

Marine Creek Ranch Homeowner's Association

# Architectural Design Guidelines

**Authored By:**

Architectural Control Committee

Date: June 12th, 2006

Revised Date: November 20, 2014

## Introduction

Dear Fellow Homeowners:

This guide has been prepared by the Architectural Control Committee of the Marine Creek Ranch Homeowners Association as **a brief summary of selected information contained in the Declaration of Covenants and Restrictions for Marine Creek Ranch**. A full copy of the Declaration of Covenants and Restrictions are given to you at closing. That document is full of information, and we hope you have taken the opportunity to read it. We know, however, those covenants are written in language that is not always easy to understand, **HOWEVER, THIS DOES NOT EXCUSE YOUR NON-COMPLIANCE.**

**This guide expresses the most important points of the covenants, by-laws, and other rules and regulations in plain language, and provides a lot of other information that is of value to you. We have noted where each rule, regulation and covenant can be found in your Declaration of Covenants and Restrictions for Marine Creek Ranch in parenthesis by each section to assist you if you have any questions.**

In the Declaration of Covenants, Article 9.02 Design Guidelines states "The ACC is authorized and empowered to consider all aspects of dwelling construction, construction of other improvements and the location, quality and quantity of landscaping on the Lots, and may disapprove aspects thereof which may, in the reasonable opinion of the ACC, adversely affect the living enjoyment of one or more Owners or the general value of the Properties." **PER ARTICLE 9.02 THIS WILL SERVE AS A PUBLICATION OF DESIGN GUIDELINES AND MAY AMEND AND/OR REPLACE EXISTING DECLARATIONS.** We are very fortunate to have these covenants and rules in our community. A majority of our community is following these guidelines already. This document will encourage those who are in violation to come into compliance. This is a benefit for us all. Through their continuous enforcement, we are able to protect the value, desirability, and attractiveness of the properties within our community, to the benefit of all residents.

Sincerely,

Architectural Control Committee  
Marine Creek Ranch Homeowner's Association

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### **You are a Member of the Association**

By purchasing a home within Marine Creek Ranch, every homeowner automatically becomes a member of the Marine Creek Ranch Homeowners Association and will remain as long as you own your home. Membership of the Marine Creek Ranch Homeowners Association is mandatory and every owner will abide by the requirements set forth in the legal documents entitled, "Declaration of Covenants and Restrictions", "Bylaws of Marine Creek Ranch Homeowners Association", and the amendments outlined in this Guide.

### **Why Does the Association Exist?**

Marine Creek Ranch Homeowners Association exists primarily to maintain common areas of the community and to enforce the covenants, restrictions, and other rules and regulations.

### **These Rules Apply to You!**

**ALL OF THE COVENANTS, RESTRICTIONS, BYLAWS, AND OTHER REQUIREMENTS APPLY TO ALL HOMEOWNERS, 'LANDLORDS, PROPERTY RENTERS, AND MANAGEMENT COMPANIES' IN THE COMMUNITY AUTOMATICALLY. YOU CANNOT CHOOSE TO DISREGARD THESE RULES.**

**All amendments are subject to change at the discretion of the committee.**

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### **Architectural Control Committee** (Section 9.01)

The Board of Directors appoints the Architectural Control Committee ("ACC"). **THE COMMITTEE MAY NOT EXCEED 7 MEMBERS. THE COMMITTEE WILL CONSIST OF BOARD AND ASSOCIATION MEMBERS.**

Before you start any construction on your property, you must obtain the permission of the ACC. This includes, but is not limited to: Buildings, Landscaping Beds, Trees, Fences, Walls, Garages, Playhouses, Storage Sheds, Swimming Pools, Light Poles, Flag Poles, Basketball Backboards and Poles and **ANY OTHER PERMANENT OR TEMPORARY STRUCTURE. VARIOUS CONSTRUCTION MAY REQUIRE FORT WORTH CITY PERMIT. PLEASE OBTAIN INFORMATION REGARDING CITY PERMITS. PHONE NUMBER 817-392-8115, LINK [ww.fortworthtexas.gov/planninganddevelopment](http://www.fortworthtexas.gov/planninganddevelopment). Please see additional information about building permits on page 16.**

Also, if you make any changes to anything on the outside of your house, such as changing the paint color or major landscaping changes, you must get ACC permission. Maintenance that does not change the property but simply replaces an existing feature does not require permission (such as , repainting the same color).

To obtain ACC permission to do exterior work on your property, you need to deliver a written description of the work on an ACC approval form. This form may be obtained from the management company. The amount of detail required depends on the size of the job. For example, if you're going to change the paint color, a letter including paint samples will do. But if you want to add on to your house, build a new fence, build a playhouse or storage shed, or other major project, you will need to submit plans showing the location on the property, the dimensions and height, the materials to be used, and as much other detail as possible. Provide evidence that you are satisfying any applicable city building codes by enclosing a copy of all building permits. If no building permit is required, state this in the application. If you have discussed the plans with your neighbors and found that they have no objection, it would be helpful to include their comments with your plans. This package of information must be faxed, delivered in person or delivered via certified mail to the management company to ensure a verifiable date of receipt.

When the ACC receives your plans, it will study them to ensure they are in compliance with the Declaration and are in harmony with the external design and location of surrounding structures and fit the lay of the land. The ACC will assess the quality of materials, and the evidence that the city codes are being met. The ACC may disapprove your plans for any reason, including purely aesthetic reasons. ACC decisions are binding, but may be appealed at the homeowner's request.

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You should be notified within 30 days of submitting your plans whether the ACC approved or disapproved your request. In the event the ACC or Board fails to approve or disapprove such design and location within thirty (30) days after the said plans and specifications have been submitted, approval shall be deemed to have been granted. **Construction may not begin before ACC approval is obtained.** Fines may be assessed for any unauthorized building as outlined in the section entitled "Enforcing the Rules." If your plans are not approved, the ACC may say what changes need to be made to obtain approval if you choose to resubmit your plans. If any request is not approved, the homeowner may make a request for an appeal.

### **Enforcing the Rules** (Section 10.2)

The Board and the ACC has the authority and obligation to enforce the rules of the Declaration.

### **The Guidelines**

THE FOLLOWING IS A SUMMARY OF RULES, REGULATIONS, AND ORDINANCES FOUND IN YOUR DECLARATION OF COVENANTS AND RESTRICTIONS FOR MARINE CREEK. For each regulation stated, we referenced, in parentheses, where the rule, regulation, or ordinance can be found in your Declaration. In the case of county ordinances and state laws, only those considered to be of concern to homeowners in the normal course of day-to-day activities have been included. When determining the following, public view is defined as visible from the street at any point on the street in front of the house, unless otherwise defined. All improvements must be well maintained.

### **Antennas** (Section 8.11)

HOMEOWNERS MUST ABIDE BY FCC REQUIREMENTS FOR SATELLITE DISHES AND REQUEST THAT INSTALLER PLACE DISH AT THE LEAST VISIBLE POSITION POSSIBLE FOR SIGNAL. INSTALLATION AND PLACEMENT OF SOLAR PANELS AND OTHER EXTERIOR APPARATUS MUST HAVE APPROVAL OF ACC. HAM RADIO ANTENNAES AND TWO-WAY RADIOS MUST HAVE ACC APPROVAL.

### **Clothes Drying Lines** (Section 8.13)

Outside clothes drying lines or hanging areas are not allowed.

### **Home/Garage/Detached Buildings** (Section 8.9 & 8.16)

Additions to the existing home or garage and detached accessory buildings are not permitted without prior consent of the ACC. This includes awnings, patio covers, garage conversions, garage expansions, a utility or storage building, greenhouse, shop, studio, screened enclosure, cabana, gazebo or any other similar building. All plans submitted must abide by the following minimum restrictions:

- Paint, brick and shingles must match the existing home.
- Detached accessory buildings must be limited in size to 120 Sq feet and 9' tall on lots less than 10000 Sq feet, and limited in size to 240 Sq feet and 9' tall on lots 10000 Sq feet or more, and be placed so as to be least visible from the front of the property and still conform to city codes.
- Carports are not allowed, nor will they be approved by the ACC.

### **Arbor/Trellis**

Arbor/Trellis shall be cedar, redwood or other material approved by the ACC. If painted or stained, the arbor/trellis shall coordinate and compliment the colors of the house. Overall height of the arbor/trellis shall not exceed 12'0". Arbor/Trellis may be attached to the house or detached (free standing). Free standing Arbor/Trellis should not exceed 144 square feet in size. (Larger sizes may be approved on a case- by-case basis depending upon the yard area and proposed location).

Arbor/Trellis shall be located in side or rear yard locations only.

## Gazebos

Gazebos shall be attractive in appearance, without an excess of detail ornamentation. Gazebos shall be of redwood or cedar or other material specifically approved by the Architectural Control Committee. If painted or stained, the gazebo shall coordinate with and complement the colors of the house.

- Overall height of the gazebo shall not exceed 12'-0" in height.
- The gazebo shall not exceed 144 square feet in size.
- Roofing shall match or complement that of the house.
- Gazebos shall be located in side or rear yard locations and must comply with the building setback lines.
- **They must be 10' back from adjacent water bodies or open space.**
- Gazebos must have a minimum 10' clearance from any house, playhouse, or any other attached or detached structure.

## Fences (Section 8.10 - Modified)

Any wall, fence, hedge, or similar structure cannot be constructed or erected unless approved in writing by the ACC. All fence plans submitted for ACC approval must adhere to the following guidelines:

- Minimum height of 6 feet.
  - Maximum height of 8 feet. Exceptions may be granted.
  - Pickets must be 3/4" thick and measuring between 3 1/2 to 6 inches wide.
  - Pickets must be installed vertically.
  - Fence styles allowed include side-by-side, shadow box, and board-on-board.
  - All fences, adjacent to common areas or ROWs, must have the finished side facing outward in public view.
  - All posts must consist of steel or wood and be considered a true fence post.
  - Acceptable materials include: cedar, pine, spruce or, wrought iron.
  - Chain link, wire or other open fencing is not allowed by the ACC.
  - Wrought iron fences are allowed with the approval of the ACC.
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Fences are not required to be stained, however it is encouraged to prolong the life of your fence. If you choose to stain your fence you must use a natural wood or clear stain color. Paint or latex stains are not acceptable.

**STAIN COLOR MUST BE NATURAL CEDAR TONE.**

No painting or use of latex stain will be allowed.

**Landscaping** (Section 8.22 & 10.1)

No construction or alteration of any Dwelling Unit shall take place without the prior written approval by the ACC of plans and specifications for the landscaping to accompany the construction or alteration. A written plan of landscaping must be submitted to the ACC prior to installation of any materials and the plan shall include a drawing to show location and description of all "hardscape" items such as fences, walls, rocks and so forth. A typical landscape plan may be submitted to the ACC in lieu of an individual plan for each Lot. Homeowners must keep their lawn neatly mowed, shrubbery trimmed, trash picked up, and otherwise looking neat. If we all do our best, the beauty of the neighborhood will be attractive to our neighbors and prospective homebuyers, and thereby increase the value of every home. Here are minimum guidelines that must be followed:

**MOWING OF TURF AREAS**

Mowed height should not exceed three (3") inches year round.

All cuts should include edging, weed eating, and the cleanup of all debris from pavement areas. Areas adjacent to the lake must conform to the recommendations of the US Army Corp of Engineers in lieu of the above stated guidelines.

**TRIMMING OF SHRUBS AND TREES**

Shrubs and trees should be kept neatly trimmed yearround.

**FERTILIZATION OF TURF AND SHRUBS**

Lawns should be kept free of weeds year round. One way to help this is to fertilize your lawn.

**IRRIGATION**

Landscaping should be watered to satisfy the needs of the plants. Excessive runoff of irrigation water, or standing water, shows poor irrigation techniques and should be corrected.



**No "desert style" landscaping, rock covered yards, or other stone yard cover will be allowed.**

### **FLOWER/TREE BEDS**

The landscape plan for all Lots in the community include the addition of at least one two (2") inch minimum caliper red oak trees in the front yard. Corner lots require an additional two (2") inch caliper tree in their side yard. For those homes located in the Homestead Section as found in the definitions in your Covenants, Conditions and Restrictions, an additional two (2") inch caliper Red Oak is required in the front yard for a minimum of two (2) two (2") inch caliper Red Oaks. For corner lots in the Homestead Section, an additional two (2") inch caliper Red Oak is required in the side yard for a minimum of two side yard trees. **There will be NO planting of trees, shrubs or flowers in the front of the house between the sidewalk and the curb.** All homes must have plant beds across the full length of the front of the home, extending from the home a minimum of two (2) feet in depth. Shrubbery must be a minimum of three (3) gallon in size. All flower/plant beds should be outlined with some form of approved edging material or maintained in such a way that there is a definition between the yard and the bed. The following materials are approved:

- Metal edging
- Pavestone
- Rock – white limestone, Austin stone or similar landscape stones, harmonious with the color of the home
- Brick - The brick must match the dwelling.

If you wish to edge your flowerbeds or tree beds with anything other than the approved edging, you must first obtain approval from the ACC.

Mulching materials are used for three (3) general purposes:

- Retain moisture
- Control weeds
- Improve aesthetic value (appearance).

It is recommended that mulch be applied at least once per year to all shrub and tree beds, as recommended by traditional landscape practices. These practices suggest that mulch should be added to a minimum of one and one-half (1-1/2") inches to three (3") inches in thickness, to achieve solid coverage. All shrub beds should be collared with mulch, including the front, rear, and sides. Newly planted shrubs should be mulched throughout the bed.

Attention must be paid to all beds to ensure that weeds and grass are not visible to the public view. No artificial/plastic flowers and shrubs are allowed in public view.

All major yard projects/improvements must be completed in sixty (60) days.

## **CURBS AND SIDEWALKS**

All areas should be inspected monthly for cracks, broken areas and levelness. Any defects should be reported to the City of the Ft. Worth. All curbs, streets and sidewalks should be swept when grass is mowed. All curbs and sidewalks should be free of growing grass. Your lawn must be edged to keep the sidewalks and curbs clean and clear.

## **LIGHTING**

- Replace burned out bulbs.
- Wires from landscaping lights must be buried (as recommended by manufacturer) and not in public view.

## **OUTDOOR SEASONAL/HOLIDAY DECORATIONS**

Seasonal lights/decorations may be installed and in operation beginning November 15<sup>th</sup> through January 15<sup>th</sup>. All other seasonal/holiday decorations must not be visible to the public one week after the holiday.

## **YARD STRUCTURES**

Yard structures must be in good taste as well as compatible with and appropriate in scale, color and mass to the architectural character of the home and the neighborhood.

## **PLAY STRUCTURES AND EQUIPMENT**

- Portable toys (bicycles, wading pools, yard game equipment, sand boxes, etc.) must be stored so they cannot be seen in public view. Permanent structures must be contained within the back yard and should be placed so as to be least visible from the front of the property and still conform to city codes. Permanent structures (swing set, jungle gyms, etc.) must follow the guidelines below:
  - Permanent structure must be made of wood, metal, or plastic.
  - Cedar or redwood timbers assembled in a workmanlike manner.
  - No chemical and or pressure treated wood is permitted for health reasons.

- Permanent structures must not exceed the height of 10'.
- Exceptions may be granted for name brand equipment that exceeds 10 feet.
- All improvements must be well maintained.
- Play equipment such as swing sets, slides, trampolines, tetherball poles and volleyball courts must be screened from view. Platforms elevated more than twenty-four inches above the ground are not permitted in locations where the view from the platform infringes on the privacy of neighboring property.

### **Portable Basketball Goals**

Permanent basketball goals are permitted at a location approved by the ACC. Portable basketball goals may be used, but they must be stored when not in use. Portable basketball goals must stay in the drive way and eighteen feet from the curb.

No portable basketball goals may be left on the sidewalks, front or side yards (on the grass) or in the streets as storage.

### **Swimming Pools** (Section 8.18)

#### **NO ABOVE-GROUND SWIMMING POOLS WILL BE PERMITTED.**

You must obtain ACC approval prior to construction of an in-ground swimming pool or the installation of an in-ground or above-ground hot tub.

### **Storm Shelters**

Storm Shelters need ACC approval for location and how they are placed in the ground.

### **DRAINAGE**

It is very important not to add fill material that will change the drainage pattern of your lot. Please remember to consistently water a 4-5' perimeter of your home especially in the summer months to prevent contraction of the soil.

## **Home Exterior Maintenance** (Section 8.21)

### **PAINT**

You must repaint your home as often as necessary to ensure painted surfaces are well maintained. The color selections for any color changes or previously unpainted surfaces/structures must be approved by the ACC. The completion of the color changes or painting of the previously unpainted surfaces/structures must be within sixty (60) days of the ACC approval. Painting of the bricks on your home is not allowed. You do not need ACC approval to repaint your house the same color.

### **SIDING AND ROOFING**

Replacement of siding or roofing with material other than that already existing on the home must be submitted for ACC approval prior to installation.

### **GUTTERS**

Addition of gutters in a different color or style than that of the original installation must be submitted for ACC approval prior to installation. All gutter installation must follow the original installation specifications.

## **Window Treatments** (Section 8.14)

No aluminum foil, signs or similar treatment should be placed on windows or glass doors.

Pleated paper shades or other temporary window treatments should be used in public view for no more than sixty (60) days.

### **SCREENS MUST BE DARK BROWN, BLACK OR CHARCOAL GRAY IN COLOR.**

Shade cloth screens can affect the appearance of a home and should be chosen with care. Front Windows with Solar Screens need to have cross members or simulated window panes.

Tinted glass is acceptable and must be approved by the ACC.

## Window Air-Conditioning Units

Window air-conditioning units are not permitted.

## Dog Runs

Dog runs are not allowed in public view.

## Front Yard Decks and Patios

Front yard decks and patios must be approved by the ACC prior to construction.

## Signs (Section 8.5)

All signs must be aesthetically pleasing, appropriately located, in keeping with the character of the community and in good repair.

Signs other than address signs and flags may not be lighted.

Signs may not be accompanied by music, sound, or balloons, or be distracting to motorists.

## Specific Sign Types

You may not post any kind of sign on your property, except the following:

- FOR SALE sign - limit of one (1) sign not exceeding 2' x 3', fastened only to a stake in the ground not extending more than 3'. The sign must be removed within 48 hours following the closing of the property.
- **FOR LEASE/FOR RENT SIGNS ARE NOT ALLOWED.**
- Contractor Signs - A limit of one (1) identification sign is permitted only during the time work is being performed at that site, and must be removed within 48 hours following completion of the work. The sign may not exceed 2' x 3'.
- Declarant Signs
- Builders Signs
- Political Signs - may not be placed on your property more than 90 days before the election to which they pertain and should be removed within 15 days after such election.

**Flags – see Guidelines for Display of Flags (Instrument #D211307759)**

### **Screen Doors and Storms Doors**

- Full view storm door or screen doors installed must be aesthetically pleasing and reviewed by the Committee for approval.
- The screen door or storm door shall have a 4” wide frame maximum, which is finished to match the window mullions or the house trim.
- There shall be no cross members, decorative grills or opaque panels.
- The storm door shall have a transparent glass or other transparent rigid material.
- The screen door shall have a screening mesh with an even, transparent look. All materials shall be cleanly cut. Securely fastened and finished in a workmanlike manner.
- Location includes any exterior swinging door.
- Aesthetically pleasing.
- All door designs must be submitted.

**No security bars will be allowed on doors or windows.**

### **Retaining Walls**

All retaining walls must be constructed from stone or brick. All walls must be located within the limits of the property lines. All retaining walls must meet the following standards:

- If up to 1 foot high, the wall must be 6 inches thick.
- If 1 – 2 feet high, the wall must be 8” thick.
- If 2 – 4 feet high, the wall must be 12” thick.
- All retaining walls 4 feet or higher must be designed and certified by a professional engineer.
- The process of back filling is an integral part of the structural integrity of a wall, thus it is the responsibility of the builder who constructs the retaining wall to also back fill it.
- **NO RAILROAD TIES ARE PERMITTED**

## **Trash Containers**

- All garbage and trash shall be kept in a sanitary containers fully enclosed within the garage or a fenced structure enclosed on 3-sides approved by the ACC. Trash receptacles may be placed in front of a residence for the day of trash pickup between 7:00 pm the night immediately prior to pick up and removed immediately the day of pickup.
- No storage of trashcans and/or recycle bins are to be left in front of the garage or side of home, where they are visible to others.
- **Trash containers cannot be in view from the street or neighbor's houses. A Fence-like enclosure may be constructed in an ACC approved location on the side or rear of a house.**

## **To Submit a Request** **MAJOR** **IMPROVEMENTS** **(Requiring a Building Permit)**

This category would include exterior remodels and room additions. Due to the nature of Major Improvements, the ACC requires more information and more advanced notice to review that information.

Major Improvements should be compatible with the existing home design, be proportional to the structure and property and fit in with the surrounding homes.

Following is a list of items the ACC would expect. Each Major Improvement is unique so required information may vary.

### **Final Drawings**

1. Completely filled-out application. Applications will be returned Disapproved if not completely filled out.
2. Two copies prepared by the architect/builder.
3. Floor plan(s)
4. Front, rear and side elevations with roof pitch indicated.
5. Site plan with structure indicated thereon.
6. Submit to:  
The Marine Creek Ranch Architectural Control Committee  
5403 Paloma Blanca Dr  
Fort Worth TX 76179

6. Site plan with all improvements indicated thereon to include:
  - a. Existing and new contours at one-foot intervals. Indicate drainage by use of arrows. Drainage plan must be designed and certified by a registered engineer.
  - b. Each room's dimensions and use.
  - c. Structure with finish floor elevation for each level.
  - d. Easements and building lines.
  - e. Trees with 5" trunk diameter and larger
  - f. Sidewalks, patios, driveways, retaining walls, pools, fencing and other improvements.
  - g. Dimensions from property lines to structure.
7. Floor plan(s) with dimensions at a scale of  $\frac{1}{4}'' = 1'-0''$ .
8. Elevations at a scale of  $\frac{1}{4}'' = 1'-0''$ .
9. Landscape plan and lawn sprinkler plan for front side and rear of home.
10. Construction schedule with estimated dates, as well as construction access.
11. Allow 30 days for approval.

**To Submit a Request**  
**MINOR**  
**IMPROVEMENTS**  
**(Not Requiring a Building Permit)**

1. Completely filled out Application. Applications will be returned Disapproved if not completely filled out.
2. Plot plan showing location(s) of desired improvements in respect to building, property and fence lines.
3. Allow 30 days or less for approval.

A copy of the Application is on the following pages for you to copy and use or you can contact the property manager at Legacy Southwest Property Management and request one to be mailed, faxed or emailed to you. Or you can navigate to the Architectural Section of our website to download one there. Please remember to fill it out completely, the more information you can give will help the committee.

Sincerely,

Marine Creek Ranch Architectural Control Committee

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These guidelines are effective upon recordation in the Public Records of Tarrant County, and supersede any guidelines which may have previously been in effect. Except as affected by Section 202.007(d) and/or by these guidelines, all other provisions contained in the Declarations or any other dedicatory instruments of the Association shall remain in full force and effect.

Approved and adopted by the Board on this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
POSITION

Marine Creek Ranch Homeowners Association, Inc.

STATE OF TEXAS           §  
  §  
COUNTY OF TARRANT   §

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ of Marine Creek Ranch Homeowners Association, Inc. a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he/she had executed the same as the act of said corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public, State of Texas

[Notarial Seal]

\_\_\_\_\_  
Printed Name

My commission expires: \_\_\_\_\_