

Section 51 - Sample Provision Excerpt (Public Preview)

Skylights and solar panels.

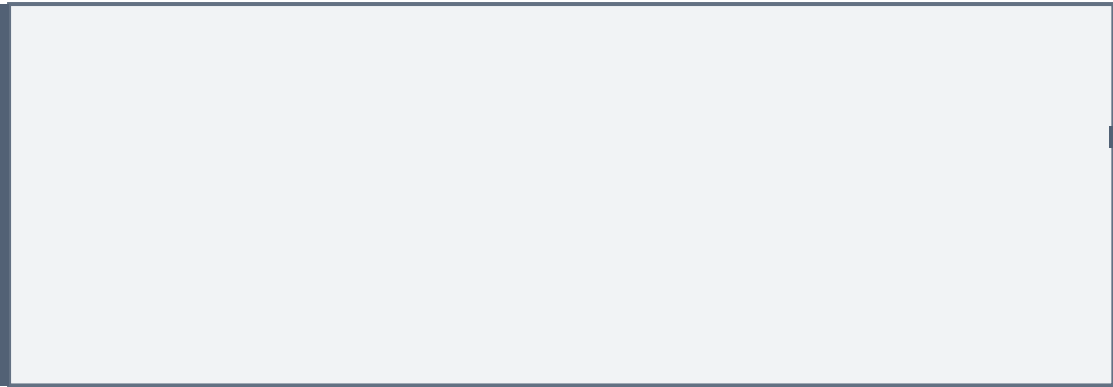
(i) Except as otherwise provided in this subsection, skylights and solar panels are only permitted on:

(aa) the rear 50 percent of the roof of a main building on an interior lot;

(bb) the rear inside quadrant of the roof of a main building on a corner lot; and

(cc) the roof of an accessory building in the rear yard.

ISSUE #1



MARKUP #1 ->

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 51 (p. 12): Clause prohibits or over-restricts solar energy devices in conflict with Tex. Prop. Code § 202.010.

Statutory / Legal Reference: Tex. Prop. Code § 202.010

Statutory Comparison: Tex. Prop. Code § 202.010 renders void any dedicatory instrument provision that prohibits or restricts a property owner from installing a solar energy device, unless one of the narrow statutory exceptions in § 202.010(d) applies. An association may not deny a front-facing roof installation if the owner demonstrates using the NREL PVWatts Calculator that an alternate roof orientation does not...

CURRENT WORDING IN DOCUMENT:

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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

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