

Williamson County Oak Brook Owners Association, Inc.

CC&R Definitions and Clarifications

Introduction

This document is intended to help owners understand the Board of Director (BoD) expectations and interpretations related to certain restrictions listed in Oak Brook's CC&Rs which will be used to provide guidance to the management company to help determine what may constitute enforcement action as called out in the governing documents.

Enforcement

Enforcement of Covenants falls to the Architectural Control Committee (ACC) or to the Board of Directors (BoD). The BoD delegates detection and notification of infractions to our management company (Goodwin & Co.). The Board is ultimately responsible for all violation enforcement actions initiated by the management company.

Statute requires all violations that carry a fine amount to be sent via certified mail. The standard certified mail fee of \$25 as of this publication is not eligible to be waived for valid violations as it is a hard cost to the association.

Homeowner Consequences

Any improvements to the outside of the home, including new roof installs and painting of homes (other than the current color of the home) must be approved by the ACC. Any exterior improvements that are installed/constructed prior to gaining ACC approval are subject to fines and the requirement to remove the improvement at owner's expense. The fact that a project has been started prior to approval is not a consideration for approval of the project.

Failure to remove unapproved improvements and restore the area to original condition may result in the HOA doing the work and billing the homeowner, and/or documenting the CC&R violation(s) which may cause issues and correction to bring the property back into compliance when selling your home.

ACC Applications

All applications for improvement must be submitted to the Architectural Control Committee through the smartwebs website. All supporting documentation must be submitted at time of application and a valid email address supplied. See the Rules, Policies and Procedures document on the Oak Brook Website for more information. See Appendix A for information on how to access smartwebs. If an email address is not listed on the application when it is being submitted, please notify our property manager to update your record so you can complete the application.

CC&R Compliance Standards

The following quotes from the Oak Brook HOA CC&Rs are followed by the HOA BoD's compliance requirements.

1) Alteration or Removal of Improvements (4.13)

CC&R Language: Any construction, other than normal maintenance, which in any way alters the exterior appearance of any Improvement, or the removal of any Improvement shall be performed only with the prior written approval of the Architectural Committee.

Standards:

- Any construction or ornamentation that changes the exterior appearance of your home must be approved by the ACC.
- The removal of improvements or existing attributes of the home must be approved by the ACC.

2) Noise (3.05)

CC&R Language: No exterior horns, whistles, bells, or other sound devices (other than security devices used exclusively for security purposes) shall be located, used, or placed on any of the Property. No noise shall be permitted to exist or operate upon any portion of the Property so as to be offensive or detrimental to any other portion of the Property or to its occupants.

Standards:

In most cases, 7am-9pm (Sun-Thurs) and 7am-10pm (Fri-Sat) is an acceptable timeframe for activities that may generate noise loud enough for neighbors to hear. Homeowners should exhibit common courtesy by keeping the noise level generated from your property low enough or within appropriate hours so as not to create a nuisance to your neighbors. This includes leaving dogs unattended in yards and/or allowing them to bark outdoors for extended periods of time. Please note that owners can anonymously report noise complaints (or other violations) to the management company that may be subject to enforcement action. For excessive dog barking, video recording of the barking may be helpful, and for best results, you can call the Williamson County Sheriff's Office or animal control.

3) Rubbish and Debris (3.08)

CC&R Language: No rubbish or debris of any kind shall be placed or permitted to accumulate upon the Property, and no odors shall be permitted to arise therefore so as to render the Property or any portion thereof unsanitary, unsightly, offensive, or detrimental to any other lot or to its occupants. Refuse, garbage, and trash shall be kept at all times in covered containers, and such containers shall be appropriately screened from view. Covered containers containing refuse, garbage, or trash may be placed in front of a

single-family residence located upon the Lot and next to the roadway adjacent to such Lot for waste service but must be removed and screened from view on or before twelve (12) hours after such covered container has been emptied by waste service collection.

Standards:

- Our trash day is Monday. Inspections often take place on the day after trash day. Receptacles must be stored in an approved location (out of street view) except between 12pm on Sunday and 8am on Tuesday.
- You can put bundled branches or bags of leaves out on the curb after noon on Saturday. It is not neighborly to leave lawn and garden refuse out for multiple days. Republic Services refuse will take up to 6 bags or bundles of tree or bush cuttings. For more information on trash services, visit the Fern Bluff MUD webpage [here](https://fernbluffmud.org/utilities/trash-recycling-pickup) (<https://fernbluffmud.org/utilities/trash-recycling-pickup>).

4) Maintenance (3.09)

CC&R Language: All Improvements upon any Lot shall always be kept in good condition and repair and adequately painted or otherwise maintained by the Owner of such Lot. The Association shall have the right after legal notice to Owner of such lot and final adjudication to enter upon any Lot to replace, maintain, and cultivate shrubs, trees, grass, or other plantings as deemed necessary; to paint, repair, or otherwise maintain any Improvements in need thereof; and to charge the cost thereof to the Owner of the Lot as provided in Section 5.04(E) hereof.

Standards:

- Owners are expected to mow, edge, remove weeds, and maintain plant beds as part of the standard landscape maintenance. Lack of said maintenance, including grass that exceeds 6 inches is subject to violation notices. If not remedied within the 12-day cure period, additional violation notices, fines, and fees may be issued. Please note that the violation sequence level escalates if a prior notice for the same type of issue was sent within the past 6 months.
- Trees need to be trimmed both for aesthetics and safety. Trees overhanging the sidewalks should be kept 8 feet above the sidewalk when dry. It is recommended that you DO NOT trim your oak trees from Feb. 14th to the 4th of July due to the

threat of Oak Wilt¹. No notices for tree trimming will be issued during that period.

- If you grow Bluebonnets or other wildflowers, let the management company know that things will look a little wild in that flower garden until the seeds drop and you can cut down the dead plants. That means by June things should be cleaned up.
- Artificial turf is not an acceptable covering for the ground in your front yard. Xeriscape is allowed following the policy found at this [link](#)²ⁱ
- Homes must be kept in good repair. Items such as roof damage, rotted or missing siding, paint wear or damage, garage doors, etc. need to be addressed. Power washing mildew is required as needed.
- Fences need to be kept in good repair. Falling or leaning fences, missing or broken pickets, rotting posts all need to be repaired or replaced. All fences must follow the Standards for placement (setbacks) on the property. Fences must be nominal 6ft high and follow the “good-neighbor” format for shared fences unless otherwise agreed between neighbors who co-own the fence. Stain colors and picket heights other than 6 feet required approval. See section (4.09) of the CC&R’s for further details on setback and location requirements, and section (3.19) for requirements if you live on a corner lot. A board resolution on fences dated December 16, 2013 should also be referenced by visiting this [link](#)³. Any changes to the currently installed fence must be approved by the ACC.
- All new roofing installations must be approved by the ACC. Colors that will be quickly approved are contained in the Oak Brook HOA Roof Shingle Guidance document located [here](#)⁴ on our website. Colors not defined in this document may still be submitted to the ACC for approval. All roof applications should contain the shingle manufacturer, color, and photo or image of the color to be approved. Homeowners should submit only one-color choice. Providing multiple color choices in the ACC application will prompt a request to the homeowner to specify the specific color being requested and may cause delay in a decision.

¹ Oak Wilt is a very serious problem disease of oak trees. It will wipe out all the oak trees in an entire neighborhood in a matter of a couple of years if it gets started. Since almost all the old, natural trees in Oak Brook are oaks, we need to be very careful about pruning from February 14th to the 4th of July. If you really need to do repairs on your oak trees during that period, it is extremely important to have a certified arborist do the work.

² To retrieve HOA documents go to our website at oakbrookroundrock.com and click on Association Documents and select RESOLUTION - XERISCAPING POLICY.

³ To retrieve HOA documents go to our website at oakbrookroundrock.com and click on Association Documents and select Resolution - Fences.

⁴ To retrieve HOA documents go to our website at oakbrookroundrock.com and click on Association Documents and select Oak Brook HOA Roof Shingle Guidance.

5) Towers/Antennas (3.10)

This section has been superseded by state law. **NO VIOLATIONS shall be issued at this time.**

Standards:

- TV Dish antennas are allowed but still must obtain ACC approval.
- Dish antennas are limited to 1 per property unless the provider provides proof that multiple dishes are required for service. ACC approval required.
- TV antennas are only allowable with ACC approval if no cable service is available to the property.

6) Signs (3.11)

CC&R Language: See this section for specifics.

Standards:

In summary no signs except:

- Home for sale or rent signs.
- Signs required for legal proceedings.
- Up to 3 political signs or only one sign for each candidate or ballot item? (see sections for specifics). Signs may be erected within 90 days of an election and removed within 15 days after. Politically motivated message signs (those not related to a candidate or proposition on an upcoming ballot) are not allowed.
- The HOA allows one school spirit sign for each child that lives in the home.
- Religious signs not to exceed 2ft x 3ft in size.
- Except for the above, all other signs are not permitted.

7) Flags: [RESOLUTION AMENDING FLAG DISPLAY POLICY](#)⁵

Flags permitted to be displayed include, but are not limited to, the flag of the United States of America, the flag of the State of Texas, the flag of any governmental subdivision of the State of Texas, and the flag of any branch of the United States armed forces.

- Flags must not contain political messages.
- Seasonal and Holiday flags and College/University flags are welcome. Seasonal flags must be removed or changed within 90 days, holiday flags may be hung within 30 days of a holiday and must be removed within 30 days after the holiday.
- Flags must be kept in good repair and any intended for permanent installation must be approved by the ACC.

⁵ To retrieve HOA documents go to our website at oakbrookroundrock.com and click on Association Documents and select Resolution-Flag Display.

8) Temporary Structures: (3.13)

CC&R Language: No shack, or other temporary building, improvement, or structure shall be placed upon the Property without the prior written approval of the Architectural Committee; provided, however, that temporary structures necessary for storage of tools and equipment, and for office space for architects, builders, and foremen during actual construction may be maintained with the prior approval of the Architectural Committee approval to include the nature, size, duration, and location of such structure.

Standards:

- This item clearly states when temporary equipment or structures related to active construction may be allowed, and proof of ACC approval is required in order to remain in view for a specified timeframe. All other exterior buildings or structures require ACC approval prior to installation.
- Temporary covering for plants including tarps and other devices intended to protect landscaping and other plants from freezing are absolutely allowed. Please ensure they are put away within 3 days of temperatures returning to above freezing.
- Porta-potties require proof of ACC approval with timeframe requested and location permitted to be stored on property.
- PODs and trailers used to move household goods, or dumpsters used for renovations, require ACC approval if left on property for more than two days.

9) Athletic/Play equipment (3.14)

CC&R Language: Outdoor athletic and recreational facilities such as swing sets and sport courts of either a permanent or temporary nature shall not be placed upon any Lot between any roadway within the Property and the front of the single-family residential structure located upon the Lot. Notwithstanding the foregoing provision, basketball goals shall be permitted; provided, however, the basketball goal must be (i) attached to a free-standing pole (ii) located on the principal driveway of the single-family residential structure located upon the Lot, and (iii) positioned no closer than thirty (30) feet from the nearest curb of the roadway adjacent to and intersecting the driveway.

Standards:

- Permanent goals must be approved by the ACC. We understand that there are a few permanent basketball goals installed by the builder or a previous owner. Those goals will be noted in Smartwebs and grandfathered. Owners of these grandfathered goals are asked to submit an ACC request for record keeping purposes to avoid future violation notices.

- Rope swings or other play/sports equipment must be approved by the ACC or removed when not in use.

10) Unsightly articles - Vehicles (3.16)

CC&R Language: No article deemed to be unsightly by the Architectural Committee shall be permitted to remain on any Lot so as to be visible from adjoining property or from public or private thoroughfares. Without limiting the generality of the foregoing, trailers, graders, trucks other than pickups, boats, tractors, campers, wagons, buses, motorcycles, motor scooters, and garden maintenance equipment shall be kept at all times except when in actual use, in enclosed structures or screened from view from any adjacent Lot or roadway within the Property and no repair or maintenance work shall be done on any of the foregoing, or on any automobile (other than minor emergency repairs), except in enclosed garages or other structures.

Standards

- Vehicle repairs must be done in the garage. Absolutely never leave your car on jack stands, cinder blocks, or other supports outside of your garage.
- Vehicles that are parked in your driveway must be operable and not visibly in disrepair. If you have a vehicle you use infrequently and want to protect it with a cover, that cover must remain in good repair and be a form fitting cover designed for covering your vehicle and requires an online request form be submitted for ACC approval. General purpose covers like tarps are not appropriate or permitted.
- Misplaced items and/or material considered to be subject to approval may not be left or stored in view when not in use (this includes lawn equipment, empty or broken pots intended for plants, dead plants, foil or broken blinds in view, etc.).

11) Mobile Homes, Travel Trailers and Recreational Vehicles. (3.17)

CC&R Language: No mobile homes shall be parked or placed on any Lot or used as a residence, either temporary or permanent, at any time, and no motor homes, travel trailers or recreational vehicles shall be parked on any Lot so as to be visible from public or private thoroughfares at any time:

Standards:

- It is understood that these types of vehicles need to be brought home for cleaning or in preparation for a trip. The board is instructing our Property Manager to allow these vehicles to be parked for up to 48 hours. Homeowners must notify the Property Manager in advance to avoid a violation.

12) Sight Distance at Intersections (3.19)

CC&R Language: No fence, wall, hedge or shrub planting that obstructs sightlines at elevations between two (2) and nine (9) feet above the roadway shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points thirty (30) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight-line limitations shall apply on any Lot within the triangular area formed by the street line, a driveway or alley line and a line connecting them at points ten (10) feet from the intersection of a street property line with the edge of a driveway or alley pavement. All tree foliage within such distances of intersections shall be maintained to meet the sight-line requirements set forth above.

Standards:

- This section is clear and must be complied with for the safety of our neighbors and guests who drive through Oak Brook.

13) Window Units: (3.23)

CC&R Language: No window or wall-type air conditioner shall be permitted to be used, placed, or maintained on or in any Improvement located upon the Property, without the advance written consent of the Architectural Committee.

Standards:

- Any window or wall type A/C unit must get approved, including in any freestanding sheds, sunrooms, etc. It is unlikely that these units would be approved.

Miscellaneous Items:

1. Lawn Seating in Front Yard. After further review, the board did not find any specific reference to restrictions of seating or outdoor furniture. However, to ensure that these items are in non-intrusive locations, and are kept in good repair, ACC approval is required to be documented for all furniture situated in a location other than within the fenced backyard or front porch/patio.
2. Solar Panels are governed by State Law but still require ACC approval.

Appendix A: ARCHITECTURAL APPROVAL APPLICATION/ONLINE REQUEST FORM

Link from Goodwin's site that routes you to the Online Request Form: <http://aobo.sites.townsq.io/3>

Shortcut Link that takes you directly to the Online Request Form:

<https://office.smartwebs.com/Arc/SWForms/index.cshhtml#/forms/28746EAE-25D8-EA11-810E-000C2903E046> or go to oakbrookroundrock.com and click on Contact US and then "Request Architectural Approval"

Owners should submit a survey (received at closing) or plot plan/map showing the exact location and measurements of any exterior improvements installed or altered along with pertinent details for materials used, colors, sample photos, or other supporting documents and information that may be necessary or helpful for the Architectural Control Committee (ACC) to review and consider your request.

Owners will receive a system-generated status update letter by email when the ACC has received the application, determines any missing or additional information that may need to be submitted in order to make a decision, and/or when a decision has been made. The sender of this email is "no-reply@Smartwebs365.com" and any details, photos, documents that is provided for their review and to be added to the existing application should be uploaded using the blue link at the bottom of the status update letter for that project that looks like what's pasted below.

Please note that after a status update letter has been sent with a decision to Approve/Approve with Conditions/Decline/Withdraw a particular application, owners should not add more details, photos, or documents via the View / Update Online Link at the bottom of the letters related to that application because it will not be reviewed. A new application will need to be submitted for any modifications or changes to what was originally submitted after a decision letter has been sent.

See snapshot below of what the Online Request Form screen looks like:

Williamson County OakBrook OA
Homeowner Login - Online ARC Request Form

Fill in required information below to access ARC submittal form

Address →
Enter in at least three characters of your address.

Zip →
Enter in only the five-digit zip code.

→

