

Amity Estates Homeowners Association

What is an Architectural Review Committee (ARC)?

The Architectural Review Committee (ARC) is tasked with ensuring the best and highest use and most appropriate development of the properties while protecting owners against improper use of surrounding lots. This is to preserve, so far as practicable, the natural beauty of the properties. The ARC is to guard against the erection of unusual, radical, curious, odd, bizarre, peculiar, or poorly designed or proportioned structures of improper or unsuitable materials. Also to encourage and secure the erection of attractive improvements on each lot with appropriate locations; to secure and maintain proper setbacks from streets and adequate free space; and, in general, to provide for development of the highest quality to enhance the value of investment made by homeowners. Additionally, the ARC is tasked with ensuring that improvements made to the property do not interfere with the legal requirements regarding septic systems and septic spray patterns or divert rainwater onto neighboring properties.

Amity Estates HOA governing documents establishes the authority and foundational guidance for the function and operation of the ARC. The Declaration of Covenants, Policy Manual, Conditions and Restrictions (Doc#00052209) and the extended Restrictions as set forth in Phase II, Phase III, Phase IV and Phase V restrictions are the primary documents that guide the ARC's operations.

The Architectural Review Committee (ARC) is also referred to as the Architectural Control Committee (ACC). These terms are synonymous with each other, and the responsibilities of the ARC are identical to those of the ACC. For consistency purposes, we have adopted the more commonly used term of the Architectural Review Committee (ARC).

ARC members are non-paid Amity Estates homeowner volunteers selected by the HOA Board of Directors. The ARC is responsible for reviewing applications for a variety of exterior home improvement projects. The committee considers variances; approves and/or disapproves design, materials, plans and specifications as to conform to the Restrictive Covenants; and maintains and protects the overall integrity and harmony of the development of the subdivision.

When do I need to submit a request to the ARC for approval of a home improvement project?

To meet the stated purpose of the ARC, it is required that the ARC review and approve applications for property improvements under the following circumstances:

A homeowner must apply to the Architectural Review Committee for approval **at least 30 days before beginning most construction or home improvement projects to the exterior of any residence** or on any other portion of the property. The following are examples and are not inclusive of all instances for when approval by the ARC is necessary.

They are only examples. When in doubt, check with the ARC for advice. They can be contacted at arc2.amityestateshoa@gmail.com.

Examples are:

- a. For structures **of any size**, such as, but not limited to, a workshop, shed, pergola, gazebo, patio cover, awning, carport, or an RV garage that are considered to be a **“permanent structure”**, meaning the structure sits upon a concrete slab or is attached to a cement footing secured in the ground.
- b. For structures, such as a shed, greenhouse, play structure, or henhouse, that **exceeds 100 square feet in size or exceeds 8 feet in height** that are considered to be a **“non-permanent”** or moveable structure, meaning no portion of the structure will sit upon a concrete slab or be anchored to the ground in any manner, and the structure can be readily moved if necessary.
- c. For all concrete work visible from the roadway or any concrete work on the property that exceeds 50 square feet in size, whether or not it is visible from the roadway.

(Note: At no time can the addition of concrete divert the existing path of rainwater onto an adjoining property.)

- d. For any in-ground or above-ground swimming pool (above ground pools do not include blow up or plastic kiddie style pools), spa, or fishpond.
- e. For any home or property improvements to the exterior of the residence or other structure already existing on the property, that significantly differs from the existing colors, shade of colors, or type of materials used, if the home improvement is visible from the roadway or from the ground level of any adjoining residences. For example:

- Changing the roof tiles from dark brown to light gray or changing the type of roofing materials.

- Changing the color of the front door or garage doors from light brown to bright red.
- Changing the colors of paint or stain from white to dark green.

f. An application must be submitted for modifications to any fencing on the property when the changes are visible from the roadway or from an adjoining property and the changes include the application of paint or stain that significantly changes the color or shade of color, a change in the type of fencing materials used, relocation of an existing fence line, or modifications that increase or decrease the length or height of an existing fence. *(Note: adding stain or sealer to restore a weathered wood fence to closely resemble the look of a newly constructed wood fence does not require ARC approval).*

When can I perform home improvements without submitting a request to the Architectural Review Committee (ARC) for Approval?

- a. When modifications are made to the interior of any residence, attached garage, or other existing outbuilding on the property.
- b. When installing a solar system on your residence.
- c. When making repairs to an existing fence that does not change the color, shade of color, size or location of the fence.
- d. When improving landscaping on the property, provided the improvements do not alter the flow of water on the property or interfere with property setbacks required by the county, utility companies or the HOA. *(Note: An approval is not required for adding a brick or block retaining wall around flowerbeds and trees visible from the street, as long as the height of the retaining wall does not exceed 18" in height. The materials used to construct the retaining wall must blend harmoniously with the look of the residence and surrounding neighborhood.)*
- e. When installing a child's playhouse or play structure **in the backyard** that does not exceed 100 square feet in size or 8 feet in height. *(Note: no play structure shall be installed in the front or side yards between the curb line and property fencing.)*

Instructions for Submitting an ARC Application

Fill out an ARC application form (obtained from the Amity Estates HOA website at <https://amityestateshoa.org/ARC>) and send it to the HOA Manager at Accent Real Estate at hoamanager@accentres.com **be sure to** copy this email with attachments to arc2.amityestateshoa@gmail.com

The form must be dated and signed by the homeowner.

What else do I need to submit with my application?

When constructing or placing any structure, adding concrete pads or sidewalks, or constructing an in-ground or above-ground pool, spa or pond, you will also need to provide:

**** One (1) unaltered copy** of the **property survey** for your property showing required building setbacks and utility easements.

**** One (1) edited copy** of the **property survey** showing the footprint location of the item(s) being constructed drawn on the survey - include measurements (either on the document or in text form in the body of your email) listing the distance from the nearest property line to the item(s) being constructed.

If the proposed construction is located in the backyard, you must also provide:

**** One (1) unaltered copy** of the **OSSF Septic Engineer Drawing** on file with the county.

**** One (1) Edited copy** of the **OSSF Engineer Drawing** showing the footprint of the item(s) being constructed drawn on the OSSF drawing - include measurements from the nearest septic sprinkler head or edge of a leach field to the item(s) being constructed. *Note: The OSSF Engineer Drawing MUST be complete and include the engineer's name and the Texas State seal indicating the engineer is properly licensed.*

**** Photographs** of the area where the construction will occur.

**** Photographs** of the residence taken from the street showing colors and materials used.

These pictures will be used to assess the required harmonious blend between the residence and the materials and colors used on the proposed structure.

With the exception of pools, spas, or ponds, please submit actual color samples of the item(s) being constructed along with color pictures of the existing residence and/or existing outbuildings on the property taken from the street at various angles, or from the back yard when the construction is specific to the backyard (such as a patio cover or gazebo).

When in doubt as to whether or not an ARC approval is needed, you can contact the ARC for assistance at arc2.amityestateshoa@gmail.com

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