacks;
- (b) The location, height and extent of fences, walls, or other screening devices;
- (c) The orientation of structures and landscaping on lots with respect to streets, walks and structures on adjacent properties; and
- (d) A limited number of acceptable exterior materials and/or finishes that may be used in the construction, alteration or repair of any improvement.

To ensure we (the Board of Directors and members of the ACC) retain our integrity, any ACC Guidelines we publicize and implement must be supported by our Deed Restrictions. We certainly do not want to put the Association in a position where in a dispute with a property owner we would lose in a court action. We also do not want to hinder or delay in any manner a property owner from maintaining their property.

All ACC Request for construction must be accompanied by a current property survey that documents any current construction.

The obvious instances when the ACC must approve plans include:

- Building a new home
- Adding an addition to an existing home
- Adding a detached building
- Adding a fence, wall, etc.
- Walling in a carport or garage
- Enlarging a deck/boathouse
- Replacing a composition shingle roof with a metal roof (ensure it is an architectural metal and not just corrugated tin).

Just as important to understanding what the ACC must review are items that do not fall under the authority of restrictions:

- Repainting a house, garage, etc. with the same or near same color. Outlandish paint schemes or colors as determined by the ACC or the Board of Directors are prohibited.
- Replacing deteriorated materials on a house, garage, deck, boathouse, etc with like materials
- Replacing a fence without changing the design/style
- Replacing a cracked/broken driveway
- Replacing a composition shingle roof with composition shingles
- House slab repair.

ACC Request

- All ACC request for construction of a home, detached building, driveway, or other permanent structure must include the property survey that annotates the specific location of the structure with distances indicated to the property lines. A copy of such survey, to be retained in the IPOA records, shall be approved by the date and signature of the

- property owner and the ACC.
- Prior to the commencement of construction, the property owner must be able to direct the Board of Directors or the ACC to the identifying property survey markers, as identified on the professionally prepared survey, to verify compliance with the applicable ACC approval.
- New home construction request must include complete engineering prepared construction drawing to include measurements, construction methods, materials and other specifications.
- New home construction must include an enclosed garage with access by a concrete driveway.
- New garage construction must include access by a concrete driveway.

3. Committee Approval: A majority of the Committee may designate one or more representatives with authority to grant the approval herein required. Any approval or disapproval by the Committee or its designated representatives on any of the above matters shall be in writing and either conveyed in person, or by registered mail, return receipt requested or by electronic delivery. In the event the decision by the Architecture Control Committee denies the construction of improvements in the subdivision, the property owner may appeal to the Board of Directors. The denial by the Committee shall describe the basis for the denial in reasonable detail. Changes, if any, to the request or improvements may be suggested. The Committee has the responsibility to notify the owner that the owner may request a hearing before the Board of Directors to reconsider the architecture request.

The Board of Directors shall hold a hearing not later than 30 days after the date the Board receives a request from a property owner whose architecture request has been denied by the Architecture Control Committee. The Board shall notify the owner of the date, time, and place of the hearing no later than the 10th day before the date of the hearing. Only one hearing is required. During a hearing, the Board or the designated representative of the Association and the owner or the owner's designated representative will each be provided the opportunity to discuss, verify facts, and resolve the denial of the owner's request for the construction of improvements, and the changes, if any, requested by the Committee in the notice provided to the owner. The Board or the owner may request a postponement for not more than 10 days. Additional postponements may be granted by agreement of the parties.

The property owner or the Association may make an electronic recording of the meeting.

The Board may affirm, modify, or reverse, in whole or in part, any decision of the Architecture Control Committee as consistent with the subdivision's declaration.

In the event said Committee or its designated representative(s) fail to disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, such approval will not be required and this covenant shall be deemed to have been complied with; provided, however, the necessity for compliance with all the remaining provisions of this declaration of Covenants, Conditions and Restrictions shall not be waived or affected by the Committee's failure to act.

A summary of related standards from the deed restrictions include:

- All property must be maintained in a satisfactory condition.
- All property is restricted to single-family residential use only.
- All residential buildings must contain 1500 square feet of living space (exclusive of porches and garages).
- Minimum setbacks are 20 feet from the front property line and 5 feet on each side property line. Corner lots are required to meet the 20 foot build line on both streets per the subdivision plat.
- Metal siding must conform in appearance to other approved siding materials.
- Boats, trailers, campers, unused/inoperable automobiles, and other machinery must be stored within a garage or such other place completely out of view from the Common Area, or any adjacent street or lot.
- No detached improvement shall be erected forward of the 20 foot limit.
- No towering radio or TV antennas.
- No fence may be erected forward of the plat build line.
- No privacy fences of solid construction are permitted on waterfront lots, but may have open concept fences not to exceed 4 feet in height as a neighbor friendly fence.
- Privacy fences of solid construction may be approved on interior lots that are back to back with another residential lot, and must not exceed 6 feet 6 inches.
- No privacy fence may block the view of vehicular traffic.

- A perimeter fence located forward of the front house or garage line (in no case forward of the plat build line) must meet the design as specified for consistent neighborhood appearance of four (4) feet in height, open concept black wrought iron or aluminum balusters of no more than 5 inch separation with accompanying black metal post on all property on the 20 foot platted build line facing an Idlewilde street.
- Drainage of streets, lots or roadway ditches shall not be impaired by any construction.
- Property owners desiring to clear-cut a lot for building must submit and have house plans approved prior to clearing. The objective is to reduce soil erosion due to all vegetation being scraped and left bare.
- Lots may be cleared of underbrush without submitting house plans.
- All property owners who clear, grade or build (including landscaping) are cautioned that they are responsible for damages that result from altered water flow affecting other properties.

An IPOA member wishing to initiate an ACC request will go to the Idlewilde Estates website, select IPOA (this is the only password protected portion of the website – obtain the account name and password from a member of the Board of Directors) Select : **Request Building Approval** Enter the appropriate data and submit the request. The ACC does not hold a regularly scheduled meeting. If all of the required information required for the request is submitted electronically (email) most construction projects can be handled on-line. However, if a property owner desires to meet with the ACC, an appropriate time will be selected.

4. Terms: The members of the Committee shall serve such terms as may be established by the Board of Directors._

5. The Board of Directors shall have the authority to develop, adopt and enforce architectural guidelines, by resolution duly adopted, which architectural guidelines shall be filed of record with the County Clerk of Polk County, Texas.

While it is difficult to imagine every situation, should a property owner plan a construction project where something is questionable, the safe and proper procedure is to contact the ACC. Joe Crain is the current ACC Chair and may be reached at: 281-705-9605 or by email at: joe.ccrain@gmail.com Construction plans or specifications may be dropped off at 165 Fox Lane.

Other current committee members are: Michael Allen 713-816-8479 and Gary Osborne 713-702-2886.

ACC Guidelines were approved at the IPOA Annual Meeting, 10/24/2021