

Section 1.4.7 - Sample Provision Excerpt (Public Preview)

a. The addition or alteration of any features (e.g., windows, skylights or tubes, satellite dishes, etc.) that impact the appearance of the residence must be submitted to the ACC for written approval. This includes any exterior changes to the home, the front yard, the backyard, regardless of visibility from the street.

ISSUE #1



MARKUP #1 ->



MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 1.4.7 (p. 4): Flag or flagpole restriction conflicts with statutory protections for U.S., Texas, and Armed Forces flags and 20-foot flagpoles under Tex. Prop. Code § 202.012.

Statutory / Legal Reference: Tex. Prop. Code § 202.012

Statutory Comparison: The FCC Over-the-Air Reception Devices rule (47 C.F.R. § 1.4000, as expanded by the 2021 OTARD Report and Order, FCC 21-10) preempts community association restrictions that prohibit, charge application fees for, require prior architectural approval for, or impose sub-1-meter (39.37-inch) diameter caps on the installation, maintenance, or use of television broadcast antennas, direct-broadcast...

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

) Borders for tree rings or flowerbeds must be of a permanent nature encompassing stones, concrete or other permanent materials as loose bricks or fencing are not permitted. 3. Grass & Lawncare | Grass may not grow or be maintained beyond 4" inches tall.