



**WOODVIEW AT BULVERDE CREEK HOMEOWNERS' ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE (ACC)
ARCHITECTURAL CONTROL MANUAL – ADDITIONAL GUIDELINES**

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF BEXAR §

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions for Woodview at Bulverde Creek, Unit 1, executed November 22, 2002, recorded in Volume 9687, Page 2324, Official Public Records of Real Property of Bexar County, Texas (hereafter called the "Declaration"), establishes Woodview at Bulverde Creek Homeowners Association (the "Association"), including the Architectural Control Committee of the Association (the "ACC");

WHEREAS, the Declaration authorizes the ACC to establish architectural design guidelines to govern construction and alteration of improvements on land subject to the Declaration; and,

WHEREAS, the Texas Legislature has passed various bills that prohibit or restrict the ability of property owners association to regulate certain uses of property despite the existence of restrictive covenants to the contrary; and,

WHEREAS, the ACC has voted to adopted guidelines with respect to the various matters set forth below in order to comply with such recent legislation;

NOW, THEREFORE, BE IT RESOLVED THAT the ACC does hereby adopt the following Guidelines, notwithstanding anything in the Declaration to the contrary, pertaining to:

- Solar Devices
- Roofing Shingles
- Flags and Flagpoles
- Rainwater Harvesting Systems and Rain Barrels
- Religious Displays

Full guidelines for each are appended here (pages 2 through 7).

**WOODVIEW AT BULVERDE CREEK
HOMEOWNERS' ASSOCIATION
Acting by and through its
Architectural Control Committee**

By: 

D. Robert Bird, Its Chair

SOLAR ENERGY DEVICES

DCCR, Article IV: Construction of Improvements
DCCR, Article V: Architectural Control
Texas Property Code, Section 202

1. "Solar energy device" means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. The term includes a mechanical or chemical device that has the ability to store solar-generated energy for use in heating or cooling or in the production of power.
2. No solar energy device may be used or installed in the area of land subject to the Declaration of Covenants, Conditions, and Restrictions for Woodview at Bulverde Creek to the extent that such solar energy device:
 - a) as adjudicated by a court:
 - 1) threatens the public health or safety; or
 - 2) violates a law;
 - b) is located on property owned or maintained by the association;
 - c) is located in an area on the property owner's property other than:
 - 1) on the roof of the home or of another structure allowed under the Declaration;
 - 2) in a fenced yard or patio owned and maintained by the property owner;
 - d) if mounted on the roof of the home or of another structure allowed under the Declaration:
 - 1) extends higher than or beyond the roofline;
 - 2) is located in an area other than an area designated by the ACC, unless the alternative location increases the estimated annual energy production of the device, as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, by more than ten percent (10%) above the energy production of the device if located in an area designated by the ACC;
 - 3) does not conform to the slope of the roof or has a top edge that is not parallel to the roofline; or
 - 4) has a frame, a support bracket, or visible piping or wiring that is not in a silver, bronze, or black tone commonly available in the marketplace;
 - e) if located in a fenced yard or patio, is taller than the fence line;
 - f) as installed, voids material warranties; or
 - g) was installed without prior approval by the ACC.
3. Inverters and additional utility meters should not be installed in plain sight from the street. The inverter should be placed either inside or within three (3) feet of the existing utility meter, preferably on the same plane as the existing meter.

SOLAR ENERGY DEVICES (CONTINUED)

4. Unless otherwise unfeasible, solar energy devices and components are to be placed in a location that has minimal, if any, visibility from the street.
 5. Prior to commencement of any installation, a copy of any necessary city building permit or license must be provided to the homeowners' association.
 6. The ACC will not withhold approval for installation of a solar energy device that does not fall within the restrictions in paragraphs 2-5 above, unless the ACC determines in writing that placement of the device as proposed by the owner constitutes a condition that substantially interferes with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. For the purpose of making a determination of this issue, the written approval of the proposed placement of the device by all property owners of adjoining property constitutes prima facie evidence that such a condition does not exist.
 7. It is important that all projects be of good quality workmanship and properly maintained. Projects that are deteriorating, or are obviously poorly constructed will be required to be removed or rebuilt.
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Approval request packet must include the following:

- Properly completed Improvement Request Form
- Official Plat (survey) of the property
- Proposed location of solar energy device annotated on plat/survey.
- Copy of product brochure or company website information.

ROOFING

DCCR, Article IV: Construction of Improvements, Section 4.4(o); Section 4.6(c)

DCCR, Article V: Architectural Control

Texas Property Code, Section 202

1. All roof surfaces shall have at least:
 - a) a four foot (4') to twelve foot (12') pitch or slope on the main structure;
 - b) a three foot (3') to twelve foot (12') pitch or slope on the garage and porches unless otherwise specifically approved by the Architectural Control Committee.
 2. Roofing materials may be wood shingle, slate, metal, tile or composition or asphalt shingles. Unless otherwise approved by the Architectural Control Committee, composition or asphalt roofing material is restricted to minimum 200lb., 20 year limited warranty, provided however, that all such roofing materials shall conform to applicable city, state, and federal requirements.
 3. The Architectural Control Committee (ACC) shall approved roofing shingles that:
 - a) are designed primarily to:
 - 1) be wind and hail resistant;
 - 2) provide heating and cooling efficiencies greater than those provided by customary composite shingles; or
 - 3) provide solar generation capabilities; and
 - b) when installed:
 - 1) resemble the shingles used or otherwise authorized for use on property in the subdivision;
 - 2) are more durable than and are of equal or superior quality to the shingles used or otherwise authorized for use on property in the subdivision; and
 - 3) match the aesthetics of the property surrounding the owner's property.
 4. Prior to commencement of any installation, a copy of any necessary city building permit or license must be provided to the homeowners' association.
 5. It is important that all projects be of good quality workmanship and properly maintained. Projects that are deteriorating, or are obviously poorly constructed will be required to be removed or rebuilt.
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Approval request packet must include the following:

- Properly completed Improvement Request Form
- Official Plat (survey) of the property
- Copy of product brochure indicating the roofing material specifications.

FLAGS AND FLAG POLES

DCCR, Article IV: Construction of Improvements
DCCR, Article V: Architectural Control
Texas Property Code, Section 202
United States Code, Title 4, Chapter 1
Texas Government Code, Chapter 3100

1. An owner or resident has the absolute right to display on their property provided:
 - a) the flag of the United States is displayed in accordance with the provisions of United States Code, Title 4, Chapter 1;
 - b) the flag of the State of Texas is displayed in accordance with the provisions of Texas Government Code, Chapter 3100; and
 - c) the requirements outlined below are adhered to.
 2. Any flagpole attached to a dwelling or a freestanding flagpole shall be constructed of permanent, long-lasting materials with a finish appropriate to the materials that is harmonious with the exterior of the home.
 3. The display of a flag, its location, and construction of the supporting flagpole, must comply with applicable zoning ordinances, easements, and setbacks of record.
 4. A displayed flag and the flagpole on which it is flown shall be maintained in good condition, and any deteriorated flag or deteriorated or structurally unsafe flagpole shall be repaired, replaced, or removed.
 5. No more than one (1) flagpole shall be permitted per lot.
 6. Other than the flagpole located on association property, flagpoles within Woodview at Bulverde Creek shall not exceed twenty feet (20') in height.
 7. Other than the flag located on association property, flags displayed within Woodview at Bulverde Creek shall not exceed three feet (3') by five feet (5').
 8. Flags displayed between sunset and sunrise shall be illuminated by no more than one (1) light which shall not exceed sixty (60) watts in intensity.
 9. Residents having a flagpole with an external halyard shall abate noise cause by the halyard to the extent that it cannot be heard from any other lot.
 10. Prior to commencement of any installation, a copy of any necessary city building permit or license must be provided to the homeowners' association.
 11. It is important that all projects be of good quality workmanship and properly maintained. Projects that are deteriorating, or are obviously poorly constructed will be required to be removed or rebuilt.
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Approval request packet must include the following:

- Properly completed Improvement Request Form
- Official Plat (survey) of the property
- Proposed location of rainwater flagpole annotated on plat/survey.
- Copy of product brochure or company website information.

RAINFALL HARVESTING EQUIPMENT

DCCR, Article IV: Construction of Improvements
DCCR, Article V: Architectural Control
Texas Property Code, Section 202

1. "Rainwater harvesting" is the accumulating and storing of rainwater for reuse before it reaches the aquifer. For the purpose of this document, it is the harvesting of rainfall for the purpose of irrigation.
 2. No rainwater harvesting system or rain barrel shall be permitted to exist on any lot if the rain system or barrel:
 - a) is of a color other than a color consistent with the color scheme of the property owner's home; or
 - b) displays any language or other content that is not typically displayed by such a system or barrel as it is manufactured; or
 - c) is visible from the street, another lot, or a common area if:
 - 1) so long as such prohibition does not prohibit the economic installation of the device or appurtenance on the property owner's property; and
 - 2) there is a reasonably sufficient area on the property owner's property in which to install the device or appurtenance.
 3. Rainfall harvesting equipment, hardware, support stand, etc.:
 - a) if located outside the rear yard fencing, must be fully screened by vegetation or structure approved by the Architectural Control Committee;
 - b) if located outside the fenced back yard, cannot exceed four feet (4') in height.
 - c) If located inside a fenced back yard, cannot exceed the height of the fencing;
 - d) must be located so as to have minimum visibility from the street;
 4. Harvested rainwater shall not be allowed to become a breeding ground for mosquitoes or other insects.
 5. Prior to commencement of any installation, a copy of any necessary city building permit or license must be provided to the homeowners' association.
 6. It is important that all projects be of good quality workmanship and properly maintained. Projects that are deteriorating, or are obviously poorly constructed will be required to be removed or rebuilt.
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Approval request packet must include the following:

- Properly completed Improvement Request Form
- Official Plat (survey) of the property
- Proposed location of rainwater harvesting equipment annotated on plat/survey.
- Copy of product brochure or company website information.

RELIGIOUS DISPLAYS

DCCR, Article IV: Construction of Improvements
DCCR, Article V: Architectural Control
Texas Property Code, Section 202

1. No display or affixing of a religious item on the entry to any owner's or resident's dwelling shall be permitted that:
 - a) threatens the public health or safety;
 - b) violates a law;
 - c) contains language, graphics, or any display that is patently offensive to a passerby;
 - d) is in a location other than the entry door or door frame or extends past the outer edge of the door frame of the owner's or resident's dwelling; or
 - e) individually or in combination with other religious item displayed or affixed on the entry door or door frame has a total size of greater than twenty-five (25) square inches.
 2. No owner or resident shall use a material or color for an entry door or door frame of the owner's or resident's dwelling or make an alteration to the entry door or door frame that is not authorized by the Architectural Control Committee (ACC).
 4. Prior to commencement of any installation, a copy of any necessary city building permit or license must be provided to the homeowners' association.
 5. It is important that all projects be of good quality workmanship and properly maintained. Projects that are deteriorating, or are obviously poorly constructed will be required to be removed or rebuilt.
 6. The Board of Directors of the association may cause its agent or representative to remove an item displayed in violation of a restrictive covenant or the provisions of these guidelines.
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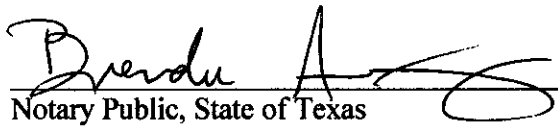
Approval request packet must include the following:

- Properly completed Improvement Request Form
- Official Plat (survey) of the property annotated to reflect proposed site for the religious item to be displayed.
- Picture of the proposed religious item to be displayed.

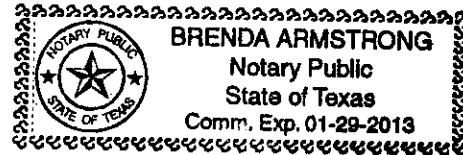
STATE OF TEXAS §
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COUNTY OF BEXAR §

Before me, the undersigned notary public, on this day personally appeared Bob Bird, Chair of the Architectural Control Committee of Woodview at Bulverde Creek Homeowners Association, known to me or proved to me by presentation to me of a governmentally-issued identification card to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed it for the purposes and consideration expressed in it.

Given under my hand and seal of office the 1 day of February, 2012.


Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Woodview at Bulverde Creek Homeowners Association
1600 N.E. Loop 410, Suite 202
San Antonio, TX 78209



Doc# 20120038206 Fees: \$44.00
03/01/2012 3:26PM # Pages 8
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

MAR 01 2012




COUNTY CLERK, BEXAR COUNTY, TEXAS