



**BELLAVITA AT GREEN TEE HOMEOWNERS' ASSOCIATION, INC,
ARCHITECTURAL GUIDELINES**

These Guidelines may be amended or repealed at any time by the BellaVita Board of Directors.

These BellaVita at Green Tee Homeowners' Association, Inc. Architectural Guidelines shall replace and supersede the prior Architectural Guidelines, including amendments, recorded on August 21, 2014, under Clerk's File No. 20140374554, Official Public Records of Harris County, Texas.

RP-2024-376443

**BellaVita at Green Tee Homeowners' Association, Inc.
Architectural Guidelines**

The undersigned, being the President of BellaVita at Green Tee Homeowners' Association, Inc. (the "Association"), certifies that the attached Architectural Guidelines were adopted by the Board of Directors of the Association at a meeting duly called and held on October 1, 2024 at which a quorum was at all times present.

EXECUTED on the 1st day of October, 2024.

BELLAVITA AT GREEN TEE HOMEOWNERS ASSOCIATION, INC.



Kenneth Wiggins, VicePresident

THE STATE OF TEXAS §

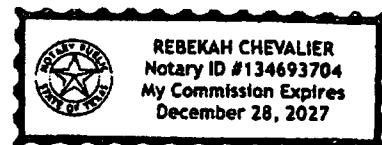
COUNTY OF HARRIS §

BEFORE ME, the undersigned notary public, on this day personally appeared Kenneth Wiggins, Vice President of Bellavita at Green Tee Homeowners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 1st day of October, 2024, to certify which witness my hand and official seal.



Notary Public Signature



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Definitions

Terms used in this document have the following meanings:

Association	BellaVita at Green Tee Owners' Association, Inc.
ARC	Architectural Review Committee of the Association.
BellaVita	All sections BellaVita under the jurisdiction of the Association.
Board	The Board of Directors of the Association.
Builder	The Owner and the Owner's General Contractor, or party hired by the Owner to conduct or oversee the Major Construction project. Both parties must participate in submission of the required plans and forms.
BVCCR	The Amended and Restated Declaration of Covenants, Conditions and Restrictions for BellaVita at Green Tee Owners' Association, Inc. filed in the Official Public Records of Harris County, Texas in 2009, and as may be further supplemented, amended and recorded from time to time.
Community Manager	The on-site manager of the Managing Agent.
Community-wide Standards	Standards of aesthetics, environment, appearance, architectural design, color and style, maintenance, conduct and usage generally prevailing within the Property.
Guidelines and Standards	These are the rules, standards and procedures established by the Board and the Architectural Review Committee (ARC) pertaining to exterior Modifications to residence, buildings and structures, including additions, new construction, repair, rebuilding and/or other exterior Modifications in BellaVita.
Homeowner/Owner	These terms are used interchangeably and mean, for purposes of this document, any person or entity listed in the Association's database or Harris County Appraisal District (HCAD) database as the record title holder for property in BellaVita. The ARC application process is solely for the use of Owners. ARC applications submitted by a Non-Owner Resident will not be reviewed without prior express written consent from the Owner. Any person or entity (not listed in the Association database as the Owner) may be required to show proof of ownership prior to processing any ARC application.
Managing Agent	Professional property management organization contracted and compensated by the Association to provide assistance to the Board. Managing Agent is identified in Appendix I.
Major Construction	Is a term used for new construction, reconstruction, demolition or adding additional living space. It is more precisely defined as 1) the construction of a

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new residence on a previously vacant lot, 2) the demolition of any existing residence, 3) the addition of 400 square feet more of additional living space on an existing residence or 4) the reconstruction of a residence. Major Construction is identified in Appendix J.

Modification(s)	A term used throughout this document that includes, but is not limited to, any change, alteration, improvement or repair to the exterior or Visible portions of the residence, whether temporary or permanent, which may affect, modify or alter the aesthetics, appearance, or standards generally prevailing in BellaVita. This definition incorporates in its entirety the term Regulated Modification as stated in the VMCCRs. Those actions that meet the definition of Major Construction, as defined in this document shall comply with the requirements for Major Construction as outlined in Appendix J.
Perimeter Wall	The eight (8) foot concrete Perimeter Fence along BellaVita Drive/Scarsdale Boulevard built in 2023 is Association common property. The Association shall manage and maintain the Wall. All other fencing that borders BellaVita is the responsibility of the Owner.
Resident	Any person who is qualified to reside in BellaVita under the BVCCRs but is not an Owner.
TPC	Texas Property Code.
VMCCR	Declaration of Protective Covenants for The Villas Master Association filed on January 24, 2001, in the Official Public Records of Harris County, Texas, and may be further supplemented, amended and recorded from time to time.
Visible	Means observable with the naked eye from any public or private street, common area or adjacent neighbor's property.

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Overview

One of the joys of home ownership can be making Modifications to beautify one's home or property. These Guidelines and Standards have been created to supplement the governing documents of the BellaVita Owner's Association (Association) which include, but are not limited to, the VMCCR, BVCCR, and the guidelines, rules, policies and resolutions adopted by the Association. These Guidelines and Standards may change from time to time.

The purpose of these architectural Guidelines and Standards is to:

- keep BellaVita attractive for the enjoyment of Residents and Owners.
- protect property and property values.
- ensure consistent application of the governing documents for all Owners, and
- act as a tool for Owners and provide useful information about:
 - the type, color, and quality of materials which may be used in various kinds of Modifications.
 - the permissible size and locations of such Modifications.
 - the procedure for submitting applications for ARC review and approval.
 - the procedure used by the ARC for reviewing applications.
 - the procedure to be used by the Owner should they want to appeal the ARC decision or request a variance.

Generally, Owners must obtain written approval from the ARC for any Visible exterior Modification to their property or residence PRIOR TO conducting the Modification. Because it is impossible for ARC to anticipate every Modification that an Owner may consider, the ARC has the authority to require review and approval for any Modification, even if it is not explicitly described in these Guidelines.

How to use this document:

When an Owner is considering a Modification, they should start by reviewing Part I - Guidelines and Standards (the Rules) to understand the existing standards and to determine whether ARC approval is needed. If ARC approval is needed, please refer to Part II - the ARC application process.

It is equally important that Owners understand that they are entitled to request, but ARC is not obligated to grant, a variance or a waiver from ARC for any Modification that they wish to conduct but due to unique circumstances associated with their residence or property are unable to comply with the Guidelines. If ARC denies an Owner's request for approval, the Owner has the right to appeal the ARC decision to the BV Board of Directors. All decisions of the BV Board are final.

Part I. Guidelines and Standards for Architectural Modifications

1. Exterior of Residences

A. Exterior Paint

Exterior surfaces of any residence, garage door, exterior doors or other structures on any home may be painted the same color and quality as the original paint. Refer to Appendix A-1 Exterior House Colors for approved colors.

- 1) The use of different paint colors requires ARC pre-approval. Any change in exterior paint color could result in the forfeiture of the Association amenity of house painting every nine (9) years.
- 2) Colors must be harmonious with each other and with the colors of the exterior brick and roofing materials.
- 3) Only colors consistent with Community-Wide Standards will be approved. No iridescent colors or tones considered to be brilliant are permissible.
- 4) Brick may not be painted or stained.
- 5) Trim - soffit, facial board, window and door trim and rain gutters must be a harmonious color for the house color.
- 6) Shutters may be installed at the front windows and shall be of a harmonious color with the house color. Replacement shutters shall be of the same material as the original shutters.

B. Exterior Siding

Exterior siding must be maintained by the Owner to avoid sagging, warping, algae, or irregular coloration. The Association may require the Owner, at the Owner's sole expense, to repair or replace siding that fails to adhere to these guidelines.

When siding Modifications are considered (e.g. replacing, repairing, or addition to any existing structure or new construction) the siding used must be of the same type, quality, size and color as the existing siding on the home. In-kind replacement to exterior siding does not require ARC approval, however, any Modifications that differ from the original design requires ARC approval.

C. Doors

The front door shall be maintained by the Owner to the original configuration including color, material, and type of glass.

- 1) Replacement of the door with solid material (i.e. no window) is prohibited.
- 2) **Storm Doors** – only a full view storm door may be installed over the front door. The suggested material is aluminum. Window film placed on a storm door must follow the window film guidelines in Section 19.

D. Miscellaneous – No item, plaque, art, structure or signage, whether temporary or permanent, may be attached to the exterior of a residence if it is Visible.

E. Roofing Materials and Accessories

Any replacement or addition to the roof must resemble the shingles used on property in BellaVita. All roof replacements require ARC approval prior to Modification.

1) **Roof**

- a) **Color:** shall be as identified in Appendix A-1.

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- b) **Material:** Materials and installation shall comply with hurricane wind requirements as established under the local authority having jurisdiction, such as County and City Code. The proposed shingles shall be of an acceptable type, quality, and color that are harmonious with the residence. **Shingled roofs shall have a minimum 20-year life.** Shingles that are wind and heat resistant, provide heating and cooling efficiencies and/or solar energy generation must conform to aesthetic requirements as stated in this document.

2) Accessories

All roof or protrusions shall be located to the rear of the ridgeline and/or gable and shall not extend above the highest point of the roof. All roofing accessories, such as wind turbines and vents (if any) must match the roofing material and/or residence color as closely as possible. ARC shall have the right to approve exceptions to the foregoing in cases where energy conservation and heating/cooling efficiency require solar panels, ventilators or other such devices that, because of a particular roof design or orientation, cannot be hidden from public view.

- a) Skylights may not be installed on the front roofs. Skylights must be harmonious with the general architecture of the residence.

F. Yard Displays

If an Owner or Resident wishes to display any item on their property where it is Visible (see definition), all items must be of reasonable quality and durability, properly maintained at all times, ground mounted, contain no advertising language, not be vulgar, obscene or offensive in nature, be placed entirely within the Owner's property lines and be compliant with any additional requirements detailed below, as applicable:

1) Yard Art

- a) Includes all displays that are not otherwise specifically addressed below, including but not limited to, statuary, bird baths, and wind spinners. A maximum of **four (4) items** are permitted. All items must be placed in such a manner that they are an integral part of the landscaping and blend in with the existing shrubbery or trees. Each item may not exceed three (3) feet in height, except for decorative landscaping planters used for the display of living flowers or other approved landscape material. Landscape planters must be maintained with living landscape material at all times. Wind spinners may not exceed six (6) feet in height at the top of the spinner.

2) Garden Flags and Banners

Garden flags and banners may display college or university logos, professional sports logos, family initials or be seasonal or holiday related.

They must be:

- a) Located in landscaping beds.
b) No larger than eighteen by twelve inches (18"x12") and no more than thirty-six inches (36") in total height above the ground.
c) Made of cloth material and installed on metal frames.
d) No more than two (2) per residence. Display of more than two (2) garden flags or banners at any one time requires prior approval of the ARC.

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3) Community Support Signs

Signs that express support for the police, emergency medical services, fire department or similar entities shall be permitted under the following conditions:

- a) The sign must be located in the landscaping bed and blend in with the existing shrubbery or trees.
- b) The sign must be no larger than eighteen by twelve inches (18"x 12") and may not exceed three feet (3') in total height above the ground.
- c) The sign must be made of wood, plastic or metal and must not be a flag or banner.
- d) Limited to only one (1) per residence at any given time. Display of more than one (1) sign requires the prior approval of the ARC.

4) Fountains

- a) If placed in front of the residence, fountains, water gardens or ponds **require ARC approval** and are limited in number to one (1) per residence.
- b) Features must be three feet (3') or less in height.
- c) Be constructed of materials, color and design that is compatible with the overall architectural theme of BellaVita.
- d) They must be kept free of scum, algae, foul odor and discolored water at all times.

5) Holiday Art / Displays / Decorations / Lights

May be displayed for up to two (2) months before and one (1) month after any commonly recognized holiday for which such items are traditionally displayed.

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Yard Advertising Signs

Signs with advertising are prohibited except for the ones listed in this section. They may not be illuminated or displayed in windows. The following additional provisions apply:

- a) **For Sale or For Rent Signs** that are professionally printed and standard in size are allowed. All others **require ARC approval**. No residence may display more than one (1) sign at any given time.
- b) **Garage / Estate Sale Sign**
All other garage or estate sale signs require approval of the Community Manager.
 - i. **Garage Sale signs** may only be displayed on the day of a BellaVita community-wide garage sale. Only signs issued by the City of Pearland may be displayed and those signs may only be placed in the yard of the participating residence. No garage sale signs may be placed in the common areas.
 - ii. **Estate Sales** - only the signs issued by the City of Pearland may be displayed on the days of the approved estate sale. Estate Sales may be a maximum of three (3) days long and may only take place on Friday, Saturday or Sunday.

- 6) **Political Signs** – any item bearing the name or image of a political candidate or figure, a political party, or a political statement or rhetoric shall be deemed a political sign for purposes of enforcement of these Guidelines. The Association may remove any sign displayed in violation of these Guidelines.

Political signs must conform with the following:

- a) May not be larger than eighteen inches by twenty-four inches (18" x 24") and not taller than three (3) feet in total height.
 - b) Must be made of wood, cardboard or plastic.
 - c) Only one (1) sign per candidate or ballot item per residence or lot.
 - d) May not be displayed more than 90 days prior to election and must be removed within 10 days following the election.
- 7) **Security Signs** – Security company signs are allowed if placed in landscaping bed and are no larger than nine inches by nine inches (9" x 9"). They may also be displayed in a residence window if no larger than four inches by four inches (4" x 4").
 - a) Only one (1) security company sign is permitted at one time, whether in the window or landscaping bed.
 - 8) **Religious Displays** that reflect the Resident's or Owner's "sincere religious beliefs" are permitted within the property boundaries of the residence, if the following conditions are met:
 - a) The display may not threaten public health or safety.
 - b) It may not violate state, federal or local laws, other than a law prohibiting the display of religious beliefs,
 - c) It may not violate any applicable building code, building line, right of way, setback or streetlamp, fire hydrant, or utility sign.
 - 9) **Patriotic Flags**
Flying the US flag, Texas flag, Prisoner of War flag, and/or a flag of the US armed forces does not require ARC approval. **All other flags require ARC approval.**

For purposes of enforcement of these Guidelines, a flag is anything suspended from a flagpole or flagstaff, except for items containing political images, language or rhetoric. Those items must comply with the requirements of Political signs in these Guidelines. All flags and flag poles must comply with the following:

- a) The US flag and Texas Flags must be flown and managed in compliance with applicable state and federal laws.
- b) All flags must be maintained and in good condition at all times.
- c) Flags must only be flown on a flagpole or flagstaff, which may not be mounted directly to doors or fences.
- d) No more than two (2) flags can be flown at any given time, without ARC approval.
- e) No flag may be more than three feet by five feet (3' x 5').
- f) **If flown on a flagstaff:**
 - i. It must be attached to the front of the residence, unless otherwise approved by ARC.
 - ii. The flagstaff shall not exceed six (6) feet in length and must not protrude above the first floor, eave or plate line.
- g) **If flown on a permanent flagpole:**
 - i. There shall be no more than one permanent flagpole per residence.
 - ii. The installation requires ARC approval to ensure it is not taller than twenty (20) feet and not placed in any easement or setback area.
 - iii. Placement in the rear or backyard preferred.
 - iv. No clanging of chains or otherwise noisy apparatus shall be attached to the flagpole or flag.
 - v. Lighting shall be shielded and controlled so as to not intrude on the adjacent neighbor's property. See Outdoor lighting requirements in Section H Outdoor Lighting.
- h) **If flown on a temporary flagpole:**
 - i. It must be in-ground with a pole height that does not exceed six (6) feet.
 - ii. Temporary flagpoles are only allowed on certain holidays (such as President's Day, Memorial Day, Flag Day, 4th of July, Patriot's Day, and Veterans' Day). The display is allowed for a reasonable number of days before and after the above listed holidays.
 - iii. A temporary flagpole may be installed by a BellaVita organization when authorized by the Resident or Lot Owner for their residency or by the Board in common areas.

10) Prohibited Displays

The following displays are prohibited in BellaVita:

- a) Any yard display that does not conform with the requirements in this section.
- b) Any sign larger than eighteen inches by twenty-four inches (18" x 24"), unless authorized by ARC.
- c) Commercial and advertising signs not specifically allowed in Section 6 – Yard Advertising Signs.
- d) Signs attached to a traffic control device, light, trailer, vehicle or any other existing structure or object.
- e) Signs attached to trees.

- f) Any display or sign placed in a Common Area without express consent of the Community Manager.

11) Right to Remove

The Association may enter upon any Lot and remove any non-conforming display or sign, including but not limited to the following:

- a) Any sign, banner or flag displaying vulgar, offensive or obscene language or graphics or is otherwise patently offensive to a person of normal sensibilities or polarizing to the community.

G. Hose Holders

Vessels or fixtures that hold hoses are allowed at the front spigot of the residence without ARC approval. Due to the differences in the look of certain hose holders, it is suggested the Resident use his/her most conservative judgement in shape and color when purchasing the hose holder. **Hoses laying on the ground or wrapped around the spigot on the front or side of the home are not allowed.**

H. Outdoor Lighting

- 1) Lighting that is not part of the original design/structure **must have ARC approval.** This includes all permanent walkway lighting. **Approval is needed for both front and rear yard lighting** due to its potential effect on adjacent neighbors.
- 2) Outdoor lighting shall be installed in such a way to shield or minimize the amount of spill light on adjacent properties, homes or streets. All lights must be installed no higher than the first story plate line. The only exceptions are low voltage landscaping lights.
- 3) Landscape Lighting must be located at ground level. Maximum height is eighteen (18) inches. Maximum wattage for landscape spotlights is forty (40) watts for incandescent or four (4) watts for LED light.

I. Surveillance Systems

Home surveillance systems may be installed without ARC approval as long as they comply with the following:

- 1) Cameras should be compact in size and obscured from view as much as possible so as not to detract from the appearance of the home.
- 2) Cameras must be placed only on an Owner's private property and not within or on any right-of-way, sidewalk or street, common area or neighboring private property,
- 3) Any camera lens must be angled such that the camera views the Owner's property only and does not observe or record the private properties of others.
- 4) An Owner may not use exterior cameras to unreasonably intrude on the privacy of neighboring properties or their occupants.

J. Screening

- 1) Screening **requires ARC approval.**
- 2) When items require screening from view or for privacy, landscaping is an acceptable solution.
- 3) An alternative solution is outdoor rated metal screening appropriately sized but not higher than six (6) feet.
- 4) Any vinyl, wire or chain link fence/screening is **strictly prohibited.**

K. Curbs

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The Association has responsibility for the maintenance and repair of both streets and curbs in BellaVita. **Modification or cutting of curbs is prohibited.** If repairs are needed, the Owner should make a report to the Community Manager. If the repair is due to actions of the Owner, Resident, or his/her contractor or guest, the Owner will be responsible for the cost of the repair which shall be conducted by the Association and charged back to the Owner.

L. Driveways

Driveway maintenance and repair is the responsibility of the Owner. For repair or replacement projects that are within the original footprint of the driveway, the Owner need only **submit an ARC No Action form** to the Community Manager prior to installation, replacement or repair. For replacement driveways or the addition or widening of driveways **beyond the original footprint (side extensions), ARC approval is required.**

Driveways should conform to the following:

- 1) Painted or stained concrete driveways are not permitted.
- 2) The replacement of concrete driveways is to be a minimum of four (4) inches thick reinforced with welded wire fabric (WWF) or rebar over a sand base. Expansion joints are recommended. Owners shall ensure that the driveway is constructed or repaired in a manner consistent with County/City specifications and industry standards.
- 3) Side extensions **require ARC approval** and are permitted up to a maximum of thirty (30) inches wide and shall not exceed the lot line. Materials shall be concrete, quarried stone or paver stone with sufficient base to be structurally sound for supporting a vehicle.
- 4) All concrete areas at each Residence, including sidewalks and driveways, must be maintained so that all cracks are appropriately patched as they appear. Expansion joints should be maintained, repaired or replaced as needed, and oil, grease and other stains must be cleaned or removed as they appear.

M. Walkways

- 1) Owners are responsible for the maintenance and repair of their walkway. Any walkway that is added **requires ARC approval** and should be a complimentary component and not compete visually with the house or landscape.
- 2) A walkway must be at least three (3) feet in width and no more than five (5) feet in width unless a variance of this rule is granted by the Board.
- 3) Walkways must be constructed of masonry, quarried stone, paver stone or concrete.

N. Swimming Pools / Spas / Hot Tubs

Installation of swimming pools, pool-related spas, hot tubs and pool/hot tub/spa enclosures **require ARC approval** and may not be Visible.

- 1) **Location:** Pools or spas, including equipment, must be located within the fenced portion of the residence. The back wash line shall be terminated to the sewer.
- 2) **Height:** Swimming pool apparatuses, (such as rock waterfalls and slides, diving boards, waterfalls, raised beams, etc.) must not exceed six (6) feet in height from natural ground or be Visible and must be screened with landscaping.
- 3) **Enclosures:** Pool and spa enclosures **require ARC approval.**
 - i. Permitted swimming pool/spa safety enclosures include a fence that:
 - a) surrounds a water feature, including a swimming pool or spa.

- b) consists of transparent mesh or clear panel set in black metal frames.
- c) is not more than six (6) feet in height.
- d) is designed to not be climbable.
- ii. additional screening may be required for enclosures.
- 4) **Fencing/Screening:** See Section J - Screening.
- 5) **Construction Access:** Pool construction access routes must be clearly defined from the street to the pool excavation site. Access must be granted by the appropriate entity and a written authorization including any and all local permits must be submitted with the application prior to pool installation.
- 6) **Maintenance:** All swimming pools and spas must be properly maintained year-round. Proper area drainage to the front of the property must be maintained and pool run off/drainage must not affect neighboring properties. Equipment must be maintained so as not to cause a noise violation to adjacent neighbors.
- 7) **Prohibited Structures:** Portable or permanent above ground swimming pools are strictly prohibited.

O. **Basketball Goals:** individual basketball goals are not permitted.

P. **Arbors / Shade Structures**

Arbors and shade structures **require ARC approval** and shall be defined as an attached or freestanding open framed structure whose purpose is to provide shade. They shall not be used for any type of open storage and must be maintained at all times. They may not be placed within or encroach upon any building line or easement. They may only be placed within the fenced portion of the residence.

- 1) **Attached to the home:** It must match the primary color of the home. It may not be closer than five (5) feet to the property line. It may not be higher than the fascia on the home. If roofed, it must be harmonious with the home.
- 2) **Freestanding:** All materials must be harmonious with the architecture and color of the residence. The area of the base should be proportional to the size of the lot and may not exceed ten (10) feet in height from ground to top. Additionally, landscape screening may be required.
- 3) **Material:** Supporting structural members must be constructed of materials resistant to decay such as engineered wood or embossed architectural aluminum. Hurricane strapping at the base and roof is required.

Q. **Patio Decks**

Patio decks are allowed within the fence portion of the residence and **do not require ARC approval as long as they conform with these requirements:**

- 1) **Materials:** All above ground components for the deck shall be made of either weather resistant wood, engineered wood, masonry or concrete. In all cases, the design and materials must complement the house design and conform with community architectural standards.

R. **Awnings / Exterior Shades**

Awnings and vertical exterior shades that are **Visible** are discouraged but may be allowed in limited situations. They **require ARC approval**. Awnings and shades must be well maintained at all times and the color must be complimentary to the residence.

S. **Patio Enclosures**

Owners may enclose the original patio with exterior walls, but the enclosure may not extend beyond the original foundation footprint without ARC approval.

Any extension of the patio beyond the original footprint **must be approved by ARC.**

- 1) **Material:** The standard, type, quality and color of the materials used in the construction of patio enclosures must be harmonious with the standard type, quality and color of the materials used in the construction of the residence (i.e. brick home and enclosure must be brick to match the home). Slope of the patio enclosure roof is to match the slope of the house, must be shingled to match the existing roof and in compliance with the roofing guidelines set forth herein. Corrugated fiberglass, plastic or metal roofs for patio enclosures shall not be permitted under any circumstances. Hurricane strapping at the base and roof is required. The exterior color of the walls, doors, windowsills, beams, frames or other Visible supports must match the exterior color of the residence. Covered patio enclosures must be maintained at all times. Additional landscape screening may be required.
- 2) **Attached** patio enclosures are not permitted.
- 3) **Guidelines for extending the roof line** over emergency exit areas are included in Section DD.2 Special Circumstances: Zero Lot Lines.

T. Outbuildings

Outbuildings require ARC approval and are defined as any type of structure detached from the residence used for any purpose, such as but not limited to, storage shed, storage container, workshop, tool shed, children's playhouse, greenhouse, sauna or doghouse.

Outbuildings must meet the following guidelines:

- 1) **Location:** Outbuildings are restricted to within the fence portion of the residence. Outbuildings cannot be placed in utility easements or in setback areas as defined on the lot plat. Outbuildings must be a minimum of five (5) feet from the Perimeter Fence.
- 2) **Size:** Outbuildings should not exceed six (6) feet in height and the area must be proportional to the size of the lot.
- 3) **Outbuildings must not be Visible.**
- 4) **Use of Outbuilding as living space or accessory dwelling is strictly prohibited.**
- 5) **Material:** The standard, type, quality and color of the materials used in the construction of an outbuilding must be harmonious with the standard, type, quality and color of the materials used in construction of the residence. Prefabricated (Rubbermaid type) storage containers may be allowed, provided they are not **Visible**.
 - i. **Screening:** Landscape screening may be required.
 - ii. **Submission:** when submitting a request for approval, a drawing of the outbuilding on a copy of the original plat must be attached. This drawing must show the overall dimensions (height, width, size, length) and location on the lot.
 - iii. **Buildings** must conform with City and County requirements.

U. Antennas / Satellite Dishes

- 1) No antenna or satellite dish which exceeds one (1) meter (39 inches) in diameter is permitted on any lot.
- 2) An antenna or satellite dish of one meter (39 inches) or less, and other antennas and related masts are permitted to be placed on a residence provided any such item complies with all of the minimum conditions set forth below and **Owner must submit a No Action Form** prior to any installation of any antenna, satellite dish and related mast provided for in this Section. The **No**

Action Form must include the type and color of antenna satellite dish and any related masts to be installed and the method, manner, and site of installation. The site must be shown on a plot plan.

- 3) If the owner wants to install an antenna, satellite dish and any related equipment which does not strictly conform with the minimum conditions set forth below, the owner must submit an application to the ARC and obtain the written approval of the ARC prior to commencing such installation. The application to the ARC must include a statement which specifically describes the manner in which it is proposed that such antenna, satellite dish and related mast will vary from such minimum conditions. The ARC shall endeavor to make its decision regarding granting of a variance from such minimum conditions and the granting of a variance by ARC shall in no way affect the Owner's obligation to comply with all governmental laws and regulations and other regulations related to antenna or satellite dishes.

4) Minimum Conditions

- a) The antenna, satellite dish and any mast must be located to the rear 1/2 of the Owner's lot within the fence portion of the residence and must only provide service for the Residents where it is located. No multi-party antenna or satellite dishes.
- b) To the extent feasible, the antenna, satellite dish and any mast including its base and anchoring structure shall not extend above the roof line of the residence and shall not be Visible from the frontage street or any adjoining street.
- c) To the extent feasible no antenna, satellite dish or mast shall be constructed or placed or permitted to remain on any utility easement or other easement or right of way located on any lot.
- d) The antenna, satellite dish and any mast must be securely mounted to a base so as to be able to withstand the effects of high winds or other extraordinary weather conditions; However, no guidewires or similar mounting apparatus will be allowed.
- e) No advertising, slogans, logos, banners, signs or any other printing or illustration whatsoever shall be permitted upon or be attached to an antenna satellite dish or mast.
- f) No satellite dish or antenna shall ever be used for the transmission of any signal whatsoever and said antenna or satellite dish shall be for the purpose of receiving only normal signals through airwaves for television viewing purposes only.
- g) No antenna or satellite dish shall be permitted to cause any distortion or interference whatsoever with respect to any other electronic device in the property.
- h) The antenna or satellite dish shall be one solid color only. Either white or black or shades of either brown, gray, tan or natural metal.
- i) Each Resident shall be permitted to have no more than one antenna or satellite dish and any related mast, as applicable, for each category of the following categories: the video programming providers, to wit: direct broadcast satellites, multi-channel multipoint distribution (wireless cable) providers and television broadcast stations.
- j) Any antenna, satellite dish or related mast installed here under shall be installed in a manner that complies with all applicable laws and regulations and manufacturer's instructions.

V. Solar Screens / Window Films / Storm Windows

No ARC approval is required as long as the Owner conforms with the requirements herein:

- 1) Solar screens may be installed on any window. An acceptable material for solar screening is a heavy gauge vinyl mesh that is available in a color harmonious to the exterior. The mesh must

be enclosed and framed. The mounting of the solar screen should not detract from the overall appearance of the house.

- 2) Window film may be installed on any window. **Absolutely no mirrored, fully reflective bronze or any other colored film is allowed.**
- 3) Storm windows must be architecturally consistent with the architecture of the house.
- 4) Window Protection for Entire Hurricane Season (June 1st through November 30th); During hurricane season window protection covering may be installed for extended time periods (but not more than two weeks before nor two weeks after the season) and do not have to be associated with any particular storm. This type of solution must be harmonious with the materials used in construction of the residence. All window coverings that are installed for an extended time before or after hurricane season require pre-approval from the Community Manager. Once a custom-made window covering is approved it does not require additional approval each year.
- 5) Window Protection for Single Hurricane Event: Window protection coverings that are installed for a specific hurricane are deemed to be temporary. The window protection coverings must be removed within a reasonable period after cancellation of the hurricane watch or the passage of the hurricane. The type of window protection material used for temporary coverings is left to the discretion of the Owner and does not require **ARC approval**.
- 6) Permanent hurricane shutters (e.g. Rollack) require **ARC approval**. If they are ever removed at any time, reinstallation will require re-application to the ARC.

W. Fencing

Fencing, except the Perimeter Fence (also known as Perimeter Wall), is the property of the Owner. Owners are responsible for the maintenance and repair of their fencing. All fencing must meet these guidelines. When conducting an in-kind replacement of fencing, Owners need only submit a **No Action Form** and conform with the requirements herein. **Any other changes to the original design of the fencing requires ARC approval.**

1) For Metal/Iron Fencing

- a) Metal fences are to be Ameristar Montage Majestic (or its equivalent) 2/3 rail steel fence in accordance with the attached manufacturer's drawing dated 11/6/09, Appendix F with gate notes.
- b) Metal gates are to be Ameristar Montage Majestic (or its equivalent) 2/3 rail steel gates in accordance with the attached manufacturer's drawing dated 11/6/09, Appendix E.
- c) For those lots where such metal/iron fencing is required, the fencing height is to be consistent with these standards and must be painted black.
- d) All front and rear metal/iron fencing around lake shall be four (4) feet in height.
- e) Metal rails must be spaced a minimum of four (4) inches on center.
- f) Metal gates shall be consistent with these standards:

2) Wood Fencing

Wood fences and wood gates shall meet the standards set forth herein:

- a) **Party Fence** – these are the fences that separate individual lots, see drawing dated 5 April 2014 Appendix E.
- b) **Cedar Cap Top Fence** – apply to the following (see drawing dated 5 Apr 2014 Appendix F):
 - i. Front yard fences between houses
 - ii. Side Yard fences adjacent to streets and common property owned by Association.
 - iii. Other wood fencing which is visual from any street and other such locations as determined by the Board.

- c) **Wood Gates** shall meet the standards set forth in the attached Wood Gate with Steel Tube Frame drawing dated 5 Apr 2014, Appendix G.
 - i. Wooden gates are to be forty-eight (48) inches in width. This allows mowing personnel access to back yards. No double gates allowed.
 - d) **Eight (8) foot high wood fences** shall meet the Eight (8) Foot Cedar Cap Top Fence drawing in Appendix G dated 5 April 2014. These are only permitted as replacement for existing eight (8) foot fence.
 - e) **Fence sides** that are Visible to the public and common areas must be the “finished” side of the fence.
 - f) Maximum height of any fences will be according to the standards.
 - g) All wood fences shall have a two-inch by six-inch (2"x 6") pressure treated rot board with three quarter (¾) inch beveled edge.
 - h) Posts shall be a maximum of seven (7) feet apart and installed to a minimum of thirty-six inch (36") depth set in an eight-inch (8") round hole filled with concrete around the base of the four foot by four foot (4' x 4') post.
 - i) Wood fences may not be altered in any form or fashion to incorporate any artistic design, cutouts, wagon wheels, etc.
 - j) To prevent inconsistent color matches with the fences throughout the community, painting, staining and varnishing of the wood is not permitted.
 - k) Wooden fences may be sealed with a water-based clear preservative. Unless it is a new fence, the wood must either be pressure washed or chemically cleaned prior to sealing. Products that are named transparent or translucent are not considered clear. The sealant may not have any tint. See Appendix A-2.
 - l) Decorations may be mounted to the fence under the following conditions:
 - i. Item must be harmonious with the surroundings.
 - ii. Item must be securely mounted with stainless steel fasteners.
- 3) **Prohibited Fencing** - Vinyl, chain link, lattice and wire fencing shall not be permitted.
- 4) **Animal Fencing** - For those residences with iron fences around their yards, Animal fencing will be allowed if it is black to match the color of the metal fencing and is either coated wire or black plastic and must be mounted on the inside of the fence. The Owner is responsible for maintaining the animal fencing ensuring it is in good condition at all times.

X. Generators

- 1) A portable electric generator is permitted for emergency use without prior approval.
- 2) Installation of a permanent generator **requires ARC approval** and shall be within/inside the fenced portion of the residence and no closer than 5 feet from any build line.
- 3) Owner may not be limited to location of the generator if the increased cost to install exceeds ten (10%) percent; or if the installation of electrical and fuel lines cost is increased by more than twenty (20%) percent.
- 4) Owner must maintain generator in good condition at all times.
- 5) All installations shall meet manufacturer's specifications; all electrical, plumbing, fuel line and natural gas line connections must be made by a licensed contractor; all installations shall be in accordance with applicable governmental health safety and building codes.
- 6) If final approved location is Visible, the generator must be screened with ARC approved screening (i.e. landscaping). See Section J Screening.

Y. Conservation Systems

- 1) Rainwater Harvesting – Rain barrels are permitted under the following condition:

- a) Color complementary to colors of the exterior of the home.
 - b) Not Visible from the street.
 - c) If Visible from the street, screening will be required and **must be approved by ARC.**
(See also Screening, Section J of this document).
- 2) Solar panels require **ARC approval** – Solar panels used for solar generated energy may be installed under the following conditions:
- a) Roof-mounted – No higher than roofline; parallel with roofline; and conform to slope of roofline. See ARC Section E: Roof Materials and Accessories for additional community-wide standards.
 - b) Ground mounted within the fenced yard but not taller than the fence.
 - c) Solar Panel frames, brackets, wires and pipes are to be black.
 - d) Installed solar panels must be able to withstand wind loads of 150 mph minimum.
 - e) Owner must maintain panels in good condition at all times.
 - f) All installations shall meet manufacturer's specifications and shall be in accordance with all applicable governmental health and safety laws, ordinances or regulations including building codes and permit or licensing requirements.

Z. Landscaping

- 1) The Owner is responsible for:
 - a) The purchase and installation of all landscaping.
 - b) The removal and replacement of dead grass, plants and trees.
 - c) Maintenance and trimming of trees so that they do not interfere with or obscure streetlights, overhang, neighbors' driveways, or interfere with vehicular traffic on the streets.
- 2) All landscaping must not interfere with safe line of sight distances at any intersections or any areas that would otherwise create traffic or sight problems.
- 3) No artificial vegetation or synthetic lawns are permitted in the front yard, side yard or other Visible portions of the property.
- 4) If Owner wants to re-landscape or alter the original landscape pattern, **ARC approval** is required. Application must include a drawing which demonstrates the drainage flow and ensure there is no drainage flow on adjacent property.
- 5) Flowerbeds built along the zero-lot line of the adjacent house shall be prepared and maintained so that the soil and mulch do not cover the weep holes of the adjacent residence.

AA. Garages

Garage conversions are not permitted. No garage shall be enclosed or modified as to reduce its capacity for parking two vehicles.

BB. Garage Doors

- 1) In-kind replacements do not require **ARC approval**, all other Modifications require **ARC approval**.
- 2) Glass panes are permitted in top panel only. **If the original garage door did not have glass panes, ARC approval for this change is required.**
- 3) No reflective glass is permitted.
- 4) Color is to be consistent with house trim.
- 5) Doors shall be of metal material only.
- 6) Owners are responsible for all maintenance and repair of garage doors.

CC. Common Areas/Ground Owned by the Association

- 1) Residents desiring to place property (e.g. park benches, tables, chairs, etc.) on Common Areas must **submit an application to the Board**.
- 2) Property purchased by the Residents and put in common areas shall be deemed donated to and become the property of the Association. As such, the Association has sole discretion regarding the disposition of the removal of donated property.
- 3) Residents shall provide to the Board copies of product information and sales receipts for donated items.

DD. Special Circumstances

1) Lake Lots

Lots along the lake shall retain a four (4) foot wrought iron fence. These residences also have additional restrictions as follows:

- a) Pools, spas, saunas and hot tubs are not allowed.
- b) Outbuildings are not allowed.
- c) Storage containers of a generally commercial type, designed for outside usage for garden implements, not to exceed thirty-six (36) inches tall are permitted on lake lots provided that they are directly next to the residence at the rear or side of the property and screened from general view by landscaping or approved screening at the sides. **Storage containers must be approved by the ARC. See also Screening, Section J.**
- d) All other restrictions on yard art, landscaping flags, banners, or signs will apply to the side or back yard of lake lots when items are Visible from the lakefront or other property.

2) Zero Lot Lines:

- a) Emergency exit gates from adjacent zero lot line properties must maintain a free and unobstructed means of escape from the gate through the side gate back to the effected property or to a public right of way. Do not landscape or install any improvements that obstruct this gate or means of exit.

Note: Because the building code requires a means of exit to an open outside area or a public right of way through windows or doors from bedrooms, the emergency exit gate must be maintained as a legal means of egress. Blocking this gate is a violation of the City of Pearland code according to the City of Pearland Fire Marshall and could lead to fines if blocked.

- b) Any extension of the roof line over the emergency exit area is limited to the existing eave line of the home. The slope of such extension must match the slope of the existing roof. Shingles, if used, must match the existing roof and comply with the roofing guidelines set forth herein. In lieu of shingles, tinted polycarbonate material can be used. Corrugated fiberglass, plastic ornamental material or such roof extensions shall not be permitted under any circumstances.
- c) No other enclosures of the emergency exit area are permitted.
- d) Owners must be allowed to access their property located on the zero-property line easement for general inspection and maintenance purposes.

- 3) **Perimeter Fence** (also referred to as the BV Perimeter Wall or the Wall): The eight (8) foot concrete Perimeter Fence (also known as the Perimeter Wall) along BellaVita Drive/Scarsdale Boulevard built in 2023 is Association common property. The Association

shall manage and maintain the Wall. All other fencing that borders BellaVita is the responsibility of the Owner. **See Fence Section W.**

Owners whose Lots are adjacent to or abut the BellaVita Perimeter Wall have a special responsibility for maintenance of the five (5) foot HOA Wall easement area and must conform with the following requirements:

- i. A five (5) foot clearance from the Wall (at both sides and top) must be maintained.
- ii. Nothing may touch, be attached to, or lean against, under or on top of the Wall, such as hooks, posts, lattice, signs, rails, banners, or plants/trees.
- iii. No trees or other woody vegetation may be planted within the five (5) foot easement for the Wall.
- iv. Any Owner with vegetation and/or landscaping within in the five (5) foot easement shall be solely responsible for the cost of maintenance of those items in conformance with these requirements and/or the removal of these items if the Association deems, at its sole discretion, that the items pose a threat of damage to or interference with the Association's management of the Wall.
 - a) Any vegetation that extends within eighteen (18) inches of the Wall will be considered interference with the Associations management of the Wall and the Owner may be required to remove or manage the vegetation regardless of its location in the yard.
 - b) No alterations to the color, texture or surface of the Wall are permitted.
 - c) Any Owner who intentionally or negligently causes damage to or alters the Wall will be held responsible for the cost of repair.

EE. Major Construction - This term applies to:

- a) the construction of a new residence on a previously vacant lot.
- b) the demolition of an existing residence (in whole or in part).
- c) the addition of one hundred fifty (150) square feet or more of additional living space on an existing structure, and/or
- d) the reconstruction of a pre-existing residence. Refer to Appendix J for the complete ARC application packet for Major Construction projects.
- e) no accessory dwelling units will be allowed.

Part II. The ARC Application/Approval Process

1. Submission

No Modification or Major Construction Project may be started until the Owner receives approval in writing from the ARC.

All applications for approval shall be submitted by the Owner in writing using the ARC application form. Applications are available at the Clubhouse. Builders, Tenants or non-Owner Residents are **not permitted to submit ARC applications.**

The plans/specifications must be supported by the following information as appropriate:

- A. A copy of the existing lot survey showing location of easements, existing buildings, and structures with the proposed location of the modification, all measurements and applicable building setback lines.**

- B. Drawing(s) of the proposed addition/modification showing the top, front, side, and rear exterior views, overall dimensions (length, width, height) of the modification, and the layout and dimensions of supporting structures.
- C. All plans and specifications shall be drafted in a professional manner. An architect or designer is not required but recommended for easier interpretation and generally better design results.
- D. A description of all material to be used including, but not limited to, brick, siding, structure foundation, roofing material and paint. List all specifications relating to modification or improvement design, structural framing, and quality of exterior materials, colors, textures and shape.
- E. Color samples of all colors involved. One copy of each color sample or photographs will be accepted.
- F. A description of PODS/Dumpsters to be used and the proposed location of placement (limited to driveways).
- G. Other information considered necessary for full evaluation. For example, the impact on drainage for the property and neighboring properties.
- H. It is the Owner's responsibility to determine all easements and setbacks that exist upon their property. No construction may occur within easements or building setback lines.

Note: All building permits must be in effect at the time of construction. In some cases, approval from Harris County or the City of Pearland or other governmental jurisdictions might be necessary. **Owner is solely responsible for obtaining permits, if required, and compliance with local and county ordinances.**

The ARC reserves the right to request additional information deemed by it to be necessary to properly evaluate the application. A request for additional information by the ARC is considered a conditional disapproval until the required information is received for review. In the event that the ARC requests additional information and such information is not submitted by the Owner within 30 days, the application shall be denied. However, the Owner may submit a new application with the requested information to the ARC for its review. Any questions pertaining to these standards may be directed to the Chairman of the ARC.

The application is considered submitted only upon actual receipt of the complete package by the ARC. Owner will be notified when an application has been received.

Approval/disapproval responses in writing are considered complete when given to the Owner, deposited in US mail or when an email is sent.

As the community ages, Owners may be conducting minor maintenance or emergency repairs. If no changes are made to location, color, material or product. Owners must submit a **"No Action" form** to the Community Manager, by delivering it to the Clubhouse and proceed with the project. ARC approval is not required for the actions listed on the No Action Form.

2. Review Procedure

The ARC will review each application for approval or denial based on the following:

- A. Requirements of the TPC.**
- B. Conformance with the requirements of the Guidelines in effect at the time of the application and conformance with the governing documents.**
- C. The quality of construction and materials, colors, exterior design (elevation), size (dimensions) and location must be harmonious with existing and other proposed structure and location with respect to topography and finished grade elevation.**
- D. The location of any Modification must not violate the building setback lines, utility or drainage easements as shown on the official recorded plat, nor obstruct driver's vision at street intersections, nor change the drainage path for any lot.**
- E. Adequacy of site dimensions, structural design, conformity and harmony with external design, location with neighboring structures and sites, and conformity to both the specific and general intent of the restrictions and surrounding properties. Review and approval or denial may be made solely on the basis of aesthetic considerations.**
- F. An application may be approved subject to Owner's receipt of other permits or approvals that may be required from Harris County or other governmental entities. It is the responsibility of the Owner to obtain all required City, County or other governmental permits.**
- G. The ARC will not grant permission to place a building over, under, upon or across any utility easement unless the Owner first obtains in writing from the owner of the easement (i.e. utility companies) consent to encroach upon the easement.**
- H. If an application is denied, the Owner may file an Appeal following the procedures outlined in Section 3 below.**
- I. All decisions shall be conveyed in writing (letter or email) to the Owner and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for denial of the application. No verbal approval shall be granted, valid or binding.**

If construction is not commenced within sixty (60) days of approval, the approval will expire, and a new application must be submitted.

Unless otherwise stated in a written response, all approved Modifications shall be substantially complete within sixty (60) days of the date construction, installation or erection starts.

Approval of an application shall not be construed as a warranty or representation by ARC, the Managing Agent or Board that the Modification complies with any or all applicable statutes ordinances or building codes or as a warranty or representation by the ARC, Managing Agent, or the Board of the fitness design or adequacy of the Modification or Major Construction project.

Neither the Board, ARC, Managing Agent nor any of their respective members, officers, directors, employees or agents shall be liable because of the approval or non-approval of an application.

3. Appeal Procedure:

In the event the ARC denies an application, the Owner may, within thirty (30) days of the denial, submit a written appeal to the Board including any additional information the Owner considers relevant to the original application.

- A. The Board shall have thirty (30) days to schedule a hearing.
- B. The Owner shall be notified of the date, time and place of the hearing not later than the 10th day before the hearing is to take place.
- C. The decision of a majority of the members of the Board is necessary to approve or to deny an appeal of an ARC decision/application. All decisions of the Board shall be final.
- D. All decisions by the Board shall be conveyed in writing to the owner and shall include a statement of the conditions under which the application is approved, if any, or the primary reason(s) for denial of the appeal.
- E. No verbal approval shall be granted, valid or binding.
- F. Status of Application during Appeal: During the appeal period, the ARC decision on the original application shall remain in effect. Failure of the Board to respond to a request for appeal within sixty (60) days of the date of its receipt shall not automatically result in approval of the original application.

4. Variances

- A. Variances to the Guidelines may be granted at the sole discretion of the Board. No Variance shall be granted unless the general purposes and intent of the declaration and Guidelines are maintained.
- B. 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 ARC requirements as they apply to other sites or conditions.
- C. All variances must be confirmed in writing and signed by the Board or its designated representatives prior to construction of the improvement. No verbal variances shall be granted.
- D. Once the Owner has obtained ARC approval for Modifications or Major Construction Projects, the Owner is responsible to ensure that the work conforms with the following standards and the information submitted to ARC.
 - 1. It is the Owner's responsibility to ensure conformance with these Guidelines for any Modification or Major Construction project whether they conduct the work themselves or hire a contractor or builder. If an owner hires a contractor or Builder, it is the Owner's responsibility to ensure his/her contractor is aware of and understands the requirements of the governing documents and these Guidelines and Standards. The Association has the right to enforce adherence to these standards through fines or other legal action.
- E. When submitting an application or initiating work in BellaVita, the Owner and the contractor or Builder must agree to abide by the following:

1. The burning of construction material, debris and other scrap in BellaVita is strictly prohibited.
2. The work site shall be kept clean daily. The Owner and the contractor are responsible for all trash and debris, which must be removed promptly.
3. No dumping within BellaVita is allowed.
4. Contractors are responsible for keeping mud, dirt, etc. off of the roadway and meeting all E.P.A. requirements regarding movement of silt and other materials from construction site to drainage swales and/or adjacent properties. Contractors will be responsible for repair to any road, road right-of-way, shoulders, curbs or drainage swales damaged during the course of construction.
5. Dumping or cleaning of cement trucks or dumping of construction material is not allowed within BellaVita, including common areas and rights-of-way (i.e. ditches streets, parks or storm sewers and all easements).
6. Common areas, streets and neighbor drainage swales must not be altered.
7. Construction is limited to Owner's property. Any damage done to Association and/or neighboring property shall be restored to the condition immediately prior to construction at the Owner's expense.
8. No building materials or equipment shall be left on the street overnight.
9. PODS/Dumpsters are permitted in the driveway for a reasonable period of time during renovation/construction. Use of such items must be approved in the application.
10. Construction work shall be limited to 7:00 am to 7:00 pm Monday through Saturday and 10:00 am to 5:00 pm on Sunday. Construction work is not permitted during national holidays.

5. Compliance Evaluations

The Association reserves the right, but not the duty, to perform periodic evaluations of any Modification or Major Construction Project as follows:

A. General

Compliance inspections by the Association are to ensure Modifications meet the approved submitted documents and do not deviate from the guidelines herein.

B. Periodic Inspection

If performed, will be evaluated for conformance with the submitted approved documents and guidelines including utility easements, drainage easements, flowage easements, setbacks, disposal of debris, burning of debris, burning of debris and all other requirements made by the contractor/owner.

C. Final Inspection

A final inspection may be performed to review the property after completion of Modification(s) to verify compliance with the guidelines and submitted plans.

D. Non-Compliance with Approval

If for any reason a structure is deemed not to be in compliance with approved plans, the owner will be notified in writing. The Association will require the cessation of construction until the item(s) in non-compliance are corrected.

E. Failure to Submit to the ARC for Approval Prior to Beginning Construction Commencement of construction before approval is received or failure to install/build as approved may result in levy of fines imposed on the Owner for non-compliance by the Association.

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APPENDIX "A- 1"
Exterior House Colors

The following specific products are a Community-wide standard. Equivalent products are acceptable.

Exterior House Paint Color

Sherwin Williams Sandbar (A100 - SW7547) Exterior Gloss

Roof Shingle Materials

GAF Timberline - Weathered Wood, Barkwood, Shakedown, Slate, Hickory, Pewter Gray or equivalent.

APPENDIX "A-2"
Fence Materials

Wood Fence

Lumber

Pickets: 1x6 Cedar, Lumber Grade #1 or #2

Posts: 4x4 Treated Yellow Pine, Lumber Grade #2

Rails: 2x4 Treated Yellow Pine, Lumber Grade #3

Cap: 2x6 Cedar #2 or better

Wood Fence Sealant (Water-based only. Transparent or translucent are not considered clear)
Equivalent products are acceptable.

Sherwin Williams Superdeck Clear Sealer

Thompson's Water Seal Clear Wood Sealer

Olympic Waterguard Clear Wood Sealer

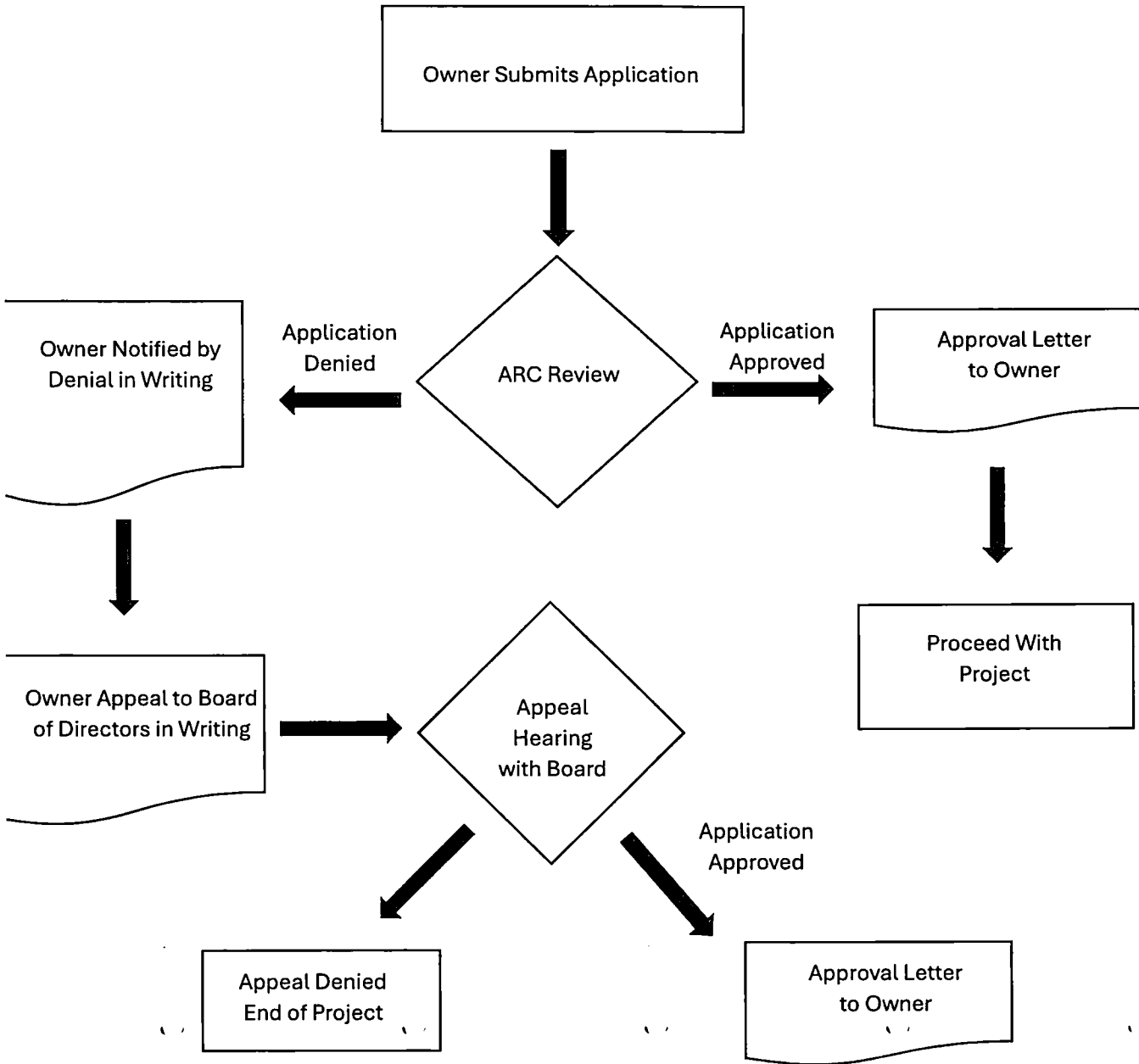
Metal Fence Products

Ameristar Montage Majestic or equivalent

4' high gate/fence around the lake

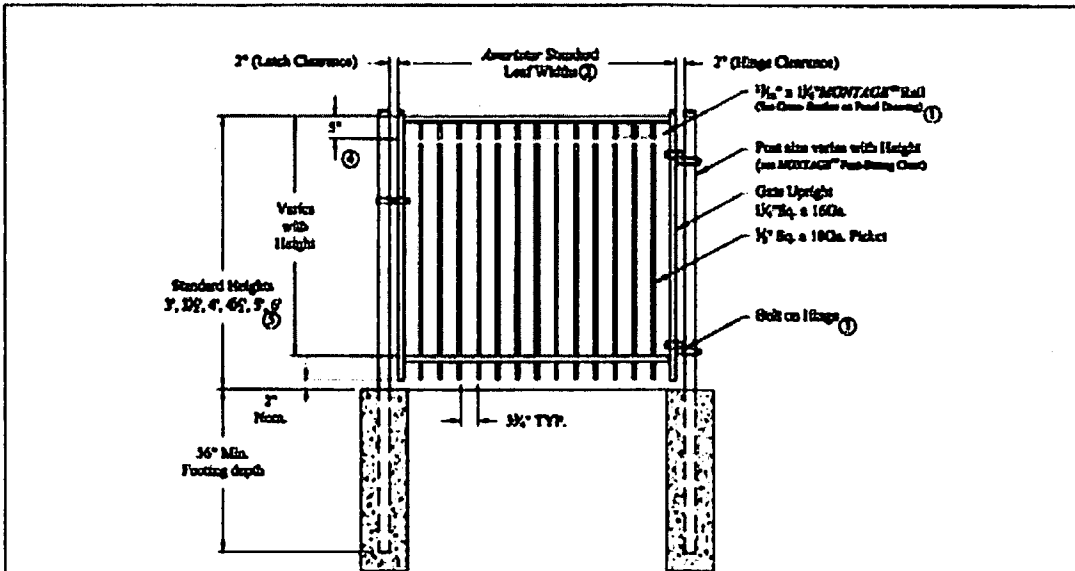
6' high gate/fence in a wooden fence for non-lake front properties

APPENDIX "B"
OWNER PROJECT APPROVAL PROCESS



RP-2024-376443

APPENDIX "C" RESIDENTIAL WELDED STEEL GATE



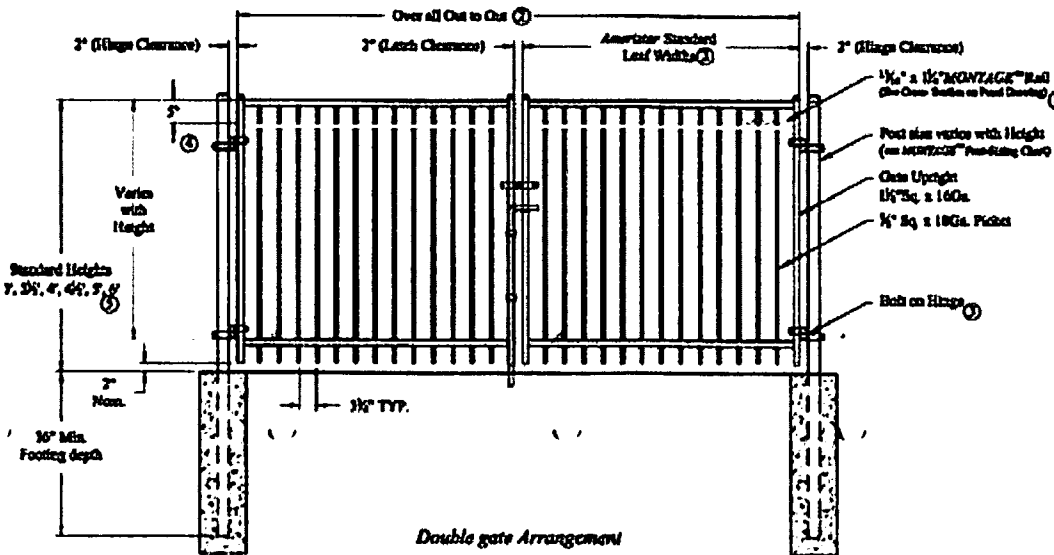
OTHER NOTES:

- 11 Metal Gates are to be 4'-0" wide by same height as adjacent fence.
- 2 Metal gates in wood fences are 4'-0" wide by height of fence

NOTES:

Single gate Arrangement

- 1.) Post size depends on fence height, weight and wind loads. See MONTAGE™ specifications for post sizing chart.
- 2.) See Ameristar gate table for standard out to over. Custom gate openings available for special out to over/leaf widths.
- 3.) Additional styles of gate hardware are available on request. This could change the Latch & Hinge Clearance.
- 4.) Third rail required for Double Hinge.
- 5.) Available in 2" air space and/or Flush Bottom on most Heights



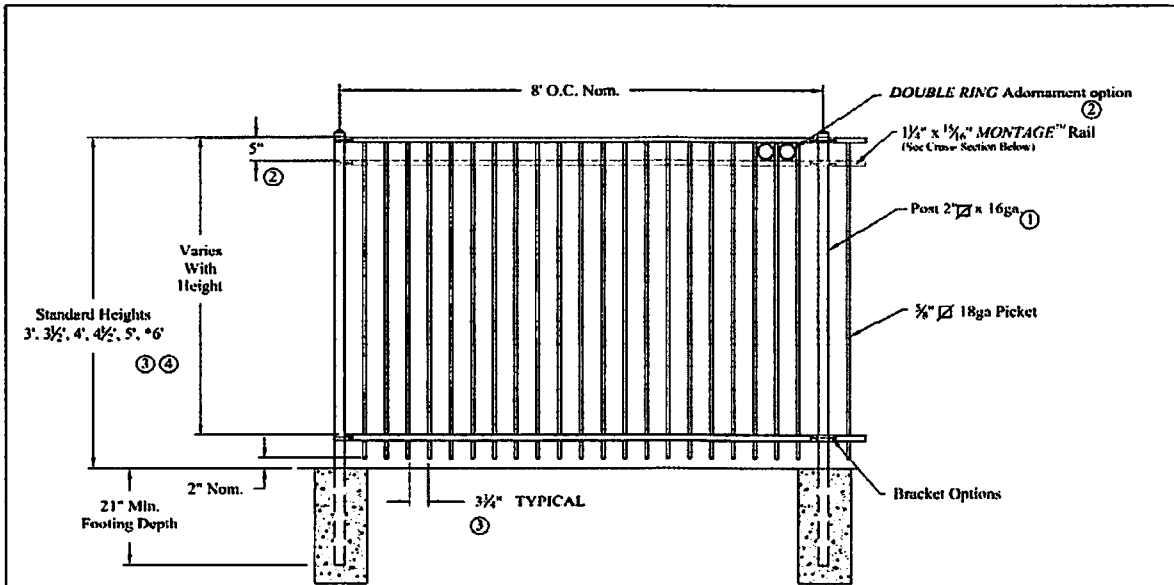
Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

RESIDENTIAL WELDED STEEL GATE

MONTAGE MAJESTIC 2/3-RAIL SGL. & DBL. GATE					1555 N. Mingo Tulsa, OK 74116 1-888-333-3422 www.ameristarfence.com
DR: CI	SH: left	SCALE: DO NOT SCALE	REV: b		
CK: ME Date: 6/28/10					

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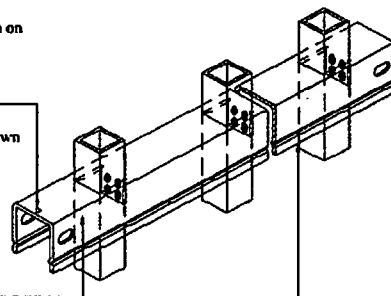
APPENDIX "D" RESIDENTIAL WELDED STEEL FENCE



NOTES:

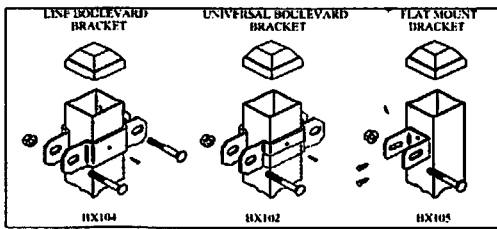
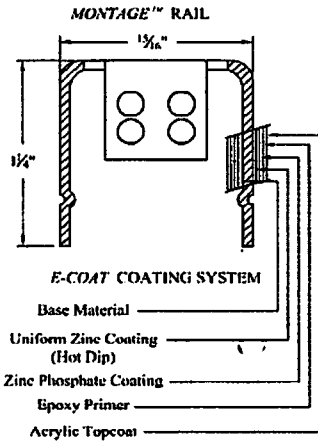
- 1.) Post size depends on fence height and wind loads. See *MONTAGE™* specifications for post sizing chart.
- 2.) Third rail required for *Double Rings*.
- 3.) Available in 3" air space and/or Flush Bottom on most heights.
- 4.) Three rails required for 6' tall.

RAKING DIRECTIONAL ARROW
Welded panel can be raked 45° over 8' with arrow pointing down grade.



PROFUSION™ WELDING PROCESS
No exposed welds. Good Neighbor profile - Same appearance on both sides

MONTAGE™ RAIL
Specially formed high strength architectural shape.



**RESIDENTIAL WELDED STEEL PANEL
PRE-ASSEMBLED**

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements. RMISO

MONTAGE MAJESTIC 2/3-RAIL			
DR: CI	SH: 1 of 1	SCALE: DO NOT SCALE	
CK: ME	Date: 7-19-11	REV: c	

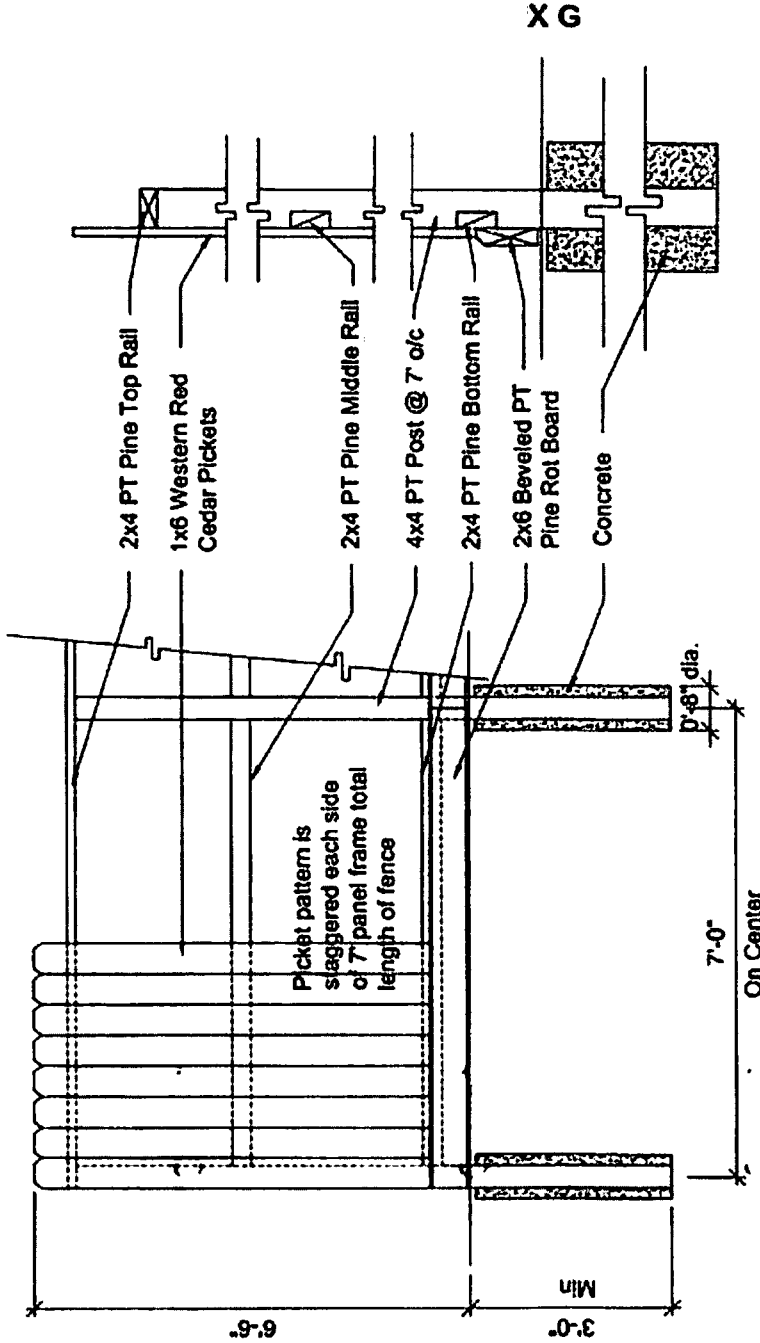


AMERISTAR®

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Tulsa, OK 74116
1-888-333-3422
www.ameristarfence.com

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APPENDIX "E"
PARTY FENCE



SECTION 1" = 1'-0"

NOTES:

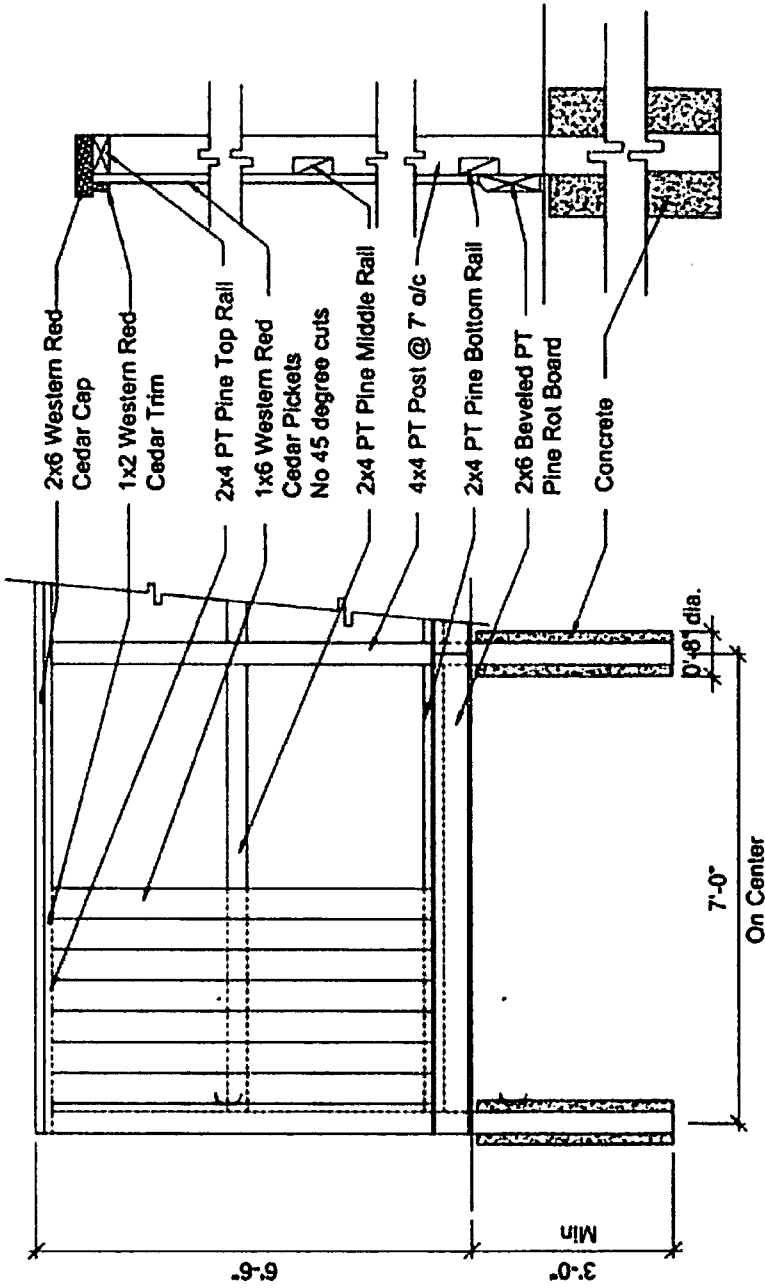
1. Cedar Pickets: Red Western Cedar # 2 or better
2. All Pine: Pressure treated (PT) #2 or better
3. Picket Nails: Two stainless steel ring shank nails each rail per picket (Total 6 per picket)
4. Rot Board, Rail, Post Nails: Stainless steel ring shank nails

ELEVATION 1/2" = 1'-0"

PARTY FENCE

5 Apr 2014

APPENDIX "F"
CEDAR CAP TOP FENCE



NOTES:

1. Cedar Pickets, Cap, Trim: Red Western Cedar #2 or better
2. All Pine: Pressure treated (PT) #2 or better
3. Picket Nails: Two stainless steel ring shank nails each rail per picket (Total 6 per picket)
4. Rot Board, Rail, Post Nails: Stainless steel ring shank nails

ELEVATION 1/2" = 1'-0"

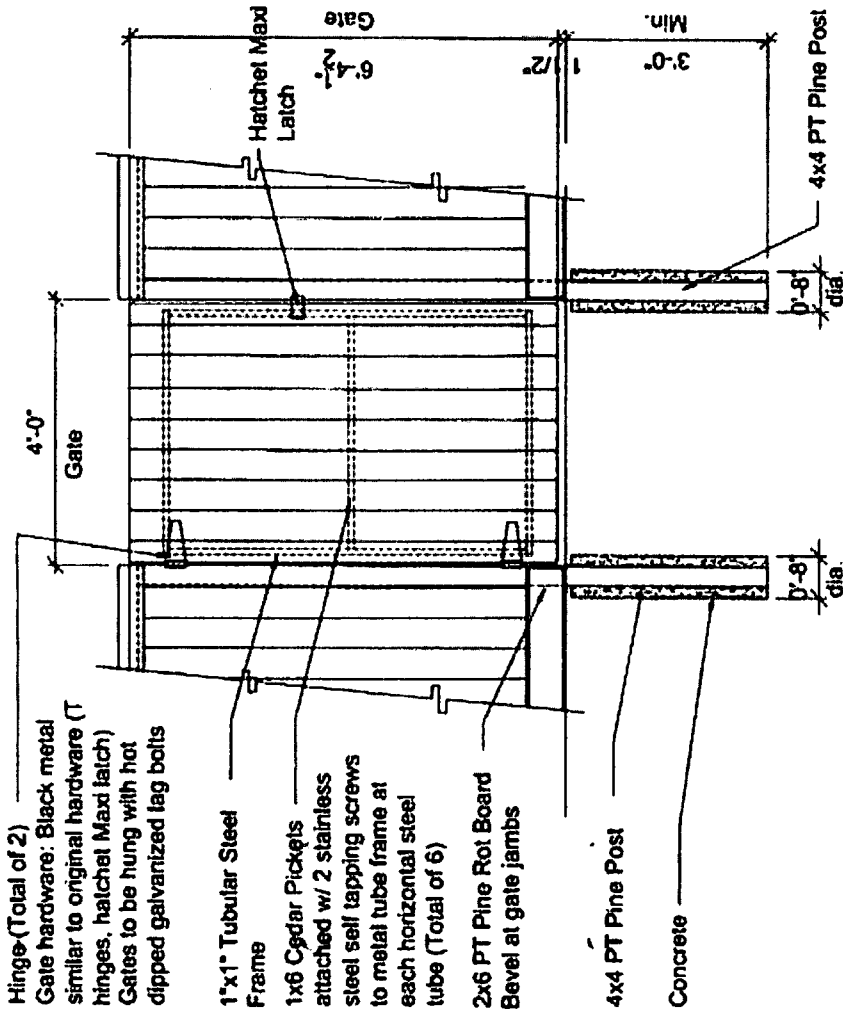
On Center

SECTION 1" = 1'-0"

CEDAR CAP TOP FENCE

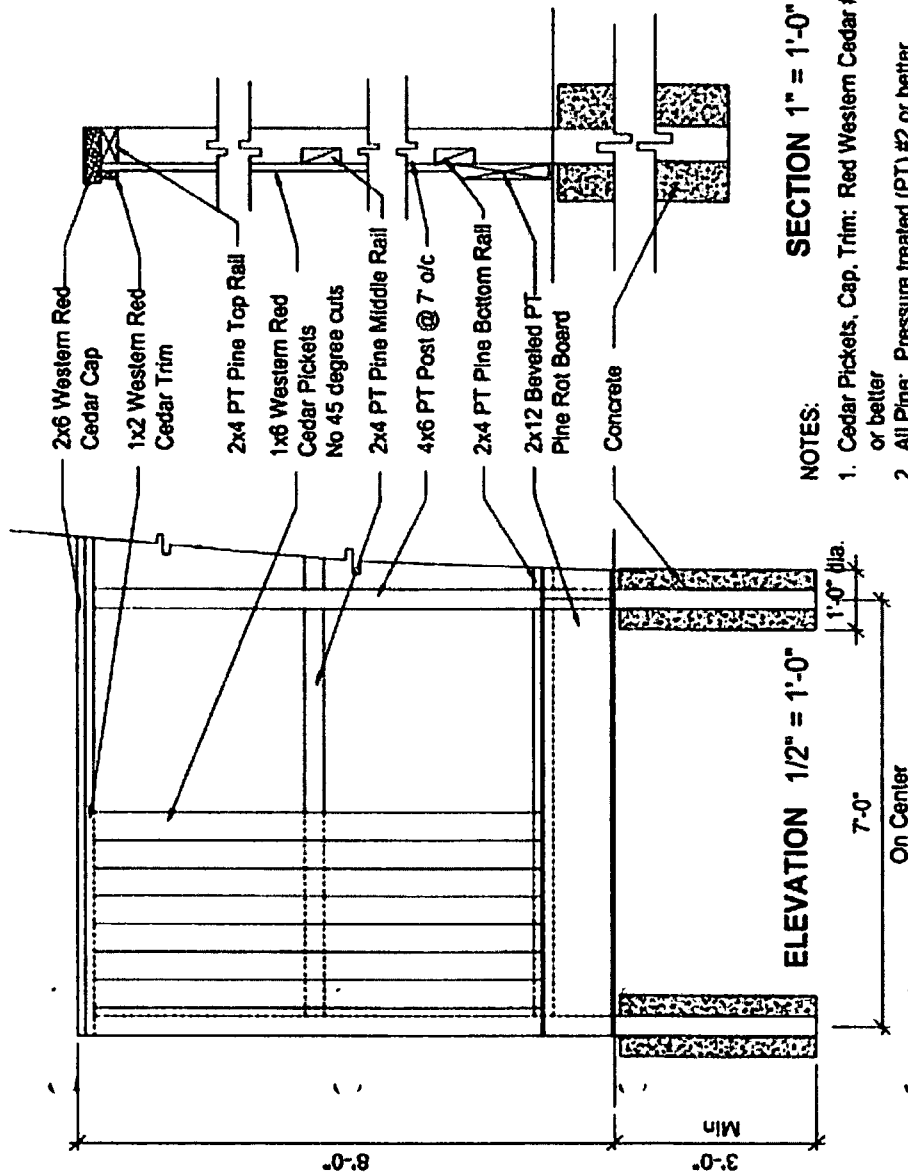
5 Apr 2014

APPENDIX "G"
WOOD GATE WITH STEEL TUBE FRAME



ELEVATION 1/2" = 1'-0"
WOOD GATE WITH STEEL TUBE FRAME
 5 Apr 2014

APPENDIX "H"
8 FOOT CEDAR CAP TOP FENCE



SECTION 1" = 1'-0"

NOTES:

1. Cedar Pickets, Cap, Trim: Red Western Cedar #2 or better
2. All Pine: Pressure treated (PT) #2 or better
3. Picket Nails: Two stainless steel ring shank nails each rail per picket (Total 6 per picket)
4. Rot Board, Rail, Post Nails: Stainless steel ring shank nails

8 FOOT CEDAR CAP TOP FENCE

5 Apr 2014

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APPENDIX "I"

Managing Agent

Inframark

2002 W. Grand Parkway

Katy, TX 77449

281-464-3150

Community Manager: Rebekah Chevalier

Company E-mail: Rebekah.chevalier@inframark.com

Company Website: www.inframarkims.com

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APPENDIX "J"

MAJOR CONSTRUCTION REQUIREMENTS

1. Overview of Major Construction Requirements

The purpose of these Guidelines is to establish basic criteria for the approval of Major Construction projects within BellaVita and to ensure that these projects are of the highest quality to promote well-crafted residences in BellaVita.

The scope of these guidelines is to regulate: 1) the construction of new residences on previously vacant lots, 2) demolition of any existing residence, 3) the addition of one hundred fifty (150) square feet or more of additional living space on an existing residence, and 4) the reconstruction of a residence (within the original footprint) when the structure has already been previously demolished.

2. Construction Prohibited Prior to Major Construction Project Approval

No Major Construction Project may commence or initiate any on-site activity on property in BV until the Builder has prepared and submitted to ARC a complete Application Packet and the ARC has approved that Application Packet. ARC approval will be referred to as the Project Plan.

3. Approval Requirements

Step 1 – Submissions

For all Major Construction projects both the Builder and Owner shall submit a written Application Packet to the ARC for approval. The Application Packet should include all exhibits necessary and sufficient to describe the proposed project, including but not limited to, the size and location of the project site, the overall style and aesthetics of the project and any anticipated exceptions or variances from these Guidelines and the Architectural Guidelines applicable to all construction (collectively the "Guidelines" herein).

Included in the Application Packet, the Builder must, at a minimum, warrant compliance with all applicable City of Pearland, Harris County and State of Texas building codes, regulations and/or ordinances.

Prior to submittal of any plans to the City of Pearland and/or other governmental entity with jurisdiction over the project, the Builder must submit to the ARC the Application Packet along with a complete set of plans/specifications for any of the project elements itemized below. These plans are preferred to be submitted on a USB drive or via email, and if submitted on paper, no larger than 11x17. In addition, the ARC may require the submittal of a complete package for additional elements not itemized below that it deems necessary for the project.

The Application Packet shall describe thoroughly three separate elements of the Project Plan:

1. Site Improvements
2. Landscape Improvements
3. Building Improvements
4. Construction Schedule / Timeline

The ARC reserves the right to alter the review process in order to ensure an adequate review of all submissions while accommodating the needs of the Builder.

Step 2 – Project Plan

All activities to be conducted at the property must be described in the Application Packet, which will become the Project Plan once approved by ARC.

The Application Packet shall include all plans for the project. The submittal must include the following:

1. Site Plan. The Site Plan shall clearly illustrate all of the following:
2. Site layout
3. Lot layout with dimensions
4. Location of all walkways
5. Fence plan (type and location)
6. Minimum elevation of all building pads
7. Location of all drainage structures
8. Existing grade along perimeter of the property
9. Existing vegetation and site features to be preserved
10. Grading details (including drainageways)
11. Areas to be paved
12. House elevations and lot landscaping

The Landscape design shall be described in a landscape plan which includes the following: street tree locations; plant list with sizes; location of plants and trees; existing vegetation to be preserved; irrigation plan; and photographs and/or material samples for all landscape materials including, without limitation, walls, fences, textured paving, gravel mulch, site furnishings, stucco, paint, stain and other visible exterior finishes.

Step 3 - Building Plan.

The Building Plan portion of the Application Packet shall describe and detail all aspects of the construction of the structure, including but not limited to:

1. A photograph or construction drawings to include specifications and elevations of the structure with photographs or sketches of front elevations along with side and rear elevations.
2. Building plan with square footage calculations.
3. Architectural materials including color chips, manufacturer cut sheets, photographs, and/or material samples for all building materials including roofing, doors, garage doors, windows, stucco, brick, fascia, trim, paint, stain, architectural walls and other visible exterior features.

Final site plan which shall clearly illustrate all elements within each individual lot and describe building footprints, setbacks, driveway locations and wall/fence locations. Each submittal shall consist of the Lot Survey and supplementary specifications. Copy size to be a maximum of 11" x 17" for file purposes and at an appropriate scale to include:

1. Building setbacks, easements and rights-of-way are to be defined on survey and if backing or siding to major thoroughfares or loop/collector access streets.
2. Placement of improvements/fencing/driveway access.

Step 4 – Final Approval

The ARC shall review and approve, in writing, each submittal or recommend revisions, if any, to those aspects of the plans that are inconsistent with these Major Construction Project Guidelines.

The review and approval process shall not exceed sixty (60) days following receipt of a complete submittal package.

Step 5 - Following Approval by the ARC

All plans and specifications shall be submitted to the appropriate local agency(s) for review and approval, including the City of Pearland, and if appropriate, Harris County.

Construction shall proceed only after written approval of the final set of drawings and specifications from the ARC and all appropriate local and/or governmental agencies.

Changes that occur during City or County review or during actual construction that differ from ARC approved drawings must be resubmitted to ARC for review and approval.

Specific Guidelines applicable to Major Construction Projects

Builder must comply at all times with the BV CCRs, Architectural Guidelines and, at a minimum, the following additional guidelines.

1. Sidewalks and Walkways

All Sidewalks must be concrete, plain gray in color with medium broom finish and conform to all applicable City of Pearland rules and regulations. Sidewalks must be at least three (3) feet in width and no more than five (5) feet in width and shall extend from the front door of the residence to the driveway. Picture frame sidewalks are required. All sidewalks shall be constructed with curb ramps at every street.

Walkways should be a complementary component of the site architecture and should not compete visually with the house and/or landscape and be constructed with masonry, quarried stone or concrete. The use of alternate materials shall require the approval of the ARC. Asphalt walkways are prohibited.

In those instances where a walkway parallels the front, side or rear elevation of a house, a planting area (a minimum two (2) feet in width) must be maintained between the house and walkway. In such cases, the planting area shall be planted with an appropriate plant material.

2. Lot Coverage

ARC encourages Owners to not allow buildings, driveways, walks and other impervious structures to exceed sixty percent (60%) of the total lot area for standard single-family residential developments. Pools, spas and decks are not considered structures for the purpose of calculating the lot coverage.

3. Minimum Pad Size

The minimum livable space allowed is twelve hundred (1200) sq. ft, which does not include the garage in the calculation.

4. Garage Placement

Attached garages may not face the side street and must be placed on the opposite lot side from the side street on corner lots. An exception may be made by the ARC for a rear loaded attached garage.

In all instances, each residence within BellaVita shall provide garage parking for two (2) vehicles.

Driveways and garages are to be placed near the property line farthest from the entry street, when a lot sides onto a neighborhood entry street or collector/loop street.

Detached garages are prohibited.

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5. Utility Easements

All single-family residential lots contain a utility easement for the distribution of electrical, telephone, gas and cable television service. In some instances, sanitary sewer lines are also placed within the utility easement.

Note: BV utility easements may be located along the rear, side and front lot lines. Both the recorded subdivision plat and the individual lot survey should be consulted to determine the size and location of utility easements on a specific lot. Encroachment of structures upon the utility easement is prohibited.

6. Lot Elements

a) Grading and Drainage

Each lot shall be graded so that storm water will drain from the rear property line through the side yard and front yard to the abutting street and not across adjacent lots.

Minimum grade shall be one (1) percent. Exceptions will be made in those instances where existing topography dictates an alternate lot grading plan. The ARC must approve all exceptions.

b) Driveways

The Builder is required to build driveways into the street right-of-way. To the extent possible, driveways are to be de-emphasized, highlighting instead the landscape environment. All driveway locations must be approved by the ARC.

Driveways may be paved with concrete or unit masonry, although use of materials should be consistent with the architectural character of the entire neighborhood. Asphalt paving is prohibited.

Concrete driveways are to be a minimum four (4) inches thick over a sand base. A six (6) inch by six (6) inch woven wire mesh shall be installed within the "drive- in" portion of the driveway between the curb and sidewalk. City of Pearland specifications regarding driveway cuts and curb returns at driveway openings shall be adhered to.

Driveways must be front loading to garages and a minimum of twenty (20') feet in width at the curb.

Driveways shall be located no closer than thirty (30) inches from the side property line.

Driveways located nearer than thirty (30) inches to a side property line must receive approval from the ARC.

The Association encourages Owners and Builder to not allow driveways to be constructed over inlets or manholes. In instances where this is unavoidable, compliance with city or county regulations, which may require inlet adjustment and/or upgrade, will be necessary.

Driveway slopes should be uniform with smooth transitions between areas of varying pitch.

7. Foundations

Foundation design and construction must meet all applicable local building guidelines and codes, including City of Pearland IRC and TRCC Building Code regulations.

Minimum slab elevations are determined by, and should be coordinated with, the appropriate city or county agency. All foundation plans must be designed by a Texas Registered Professional Engineer.

Prior to construction, a form survey shall be undertaken to ensure that building setback lines are not violated.

8. Exterior Materials

Samples of all finish materials must be submitted to the ARC for approval. The ARC shall have the right to specify exterior elevation requirements for the residence.

9. Window Treatment

Wood, vinyl, or metal windows may be used. When metal windows are utilized, the finish shall complement the color and architectural style of the house.

10. Roof Treatment

Roofing materials (including color) used on all homes shall be approved by the ARC. Wood shingles are strictly prohibited.

11. Rain Gutters and Drains

The installation of rain gutters and drains is encouraged on all roof sections where runoff occurs which affects sidewalks and walkways. Rain gutters and drains shall be integrated with the architectural design in color, shape and location. Drainpipes tied into the rain gutter downspouts must be screened from public view either by suitable material or by planted shrubs or ground cover.

12. Maintenance

At all times during the Major Construction project, the Owner must ensure that the property is maintained in a neat, clean, and orderly condition by the Builder/contractor. Periodic repairs shall be made to correct any condition which suggests visual deterioration of construction or a residence.

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Pages 41
10/10/2024 02:12 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$181.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2024-376443