



Architectural Control Authority  
(ACA)  
Design Standards

FOR

SILVEROAKS  
HOMEOWNERS ASSOCIATION, INC.

Approved by the ACA  
Revision 2021.09.01

These recorded design standards replace all  
previously published design standards.

The Declaration of Covenants, Conditions, and Restrictions (DCCR's) for Silver Oaks HOA, Article VI, Section 6.10 states in part:

*"The ACA may, from time to time and in its sole and absolute discretion, adopt, amend and repeal, by unanimous vote or written consent, ACA Standards. The ACA Standards may not conflict with the terms of this Declaration."*

**Please refer to the Declaration of Covenants, Conditions, and Restrictions (DCCR's) covering your community for complete details.**

Declaration of Covenants, Conditions and Restrictions as filed & recorded in Official Records of Bexar County, State of Texas

Any instance whereby a conflict with these ACA Design Standards and the recorded Declaration of Covenants, Conditions, and Restrictions or any amendments there of the recorded DCCR's shall prevail.

**NOTICE:**

Compliance to these ACA Design Standards and the Declaration of Covenants, Conditions and Restrictions does not satisfy the requirement to submit for ACA approval.

All improvements to the exterior of the main dwelling that can be seen from the street or neighboring property must have written approval from the ACA prior to construction and/or installation.

**Disclaimer:**

Architectural approval, if granted, does not waive any provision of the protective covenants, any building code(s), any ordinance(s), and rule of law, or statute that may affect such construction. Building permits must be obtained prior to the commencement of any work. (Please understand that there may be penalties from your local municipality for not obtaining a permit.)

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## General and Procedure Requirements

Article VI, Section 6.2 of the *Declaration of Covenants, Conditions and Restrictions for Silver Oaks HOA* state that: “The ACA shall have the sole and exclusive authority to perform the functions contemplated by the ACA in this Declaration. The purpose of the ACA is to enforce the architectural standards of the Property and to approve or disapprove plans for improvements proposed for the Lots.” The Board of Directors has further defined guidelines for the ACA and is included in this document.

1. The Architectural Control Authority (ACA) may adopt such additional guidelines, policies, specific standards and requirements, as it considers necessary to implement its functions under the Declaration of Covenants, Conditions and Restrictions and the Bylaws, provided that they every Homeowner is informed of them.
2. The ACA will produce and distribute to every Homeowner a general brochure of Design Standards that interprets the architectural control provisions of the project documents and explains the general policies of the Board and the ACA. The ACA will also keep this brochure updated as necessary.
3. The ACA must not approve an application without the signature of the Owner agreeing to any conditions or qualifications that the ACA may require.
4. The Board will not substitute its aesthetic judgment for the judgment of the ACA in any individual case.
5. The Board recognizes that it is not possible to anticipate every issue of general policy that may arise and require a decision by the ACA in the future. Therefore the ACA should bring to the Board for discussion any new issue of general policy application on which it is uncertain how to proceed. The Board also reserves the right on its own initiative to modify or to add to the design guidelines, as conditions change or new circumstances arise.
6. A resolution of the Board of Directors that addresses an issue of architectural control policy and that is recorded in the minutes of a Board Meeting should be taken by the ACA as an amendment to this guideline directive.

These Design Standards will enable homeowners to anticipate and plan for improvement acceptability as a key element of the overall project approval process. They are also provided to inform readers of the most common design & aesthetic intentions of the Association and to shorten the design and approval process by heading off improvements that might otherwise be rejected.

# Athletic & Recreational Facilities & Equipment Standards

DCCR's Article VII, Section 7.23

Any equipment that can be seen in the backyard over the six (6) feet line of the privacy fence must be submitted to the ACA for approval. (Example: trampolines with safety nets)

## Playscapes

1. All play structures must be of good quality workmanship and properly maintained. Structures that are deteriorating, or are obviously poorly constructed will be required to be removed or rebuilt.
2. The maximum height of play structures shall not exceed 10ft from the height of the swing beam to the ground. A canopy may exceed the eight (10) feet limit, within reason, and with ACA approval.
3. Location of any play structure shall not encroach any easement(s) and must be located behind the rear wall of the Dwelling nor be placed over any vegetative filtration strips (if these strips exist in the sub-division).

## Permanent Basketball Goals

Permanent basketball goals (BBG) are NOT allowed and may not be attached to the home or garage. Permanent in-ground poles for basketball goals that are generally defined as those that are installed in appropriate footing (concrete) and are not meant to be removed unless the pole is replaced are not allowed.

## Portable Basketball Goals

In an effort, to keep our neighborhood highly desirable and to assist in our Homeowners' rights and convenience, portable basketball goals will be allowed. The Board of Directors and your ACA Members urges each Owner to keep in mind the right to enjoyment of their neighbors when engaging in play with their basketball goals and respect the property, safety, and creation of noise nuisances to those around you. The noise from bouncing balls, excited voices of players, the ball intruding onto other homeowner's property or striking parked cars can cause friction between neighbors. The following Standards have been developed to help alleviate these issues.

1. The ACA will approve only one (1) portable basketball goal per Lot.
2. Portable basketball goals and/or backboards placed alongside a driveway must be on the side of the driveway that consists of the major portion of the front lawn belonging to the same Dwelling, rather than on the minimal side yard of the driveway.
3. Portable basketball goals and/or backboards can be placed a maximum of ten (10) feet from the garage door but shall not be placed closer to the sidewalk than five (5) feet.
4. Portable basketball goals and/or backboards may not be placed on any common areas of the community.
5. All metalwork shall be treated to avoid rust and properly maintained and the net must be replaced when necessary. Broken goals or backboards should be removed and stored out of view until repaired.
6. Placing portable basketball goals and/or backboards on public streets, cul-de-sacs or sidewalks are violation of certain codes and are not allowed.

## **Driveway Improvement Standards**

1. The ACA will allow the widening of driveways with a maximum of two (2) feet on each side of the driveway or to the corner of the main dwelling whichever is more restrictive.
2. Materials of construction must match the existing driveway or complement it. The installation of materials should be of a finished look and quality. Poor workmanship that results in cracks of brick and/or mortar that form ruts with continued driving/parking of vehicle traffic will be required to be replaced or removed.
3. Architectural approval, if granted, does not waive any provision of the protective covenants, any building code(s), any ordinance(s), and rule of law, or statute that may affect such construction. Building permits must be obtained prior to the commencement of any work. (Please understand that there may be penalties from your local municipality for not obtaining a permit.)

## **Curb Addresses**

The ACA will allow house markers to be painted on the curb with white letters on black background or black letters on white background. No logos of any kind will be permitted.

## **Stained Concrete**

The ACA will not approve the application of stain, paint, or any other application on any concrete surfaces that are visible from the street.

## **Wheelchair Ramps**

Wheelchair ramps that meet ACA guidelines and that do not alter drainage to neighbors are approved by the ACA. Homeowners will email notice of building of the ramp to the HOA administrators.

## **Exterior Lighting Standards**

DCCR's Article VII, Section 7.24

### **Light Fixtures**

Each Dwelling has unique styles of light fixtures above one end of the garage door, at the front door, and on the side or rear patio. Because these fixtures are unique to each Dwelling, The ACA generally regards their replacement as a matter of routine maintenance as long as the new fixture is similar in type and not out of character with the lights on other Dwellings.

### **Security Lights & Floodlights**

Spotlights and yard floodlights must be aimed so they do not cause a hazard to drivers or a nuisance to adjacent homeowners.

### **Low-voltage Accent Lighting**

The ACA requires Homeowners to submit a request for approval for the installation of low-voltage accent or landscape lighting in the front of the Dwelling that can be viewed from the street. To assist the ACA review process, the request should contain a drawing showing the placement of each light on the Lot and a photograph of the type of light.

Low-voltage accent or landscape lighting that is concealed from view by the backyard fencing does not require approval by the ACA.

## Lampposts

The installation of permanent in-ground lamppost must be approved by the ACA. A complete list of materials including color, wattage, height, and diagram of lot indicating proposed placement should be included with the ACA Request.

## Fence Standards

DCCR's Article VII, Section 7.4

## Fence Maintenance

The application of architectural control to fences generally depends on whether the work qualifies as routine maintenance and repairs, or whether it involves a real change in the appearance of the Lot.

1. Lot Owners do not need any approval to repair or replace any part of the fence, as long as it remains a plain, six (6) foot wooden privacy fence and in the original location. With side and rear yard fences, the ACA suggest that you may want to work out an agreement with your neighbors to share the cost, since the fence is intended to be on the property line.
2. The fence posts and bracing boards on front, side and rear fences shall face the interior of the fenced yard and not exposed to any common area, open space, park or other areas visible from the street.
3. In order to preserve the harmony of the neighborhood, front fences must retain the essential character of a wooden privacy fence. No basket weaves, gaps, or overlapping of pickets will be allowed. The top of the pickets must be dog-eared. Individual pickets will be no wider than six (6) inches.
4. On homeowner's Lot, the front and interior fence line height is to be six (6) feet from the ground to the top of the picket. If the slope of the grass requires some individual pickets to be taller than six (6) feet to keep the top of the fence a consistent height a review from the ACA committee must be requested.
5. Individual fence pickets need to be replaced when broken. Covering a gap in the fence with a rock or other material will not be accepted.

## Fence Color

1. In order to preserve the harmony of the neighborhood, fences may not be painted.
2. Homeowners may treat the fence with a **CLEAR PRESERVATIVE OR CLEAR SEALANT** to keep it from changing color due to weathering without a request to the ACA.
3. Fence sealants shall be a **clear or semi-transparent** sealant so that the fencing material color retains its original wood color and wood grain appearance.
4. Stain implies color. The ACA will not approve stain colors that are darker or of a different color palette than used by the Association on common perimeter fencing of the community. **Refer to Appendix A for a list of approved colors.**
5. The ACA prior to the staining of the fence must approve the use of a color tint stain and/or sealant. Sample color(s) must be provided to the ACA.
6. Section 202.023 of the Texas Property Code was amended in 2021 regarding security measures. Home owner or resident security measures shall not be installed on common area property or association property, violate building lines, or attached to a traffic control device, lamp, fire hydrant or utility pole. Front perimeter fencing beyond the front corners of the residence will be of the same style, material, and color as the rear perimeter fencing. Front perimeter fencing will be a maximum of six (6) feet from the ground to the top of the picket and a minimum of three (43) feet from the ground to the top of the picket.
7. Section 202.022 of the Texas Property Code was amended in 2021 to allow the ACA to approve the style of Swimming Pool Fences. Black swimming pool enclosures that consist of transparent mesh set in metal

frames are always approved and other options need ACA approval.

## Fence Location

1. The ACA will not approve any new front fence or “wing fences” extensions that are not set back a reasonable distance (minimum five (5) feet) behind the front corner of the Main Dwelling (front corners are defined as to where the side of the Dwelling meets the front of the Dwelling. Front porch or extended window areas will not be considered part of the Main Dwelling.), or any new fence that extends forward from the front of the Dwelling to the street.
2. The ACA will not approve fence relocations in side yards within Units with smaller Lot lines that prevent or limit access to back yard, gates, or side yard on neighboring lots. (Example: Relocating wing fence forward whereby causing limited space between existing air conditioning units and the relocated fence that blocks or limits access to neighbor’s backyard gate or limiting access to side yard preventing routine maintenance activities.)

## Gate Standards

1. Gates may be installed on either side of the home. Larger gates will be permitted with a maximum width of twelve (12) feet. Gates must blend seamlessly with fence. Gates of extra width must be reinforced to not sag. Gates must be maintained. (\*Please see Article VII, section 7.3 of the DCCR’s for what can and cannot be maintained behind a wider gate.)
2. Gates in the perimeter fencing defined as Association Maintenance Fencing is not allowed.
3. Gates in fencing as defined as “Restricted Fencing” and adjacent to Association greenbelts and/or open spaces are not allowed.

## Landscaping Standards

DCCR’s Article VII, Section 7.16

### Retaining Walls

The ACA will not approve any landscaping bed retaining walls that will redirect the flow of water that was originally engineered for the Lot.

### Xeriscaping

In light of frequent and persistent drought conditions in the area, and recent legislation regarding HOA’s and xeriscaping, the Silver Oaks ACA has formulated the following guidelines to assist homeowners who wish to adopt water conservation friendly landscaping methods. Please be advised that all xeriscaping plans must be approved by the ACA BEFORE beginning any work on the project. The ACA believes that it is in the best interest of the Association and our fellow homeowners to follow these guidelines as closely as possible to preserve both the beauty of our community and the value of our homes.

Xeriscaping means using native and adapted plants which grow and sustain themselves with low water requirements, and that can tolerate heat and drought conditions. The San Antonio Water System (SAWS) is

vigorously promoting xeriscaping for resource conservation and environment protection.

**Pre-Existing DCCR landscaping requirements:** While our recorded DCCR’s require that 90% of the front and side yards be maintained as turf/sod, the recent amendments to the Texas Property Code has alleviated this requirement and allows the ACA to approve alternative variances. The turf amount requirement is the only substantial change required to begin the transition to a more environmentally friendly landscaping policy.

**Decorative:** Large rocks/boulders should be used sparingly and positioned as focal points in your design, not the entire attraction. This will depend on the size of the area being xeriscaped, and can be a matter of taste to some extent. Avoid causing trip hazards and impeding visual sightlines. See also Lawn Decorations Standards below.

**Non-Turf Areas:** Use of natural stones and gravel such as pea gravel and river rock/gravel is encouraged. Stark

white limestone gravel/stone is discouraged unless used as a sparingly contrast area in the design. Mulch of varying colors can be used in the designs but may be limited by the ACA.

**Borders/Edging:** Xeriscaped areas must be surrounded by a border to clearly define the xeriscaped areas from the turf areas. A xeriscaped area entirely enclosed within a retaining wall or raised bed qualifies as sufficiently defined. Metal edging in colors of green, black, brown, tan, terra cotta as long as it is properly staked in place, and set with top edge not more than two (2) inches above grade are allowed. Mortared masonry units such as stone, clay brick pavers, concrete masonry units manufactured as edging shapes are also allowed. If bricks are used as borders, they must be solid units, no holes exposed. Due to potential toxicity, pressure treated lumber or railroad ties are not allowed.

**Weed Barriers/Landscaping Fabric:** Any materials used to restrict weed growth in your xeriscape must be hidden from view (covered by mulch or other acceptable substrate). Homemade weed barriers such as old newspapers and cardboard may be used, as long as they are non-toxic and not visible.

**Sidewalk Strips:** Plants taller than 12 inches are prohibited for use in the sidewalk strip because it constitutes a visual safety hazard to pedestrians and drivers. Plants in the sidewalk strip must not run or encroach into the walking path. Spiky and thorny plants pose a risk to people and animals and are not allowed to be planted near sidewalks or easements (placed at least six (6) feet away from these areas). Rocks used in the sidewalk strip may not exceed six (6) inches. If gravel or stone is used in these strips care must be taken to clean up any spillage onto the sidewalks and/or streets.

**Overall Xeriscape Landscape Maintenance Requirements:** Xeriscaped areas are subject to the same maintenance requirements as other landscaping and must be maintained at all times to ensure an attractive appearance. Plants must be trimmed, beds must be kept weed and grass free, and borders must be edged. Sickly and dying plants must be removed and/or replaced. Perennials that die back during winter must be cut back to remove dead material. Mulched areas must have fresh mulch reapplied as needed. Plan to re-mulch as least once per year.

## Lawn Decorations Standards

DCCR's Article VII, Section 7.25

### Statuary & Yard Art Standards

The Owner must have the approval of the ACA to place any decorations, sculptures, fountains, flags and similar items on any portion of such Owner's Lot except the interior of the Dwelling, unless (i) such item is placed within a back yard completely enclosed by a fence which blocks the view of the item at ground level; and (ii) such item is no taller than the fence.

Items such as urns, pots, birdbaths, statuary, and other man-made ornamentation may not exceed four (4) items in public view.

## Flags and Flagpoles

### **For All Flagpoles Six (6) Feet in Length or Shorter, the Following Guidelines Apply:**

1. The flagpole may be mounted on the house or garage on a permanent or temporary basis.
2. The dimensions of the flags may either be three feet by five feet (3' x 5') or four feet by six feet (4' x 6').
3. If evening display of the flag is desired the flag may be lit from the base of the flagpole (maximum of two light fixtures) with a total of no more than 150 watts. **The light must shine directly up at the flag, and cannot cause any type of light spillage onto adjoining properties.**
4. House-mounted flagpoles must be removed from view when no flag is displayed.
5. All flags and flagpoles must be properly maintained at all times, including, but not limited to, replacement of faded, frayed or torn flags; and replacement of poles that are bent, rusted or damaged in any way.
6. Attaching flagpoles to fences or trees is not permitted. Flags cannot be displayed from fences or shrubbery. All proper flag etiquette must be followed.

For all flagpoles six (6) feet in length or shorter, no submission for approval is necessary provided these guidelines are followed. Any installation of a flagpole or flag not in compliance with these guidelines will be considered a use restriction violation and will be dealt with accordingly.

## Flagpoles Greater than Six (6) Feet or In-Ground

### **For All Permanent and Temporary In-Ground Flagpole Installations Where the Pole is Taller Than Six (6) Feet, the Following Guidelines Apply:**

The following guidelines have been developed to assist the homeowner in complying with the above requirement of the use restrictions. An Improvement Request Form must be submitted for review by the Architectural Control Authority for all permanent and temporary flagpoles taller than six feet. Formal approval from the Authority will be required before installation may begin.

1. Permanent in-ground flagpoles are generally defined as those that are installed in an appropriate footing (concrete) and are not meant to be removed unless the flagpole is being replaced. Temporary in-ground flagpoles are generally defined as those poles that are installed in the ground by a sleeve or telescoping system that is designed to allow the easy removal and reinsertion of the pole.
2. The tops of permanent or temporary **flagpoles may not be lower than fifteen (15) feet, nor taller than twenty (20) feet**, when measured from ground level (including the pole ornamentation). The size of the flag must be appropriate for the height of the flagpole. For example, a twenty (20) foot pole may not fly a flag larger than four feet by six feet (4' x 6').
3. Flagpole halyards must be of a type, which does not make noise under any wind conditions. Halyards must be securely fastened.
4. Poles must be mounted on an appropriate footing and if this footing is visible, it must be screened with adequate landscaping. All flagpoles must be installed per the manufacturer's guidelines.
5. The pole may be white, silver or bronze. Pole material must be metal. **The only pole ornament that will be permitted is a ball of the same material and color as the pole or polished brass.**
6. The preferred location for placement of the pole is within a landscaped bed; however under all circumstances, flagpoles may not be placed more than ten (10) feet from the foundation of the house (residential structure, not from the front of an attached garage). On houses that have a front yard fifteen (15) feet or less in depth, the pole may be placed in a position, equidistant from the house's foundation and the sidewalk. Poles may only be installed in front yards and within the established building lines. Poles must not be installed in a manner that prevents a view obstruction to neighbors.

7. If a flag is to be flown daily (from dusk till dawn), then a permanent pole may be installed. If a flag is only going to be flown on specific holidays (as per the Flagpole Etiquette Guidelines) or less frequently than every day, then the pole must be a temporary in ground pole and it must be removed from the ground on those days that a flag is not being flown.
8. If the flag is to be flown after dusk, it must be properly illuminated per the Flagpole Etiquette Guidelines. The flag may be lit with an in-ground light (maximum of two bulbs) with a total of no more than 150 watts. **The light must shine directly up at the flag. It cannot cause any type of light spillage onto adjoining properties.**
9. **Only the United States of America flag, Texas State flag, or a branch of the US Military flag may be flown on these flagpoles.**
10. The flag and flagpole must be properly maintained at all times. Should the flag become faded, frayed or torn; it must be replaced immediately. If the flagpole becomes scratched, dented, leaning; or if the paint is chipped or faded, it must be replaced or repaired immediately.

**Submittal Requirements:** Include a completed Improvement Request Form, with a site plan showing the proposed location of the pole, along with pictures of the front of the house showing existing tree conditions. State the size and color of the pole.

Any installation of a flagpole or flag not in compliance with these guidelines will be considered a use restriction violation and will be dealt with accordingly. The Architectural Control Authority may use its discretion in homeowner requests related to flagpole size and location. These decisions will be considered on their merits, on a case-by-case basis.

## Federal Flag Statute

### Excerpts from the Federal Flag Statute (United States Code, Title 4, Chapter 1, Sections 1-10)

The following regulations set forth the existing rules, customs and etiquette pertaining to the display and use of the flag of the United States of America.

#### Section 6: Time and Occasions for Display

- (a) It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaves in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness.
- (b) The flag should be hoisted briskly and lowered ceremoniously.
- (c) The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.
- (d) The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Martin Luther King Jr.'s birthday, third Monday in January; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

Architectural approval, if granted, does not waive any provision of the protective covenants, any building code(s), any ordinance(s), and rule of law, or statute that may affect such construction. Building permits must be obtained prior to the commencement of any work. **(Please understand that there may be penalties from your local municipality for not obtaining a permit.)**

## Mailboxes & Street Poles Standards

DCCR's Article VII, Section 7.22

Mailboxes throughout the neighborhood are property of the United States Postal Service. **They are not to be used as bulletin boards.**

Street light poles and utility poles in the community are property of CPS Energy. **They are not to be used as bulletinboards.**

## Painting of Dwelling & Trim Color Standards

If you plan to paint your main dwelling the exact same color as originally painted by the builder then this would be considered maintenance and no approval for improvement required.

In an effort to promote harmony in the community, if you plan to change the color of your main dwelling or trim work you must submit a request for approval to the ACA. The ACA will approve colors from the pre-approved paint colors contained in **Appendix B** of these Standards. If you plan to use a non-standard color, the ACA will determine if the color is aesthetically pleasing for the community as a whole. The ACA decision on paint colors in the community is final.

## Storm and Security Door Standards

The ACA will approve doors from the pre-approved door style and colors contained in **Appendix C**. If you plan to use a non-standard style or color, the ACA will determine if the style and color is aesthetically pleasing for the community as a whole. The ACA decision on door style and colors in the community is final.

## Rainwater Harvesting Standards

All rainwater harvesting equipment must be approved by the ACA.

### Rain Barrels

The following requirements apply to the installation of rain barrels.

1. Rain barrels are not allowed in front yards. If located in side yards, they must be screened from view from the street.
2. It is recommended that rain water diverters be used so as to minimize alteration of existing downspouts. Alteration of the downspouts shall be esthetically pleasing.
3. Rain barrels shall have mosquito screening, and chemical treatment as required to prevent mosquito breeding.
4. Color shall be natural or to match Dwelling siding to blend in.
5. Rain barrels must be maintained and not allowed to rust or deteriorate and become an eye sore.
6. If pumps are added, they shall be screened so as to not be visible from the street or surrounding neighbors.

## **Satellite Dishes and Antenna Standards**

NOTE: Federal Laws prohibit the HOA from denying the placement of satellite dishes (with diameters of one (1) meter or less in size) and antenna (receiving television and/or radio signals) on the Lots.

However, we ask homeowners to place satellite dishes and television antenna in a location not visible from the street or at least five (5) feet from the front of the Dwelling.

## **Sheds & Storage Building Standards**

DCCR's Article VII, Section 7.6

### **Metal Sheds**

The ACA will NOT APPROVE requests for installation of metal or aluminum storage buildings.

### **Lightweight Moveable Storage Units**

Sheds or storage units that are lightweight and consist of plastic modular construction are permitted with the condition they are placed within a backyard that is completely enclosed by a fence, which blocks the view of the unit at ground level. If the unit is higher than the six (6) foot privacy fence, then it must be located behind the rear wall of the Dwelling.

## **Outbuilding Requirements**

"The maximum height of the walls (excluding the roof) is not greater than eight (8) feet. The total maximum height of the building (including walls and roof) is not greater than ten (10) feet. No out building shall exceed 120 square feet of floor space"

1. All storage buildings must be of good quality workmanship and properly maintained. Buildings that are deteriorating, or are obviously poorly constructed will be required to be removed or rebuilt.
2. Location of any building improvement shall not encroach any easement(s) and must be located behind the rear wall of the Dwelling nor be placed over any vegetative filtration strips (if these strips exist in the sub-division). If yard limitations do not permit a storage building in the back of the Dwelling, please ask for a review from the ACA committee. Swimming pools, play structures, or landscaping of the owners choosing do not constitute yard limitations.
3. Architectural approval, if granted, does not waive any provision of the protective covenants, any building code(s), any ordinance(s), and rule of law, or statute that may affect such construction. Building permits must be obtained prior to the commencement of any work. (Please understand that there may be penalties from your local municipality for not obtaining a permit.)

## **Sign Standards**

DCCR's Article VII, Section 7.8

1. Signs containing information about one or more children residing in the Dwelling, the school they attend, and the athletic activity or club they participate in will be permitted so long as the sign is not more than 3' x 3' in size (there shall be no more than one sign for each child under the age of 18). Signs and banners for graduations, birthdays and birth announcements are allowed on the day of the birthday, graduation, and birth announcement.
2. Signs or stickers provided to an owner by a commercial security or alarm company providing service shall be permitted so long as the sign is not more than 1' x 1' in size or the sticker is not more than 4" x 4" in size. There shall be no more than one sign per Lot and stickers on no more than half of the windows and one on the front door or front entry area.
3. Signs promoting individual garage sales will be permitted on Owner's Lot. Any garage sale signs placed on common areas of the Association shall be removed promptly after the sale period.
4. Signs, posters, or flyers are not permitted on streetlight poles, utility poles, or mailboxes. See mailboxes and Street Poles Standards above.

## Religious Signs

NOTE: Section 202.018(a) of the Texas Property Code was amended in the 2021 legislative session to prevent HOA's from denying religious displays, except the following regulations which shall be enforced:

1. Can't be a religious item that threatens the public health or safety.
2. Can't violate the law (other than prohibition of the display of religious free speech).
3. Can't contain graphics or language that is patently offensive to a passerby (for reasons other than its religious content).
4. Can't be installed on common area property or association property, violate building lines, easements, or setbacks, or attached to a traffic control device, lamp, fire hydrant or utility pole.

## Solar Energy Devices Standards

DCCR's Article XII, Section 7.13

NOTE: Chapter 202 of the Texas Property Code was amended June 17, 2011 that prevents HOA's from denying Solar Energy Devices but allows for certain limitations.

The ACA recognizes the economic and environmental benefits of its homeowners using alternative sources of energy, such as wind and solar power and energy saving devices such as shade structures. At this time, the ACA must also protect the aesthetics and quality of life of all homeowners from conditions that can be created by any structures on the Lots, as proved in the DCCR's. These guidelines are intended to help homeowners design, build and operate energy generation and energy saving systems consistent with the intent of the DCCR's and the objectives of the ACA Design Standards.

Energy efficiency facilities include without limitation, solar panels (including solar photovoltaic modules and solar thermal collections or arrays), wind turbine, evaporative cooler, shutters, and energy-saving exterior lighting devices.

All Solar Energy Devices must be approved by the ACA.

## Solar Panels

Certain solar collection nuisance conditions reflected below will cause the improvement to be denied by the ACA:

1. Glare from solar collectors.
2. Roof top or stand-alone structures interfering with neighbors views.
3. Roof top installations which are not flush or flat with the pitch of the roof.
4. Devices installed in the back yard which is taller than the six (6) foot common boundary fences between Lots.
5. Framing materials, or standalone structures not compatible in shape, and color with the Dwelling or other structures on the property or surrounding area.

## Wind Generation

Wind power generation nuisance conditions reflected below will cause the improvement to be denied by the ACA:

1. Excessive noise due to normal or damaged operating conditions.
2. Visual intrusion into scenic views.
3. Damage to wildlife.
4. Risk of property damage or risk of human health due to falling towers and supports
5. Excessive height.
6. Excessive support or guy wire installation incompatible with the harmony and design of the Dwelling or surrounding area
7. Improper setback from the property boundary line, easements or other improvements on the Lot.

## Trash Can Screening Standards

DCCR's Article VII, Section 7.9

Garbage containers may be placed on the street "solely on the day designated for removal of garbage...and the container will be removed from view before the following day." Currently our garbage is picked up on ..... To keep our neighborhood looking nice, please do not put your trash containers out at the curb until after dinner on the evening before the designated collection day.

The following Standards have been developed to assist Owners in constructing screening devices for their garbage containers and trash.

1. Screening of trashcans and/or garbage containers, including but not limited to recycle bins, may be accomplished by landscaping with evergreen plants or with fencing and must be located behind the front corner of the Dwelling a minimum of five (5) feet.
2. Evergreen plants are defined as shrubs/plants that are green and lush year-round and constantly prevent the view of concealed trash can containers from the street.
3. Fencing which is to be used as screening must be approved in writing by the ACA prior to construction. Type of fencing used should be of same wood type, color and material of privacy fence used to enclose the back yard of same Lot.
4. Fencing that encroaches any easements will not be approved.
5. The ACA will not approve fence screening in a location that will be offensive to neighboring property. (Example: Garbage containers stored within 15 feet of neighbor's front door or side windows)

## Business Activity

DCCR's Article VII, Section 7.1

All Lots and Dwellings will be used and occupied for single-family residential purposes only and no trade or business may be conducted in or from any Lot and/or Dwelling, except that an **Owner of the Dwelling may conduct business activities within the Dwelling so long as: (i) the existence or operation of the business activity is not apparent or detectable by sight, sound or smell from outside the Dwelling;...**

The following standards have been developed to assist owners in not having home based business activities detectable by sight, sound or smell from outside the Dwelling.

1. No business activity will be performed outside of the dwelling of the home. Tools and supplies for business will be stored in the dwelling or other approved storage location.
2. No signs for the home business will be posted or affixed on the dwelling or lot.
3. No more than two business vehicles or one business vehicle and one trailer will be parked or stored in an area visible from any street within the Property. See DCCR Article VII, Section 7.2 and 7.3 for other vehicle and trailer specific restrictions.

## Appendix A

### Approved Fence Colors

**ACAPREFERRED: PITTSBURG PAINTS – Tornado Oak** (Custom color formulated for Centex/Pulte)

Solid water base stains:

BEHR – Exterior Wood Stains

Cedar Naturaltone

BEHR – Premium Weatherproofing Wood Finish

Pre-mixed Colors

Natural NO. 500 Natural

Cedar NO. 501

Redwood ST-330

OLYMPIA – Semi-Transparent Stains

Cedar Naturaltone 716

CABOT – Clear Solution

Natural

CABOT – Solid Color Finish (Acrylic Decking Stain)

Frontier CS543

CABOT – Semi-Solid Finish (Decking Stain)

Frontier CS543

New Cedar CS543

MINWAX – Water-Based Wood Stain

English Oak

MINWAX – Wood Finish

Natural

NOTE: Paint companies tend to rename or discontinue paint colors over time. The ACA will update this list as needed from time to time as they deem necessary.

## Appendix B

### Approved Dwelling & Trim Colors

The Following paint colors were obtained from Pulte Homes March 2014 and were utilized in several communities. These colors may not be the same name as the original colors in the community as a result of Pulte changing the paint suppliers. However, they are reasonably the same color scheme as the original color scheme of the community. If the following color listed is not available for mixing, it is recommended the homeowner select a paint color that is the most similar match to the original color scheme of the home. All homeowners must submit for approval to the Silver Oaks Architectural Committee (ACA) any improvement request with color samples and the assigned fee that applies.

#### Exterior Paint Colors

##### Sherwin Williams

SW 6119 Antique White  
SW 7506 Loggia  
SW 6142 Macadamia  
SW 6147 Panda White  
SW 7641 Colonnade Gray  
SW 7052 Gray Area  
SW 7081 Sensuous Gray  
SW 6255 Morning Fog  
SW 2843 Roycroft Brass  
SW 9107 Uber Umber  
SW 7604 Smoky Blue  
SW 6451 Nurture Green

NOTE: Homeowners that repaint their exterior dwelling the same color as originally used by the builder then this is considered maintenance and no approval is needed from the ACA. If you CHANGE ANY COLOR of the exterior dwelling, even using the above pre-approved paint colors, approval is REQUIRED FROM THE ACA before execution.

## **Appendix C**

### **Approved Storm and Security Door Standards**

#### Pella Select

Model #6000LE04117

Model #6000AB032

White, Poplar White, Putty, Morning Sky Gray, Portobello, Brown

#### Larson

Model #34917031

Model #34917032

Model #34915042

Model #34917052

Model #34917102

Model #35004081

Model #14904092

Model #44904052R

White, Almond, Sandstone, Brown

#### Andersen

Model #H3FEL36WH

Model #H3FER32WH

Model #HD20F36WH

Model #HD20FV-30WH

Model #20FVN-36WH

Model #3FTOEZR36WH

Model #3FVNEZL36BL

Model #3FVTEZR36WH

Model #3VGNEZR36WH

White, Almond, Sandstone, Terratone

NOTE: Door companies tend to rename or discontinue door styles and colors over time. The ACA will update this list as needed from time to time as they deem necessary.

## Appendix D

### ACA Improvement Request Procedures

Please submit an ACA Improvement Request Form (IRF) to the Architectural Control Authority of any improvement to the exterior of the Dwelling that can be seen from the street or from neighboring property prior to implementation and/or construction.

A current version of the ACA IRF can be downloaded from the management company web site located at [fsresidential.com](https://fsresidential.com). Please fill out the form completely with any required information, the owner of record must sign the form, and forward to the ACA via one of the methods/addresses listed on the form.

NOTE: Failure to include all information that is required for the improvement will result in an automatic denial due to insufficient information. Re-submission will be required.

Per Article VI of the DCCR's, the ACA has 30 days to respond to requests properly submitted. Please plan your projects accordingly to allow sufficient time for these procedures.

An owner is permitted to appeal a decision by the ACC to the board. The point of contact for appealing decisions will be given on the notice of denial.

## Glossary

<b>Plat</b>	A plan, map, or chart of a piece of land with actual or proposed features.
<b>ACA Committee</b>	Committee appointed by the Board or Declarant, as directed by the restrictive covenants, which address matters of deed restriction enforcement and approval of improvements.
<b>Common Area</b>	All areas (including the improvements thereon) within the community owned or to be owned by the Association, if any for the common use and enjoyment of the Members.
<b>Drainage Easement</b>	An easement that is granted in order to ensure proper drainage. Improvement work in this easement could cause drainage problems.
<b>Dwelling</b>	Any residential dwelling situated upon any Lot.
<b>Easement</b>	An easement gives the holder the right to use another's land for a specific purpose.
<b>“Harmony”</b>	In the opinion of the ACA "the interweaving of different residences into an image of our neighborhood as a single whole where each residence respects the others and the method, quality of construction and color are in agreement with the whole."
<b>Improvement</b>	Anything that is placed, changed or added on your house or lot that has a permanent or semi-permanent location.
<b>Lot</b>	Any separate residential building parcel shown on a Recorded subdivision plat of the Property, but only if such parcel has in place the infrastructure (including utilities and streets) necessary to allow construction of a single-family home thereon.
<b>Maintenance Easement</b>	An easement that is granted in order to provide access for maintaining an improvement.
<b>Notice of Non-Compliance</b>	A legal filing that is recorded with the County Clerk of Public Records that indicates that a property is not in compliance with the restrictive covenants. When a home is sold a title company does a search to see if there are any deficiencies that might affect a new purchaser; a notice of noncompliance normally would show up in this search.
<b>Official Plat</b>	Your original survey which already shows the location of your residence on the lot.
<b>Semi-Permanent</b>	Anything that remains in the same place or general area for more than four (4) consecutive days.
<b>Specifications</b>	A detailed precise presentation of something or of a plan or proposal for something.
<b>Survey</b>	The resulting document from a surveyor's analysis of your property delineating easements, property lines, location of structures etc. This is usually completed every time a property is sold that is subject to a mortgage from a lending institution.
<b>Utility Easement</b>	An easement granted so that the utility companies - electric, gas, cable etc., can have access to put in and maintain their infrastructure.

# Common Questions & Answers

## **Isn't the ACA just being picky?**

No! The ACA is enforcing the covenants you accepted when you purchased your property.

## **But it's only a temporary structure, why do I have to submit when I can move it or change it when I want?**

All structures require verification by the ACA that it is not a prohibited structure or needs to have an approved location.

## **It seems like a lot of burden is still placed on the homeowner to make sure the improvement complies, why?**

ACA Approval is a "general approval that the project submitted appears to conform to the covenants, restrictions and conditions of the community."

## **How long does it take to get approval from the ACA?**

Per the DCCR's, the volunteers on the ACA are given 30 days to respond to properly submitted requests. Owners should take this approval process into account when planning their projects.

## **Who are the members of the ACA?**

Members of the ACA are volunteers appointed by the Board of Directors and are kept confidential. If there are no volunteers for these appointments then the approval process falls to the members of the Board of Directors.

## **Is there a statute of limitations regarding improvements to the Lots?**

Yes, the statute of limitations is four (4) years. Any improvement that has not been approved by the ACA and has not been addressed by the HOA in writing to the Lot Owner within four (4) years of improvement installation or construction is considered beyond the time within which legal proceedings may be brought.

For questions please contact your HOA in writing at:

Silver Oaks HOA  
Attention: Association Administrator  
3424 Paesanos Pkwy., Ste. 100  
Shavano Park, TX 78231

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For recording stamps