




Executed on this 27<sup>th</sup> day of October, 2020.

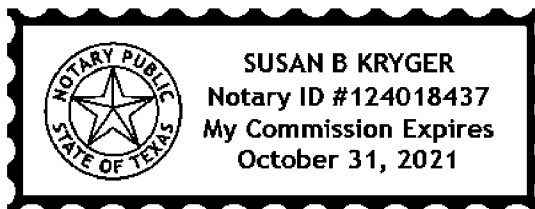
**DAVIS SPRING RESIDENTIAL PROPERTY OWNERS' ASSOCIATION, INC.**

By:   
Ben Lancaster, authorized representative

THE STATE OF TEXAS    §  
   §  
COUNTY OF HARRIS    §

BEFORE ME, the undersigned notary public, on this 27<sup>th</sup> day of October, 2020 personally appeared Ben Lancaster, authorized representative of Davis Spring Residential Property Owners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

  
Notary Public in and for the State of Texas



# *Davis Spring*

Architectural Review Committee  
Guidelines for Property Improvements  
September 2020

## Table of Contents

|                                      |    |
|--------------------------------------|----|
| ARC Request Procedure                | 1  |
| ARC Member Volunteer Guidelines      | 2  |
| Play Equipment                       | 3  |
| Decks, Patios, Pergolas, Arbors      | 4  |
| Fences                               | 5  |
| Exterior Painting & Roof Replacement | 6  |
| Landscaping                          | 7  |
| Residence Additions                  | 9  |
| Satellite Dishes                     | 10 |
| Solar Energy Devices                 | 11 |
| Storage Sheds                        | 12 |
| Swimming Pool                        | 13 |
| New Trees                            | 14 |
| Xeriscaping                          | 15 |
| Tree Houses                          | 17 |
| Security Cameras                     | 18 |
| Open Space Guidelines                | 19 |

# ARC Request Procedure

## Guidelines to Owners:

1. Prior to submission of an ARC Request, please review these guidelines to obtain a general understanding of what is necessary for review by the ARC. *Note: This document does not address every Improvement that might be submitted. Requests will be considered on a case by case basis.*
2. Visit the Davis Spring Residential Property Owners' Association, Inc. (the "Association") website (link below) and navigate to the ARC Request form: <https://www.davisspring.org/architecture-change-request/>.
3. Complete the ARC Request form with all requested information and attach any necessary files and supporting documents.
4. Attach any drawings/ photos/ schematics required by the guidelines.
5. Submit the form and required documents electronically.
6. Upon electronic submission, the form and documents will be sent to the Association's property manager, who will contact the Owner for any additional information needed.
7. After all information has been submitted, the request will be routed to the ARC for review. Estimated time for review two (2) weeks to thirty (30) days.

# ARC Member Volunteer Guidelines

## **Guidelines to potential ARC Members:**

1. An ARC member should be a resident of Davis Spring Community.
2. An ARC member is requested to attend a minimum of one Board of Directors' meeting per quarter or four per year.
3. An ARC member should be current in all obligations with the Association. An ARC member may not vote on an ARC application that pertains to her or her Lot.
4. An ARC member may be asked to physically inspect work in progress on an Improvement as permitted by the Declaration.
5. ARC members who have a background in construction, architecture, engineering, or related fields are particularly helpful to the Committee.
6. An ARC member must always communicate professionally and tactfully with an Owner.

# Play Equipment

## Guidelines to Owners:

1. Play equipment projects must be submitted to the Architectural Review Committee for review prior to installation. Play equipment includes, but is not limited to, playscapes, swing sets, basketball hoops, and other such recreational equipment.
2. Play equipment (excluding basketball goals which are addressed separately below), including trampolines with nets, must be located a minimum of 8 feet from any neighboring Lot line, with 10 feet being the preferred minimum distance.
3. Play equipment may be a maximum height of 12 feet from the ground to the highest point of the structure.
4. Play equipment must be aesthetically pleasing, standard construction comprised of customary wood and plastic materials.
5. Basketball Goals must meet the following requirements:
  - Goals must be portable, not permanent installations.
  - Goals may not be placed on common areas, e.g., the street.
  - Goals must be placed on the Owner's Lot.
  - Goals must be located at least 10 feet from a sidewalk.
  - Goals must be maintained in good repair with the backboard free of cracks and tape, and with a complete net securely attached to the rim.
  - Goals may not face an adjacent Lot without the adjacent Lot Owner's written permission.

## ARC Request Submission Requirements:

1. ARC Request Form.
2. Plot plan or survey of the Lot showing the location and dimensions of all current Improvements on the Lot.
3. Drawing or plot plan of the Lot showing the proposed location of the play equipment including distances from the residence and Lot lines.
4. Photo or sketch showing dimensions of play equipment to be installed.

# Decks, Patios, Pergolas, Arbors

## Guidelines to Owners:

1. Decks, patios, patio covers, patio screens, and pergolas/arbors of reasonable sizes will be considered by the Architectural Review Committee. Approval by the ARC must be obtained before construction of any Improvement commences.
2. The location of the Improvement and residence on a Lot must be shown on a drawing or plot plan.
3. A minimum distance of 5 feet must be maintained between the Improvement and any Lot line.
4. If the Improvement will be above fence level, a detailed side elevation drawing showing the foundation and overall height from the ground is required.
5. Acceptable materials include cedar, redwood, Wolmanized pine, concrete, composite wood or stone, or Brazilian hardwoods.
6. Roofing material must match the roof of the residence.
7. Exterior lighting must not project onto any adjacent Lot. Lighting plans must be included with the ARC submission.
8. Trees may not be removed without prior approval of the ARC.

## ARC Request Submission Requirements:

1. ARC Request form.
2. Plot plan or survey of the Lot showing the location and dimensions of all current Improvements.
3. Drawing or plot plan of the Lot showing location and dimensions of the Improvement including distances from the residence and Lot lines.
4. Photo or sketch showing dimensions of the Improvement including total height from grade level, ground slope and foundation.
5. List of proposed materials including paint and stain colors
6. Drawing or plot plan of the Lot existing trees and any trees planned for removal.



# Fences

## **Guidelines to Owners:**

1. All fence replacements, alterations, or new fence installations must be approved by ARC prior to commencement of installation.
2. Fences must comply with the requirements stated in the Fence Policy for Davis Spring Residential Property Owners' Association, Inc., filed of record under Document No. 2019112735 of the Official Public Records of Williamson County, Texas, as it may be amended or supplemented from time to time.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. Plot plan or survey of the Lot showing the location and dimensions of all current Improvements.
3. Identification of the type of post and picket materials, size and height of the pickets, space between pickets, spacing between posts, height of fence, stain color to be used, name and address of fencing contractor , written approval of neighbors if fence will be on a shared Lot line.
4. Photos or drawings of current and proposed fence.

# Exterior Painting & Roof Replacement

## **Guidelines to Owners:**

1. No exterior surface of any residence, garage, building, or other structure or Improvement may be painted or repainted without first obtaining written approval of the ARC. This applies to existing and new construction, regardless of whether the proposed colors are the same or different from existing colors.
2. Paint and shingle selections must be approved in advance. Color samples or paint chips of the proposed exterior colors must be attached to the ARC request.
3. The proposed colors must be complement each other and be harmonious with the colors of exterior brick and roofing materials.
4. Exterior paint for all siding, trim, gutters, and garages must be neutral/light in color.
5. Gutters and trim must be painted the same color. Accent colors are allowed for front doors and shutters only.
6. Sample colors by Sherman Williams that are available for review are suggestions only, and not an endorsement or requirement; any reputable brand paint manufacturer may be selected.
7. Fluorescent, hot pink, orange, lime green, and similar bright or neon colors are not allowed.
8. Painting over brick is not allowed.
9. Roofs must be made of composite shingles.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. Plot plan or survey of the Lot showing the location and dimensions of all current Improvements.
3. Proposed materials/colors for the exterior paint and re-roofing.
4. Sample photos or web links to specific products to be used.

# Landscaping

## Guidelines to Owners:

1. All Owners are responsible for the following:
  - a. Removing all litter, trash, dead vegetation, refuse and waste, unused construction materials, brush, yard trimmings, discarded items, items that are broken or beyond repair, and pots that are empty, cracked, or contain dead plants.
  - b. Maintaining the lawn so grass is no higher than 6 inches.
  - c. Pruning trees and shrubs.
  - d. Watering landscaped areas.
  - e. Keeping exterior lighting in working order.
  - f. Keeping lawn and garden areas alive, free of weeds, and attractive.
  - g. Keeping driveways in good repair.
2. Shrubs adjacent to residences shall be trimmed and pruned to allow visibility of the first-floor windows. The preferred is visibility of at least two-thirds (2/3rds) of the front window surface.
3. Dead wood and branches in shrubs and trees must be promptly removed.
4. A minimum clearance height of eight (8) feet above the street level must be maintained for all tree limbs that overhang a sidewalk. However, if the tree limbs overhang the curb line or edge of travel lane of any street, a minimum clearance height of fourteen (14) feet from street level is required.
5. All residents must follow the City of Austin Water Conservation Ordinance which specifies watering days and hours. As long as the City of Austin allows outdoor watering as part of the Water Conservation Ordinance, Owners are expected to regularly water front yard landscape plantings so they are maintained in an attractive and living condition.
6. Xeriscaping requirements are addressed in a separate section of these guidelines.
7. Weeds must be removed or treated on a regular basis.
8. Landscaping is required in front yards, side yards, and adjacent to building foundations. Missing or damaged turf, foundation shrubs, and required trees must be promptly replaced. A permanent turf lawn is required.
9. Potted plants may not be used as foundation screening or utility box screening.
10. Foundations shrubs and utility box screening shrubs are required to be evergreen shrubs, planted no further than 36" on center, and able to create a solid screen within one growing season.
11. Bare spots in lawns must be replaced with turf.
12. Excessive numbers of pots, objects, and yard art that visually obstruct a Lot or are used as a substitute for permanent landscaping are subject to plan submission and review by the Architectural Review Committee.

13. Front yard patios require a written approval from the Architectural Review Committee.
14. No signage should be nailed or otherwise attached to trees.
15. Driveways must be cleaned to remove mold, mildew, and excessive stains.
16. Driveway joints should be properly maintained with wood strips that are not cracked, split or removed.
17. Exteriors of all structures should be clean and free of mold and mildew.
18. Wood, and siding surfaces should be cleaned and painted to replace chipping, peeling and faded paint. A change of exterior paint color(s) requires approval from the Architectural Review Committee.
19. Window screens must be in good condition and not warped, buckled, torn, or deteriorated.
20. Replacement screens of a different color must be reviewed by the Architectural Review Committee.
21. Bushes in the yard should not extend over a fence.

**ARC Request Submission Requirements:**

1. ARC Request Form.
2. Plot plan or survey of the Lot showing the location and dimensions of all current Improvements and distances to Lot lines.
3. Detailed drawing of landscaping showing locations of proposed and existing shrubs, trees, and other plant materials areas.
4. Details regarding the plant materials (including species, size, variety, and color) and hardscape materials (if any) proposed to be used.

# Residence Additions

## **Guidelines to Owners:**

1. ARC approval is required before construction can commence for any addition or Improvement to a residence.
2. Owner is responsible for obtaining any building permits prior to making changes/additions to the residence that require permitting.
3. All exterior additions must be architecturally integrated into the structure of the residence.
4. Materials, including roofing, paint, and materials colors, and masonry must match the existing residence.
5. No trees may be removed without approval of the Architectural Review Committee.
6. A full set of construction plans, including elevations, must be submitted for ARC review.
7. If the project is approved, a copy of the building permit must be submitted to the ARC and displayed on the Lot during construction.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. Plot plan or survey of the Lot showing the location and dimensions of all current Improvements and the proposed addition.
3. Identification of an access point and plans for construction.
4. Construction set of drawings showing all elevations and connectivity to the existing structure(s) on the Lot.
5. Square footage certification.
6. Materials list.

# Satellite Dishes

## **Guidelines to Owners:**

1. Exterior devices designed to receive or transmit over-the-air signals should be placed in the least conspicuous location on the lot where an acceptable quality broadcast signal can be obtained. Usually, that means that the device should be located to the rear of the main residence.
2. The device should be screened from view of other Lots and subdivision streets to the maximum extent possible, without (i) precluding reception of an acceptable quality signal, or (ii) unreasonably increasing the cost of installing, maintaining, or using the device.
3. Satellite dishes that are more than one meter in diameter, and antennas that extend more than 12 inches above the roof line, are prohibited.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. A plot plan or survey of the Lot showing the location and dimensions of existing Improvements and the proposed location of the satellite dish.
3. Detailed description of the type of device, size, installed height, intended location, and type of screening to be used.

# Solar Energy Devices

## **Guidelines to Owners:**

Solar Energy Devices are permitted, provided that they comply with the Association's Guidelines Relating to Solar Energy Devices and Storm and Energy Efficient Shingles filed of record under Document No. 2017007911 of the Official Public Records of Williamson County, Texas, as it may be amended or supplemented from time to time.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. A plot plan or survey of the Lot showing the location and dimensions of the proposed solar energy devices.
3. Technical specifications, colors of panels, racks, etc. to be used in installation.
4. The ARC may not withhold approval if the requirements of the Guidelines Relating to Solar Energy Devices and Storm and Energy Efficient Shingles filed of record under Document No. 2017007911 of the Official Public Records of Williamson County, Texas are met or exceeded.

# Storage Sheds

## **Guidelines to Owners:**

1. Plans for a storage shed must be submitted to the ARC for approval prior to installation of same.
2. A storage shed may be no larger than 8 feet by 10 feet. The maximum height at tallest point of the roof shall not be greater than 8 feet, and no side of the structure shall be greater than 6 feet high.
3. A storage shed may not be permanently affixed to the ground.
4. Construction of standard construction materials that complement existing structures on the Lot is required.
5. Small trees and/or tall shrubs must be used to screen the shed from view from any adjacent Lot or Common Area.
6. All roof materials must match the existing roof on the residence, and trim must match the trim of the residence. Only one color of trim is permitted, and no accent colors are allowed.
7. No fiberglass materials or metal roofing is permitted. Siding must be painted to match the trim color of the residence, or the Owner may request an alternate color that obscures the shed and makes it less visible. Roof materials must match the roof materials of the residence,
8. The shed should be located on the Lot in a manner such that there is very limited visibility from the street in front of the residence. Plant materials should be used for additional screening.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. Plot plan or survey of the Lot showing the location and dimensions of all current Improvements and the proposed shed, including the distances from Lot lines.
3. A drawing or picture of the shed showing its overall size and height at the sides and at the tallest point of the roof.
4. Pictures or links to websites showing pictures of the proposed structure and materials, including color.



# Swimming Pool

## Guidelines to Owners:

1. No above ground level swimming pool may be installed on any Lot. A pool must be dug into the ground completely except for small elements such as the spa area.
2. All swimming pools plans must comply with City of Austin permitting requirements then in effect. Please confirm the requirements with the City of Austin prior to submission of plans to the ARC.
3. No pool is allowed in the front yard of a Lot.
4. Elevation drawings are required if any element of the pool (spa, rockwork, etc.) will rise above ground level at any point. Please also indicate the location of the pool equipment.
5. Removal of trees on the Lot must be approved by the ARC. If no trees will be removed please state this on the ARC Request form.
6. The access point for construction must be indicated on the plans. If it is necessary to encroach on another Lot for access, written permission from that Lot Owner is required.
7. All fences must be fully installed before water is put in the pool.
8. The anticipated duration of construction must be stated on the ARC Request form.
9. The Owner must state how the contractor will move construction equipment and materials to and from the back yard of the Lot.

## ARC Request Submission Requirements:

1. ARC Request form.
2. Plot plan or survey of the residence showing the location and dimensions of current Improvements and the proposed pool, including distances from Lot lines.
3. Plot plan showing pool, equipment details, and location, and the description, location, and size of any tree that will be removed.
4. Drawing of proposed pool including detail with elevations on any elements that rise above ground level.
5. Drawing showing the location of any fence that will be removed temporarily for construction.
6. Identification of the access point to the backyard and plans for construction.
7. Materials list.

# New Trees

## **Guidelines to Owners:**

New trees should be planted in a manner that promotes successful growth and watered appropriately.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. Plot plan or survey of the Lot showing the location and dimensions of current Improvements and the proposed location of the new tree(s), including distances to Lot lines.
3. A description of the type and size of tree(s) to be planted.
4. A sample photo of the mature tree(s) of the same species.

# Xeriscaping

## Guidelines to Owners:

1. Xeriscaping is a style of landscape designed to conserve water and energy that includes plants that at full growth will cover at least 50% of the new landscape's coverage area. The plants must come from a plant list provided by Austin Water and identified as xeric. The list can be found at: <http://www.austintexas.gov/department/grow-green/plant-guide>.
2. Planting beds.
  - a. All beds must be defined and have an edge. The edge can be created with steel or plastic edging as long as the edging is installed properly below ground. Other options include beds edged with masonry, beds edged with native rock, or beds that have a "V" shaped trench to separate the bed from surrounding areas.
  - b. All plants must be from the City of Austin Grow Green List of Native and Adapted Landscape Plants, found at the website: [www.austintexas.gov/department/grow-green/plant-guide](http://www.austintexas.gov/department/grow-green/plant-guide). Bed shape should be curved and organic. There should be a balanced amount of evergreen shrubs combined with flowering perennials. Taller plants should be planted at the back, and shorter ones in front. Plant in groups of odd number plants. Smaller plants should include a minimum of three plants of the same variety. Specimen plants may be featured as a structural focal point. Annual plants are limited to flowerpots. All beds must be mulched 2" to 3" in depth.
  - c. Beds under trees are allowed. The first 10 to 15 feet of each Lot from the sidewalk toward the residence should be substantially landscaped with approved plants.
3. Turf Areas.
 

Turf areas are effective to prevent erosion and will enhance front yards. They may be used selectively. No St. Augustine turf is permitted. For shady areas, a nice bed or mulch under a tree is preferred.
4. Natural Rock/Decomposed Granite Areas.
 

These areas can assist in your native landscape design by providing a dry creek look in selected areas. However, no front yards may be exclusively or predominantly rock without plants, trees, and turf. Granite and rock areas must look natural and be used selectively to enhance the overall design. Small pea gravel should not be used because, it runs off during rainfall events. Minimum gravel size is 2 inch gravel. Rock must be tan to brown in color. No recycled

glass is allowed in the front yard. Granite, rock, or gravel may not replace all mulch in the front yard.

5. Pathways.

Pathways that meander naturally between beds or around the side of the front yard are allowed. Pathways may be flagstone, decomposed granite, decomposed granite and rock, or concrete if approved. Pathways must be professionally constructed. If decomposed granite is used, pathways must have edging.

6. Mulch.

All beds and tree wells must be mulched. Mulch should be 2" to 3" in depth and turned and replenished regularly.

7. Side Strip.

Many Owners are unable to maintain a grass side strip between the curb and the sidewalk at the front of the Lot. The following are a suggestions that will meet the guidelines: (i) Remove grass. If irrigation is present, change a few heads to bubblers or drip; (2) Intersperse plants and surround them with flagstone, or a combination of decomposed granite and flagstone; (iii) Use all flagstone or a combination of granite with flagstone across the strip with no irrigation or plants. Decomposed granite only will not be accepted.

**ARC Request Submission Requirements:**

1. ARC Request form
2. A plot plan or survey of the Lot showing all front yard sidewalks, driveways, and residence location along with the landscape plan.
3. Landscape plan showing all turf areas, bed areas, rock/granite areas, trees, pathways, hardscape, fences, and sculptural elements or additions to the landscape.
4. List of plants and number of plants keyed to the landscape plan drawing.
5. List of stone, rock, and granite areas shown on the landscape plan.

# Tree Houses

## **Guidelines to Owners:**

Owners may request a platform in a tree, and each case will be reviewed individually by the ARC.

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. A plot plan or survey of the Lot showing existing Improvements and distances from Lot lines.
3. A plot plan of the Lot showing the proposed location of the tree house, dimension, and material to be used in construction.
4. Photos, drawing, or a website link showing the proposed finished tree house as it will be finished.

# Security Cameras

## **Guidelines to Owners:**

Exterior Home Video Surveillance Cameras are permitted provided that they comply with the Association's Exterior Home Video Surveillance Camera Policy filed of record under Document No. 2017007911 of the Official Public Records of Williamson County, Texas, as it may be amended or supplemented from time to time (the "Camera Policy").

## **ARC Request Submission Requirements:**

1. ARC Request form.
2. A plot plan or survey of the property marked to show the proposed horizontal location of each camera
3. Photos and/or builder drawings of the elevation(s) of the home which are marked to show the desired vertical placement of each camera
4. Specifications on the make and model of the equipment proposed.
5. Additional information that may be required by the Camera Policy.

# Open Space Guidelines

## Guidelines to Owners:

1. Open space areas behind residences are designated as passive activity areas. They may be designated drainage or water quality areas, karst feature areas, re-irrigation areas or greenbelts.
2. If open space areas are not fenced, Owners are welcome to walk through the areas; however, organized activities such as sports, picnicking, vehicular activity, or other active use is not permitted.
3. Owners' Lots end at the rear fence marking the rear property line.
4. Owners may not extend their backyards or install Improvements into the open space areas owned by the Association.
5. Items such as batting cages, golf putting greens, basketball hoops, tree houses, fountains, and organized gardens, by way of example and not limitation, are not permitted in such areas.
6. No storage of extra items from an Owner's backyard or residence is permitted in the open space areas. Disposal of debris, clippings, trash, leaves, tree limbs, etc. presents a fire hazard and is expressly prohibited.
7. Owners are welcome to remove weeds behind their fences up to 20 feet beyond the Lot line. Owners are responsible for removing debris generated by this activity. In wooded areas adjacent to rear Lot lines, small brush and trees under six-inch caliper, and dead cedars up to 16 inch caliper may be cleared up to 20 feet beyond the rear Lot line.
8. Owners must promptly remove all debris, clippings, and tree limbs from the open space area and dispose of it properly.
9. All open space areas are inspected by the Association on a regular basis. Deed Restriction Violation Notices will be sent when an Owner is in violation of any of these policies.
10. If you are uncertain about the open space area adjacent to your Lot and want to determine what is permissible, please contact the ARC.
11. Fire prevention is a community effort. Please clean up your trash and debris, do not store anything on land belonging to others, and educate yourself on how to prevent urban wildfires.

**ELECTRONICALLY RECORDED  
OFFICIAL PUBLIC RECORDS**

**2020132775**

Pages: 24 Fee: \$109.00

10/27/2020 01:15 PM



*Nancy E. Rister*

Nancy E. Rister, County Clerk  
Williamson County, Texas