

**AFFIDAVIT FOR FILING DEDICATORY INSTRUMENTS**

STATE OF TEXAS           §  
  §  
COUNTY OF BEXAR       §

**KNOW ALL BY THESE PRESENT:**

WHEREAS section 202.006 of the Texas Property Code requires that a property owners' association file its dedicatory instruments in the real property records of the county in which the property is located, and

WHEREAS the Villages of Westcreek Owners' Association, Inc. is a property owners' association as the term is defined in the Texas Property Code and has property located in Bexar County, Texas,

NOW THEREFORE, true copies of the following dedicatory instruments of the Villages of Westcreek Owners' Association, Inc. which have not been previously filed in the public records of Bexar County are attached hereto, including:

- ***Standards for Architectural Design and Property Maintenance***

FURTHER, other dedicatory instruments of the Villages of Westcreek Owners' Association, Inc. have already been filed in the public records of Bexar County as these documents supplement the previously filed documents.

SIGNED on this the 17<sup>th</sup> day of July, 2023.

Villages of Westcreek Owners' Association, Inc.

By: Spectrum Association Management, L.P.

By: *Shelby Welch*  
Shelby Welch  
Spectrum Association Management, L.P.  
Managing Agent

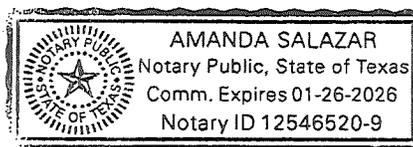
State of Texas           §

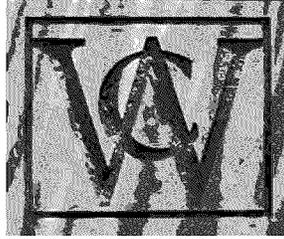
County of Bexar       §

This Instrument was acknowledged and signed before me on 17<sup>th</sup>, July, 2023 by Shelby Welch, representative of Spectrum Association Management, the Managing Agent for Villages of Westcreek Owners' Association, Inc., on behalf of said association.

*Amanda Salazar*  
Notary Public, State of Texas

After Recording Return To:  
Spectrum Association Management  
Attn: Transitions  
17319 San Pedro, #318  
San Antonio, TX 78232



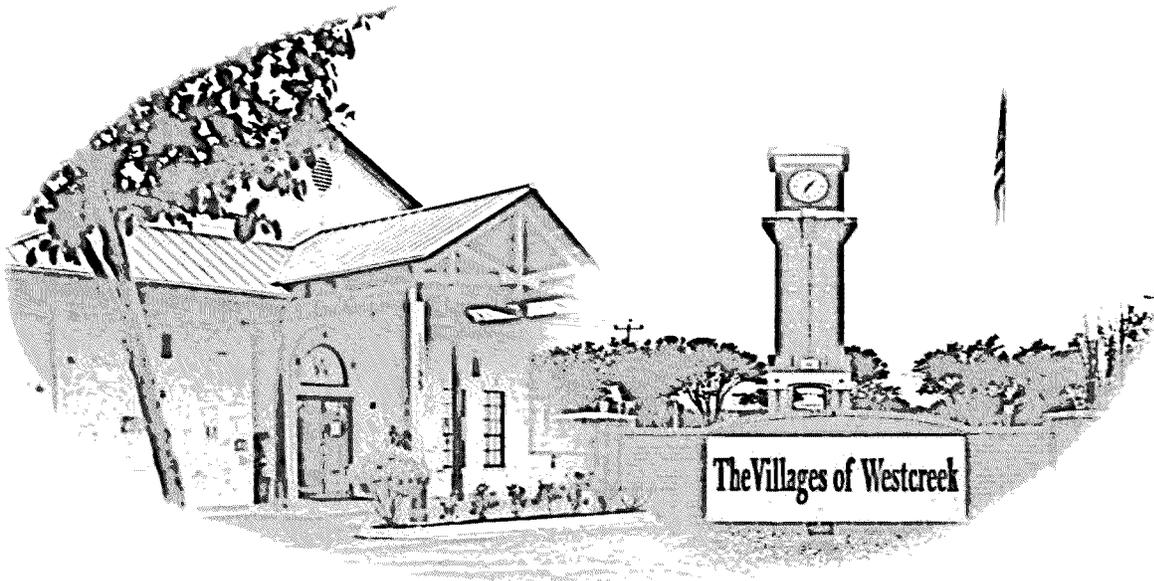


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# *Standards for Architectural Design and Property Maintenance*

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Updated June 2023



**VILLAGES OF WESTCREEK OWNERS' ASSOCIATION**  
WEBSITE: [WWW.VILLGESOFWESTCREEK.COM](http://WWW.VILLGESOFWESTCREEK.COM)

PHONE: (210) 679-8761  
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## FOREWORD

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San Antonio Savings Association (SASA) was the original developer and declarant for the Villages of Westcreek Owners' Association, Inc (VWOA). They wrote the original Design Guide in April 1991. The Architectural Review Committee (ARC) revised the Design Guide in January 1994. In August 1998, an 'ad-hoc' working group that included the ARC, Board of Directors, and other homeowners revised the Design Guide and titled it 'Standards for Architectural Design and Property Maintenance, referred to herein as the 'Standards.' Since then, the ARC revised the Standards in December 2004, April 2010, January 2012, August 2016, and June 2023.

The ARC has revised the 'Standards' to:

- Include guidance on new addition improvements for residential properties.
- Assure compliance with applicable federal and state statutes.
- Make necessary corrections and updates.
- Improve the guidance on various topics/standards to make them easily understandable.

The Standards and CC&Rs may be viewed under 'Documents' at '[www.villagesofwestcreek.com](http://www.villagesofwestcreek.com).'

The ARC welcomes any feedback/recommendations concerning this document for future consideration. Send your feedback/recommendations to:

**Villages of Westcreek Owners' Association**  
**Attention: Architectural Review Committee**  
**12395 Military Drive West**  
**San Antonio, Texas 78253-6021**

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## 1. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs)

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This legal document was established to provide reasonable rules, regulations, and guidelines for improvements/changes regarding residential properties within the Villages of Westcreek Owners' Association (VWOA). The CC&Rs are supplemented by the 'Standards' that apply to all single-family residential areas within the VWOA. These Covenants provide formal and conclusive information regarding the rules of the Community as well as providing the legal enforcement of those rules that form the basis for a 'Deed Restricted Community.'

The CC&Rs have been successfully implemented in many residential and mixed-use developments. These protective covenants are the basis for ensuring a quality environment and assisting residents in maintaining property values. Deed restrictions cover allowed land uses, setbacks, utility easements, materials, colors, etc., and the procedures for dealing with non-compliance. Generally, their purpose is to:

- preserve, so far as possible, the natural beauty of the properties;
- avoid harsh contrasts between structures and landscapes;
- guard against unsuitable materials and the erection of poorly designed or proportioned structures;
- encourage and secure the erection of attractive improvements that are harmonious and compatible with their sites;
- enhance and maintain the environmental quality and economic value of the Homeowner's property.

If you have any questions about the Deed Restrictions and Standards, contact the Standards Department at 210-679-8761.

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## 2. DEFINITIONS OF TERMS

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The following are some of the terms and their definitions that are used throughout the Standards:

**2.1 ARC:** Architectural Review Committee. *(Refer to Section 3.2 for details)*

**2.2 Major Streets:** Any street, highway, or other thoroughfare with a right-of-way that exceeds sixty (60) feet in width. Those streets are: Military Drive West, Westcreek Oaks Drive, Westcreek View, Potranco Road, Talley Road and North Grosenbacher Road.

**2.3 Minor Streets:** Any street, highway, or other thoroughfare with a right-of-way that measures sixty (60) feet or less in width that fronts residential properties within the Villages of Westcreek.

**2.4 Modifications and Waivers:** A situation/condition that creates an undue hardship; can be approved by the ARC. *(Source: VWOA-CC&Rs, Article IX, Section 9.19)* Changes from the Standards and Article X of the CC&Rs that are requested by the Homeowner and Approved/Disapproved by the ARC.

**2.5 PIA:** Property Improvement Application. This form is required for each request submitted by the Homeowner for an improvement or change. *(Refer to sample in Appendix)*

**2.6 Plat/Lot Survey:** This form shows the dimensions of the initial improvement, utility easements, setback lines, and drainage contour(s) of residential properties. *(Refer to sample in Appendix)*

**2.7 Premises:** All buildings, structures, fencing, and land within the property's boundaries as defined on the property Plat/Lot Survey form.

**2.8 Property Improvement/Change:** This term applies to any improvement or change to the Homeowner's entire property other than the dwelling's interior.

**2.9 Resident:** Homeowner or Tenant

**2.10 Tenant:** Renter or Lessee

**2.11 Variance:** When homeowners or builders submit improvements or changes that deviate from the CC&Rs, the ARC reviews the request and submits it to the Board of Directors along with a recommendation to approve or deny the request. *(Source: VWOA-CC&Rs, Article IV, Section 4.01 a.)* Changes from the CC&Rs that are requested by the Homeowner or builder and recommended for Approval/Disapproval by the ARC to the BOD for final decision.

**2.12 VWOA:** Village of Westcreek Owners' Association

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### **3. VWOA RESPONSIBILITIES**

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A Board of Directors leads the Villages of Westcreek Owners' Association. The Board conducts VWOA business on behalf of the members using the Declaration of Covenants, Conditions, and Restrictions (CC&Rs), Bylaws, Standards, Policy, and Administrative Resolutions, and Federal and State laws to act and assure compliance with all governing documents.

#### **3.1 BOARD OF DIRECTORS (BOD)**

The CC&Rs require the elected Board of Directors to establish an ARC by appointing three (3) regular members plus two (2) alternate members. The Board appoints one of the regular members as Chair of the ARC. Texas state law prohibits members of the Board and their immediate family members from serving on the ARC. All members of the BOD and ARC are VWOA homeowners that volunteer and serve without a salary. *(Source: VWOA-CC&Rs, Article IX, Section 9.01)*

#### **3.2 ARCHITECTURAL REVIEW COMMITTEE (ARC)**

The ARC's primary objective is to enhance and preserve property values throughout the community while being as consistent and fair as possible with their decisions and recommendations. Homeowners can find detailed responsibilities of the ARC in Article IX, Section 9.14 of the CC&Rs.

The ARC has the authority to make changes to this document as deemed necessary per the CC&Rs and other applicable governing documents.

#### **3.3 STANDARDS DEPARTMENT**

The Standards Department monitors all residential properties within the Association to ensure compliance with the CC&Rs and Standards as well as Federal, State, and local laws under the direction of the VWOA Board of Directors and Management. In addition, the Standards Department provides administrative support to the ARC.

#### **3.4 HOMEOWNER AND TENANT RESPONSIBILITIES**

All homeowners and tenants are responsible for maintaining the property and complying with the terms and conditions of the CC&Rs, Standards, and all applicable governing documents related to property maintenance and improvements. Homeowners are responsible for informing those who lease/rent their property that they have specific responsibilities under the CC&Rs and Standards. Unless otherwise noted, Property owners must submit all improvements/changes to the ARC for consideration. Tenants must obtain the property owner's written approval for each improvement/change and include it with the

PIA. Property owners should share the "New Homeowners Essentials" link with tenants. All residents can find this link on the Villages of Westcreek website, hard copies are available at the VWOA Community Center upon request.

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## 4. VWOA STANDARDS

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### 4.1 STANDARD OBJECTIVES

In partnership with our homeowners, the Villages of Westcreek Owners' Association is firmly committed to enhancing and maintaining property values within the community. The objective of the CC&Rs and Standards is to provide reasonable rules, regulations, and guidelines for improvements and maintenance of all single-family residential properties within the community. The CC&Rs provide formal and conclusive information regarding the community rules and the legal enforcement that are the basis for a 'Deed Restricted Community.'

If there is a conflict between the CC&Rs and the Standards, the CC&Rs will prevail. Various sections herein reference the article(s) in the CC&Rs that support a particular standard. The CC&Rs and Standards are vital to ensuring that each improvement is:

- a. Well-designed and composed of suitable materials; and
- b. maintained to keep property values at their highest.

Curb appeal is a significant factor that attracts prospective buyers and renters/lessees when deciding where to make their home.

### 4.2 PROPERTY ACCESS

Although the CC&Rs legally grant access to residential properties, it is the policy of the VWOA to obtain the homeowner's/tenant's approval before entering beyond the property's 6-foot wooden fencing to inspect the ARC approvals. (*Source: VWOA-CC&Rs, Article XIV, Section 14.05*)

When the ARC approves homeowner requests for property improvements/changes, 90 days are granted to complete the project. After the 90 days, the Standards Manager will contact the homeowner/tenant to determine what requirements are needed to fulfill inspection. This inspection aims to ensure the project was completed as approved by the ARC.

- If the approved project is completed before the 90 days, the Homeowner needs to notify the Standards Manager by calling 210-679-8761.
- If the project is still in progress after 90 days or has not been started, the applicant will need to ask the Standards Manager for an extension.

### 4.3 HOMEOWNER/TENANTS COURTESY NOTICE PREVENTIONS

VWOA Courtesy Notices issued to homeowners will include the number of calendar days to correct specific situations on the property. If the inspections reveal that an improvement or change is in progress or completed without ARC approval, VWOA Courtesy Notice will be issued. This notice will require the Homeowner to submit a PIA to the ARC for approval. Residents may contact the Standards Manager at 210-679-8761 with questions or concerns. (*Refer to sample in Appendix*)

To prevent Violation Notices from being issued, homeowners should become familiar with the CC&Rs, Standards, and other Governing Documents, that are listed at [www.villagesofwestcreek.com](http://www.villagesofwestcreek.com) under Documents. Failure to comply with Courtesy Notice(s) issued may result in the following:

- a. Texas Property Code notification letter, which may result in an administrative processing fee;
- b. suspension of the usage of the recreational facilities/amenities; and/or
- c. legal action, which may result in legal and additional processing fees.

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## **5. HOW TO APPLY FOR IMPROVEMENTS OR CHANGES**

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This document explains the procedure for applying for improvements/changes to the Homeowner's external property. Before homeowners proceed, unless otherwise noted, they must submit a Property Improvement Application (PIA) to the ARC for consideration.

### **5.1 PROPERTY IMPROVEMENT APPLICATION (PIA) REVIEW PROCESS**

The process begins with the homeowner/tenant. The ARC evaluates the proposed improvements / changes using all applicable governing documents. This process does not include consideration of the building code(s) requirements, which is the responsibility of the homeowners and builders. Nothing in the CC&Rs, Standards or the review process exempts the builders, contractors, and homeowners from securing applicable permits and complying with all other requirements of the county, city, state, and the Federal government that may apply to the property development.

### **5.2 APPLICATION PROCEDURE**

Contact the Standards Manager at 210-679-8761 or by email at [Standards@villagesofwestcreek.com](mailto:Standards@villagesofwestcreek.com) if you are unsure if your proposed improvement/change requires a PIA. The Standards Manager can answer your questions about what other documentation you may need to submit with your application.

The PIA is designed for homeowners to request improvements/changes to the dwelling's exterior and other buildings and structures on the property. The PIA may be downloaded from VWOA's website '[www.villagesofwestcreek.com](http://www.villagesofwestcreek.com)' under 'Architectural Review' or obtained at the Community Center's office.

The homeowner/tenant is responsible for submitting a PIA to include all supporting information and documents using one of the following:

- Submit your PIA and supporting documents via email to the Standards Manager at [standards@villagesofwestcreek.com](mailto:standards@villagesofwestcreek.com).
- Mail, or hand-deliver the PIA and supporting documents to the VWOA Community Center Office during regular business hours.
- Apply online on the homeowner management portal.

Applications for improvements or changes to the Homeowner's external property are as follows:

- A PIA must be submitted to the ARC for approval with a complete description of the proposed improvement/change to allow the ARC to make a prompt decision without causing a delay.
- Provide applicable documents, materials, color samples, drawings, sketches, pictures, brochures, photographs, and all dimensions (length, width, height, square footage) that adequately describe the proposal.
- Permanent structures proposed for placement in/over the utility easement, as shown on the Homeowner's Plat/Lot Survey or in the City Public Service (CPS) utility easements, require

written authorization from all applicable utility companies. This approval must accompany the request for the ARC's review. (Source: VWOA- CC&Rs, Article X, Section 10.08)

- Include a copy of the Plat/Lot Survey showing the location of the proposed improvement or change if it is an addition to the property. If you don't have a copy of your Plat/Lot Survey, homeowners can obtain a copy from the County Court House.
- Contact the Standards Manager at 210-679-8761 or email to find out if a Plat/Lot Survey is required to process your PIA Application.

The ARC will review for compliance with the specific and general intent of the CC&Rs and Standards. This review looks at the adequacy of the materials, site dimensions, conformity, and harmony of external design, including color schemes and location with neighboring structures and properties.

- The ARC must act upon initial PIAs within 30 days after the Committee receives them, or they are automatically approved. If insufficient information is submitted to render an appropriate decision, the applicant will have 15 days to provide the information requested. If the ARC does not receive the additional information within 15 days, the PIA will be closed as not approved. (Source: VWOA-CC&Rs, Article IX, Section 9.12)
- When the ARC approves a homeowner's PIA, ninety (90) days will be allowed to complete the project. If the project is still in progress at the end of this time or has not begun, the applicant will need to ask the Standards Manager for an extension.
- Improvements/changes made without ARC approval may require modification or removal. The Homeowner must submit a PIA for any unauthorized improvement in progress or completed.

### 5.3 PROPERTY IMPROVEMENT APPLICATION (PIA) SUBMISSION CHECKLIST

To help expedite processing, please review the following checklist of items needed with the PIA. Please note that each project needs to be submitted on a separate PIA and include a new Plat/Lot Survey indicating the project location.

For projects such as home additions, decks, patios, pools/saunas, patio covers, flag poles, gazebos, pergolas, sheds, greenhouses, enclosures, walkways, fencing, landscaping, trees, play equipment, outdoor furniture/decor, rain gutters, siding replacement, etc., include the following:

- Plat/Lot Survey specifying the project location.
- Photo of the project location.
- Colored pictures or samples of materials to be used on the project.
- Architectural drawings, renderings, or colored photos of what the completed project will look like when completed.
- Dimensions of the project, such as length, width, and height.
- If the project is a permanent fixture over or in a utility easement, include a copy of the Utility Companies' approval.
- Provide as much information about your project and the materials you are going to use as possible. (The cost of the project is not needed)

### 5.4 MODIFICATIONS AND WAIVERS

Modification and waiver requests are for deviations to a provision of Article IX, Section 9.19 of the CC&Rs or applicable requirements of the Standards. However, modifications and waivers may only be

granted by the ARC for those deviations that meet the qualifying exemptions below. All other deviations are considered variances.

The Homeowner must submit the written request for approval of a qualifying modification and waiver and the PIA to the ARC. The modification and waiver request must:

- a. Cite the specific provision that needs to be modified or waived; and
- b. describe the unnecessary and undue hardship and how the modification and waiver will not be detrimental (aesthetically, economically, or otherwise) to other properties.

## 5.5 VARIANCES

Variances are considered any deviation from Article X of the CC&Rs or applicable requirements of the Standards. The BOD may grant a variance to the CC&Rs if the Homeowner or builder submits a PIA to the ARC showing that the proposal will be beneficial and consistent with the general architectural style and design of the community and compatible with the natural and built surroundings. A copy of the Plat/Lot Survey must also be included to show the location of the proposed change. The ARC will forward the PIA along with their recommendation to the BOD for final decision. Such requests, however, are exceptional and are not routinely approved. (*Refer to sample in Appendix*) (*Source: VWOA-CC&Rs, Article IV, Section 4.01 a.*)

## 5.6 EASEMENT ACCESS

A utility easement represents the right given to utility companies to use and access a part of a property owner's land. Utility easements can include services like:

- Gas
- Electricity
- Water
- Sewer lines
- Television lines
- Cable lines
- Internet cables
- Satellite television

To determine if there is a utility easement on your property, refer to your Plat/Lot Survey form. If you cannot find this form, you may obtain a copy at the County Court House.

For those homeowners who want to extend their rear fencing into the CPS's utility easement, you must maintain clear access to allow for any necessary repairs authorized by CPS. Any object other than seasonal plantings usually requires ARC approval. For guidance, call the Standards Manager at 210-679-8761 or email. Any object of a permanent nature may not be placed on CPS's utility easement unless the Homeowner

- a. obtains written approval from all applicable utility companies; and
- b. submits their utility approval to the ARC along with the PIA (*Source: VWOA-CC&Rs, Article X, Section 10.08*)

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## 6. PROPERTY STANDARDS

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Specifications outlined in the following sections apply to homeowners and tenants. Homeowners are to contact the Standards Department at 210-679-8761 or email for guidance when considering improvements/changes not addressed in the CC&Rs or Standards.

### 6.1 PROPERTY MAINTENANCE

The homeowner/tenant must always maintain their premises, dwelling exterior, yard, and all improvements on the property in a safe, clean, and attractive condition.

If it becomes evident that the Homeowner has no intention to maintain their property, the VWOA has the right to take appropriate action as outlined in all Governing Documents.

### 6.2 ADDRESS HOUSE NUMBERING

*No ARC Approval Needed.*

All residences must have a house address number affixed to the front of the dwelling.

The numbers must be

- a) no less than two (2") inches in height; and
- b) unobscured and legible from the street for emergency vehicles and law enforcement.

Local vendors will paint address numbers on curbs for a small fee. Affixing additional addresses anywhere else on the property requires a PIA to be submitted for consideration, along with the type of material, color(s), size, lighting, and a copy of the Plat/Lot Survey showing the proposed location.

*(Refer to sample in Appendix)*

### 6.3 DRIVEWAYS, APRONS, WALKWAYS, SIDEWALKS, CURBS, AND STREETS

Driveways shall only be broom-finished concrete, cannot be colored stained, and have a maximum size of a 2-car garage.

#### 6.3.1 Driveway Width Extensions

*ARC Approval Needed*

Driveway width extensions shall be broom-finished concrete that matches the driveway.

The width shall not exceed the outer edges of the garage. For approval, the Homeowner must submit a PIA and a copy of the Plat/Lot Survey showing the proposed location. Vehicles can park on driveway extensions.

#### 6.3.2 Damaged driveways, driveway aprons, or concrete/mortared frontal walkways

Regardless of the cause, damaged driveways, driveway aprons, or concrete frontal walkways require repairs using the matching material, color, and broom finish. Homeowners are responsible for completing the repairs within the time agreed on between the Homeowner and the Standards Manager.

*(Source: VWOA-CC&Rs, Article XIII, Section 13.03 f.)*

#### 6.3.3 Damaged sidewalks, curbs, or streets

Damaged sidewalks, curbs, or streets, regardless of the cause, are the responsibility of Bexar County. The only exception is in Westcreek Gardens, where the VWOA owns the sidewalks, curbs, and streets; therefore, the Association is responsible for maintaining these three (3) areas.

#### **6.3.4 Walkways (Residential)**

##### *ARC Approval Needed*

Walkways may be of concrete, paver stones, flagstones, bricks, rocks, crushed granite, or gravel and may not exceed four (4) feet in width. A PIA with a copy of the Plat/Lot Survey showing the proposed location, and a color sample of materials, must be submitted for approval. Concrete may be colored, textured, or etched in patterns and must be broom-finished. If using bricks for the walkway, the color should be compatible with the dwelling. Behind the dwelling, bold or bright colors may be approved on a case-by-case basis. Vehicle parking on walkways is not permitted.

#### **6.3.5 Pedestrian's Use of Sidewalks/Driveway Aprons**

Parking vehicles on sidewalks, including the portion of the driveways that connect to the sidewalk aprons, is unlawful and subject to ticketing by law enforcement officials. Allowing any objects, including soil, to interfere with the Pedestrian's full access to sidewalks is illegal. (*Source: The Americans With Disabilities Act of 1990 and Texas Property Code 545.302 (a) (2)*)

#### **6.3.6 Maintenance**

Homeowners must keep driveways, driveway aprons, driveway extensions, and concrete walkways free of oil, grease, rust, mold, and mildew.

### **6.4 EXTERIOR BUILDING MATERIAL REQUIREMENTS FOR HOMES**

Hardie Plank siding (a non-wood cement-based product) or other similar material used as siding is not an acceptable substitute for stone, brick, stucco, or other masonry products for home additions. These materials do not qualify for meeting the total percentage of masonry required. Homeowners can use Hardie Plank to replace/repair existing siding or materials other than those listed above. (*Source: VWOA-CC&Rs, Article XIII, Section 13.03 d. (i) or (ii)*)

### **6.5 FENCING AND STAINING**

Perimeter lot fencing: Aluminum, chain link, wire, and barbed wire fencing shall not be permitted. Any change to fencing, other than the exceptions explained below, requires prior ARC approval. Fencing located on adjoining property lines is the responsibility of both Homeowners, thus the repair or replacement expenses should be shared on a 50/50 cost basis.

#### **Pre-Approved Fence Stains (do not require ARC approval):**

- Behr Clear Natural
- Behr Natural
- Behr Cedar Natural tone
- Valspar Clear
- Valspar Cedar Natural tone

#### **6.5.1 Gates**

##### *ARC Approval Needed*

Adding a gate to the fencing in front or side of the dwelling must match the exact type of wood, dimensions, stain, and design of the current fencing.

## 6.5.2 Wood Fencing

### *ARC Approval Needed*

The back of the property requires the following:

- Six (6)' vertical pickets and posts such as cedar, redwood, oak, cypress, or treated wood (not mixed).
- Picket dimensions either 1" x4" x6' or 1" x6" x6' for the entire fence (not mixed).
- Posts must be either 4" x 4" or six (6)' galvanized steel, powder-coated steel, or aluminum posts (not mixed).
- All posts and framing must be installed inside the fencing that faces any street.
- A manufactured product with the graining appearance of wood will be considered for approval on a case-by-case basis (*Source: VWOA-CC&Rs, Article XIII, Section 13.03h.*)
- Placement at least 5' back from the front corner of the dwelling and 5' back from the front corner of the garage. Fence extensions, including corner lots, require the finished side to face the street.
- Homeowners are responsible for replacing wooden fences that are broken, rotten, warped, leaning, or missing. No further approval is required if replacing the fencing with previously approved materials, size, and stain.

Fence and gate stains must allow the original texture of the wood to be visible. Cedar or clear stain and sealer are preferred to provide continuity throughout the community. As approved by the ARC, new wood must be stained with the same color when replacing any portion of the fence that is currently stained. Re-staining the fencing with the same color as previously approved is permitted without ARC approval. Painting wooden fencing and attaching electric wiring to shared fencing is not allowed.

Wood is subject to premature rotting if landscaping materials such as soil, grass, raised flower or vegetable beds, trees, bushes, etc., come into direct contact with the wood. Homeowners must maintain six (6) inches of space between the fence and plants. This spacing helps prevent mold growth on the fence

## 6.5.3 Wrought Iron Fencing

Wrought iron is subject to rusting therefore, fencing and gates must be maintained (rust-free) at all times. Grass around and under the fencing must be mowed and edged at the same level as the rest of the lawn.

### 6.5.3.1 Wrought Iron Fencing (Rear of Property)

#### *ARC Approval Needed*

Wrought iron fencing requires a variance from the BOD and is limited to six (6') feet in height and may only replace the back fence if the area behind the fence is a greenbelt or utility easement. (Similar products may be approved on a case-by-case basis.) The PIA needs to include a complete product description for the ARC and Board's consideration.

### 6.5.3.2 Wrought Iron Fencing, Handrails and Gates (Front)

#### *ARC Approval Needed*

Wrought iron fencing is permitted in front of the dwelling. Handrails, new or additional, may not exceed three (3') feet in height. The request for prior ARC approval must clearly describe the product and its necessity along with a copy of the Plat/Lot Survey showing the proposed location.

To maintain a standard appearance throughout the community, the specifications for wrought iron fencing are as follows:

- a. Only matte black wrought iron is allowed.
- b. For safety, only flat-top design will be permitted. No spikes or finials will be allowed.
- c. It may not exceed 48" in height.
- d. Fencing must be setback 12" from the sidewalk.
- e. Fencing may not cross or encroach on pedestrian use of the sidewalk, including the driveway apron.
- f. 1" x 1" rails; 3 7/8" picket spacing.
- g. No landscaping, hedge, bush, vines, greenery, or other vegetation shall be planted adjacent to a Perimeter Fence. This includes 3' or less plantings that would otherwise be permitted without ARC approval.
- h. Fencing may not encroach on any building line or easement appearing on the applicable Plat survey of the Lot in question.
- i. Nothing may be attached to the fencing or gates to obstruct the view of the residence from the street
- j. Wooden fences and gates must separate the front and the back of the dwelling.
- k. Animals must not be left unattended in front yard enclosure.

Unlike shared fencing in the rear of the property, care, and maintenance of wrought iron fencing in front of the property will be 100% the responsibility of the property owner.

#### **6.5.3.3 Wrought Iron Driveway Gates (Front)**

##### *ARC Approval Needed*

Wrought iron driveway gates are permitted. To maintain a standard appearance throughout the community, the specifications for driveway gates are as follows (*See examples in Appendix*):

- a. Only matte black wrought iron is allowed
- b. For safety, only flat-top design will be permitted. No spikes or finials will be allowed.
- c. A flat-top arch-style gate is permitted.
- d. It may not exceed 48" in height.
- e. Gates may only open inward toward the house or slide open along the fence line, and gates may not open outward toward the street or block pedestrian sidewalk use.
- f. Fencing must be setback 12" from the sidewalk.
- g. Fencing may not cross or encroach on pedestrian use of the sidewalk, including the driveway apron.
- h. 1" x 1" rails; 3 7/8" picket spacing
- i. Gate Locks: Hook Latches or key locks are acceptable for gates. Securing gates with chains and bike locks is not permitted. The color of latches and locks must blend with the fence/gate.

#### **6.5.4 Wooden Fencing and Staining Along Major Streets**

As outlined in Administrative Resolution 32, wooden fencing along major streets that border VWOA's individual residential lots on Military Drive West, Westcreek Oaks Drive, Westcreek View, North

Grosenbacher Road, Potranco Road, and Talley Road is the Homeowner's responsibility. The Homeowner's maintenance responsibilities include the following:

- a. New fencing must be vertical and not lower in height than those replaced. Material must be made of Cedar with picket widths of six (6").
- b. When any portion of the wooden fencing along major streets is replaced, call the Standards Manager at 210-679-8761, who will notify the Maintenance crew to stain it the same color as the original.
- c. Removing graffiti from the fencing on residential properties that face minor streets is the Homeowner's responsibility.
- d. Removing graffiti from the fencing on residential properties that face major streets is the VWOA's responsibility.

The VWOA is responsible for determining the colored stain and staining of all wooden fencing that faces the major streets throughout our community.

## **6.6 FLAGS OF THE U.S., STATE, AND BRANCHES OF OUR ARMED FORCES**

### **6.6.1 Flag poles mounted on the dwelling**

*No ARC Approval Needed*

No more than two (2) flag poles or (2) stick flag holders are permitted and do not require ARC approval. They must be

- a. only mounted on the portion of the dwelling that faces the street,
- b. no longer than 6' feet in length; and
- c. aluminum, fiberglass, or wood.

### **6.6.2 Flag poles installed in the ground**

*ARC Approval Needed*

Flag poles installed in the ground require:

- a. Only one (1) pole is allowed.
- b. It may not be taller than 20' feet and no shorter than 15' feet.
- c. Placed in front of the dwelling, no closer than 10 feet from the curb and 5 feet from the property lines.
- d. Flagpoles must be commercial-grade aluminum, stainless steel, bronze, fiberglass, or wood.
- e. It must be 5' feet from the property lines if placed behind the dwelling. None may be installed in/over the property's utility easement as shown on your Plat/Lot Survey form

### **6.6.3 Flag Requirements**

Flags flown at residential properties within the Villages of Westcreek must meet the following requirements:

- a. Flag sizes may not exceed 3' x 5' feet.
- b. U.S. Flags must always be on top of others, including our U.S. Armed Forces.
- c. If flown at night, the U.S. Flag or State Flag must be illuminated following Federal and State laws.
- d. Flags that become faded, frayed, or torn must be removed or replaced.

- e. Halyards must be securely fastened to the flagpole to prevent noise caused by winds and banging them against the pole.
- f. If flag poles become deteriorated or structurally unsafe, they must be repaired, removed, or replaced.
- g. The U.S. Flag must be displayed following 4 USC Sections 5-10. The State of Texas Flag must be displayed following Chapter 3100 Government Code.
- h. All other flags should be flown following their governing body requirements. *(Source: Texas Property Code 202.012)*

## 6.7 OUTDOOR DECORATIONS

### *No ARC Approval Needed*

Holiday decorations may be displayed on the premises without ARC approval. Residents can display decorations no earlier than forty (40) days before Halloween, Christmas, or other religious celebrations, New Year, and thirty (30) days before all other holidays.

- a. For Christmas and New Year, residents must remove decorations no later than January 16.
- b. For all other holidays, residents must remove decorations no later than fifteen (15) days following the actual holiday's date.

Residents may only display decorations for special events, such as birthdays, anniversaries, newborns, returning veterans, etc., on the premises for three (3) days. Additional days require approval of the Standards Manager by calling 210-679-8761. Outdoor decorations and signs cannot be placed anywhere else within the Villages of Westcreek.

## 6.8 BUILDINGS AND OUTDOOR STRUCTURES IN GENERAL

This section includes but is not limited to gazebos, greenhouses, pergolas, sheds, workshops, outdoor kitchens, patio covers, small storage containers, rentable storage containers, portable structures, garages and carports, decks, covers, enclosures, and awnings.

Submit a PIA with all supporting information and documents, and a copy of the Plat/Lot Survey showing the proposed location for ARC approval. On a case-by-case basis, the ARC may approve a request for a paintable or stainable manufactured product if it has the graining appearance of wood and the type of roofing and the color is compatible with that of the dwelling. The ARC may consider metal roofing per section 6.14.1. *(Refer to sample in Appendix)*

Although (1) of each of the improvements discussed in this section are allowable, per CC& Rs, the land coverage of these structures cannot exceed 80%. *(Source: VWO-CC&Rs, Article X, Section 10.2 Land Coverage)*.

Note: No permanent or temporary structure may be placed in such a manner that would change the grading and surface drainage of the property that the builder designed initially. *(Source: VWOA-CC&Rs, Article X, Section 10.06)*

The placement of gazebos, greenhouses, pergolas, sheds, and workshops must be behind the dwelling (not in the side setbacks; see example at the end of the Document) and no closer than 2' feet from the fencing to allow space for maintenance of fencing and the building/structure. If unable to place the project directly behind the dwelling, the Homeowner may submit a request for a modification waiver along with the justification. The approvable location depends on whether the building/structure is considered temporary or permanent as follows:

- a. Temporary: built on non-permanent foundations
- b. Permanent: built on permanent foundations or anchored in the ground. If any structure on a permanent foundation is proposed for placement in/over a utility easement, as shown on the Plat/Lot Survey form, written authorization from all applicable utility companies must accompany the request for ARC approval. (Source: VWOA- CC&Rs, Article X, Section 10.08)

### 6.8.1 Sheds and Workshops

#### *ARC Approval Needed*

Sheds and Workshops are single-story roofed structures used for household storage, hobbies, or as a workshop. Sheds and Workshops cannot be attached to the dwelling or other approved structures.

- a. Size Limitations
  - Square Footage: 144
  - Height: 10 ft
- b. Materials and color:  
Manufactured products such as wood composite or resin materials that have the appearance of wood grain may be approved if:
  - The sturdiness and durability either match or exceed that of wood.
  - Colors must be compatible with the color of the siding/trim of the dwelling.
  - Solid roofs must match the shingles of the dwelling.
- c. Foundation:
  - Options include concrete, pavers, brick, and decking

### 6.8.2 Outdoor Kitchens

#### *ARC Approval Needed*

An outdoor kitchen is a place outside the home for entertaining and cooking. Outdoor kitchens must be placed behind the dwelling and not on the side setbacks. Homeowners must submit a detailed plan/rendering showing the finished kitchen. Submit colored photos of materials plus all dimensions of the improvement.

- a. Size Limitations
  - Varies by design
- b. Materials and color:
  - Must compliment the dwelling

### 6.8.3 Greenhouses

#### *ARC Approval Needed*

Greenhouses are structures with walls and roofs made primarily of transparent material in which plants requiring regulated climatic conditions are grown. Greenhouses cannot be attached to the house or other approved structures.

- a. Size Limitations
  - Square Footage: 144
  - Height: 10 ft
- b. Materials and color:
  - Clear glass, polycarbonate, plexiglass, or other transparent materials are acceptable for the walls and roof.

- Wood, wood composite, powder-coated metal, or resin materials are acceptable for framing your greenhouse. Wood may be left natural, clear sealed, or stained like fences.
- Corrugated materials are not allowed.
- c. Foundation:
  - Options include concrete, pavers, crushed granite, pea gravel, and mulch.

#### 6.8.4 Gazebos

##### *ARC Approval Needed*

Gazebos are freestanding, open garden structures with solid roofs that provide shelter from the sun and elements. They are wood or metal and cannot be attached to the house or other approved structures.

- a. Size Limitations
  - Square Footage: 144
  - Height: 10' feet
- b. Materials and color:
  - Wood, wood composite, powder-coated metal, or resin material with the appearance of wood.
  - Untreated wood must be stained or painted.
  - A solid roof must compliment the dwelling.
- c. Foundation:
  - Options include concrete, pavers, bricks, decking, or skids.

#### 6.8.5 Pergolas

##### *ARC Approval Needed*

A pergola is an outdoor garden feature forming a shaded seating area of vertical posts or pillars with either an open beam or covered roofing. Pergolas cannot be attached to the dwelling or other approved structures.

- a. Size Limitations
  - Square Footage: 144
  - Height: 10 ft
  - Can exceed size limitation to cover the entirety of a patio directly behind the dwelling.
- b. Materials and color:
  - Wood, wood composite, powder-coated metal, or resin material.
  - Untreated wood must be stained or painted.
  - The roof may be solid, open beam/rafter-type, polycarbonate, or canvas.
  - Open beam rafter-type roofs must match the type of wood and color of the framework of the structure.
- c. Foundation:
  - Options include concrete, pavers, brick, and decking

#### 6.8.6 Collapsible and Portable Outdoor Structures

##### *No ARC Approval Needed*

Structures such as collapsible canopies, gazebos, and tents may only be used

- a. temporarily for special events;
- b. for three (3) days; and

- c. placed behind the dwelling and stored away when the event ends.

### **6.8.7 Garages and Carports**

#### *ARC Approval Needed*

Garages may not be converted into a living space if the conversion is apparent from the outside. Side entry doors to garages are permitted as long as it is behind the fence.

- Garage door screens and their hardware, brackets, and hooks must be behind the garage door(s) and maintained in excellent condition. When the screen is not in use and the garage door is closed, the screen may not be visible from the outside. (*Source: VWOA-CC&Rs, Article VIII, Section 13.03 I.*)
- The garage door(s) must be kept in excellent condition, such as the paint and the repair of any damage that occurs.
- Decorative magnetic garage door hinges and handle sets do not require ARC approval.
- Carports and additional garages are not permitted.

### **6.8.8 Decks and Patios**

#### *ARC Approval Needed*

A PIA must be submitted to the ARC with a complete description of the materials, size, and a Plat/Lot Survey form showing the proposed location.

- a. It must be behind the dwelling (not in the side setbacks);
- b. may not exceed the minimum setback footage;
- c. may not be closer than (5') feet from the side fencing; and
- d. must be designed to prevent any interference with drainage patterns on the property;
- e. If proposed for permanent placement over a utility easement, as shown on the Plat/Lot Survey form, written approval is required from all applicable utility companies, which must accompany the PIA.

#### **6.8.8.1 Decks**

##### *ARC Approval Needed*

- a. Must be made of wood such as cedar, treated wood, untreated wood, or a wood composite;
- b. may be left natural, stained, or sealed;
- c. handrails may not exceed three (3') feet in height;
- d. if painting or staining the deck, the color must be complementary to the dwelling.

#### **6.8.8.2 Patios**

##### *ARC Approval Needed*

Patio surface materials such as concrete flatwork, concrete pavers, bricks, stones, granite, gravel, flagstone, and tile are approvable. Concrete flatwork can be etched in pattern form, textured, or colored. If colored concrete flatwork is being proposed, an earth tone or a color that is compatible with the color scheme of the dwelling is preferred.

### **6.8.9 Covers, Enclosures and Awnings**

#### **6.8.9.1 Covers**

##### *ARC Approval Needed*

Covers are shade structures attached to the roof of your home. The patio cover is supported by your roof, where the patio cover connects to your home, and two or more columns support the other end. Other covers that are not attached to the patio are also included here.

a. Size Limitations

- Square Footage: 144
  - Can exceed the size limitation to cover the entirety of a patio that is directly behind the dwelling

b. Materials and color:

- Colors must match or be compatible with the colors used on the dwelling. Shingles must match the dwelling.
- Open covers consist of beams or rafters of cedar, treated/untreated wood, or a wood composite that may be left natural or stained.
- The ARC may approve canvas awnings (manually or automatically operated) provided they are placed behind the dwelling over decks or patios and maintained in good condition.

### 6.8.9.2 Enclosures

#### *ARC Approval Needed*

Enclosures must be behind the dwelling, and may not exceed the minimum setback footage per VWOA-CC&Rs, Article XIII, Section 13.03 and may be

- a. cedar, treated/untreated wood, or a wood composite;
- b. stained/painted with a color that is compatible with the siding or trim on the dwelling; and
- c. a stainable/paintable manufactured product that the ARC may consider on a case-by-case basis.

The following is required for living space additions to the back of the dwelling:

- a. Must be completely enclosed;
- b. the exterior's material and color must match that of the dwelling;
- c. the roof's shingles and color must match those on the dwelling; and
- d. the home's heater and air conditioning system must extend into the room.

### 6.8.9.3 Trash/Recyclable Container Enclosures

#### *ARC Approval Needed*

Trash enclosures are permitted on the front side of the dwelling and are used to store house trash bins when not in use. The material should complement that of the dwelling and have no roof. Submit a PIA, including a picture of the finished product, materials, colors, and dimensions, along with a plat/survey showing placement.

a. Size Limitations

- Square Footage: 48

b. Materials and color:

- Cedar or treated/untreated wood that is compatible with the existing fencing.
- Manufactured products such as wood composite or resin materials that have the appearance of wood grain may be approved if the sturdiness and durability match or exceeds that of wood and colors are compatible with the color of the siding/trim of the dwelling.

### 6.8.9.4 Awnings

#### *ARC Approval Needed*

Awnings can be installed over rear decks/patios, side entrances to the dwelling, outside buildings, or windows. The material and color must be compatible with the masonry or house siding/trim and design of the dwelling. Awnings are not permitted on any portion of the dwelling that faces the street.

#### **6.8.10 Retaining Walls**

##### *ARC Approval Needed*

Submit a PIA to include the materials, color, height as measured from ground level, and a copy of the Plat/Lot Survey showing the proposed location.

Walls that are:

- Four (4') feet or less in height do not require a permit unless the wall supports a surcharge.
- Greater than four (4') feet in height (with or without a surcharge) require a permit and must be designed and inspected by a licensed engineer. Recommend that a structural engineer be contacted to test the soil to determine if a surcharge is necessary.

Measure the height from the base of the wall to the top of the wall at the highest point. *(Source: City of San Antonio Information Bulletin dated March 19, 2010 and revised July 26, 2010 and plus VWOA-CC&Rs, Article IX, Section 9.14; and Article XIII, Section 13.03 h.)*

### **6.9 DWELLING'S EXTERIOR AND OTHER BUILDINGS/STRUCTURES**

#### **6.9.1 Burglar/Security bars**

##### *ARC Approval Needed*

Burglar bars or any other object that resembles burglar bars may not be installed on the exterior of the dwelling or any other building on the property. The ARC may approve Burglar/Security bars installed on the interior of the building, and the color needs to blend with the masonry to minimize their appearance.

*Safety Feature:* All burglar bars must have a locking mechanism that allows the bars to be opened from the inside in case of emergency.

#### **6.9.2 Front Door Replacement**

##### *ARC Approval Needed*

Replacing the front door requires a PIA to include a diagram and color sample as well as a color picture of the dwelling. The door may be wooden, metal, or a manufactured product that is stained or painted with a color compatible with the dwelling. Unpainted and unstained metal doors are not permitted.

#### **6.9.3 Storm and Security Glass Doors**

##### *No ARC Approval Needed*

Storm/security glass doors should be:

- a. Full glass or a combination of glass and screen; and,
- b. Color compatible with those of the dwelling; and,
- c. Not have the appearance of burglar bars.

#### **6.9.4 Rain Gutters and Downspouts**

##### *No ARC Approval Needed*

The color of the gutters and downspouts must be compatible with the dwelling's exterior and may not be reflective, bright, or bold. Downspouts must be positioned to prevent soil erosion and water run-off to adjoining properties. Sagging gutters must be re-secured or replaced. All gutters and downspouts must be maintained and free of organic debris. (Source: VWOA-CC&Rs, Article IX, Section 9.14)

### **6.9.5 Painting**

*No ARC Approval Needed if same Color, otherwise ARC Approval Needed*

If painting any exterior portion of the dwelling or storage sheds with the same color that was previously approved by the ARC, no further action is required.

When painting any structure, a different color, a PIA along with the proposed color sample(s) and a color picture of the dwelling must be submitted to the ARC for approval. Identify the colors used in each area (i.e., Hardie Plank, fascia, door, garage door, trim, etc.).

All paintable surfaces must be maintained in an attractive condition. Painted surfaces that are faded, chipped, mildewed, or discolored must be repainted. (Source: VWOA-CC&Rs, Article XIII, Section 13.03 s.)

- The paint color of all structures on the property are to be compatible with those of the dwelling;
- Colors are limited to shades of 'earth tone' and, most importantly, they must be compatible with the primary color of the main dwelling. 'Earth tone,' as defined herein, are varying shades of white, beige, brown, tan, green, red, blue, gray, and some shades of terra cotta. Other variations of 'earth tone' colors may be considered on a case-by-case basis; and
- Bright or bold colors such as purple, yellow, orange, and pink are not approvable.
- Paint colors on fascia boards, trim, garage and other doors, rain gutters, or any wooden accent must compliment the color of the dwelling.

NOTE: Brick and stone are not paintable surfaces.

### **6.9.6 Siding**

*ARC Approval Needed*

Siding for the dwellings is available in various materials. Hardie Plank's lap siding is one of the most popular. However, several others are worth considering, such as vinyl and aluminum. However, these do not qualify percentage-wise as masonry and are not an acceptable substitute for stone, brick, stucco, or other masonry products.

### **6.9.7 Window Air Conditioners**

*ARC Approval Needed*

Window air conditioners for two (2) story homes without a separate air conditioning unit to cool the second floor may be approved by the ARC if it is

- a. considered to be in the best interest of the family member(s) special health needs and well-being;
- b. a slimline design that will not extend more than eight (8") inches outside the dwelling; and
- c. not installed in any window on the second floor that faces the street in front of the dwelling.

Window air conditioners are not permitted on the dwelling's first floor, including the garage.

### **6.9.8 Solar Screens and Window Tint**

*No ARC Approval Needed*

Window solar screens, used to filter the sun, may be installed on the outside windows of the dwelling. Window tint must not be reflective. Colors must be compatible with the dwelling.

## 6.10 OUTDOOR EQUIPMENT

### 6.10.1 Play Structures and Equipment

#### *ARC Approval Needed*

Play structures and accessories may be wood, wood composite, powder-coated metal, or resin and plastic materials. A PIA must be submitted with a complete description, including the materials, dimensions, stain colors, and a copy of the Plat/Lot Survey showing the proposed location. (*Refer to sample in Appendix*)

- a. Must be placed directly behind the dwelling and not on the side yard;
- b. may not exceed ten (10') feet in height as measured from ground level;
- c. must be at least two (2') feet from any fencing; and
- d. must be maintained in good working order and condition.

#### 6.10.1.1 Playhouses

##### *No ARC Approval Needed*

Playhouses are limited to one (1) and

- a. may be wooden or plastic;
- b. may not exceed the width of five (5') feet, depth of five (5') feet, and six (6') feet in height;
- c. may be placed anywhere behind the dwelling; and
- d. must be at least two (2') feet from any fencing.

Treehouses are not permitted.

#### 6.10.1.2 Permanent Play Courts

##### *ARC Approval Needed*

Permanent play courts such as basketball, tennis, and outdoor shuffleboard must be behind the dwelling but no closer than five (5') feet from any fencing. A PIA and a copy of the Plat/Lot Survey showing the proposed location must be submitted. If proposed for permanent placement in/over a utility easement as shown on the Plat/Lot Survey, written authorization from all applicable utility companies must accompany the request.

#### 6.10.1.3 Permanent Basketball Goals

##### *ARC Approval Needed*

Basketball Goals installed in the ground must be placed at least fifteen (15') feet from the curb and next to the driveway. A PIA and a copy of the Plat/Lot Survey showing the proposed location must be submitted.

Basketball Goals installed behind the dwelling shall be no closer than five (5') feet from the fencing. If any part of the goal is placed over a utility easement as shown on the Plat/Lot Survey, written approval from all applicable utility companies must accompany the request. (*Refer to sample in Appendix*) (*Source: VWOA-CC&Rs, Article IX, Section 9.14 a) and Article X, Section 10.8*)

Basketball backboards mounted in the center above the garage door as a permanent fixture do not require ARC approval.

#### **6.10.1.4 Portable Goals**

*No ARC Approval Needed*

Goals must be maintained at least fifteen (15') feet back from the curb and placed next to the driveway. Basketball goals may be temporarily set in the street next to the curb if the driveway is slanted and hampers the player's usage, and only if

- a. it is currently in use;
- b. it is placed back in its original location immediately after each use; and
- c. the responsible resident assumes the relative safety and liability of all who use this play structure.

#### **6.10.1.5 Trampolines**

*No ARC Approval Needed*

Place behind the dwelling in a location that minimizes its visibility from the street. Placement may not be closer than five (5') feet from any fencing. For safety concerns, we recommend trampolines are secured/anchored to minimize their becoming airborne during high winds.

#### **6.10.2 Antennas/Satellites/Dishes**

*No ARC Approval Needed*

Antennas, Satellite, and Air Wave Reception/Transmission Dishes used to receive radio and T.V. transmission or any other form of electromagnetic signals, including HAM Radio Operators must be installed behind the dwelling but not on the utility easement, as shown on the Plat/Lot Survey. They may not exceed ten (10') feet above the dwelling's highest roofline, and none may transmit signals that interfere with radio or televisions. *(Source: VWOA-CC&Rs, Article XIII, Section 13.03 i.)*

#### **6.10.3 Clotheslines and Other Drying Facilities**

*No ARC Approval Needed*

Clotheslines installed permanently on posts and behind the dwelling may not be taller than six (6') feet in height to restrict their visibility from the street.

*ARC Approval Needed*

Other facilities used for drying or airing laundry must be placed behind the dwelling and may not exceed six (6') feet in height. Submit a PIA including a complete description and dimensions of the equipment and a copy of the Plat/Lot Survey showing the proposed location. *(Source: VWOA-CC&Rs, Article XIII, Section 13.03 m.)*

#### **6.10.4 Exterior Lighting**

*No ARC Approval Needed*

Solar or accent low voltage/wattage lighting placed along driveways, walkways, or flowerbeds are permitted. String, rope, or net lighting is prohibited in front of the dwelling except for holiday lighting.

*ARC Approval Needed*

Security/flood lighting placed in front of the dwelling or above the fence line in the rear requires ARC approval. Include a copy of the Plat/Lot survey showing the proposed location and wattage.

Placement/position must prevent glaring onto any street or neighboring properties. (Source: VWOA-CC&Rs, Article X, Section 10.09; and Article XIII, Section 13.03 g.)

Exterior LED lighting under the eaves of the dwelling is acceptable, with ARC approval and with the stipulation that colored lights can only be used during the acceptable Holiday decoration timeframes.

### **6.10.5 Security Cameras**

*No ARC Approval Needed*

Security cameras and motion detectors may be placed on the dwelling provided they do not infringe upon the neighbors' privacy (i.e., windows, doors, patios, deck, or pools).

### **6.10.6 Outdoor Furniture, Ornaments and Other**

*ARC Approval Needed*

#### **In front of the dwelling:**

Items such as chairs, benches, bistro table set, powder-coated metal gliders, lamp posts, or any other similar items require prior ARC approval, provided that the appearance of such items are maintained in an attractive condition. The PIA must include a picture and as much information as possible such as the colors, dimensions, and materials, including a copy of the Plat/Lot Survey showing the proposed location. (Refer to sample in Appendix)

Significant determining factors, in the review process, is that the appearance must

- a. have curb appeal; and
- b. aesthetically enhance the property

The ARC will not approve items such as vinyl or non-recycled plastic furniture, metal folding chairs, curtains, shades, and similar objects on the front porch.

Play accessories such as tricycles, wagons, skateboards, scooters, ramps, and soccer goals are not allowed to remain on the driveways, sidewalks, or front lawns when not being used.

#### **Behind the dwelling:**

Items such as adult wooden swings, arbors, trellises, or other similar items do not require ARC approval, provided they are maintained in an attractive condition and are not offensive to the neighbors.

## **6.11 LANDSCAPING**

Ground cover such as natural grass, artificial/synthetic turf, or xeriscaping (weeds do not qualify) is required on the entire outside premises of residential properties, including the property outside the fencing on corner lots, to prevent soil erosion. (Source: VWOA-CC&Rs, Article XI, Section 11.02)

### **6.11.1 Xeriscaping**

*ARC Approval Needed*

Xeriscaping is permitted, but no more than fifty (50%) percent of the front yard, including driveways and walkways, may be covered by impervious materials (e.g., asphalt, concrete). Xeriscaping is an option to provide ground cover in areas with little rain and when mandatory water restrictions are in effect. Using ground covers such as rock, brick, flagstone, gravel, mulch, or wood chips, you must also incorporate drought-tolerant plants in your design. The ARC will not approve landscapes covered by mulch or wood chips only. For a list of plants that thrive well in hot climates with little water, we recommend viewing the website '[www.saws.org/conservation](http://www.saws.org/conservation).'

- If using rock and gravel, suggest that their size be no larger than nickels and quarters for easy walking. A commercial-grade weed-blocking material is recommended to help prevent vegetation from growing through the ground cover.
- Any plants closer than ten (10') feet from the curb may not exceed three (3') feet in height, as measured from ground level, to allow motorists a clear view of pedestrians and the street traffic at intersections and while backing out of driveways. (*Source: VWOA-CC&Rs, Article XI, Section 11.02 g.*)
- A PIA with a comprehensive description of all plantings and materials and a copy of the Plat/Lot Survey showing the proposed location(s) must be submitted for consideration. (*Refer to sample in Appendix*)

### 6.11.2 Plantings

#### *ARC Approval Needed*

Plantings that alter the character of the landscape, including trees, in front of the dwelling and within ten (10') feet of the curb (including corner lots) may not exceed three (3') feet in height as measured from ground level. This is to allow motorists a clear view of pedestrians and street traffic at intersections and while backing out of driveways.

- Tree limbs, shrubs, and other plantings extending over the sidewalk and street must be pruned/trimmed to ensure that pedestrian travel and street traffic are not obstructed. (*Source: VWOA-CC&Rs, Article XI, Section 11.02 g.*)
- Seasonal plantings, including hanging potted plants, do not require ARC approval, however overdoing the number of plants in the front of the dwelling could result in undesirable curb appeal.
- Trees may not be planted any closer than ten (10') feet from the curb, including corner lots and in/over utility easements, without written approval from all applicable utility companies.
- Oak trees damaged by pruning, wind, or lightning should be treated immediately with a commercial tree wound dressing or any latex paint to prevent Oak Wilt (a form of fungus) from forming and spreading the disease to other trees.
- The use of plants with low water requirements is strongly encouraged. Residents can reduce water usage by utilizing good planting and design to include limited turf areas, efficient irrigation, soil amendments, mulches, or xeriscaping.
- Treat bare and brown spots to present a healthy and attractive lawn.
- Lawn areas surrounding the property should be maintained up to (5") inches in height. Grass and other ground cover growing over and around driveways, driveway aprons, sidewalks, walkways, curbs, streets, trees, shrubs, flower beds, and around the home's foundation needs to be edged.
- Blowing lawn debris into the street is prohibited.
- Remove and discourage the growth of weeds on the entire premises, including flowerbeds, yards, seams between the driveway, walkways, sidewalks, and the curb and street.
- Remove trash, leaves, and trimmings from the lawn, sidewalk, driveway, and street.
- Remove dead trees and other dead plantings completely, including stumps.
- ARC approval is not required if a tree is either
  - a. removed completely;

- b. replaced with the same species planted at least ten (10') feet from the curb, including corner lots.
- Trim any shrubbery or tree limbs that interfere with
  - a. a pedestrian's full access to sidewalks, walkways, or driveway aprons;
  - b. street traffic;
  - c. traffic signs;
  - d. street signs; and
  - e. the motorist's view at intersections and while backing out of driveways.
- Property landscaping must be maintained to
  - a. prevent the spreading of disease and infestation; and
  - b. discourage rodents, roaches, and other disease-carrying pests from entering the property.  
(Source: VWOA-CC&Rs, Article X, Section 10.12 and Article XIII, Section 10.03 s.)

### **6.11.3 Artificial Grass/Synthetic Turf**

#### *ARC Approval Needed*

- The Homeowner must include a turf sample with the PIA.
- Recommend that a qualified and experienced professional install the turf.
- The color must be green and look as natural to real grass as possible.
- The site for the installation must be properly prepared. Site preparation includes the removal of all-natural grass or weeds, installing limestone or crushed granite base, and capping off the water sprinkler systems.
- Must be kept neat, clean, and in good repair at all times. Infill should be added and brushed to the top layer of the grass/turf as part of the essential routine maintenance.

### **6.11.4 Rain Gardens**

#### *No ARC Approval Needed*

A rain garden is a shallow, vegetated depression, usually 6-9 inches deep. The water comes from storm water and rain gardens help reduce flooding. Storm water picks up harmful chemicals that end up in our streams and other water ways. To learn more about these Rain Gardens go to [gardenstylesanantonio.com](http://gardenstylesanantonio.com)

## **6.12 DRAINAGE AND IRRIGATION**

Water grading and drainage on all residential properties must be controlled to prevent soil erosion and run-off to adjoining properties. (Source: VWOA-CC&Rs, Article X, Section 10.06 and Article XI, Section 11.02 e.)

### **6.12.1 Watering and Watering Systems**

Lawn watering and other usage are subject to the mandated guidelines by the San Antonio Water System (SAWS). For all watering stages, refer to 'www.saws.org/conservation.'

Above-ground sprinklers (including PVC) must be stored behind the fence or garage when not used.

### **6.12.2 Irrigation systems**

#### *No ARC Approval Needed*

Irrigation systems (below ground and automatic) are an efficient method of watering lawns and landscaping to prevent wasteful watering.

### **6.12.3 Water Hoses**

*No ARC Approval Needed*

Hoses must be kept or stored neatly next to the faucet when not in use. Homeowners can store hoses on stand-alone hose reels or hangers attached to the side of the dwelling or fence next to the front faucet.

### **6.12.4 Rain barrels**

*No ARC Approval Needed*

Rain barrels are encouraged for watering plants and gardens. They come in various sizes, shapes, colors, and designs. Some are designed for placement underground.

*ARC Approval Needed*

If placed in front of the dwelling, ARC approval is required. They must be adequately screened with large plants or trees. A color picture of the barrel and the dwelling, a PIA, and a Plat/Lot Survey showing the location must be submitted if they are decorative. (*Refer to sample in Appendix*) (*Source: Texas Property Code 202, Section 202-007*)

## **6.13 VACANT HOMES**

Vacant homes must be maintained. Violations of the CC&Rs and Standards will be reported to the Homeowner, Real Estate agency, or Mortgage as appropriate.

## **6.14 ROOFING MATERIALS AND EQUIPMENT**

*ARC Approval Needed unless same type*

ARC approval is required unless replacing shingles of the same type and color that were previously approved. The color should be compatible with those of the dwelling. Bright or bold colors or those that are reflective (shiny or glaring) are non-approvable. A sample of the color(s) must accompany the request for the ARC's consideration. The ARC recommends a thirty (30) year fire-resistant composition or fiberglass shingles. Shingle types and colors on storage sheds and structures must be compatible with those of the dwelling.

### **6.14.1 Shingles**

*ARC Approval Needed*

Shingles have various warranty periods based on the estimated life expectancy. The ARC recommends at least a thirty (30) year fire resistant composition or fiberglass shingles. Weather conditions greatly influence shingle damage such as temperature changes and high winds, therefore a professional roofer should be consulted as to the type of roofing that is best for the climate. Shingle type and colors, on storage sheds and structures, must be compatible with those of the dwelling.

### **6.14.2 Metal Roofing**

*ARC Approval Needed*

The following rules apply when considering metal roofing for residential properties within the VWOA.

- a. Approvable metal roofs for the dwelling are those that are rust-proof and have the appearance of composition or fiberglass shingles; and

- b. The ARC may consider galvalume steel, galvanized steel, and aluminum on a case-by-case basis for other buildings and structures behind the dwelling, such as storage sheds, gazebos, and patio cover. The color must be compatible with the roofing of the dwelling and may not be reflective (shiny or glaring).

#### **6.14.3 Roofing (non-approvable)**

Non-approvable roofing includes slate, clay, tile, corrugated fiberglass or plastic panels, and reflective metal.

#### **6.14.4 Rooftop Equipment**

##### *ARC Approval Needed*

Mechanical exhaust equipment, skylights, and other apparatus affixed to or passing through the roof of the dwelling requires the submission of a PIA, along with a copy of the Plat/Lot Survey showing the proposed location. If installing any preventative material or equipment to keep animals from entering the attic, it is recommended that the installation is under the equipment at or below the roof opening. (Source: VWOA-CC&Rs, Article X, Section 10.05; and Article XIII, Section 13.03 e. and k.)

### **6.15 SMALL STORAGE CONTAINERS**

#### *No ARC Approval Needed*

Small storage containers (wood or resin) may be placed anywhere on the property as long as they

- a. are placed behind the property fence and do not exceed the height of the fence;
- b. are not permanently placed over the utility easement as shown on the Plat/Lot /Survey form; and
- c. are not placed any closer than two (2') feet from the fencing.

### **6.16 RENTABLE CONTAINERS FOR MOVING OR STORAGE**

#### *No ARC Approval Needed – contact Standards Manager*

Containers such as PODS and Pack-Rat are permitted up to (7) days without approval. Only one (1) container may be placed in the driveway (excludes the driveway apron). Additional units or days require approval of the Standards Manager by calling 210-679-8761.

#### **6.16.1 Rentable dumpsters**

##### *No ARC Approval Needed – contact Standards Manager*

Dumpsters are allowed temporarily for major construction projects on residential properties and placed in the driveway (excludes the driveway apron). The Homeowner must request approval by calling the Standards Manager at 210-679-8761 regarding the dates to use.

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## **7. SWIMMING/KIDDIE POOLS/SPAS/HOT TUBS/SAUNAS**

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### **7.1 SWIMMING AND KIDDIE POOLS**

#### *ARC Approval Needed*

Above or below-ground pools must be placed behind the dwelling and no closer than five (5') feet from the fencing. Below-ground pools require written approval from all applicable utility companies if placed in/over the utility easement, as shown on the Plat/Lot Survey. A PIA, with the utility company's approval, must be submitted for approval.

Kiddie pools do not require ARC approval if placed behind the dwelling and at least five (5') feet from the fencing.

## 7.2 SWIMMING POOL ENCLOSURES

### *ARC Approval Needed*

To comply with Section 202.022 of the Texas Property Code, the Board of Directors of the Association adopts the following guidelines to govern the installation of a Swimming Pool Enclosure. To apply, a PIA, along with a picture of the product, colors, materials, dimensions, and a copy of the Plat/Lot Survey showing the proposed location, must be submitted.

A "swimming pool enclosure" means a fence that:

- a. surrounds a water feature, including a swimming pool or spa;
- b. consists of transparent mesh or clear panels set in metal frames;
- c. is not more than six feet in height; and
- d. is designed not to be climbable

The swimming pool enclosure shall be black in color and consist of transparent mesh set in metal frames.

Complete swimming pool enclosures may be approved on a case by case basis.

## 7.3 SPAS/HOT TUBS/SAUNAS

### *ARC Approval Needed*

Outdoor spas, hot tubs, and saunas must be placed behind the dwelling and preferably on patios or decks but no closer than five (5') feet from fencing. To apply, a PIA, along with a picture of the product, colors, materials, dimensions, and a copy of the Plat/Lot Survey showing the proposed location, must be submitted.

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## 8. OTHER RELATIVE INFORMATION AND RESTRICTIONS

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### 8.1 ANIMALS

Bexar County requires all dogs to be on a leash when outside the confines of the home or fenced area; however, none may present a dangerous, noxious, or offensive environment. The number of domestic pets (dogs and cats) is limited to a combined total of five (5) per residence (Farm animals are not considered as domestic pets). Walkers are to clean up after their pets, not only for sanitary purposes but also for the consideration of their neighbors and all other areas on your route. *(Source: Bexar County Commissioners Court January 20, 2015, An Order Establishing Animal and Rabies Control Authorities Within the Unincorporated Areas of Bexar County.)*

#### 8.1.1 Breeding, Raising or Keeping Animals

Breeding, raising, or keeping any animals is not permitted on residential properties, except for domestic pets kept for non-commercial purposes. Farm animals are not considered domestic pets. *(Source: VWOA-CC&R,s Article X, Section 10.01 b. [1])*

Up to 6 chickens allowed no roosters or breeding. The coop should be kept at least 4' from any fence line.

### **8.1.2 Wild Animals**

Wild animals, including dangerous/venomous reptiles, may not be kept on residential properties. If wild animals are found on any common property of the Villages of Westcreek, removal is the VWOA's responsibility. Those found on residential properties are the responsibility of the resident who can call the Texas Parks and Wildlife at 210-688-6444 or Bexar County Game Warden's Regional Office at 210-348-7375

## **8.2 COMMERCIAL AND OTHER HOME-BASED BUSINESSES**

Any business or commercial activity to which the general public is invited daily may not be conducted on residential properties within the Villages of Westcreek. Businesses such as child daycare, bakeries, auto repair, and lawnmower repair are not permitted.

Business signs posted on the resident's front yard are construed as inviting the public to the home daily. Therefore, none are permitted.

Private consulting is an example of a business that can be conducted without violating the CC&Rs. *(Source: VWOA-CC&Rs, Article VIII, Section 1303 p.)*

## **8.3 DANGEROUS UNSAFE SITUATIONS AND/OR OFFENSIVE ACTIVITY**

If any activities are determined by the VWOA to be objectionable and/or adverse to the preservation of any property within the VWOA, they must be eliminated immediately. Homeowners and tenants are responsible for their property, and the Association is responsible for all common properties of the Villages of Westcreek. *(Source: VWOA-CC&Rs, Article X, Section 10.01 b. (6))*

## **8.4 WASTE DISPOSAL**

Recyclables, trash, garbage, refuse, non-hazardous materials, hazardous waste, and other unwanted items must be disposed of per the CC&Rs, Standards, applicable governing documents, and Bexar County ordinances.

### **8.4.1 Trash and recyclable containers**

Several commercial trash collection companies provide scheduled pick-ups throughout our community, and some provide trash and recyclable containers. Trash/recyclable containers or other refuse receptacles are to be placed in the street next to the curb as it is unlawful to interfere with the Pedestrian's full access to sidewalks and driveway aprons. Receptacles may not be put out earlier than 5 PM before the scheduled collection day and stored out of sight by 9 AM the day after the collection day. Trash receptacles must be stored out of sight from the street to present the property's clean and attractive appearance. *(Source: VWOA-CC&Rs, Article IX, Section 9.15 i.)*

### **8.4.2 Dumping of Unwanted Items**

All items, including furniture, fixtures, appliances, and electronic items, are not permitted

- a. on CPS utility easements;
- b. in the greenbelts; and
- c. on the common areas of the Villages of Westcreek. The dumping of trash in the dumpsters located at the Sports Park and the Community Center is not permitted. The VWOA will aggressively prosecute violators. *(Source; VWOA-CC&Rs, Article XIII, Section 13.03 o., and q.)*

Call your trash collection company to schedule a pick-up date for bulk items.

Note: Residents are encouraged to report these conditions to the Standards Manager at 210-679-8761. Your identity will remain anonymous.

#### 8.4.3 Options for disposing of non-hazardous items

- a. Trash, garbage, and other refuse may be disposed of as follows:
  - 1) Request curbside pick-up from a commercial trash collection company
  - 2) Hiring a private hauler; or
  - 3) Personally, hauling it to a landfill or recycling center.
- b. Displaying unwanted items in front of the dwelling either for sale or offered free to passing pedestrians and motorists is not allowed.
- c. Usable household items may be given to organizations that accept them for the needy or disposed of by holding a yard/garage sale; and
- d. Christmas trees, including small tree limbs and branches, should be taken to a recycling station. However, it is recommended that you call your trash collection company to determine if they will accept them and, if so, what is required to prepare them for pick-up.
- e. Annually the VWOA will provide bulk trash pick-up at the Sports Park. Residents can bring non-hazardous items to dispose of while there is availability.

#### 8.4.4 Options for disposing of hazardous items

- a. Hazardous waste disposal stations are only available for residents in the City of San Antonio. However, for all others residing in Bexar County, hazardous waste collection service is available by calling 1-800-449-7587. A collection date will be scheduled, and a kit, instructions, and a hotline phone number to call for questions will be furnished before the pick-up date.
- b. Acceptable waste includes but is not limited to paint, automotive fuel, and chemicals; used motor oil and drain openers; herbicides; pesticides; poisons; aerosols; and fluorescent tubes.
- c. Unacceptable waste includes, but is not limited to, biological waste, ammunition; explosives; fire extinguishers; gas or propane cylinders; biological or radioactive materials, commercial chemicals, and unlabeled or unknown items. (*Source: VWOA-CC&Rs, Article X, Section 10.01 b. [2] and Article XIII, Section 13.03 q.*)

### 8.5 FIREWORKS

Unless a fire ban is in effect, fireworks are permitted outside the City Limits, but not on:

- a. Military Drive West; Westcreek Oaks Drive; Westcreek View; and North Grosenbacher Road;
- b. Within 600' feet from school properties be Fire Marshal.
- c. VWOA common properties.
- d. Greenbelts; and
- e. Any other grassy and weeded areas within our community that includes CPS utility easements as well as all other easements

All trash and debris must be removed from the streets/lawns by 9 AM the following day.

## 8.6 HUNTING, TRAPPING OF ANIMALS, AND DISCHARGE OF FIREARMS

These activities are not permitted on VWOA's common properties, greenbelts, or easements, including the CPS utility easement. *(Source: VWOA-CC&Rs, Article XIII, Section 13.03 n.)*

## 8.7 NOISE ANIMAL/NUISANCE

Animal noise issues should be resolved personally by contacting the animal's owner, in a friendly manner, and asking for consideration. Any loud, irritating, vexing or disturbing sound that originates from neighboring properties which causes injury, discomfort, or distress of a person of reasonable nervous sensibilities is unlawful. Quiet time should be observed between the hours of 11 PM and 6 AM weeknights, and between 12 AM and 6 AM weekends. Resident's need to reach out to The Constable's office at (210) 335-4950 or the Bexar County Sheriff's Office may be called at (210) 335-6000 for assistance, the HOA does not enforce this as a violation of HOA Standards.

## 8.8 RELIGIOUS DISPLAYS

Displays that represent the resident's beliefs are permitted without the ARC's approval if they

- a. do not violate any law.
- b. are not a threat to public health or safety.
- c. do not contain language, graphics, or any patently offensive display to the general public.
- d. are not installed on any common property owned or maintained by the VWOA
- e. do not violate any applicable building line, right-of-way, setback, or easement
- f. are not attached to a traffic control device, streetlamp, fire hydrant, or utility sign, pole, or fixture
- g. are displayed only on the dwelling's entry door or door frame individually or in combination with other religious items.
- h. do not extend past the outer edges of the door frame; and
- i. do not exceed the total size of twenty-five (25) square feet.

*(Texas Property Code 202, Section 202.018 (b); VWOA-CC&R's, Article X, Section 10.01 b. [7] and Administrative Resolution 51)*

## 8.9 YARD/GARAGE SALES AND ESTATE/AUCTION SALE

### 8.9.1 Yard/Garage sales

A permit is not required. Sales may only be scheduled on the 2nd weekend of each month from 7 AM to 7 PM and only at the resident's home, and this allows sales to be held either Saturday or Sunday or both days. There is no limit on the number of sales per year for all residents. Reference Section 8.2 for sign policy.

Sale items may only be displayed on the resident's driveway, lawn, or garage to prevent interfering with the Pedestrian's use of the sidewalk and driveway apron, which is an extension of the sidewalk.

During the week leading up to your yard sale, the Association will place signs at the major intersections and entrances to the Villages of Westcreek that state: "Yard Sales this Weekend."

Residents who wish to have the name of their street and the village's name posted on the Association's website must call the office at 210-679-8761 no later than noon on the last business day before your planned sale date.

### 8.9.2 Estate Sales

A permit is not required. Sales may be held from 7 AM to 7 PM on the resident's driveway, lawn, garage, or house for five (5) consecutive days. Before the first date of the sale, the resident/Estate must notify the Standards Manager at 210-679-8761 with the dates. As the sale progresses and additional days are needed, the Standards Manager must be called to request an extension. Reference Section 8.2 for sign policy.

Sale items may only be displayed on the resident's driveway, lawn, or garage to prevent interfering with the Pedestrian's use of the sidewalk and driveway apron, which is an extension of the sidewalk.

### 8.9.3 Auction sales

Auction style sales are not permitted.

## 8.10 VEHICLES OF ALL TYPES

### 8.10.1 Recreational vehicles

Recreational vehicles (R.V.s) such as motorhomes, buses, travel trailers, campers, boats and trailers, jet-skis, etc., belonging to residents may not be parked at the residence any longer than one (1) day before leaving on a trip, and one (1) day after returning from the trip. Motorhomes, buses or trailers may not be used as a guest house on the resident's property or in the street. R.V.s belonging to visiting non-residents are only allowed for two (2) days. Three (3) violations within a ninety (90) day period will result in escalated action toward the homeowner as stated in the TPC (Texas Property Code).

### 8.10.2 Motorcycles and all-terrain vehicles

The use of motorcycles and all-terrain vehicles (ATVs) is limited to those approved as street-legal by the Texas Department of Public Safety. Off-road motorcycles or ATVs are not permitted anywhere within the Villages of Westcreek. (*Source: VWOA-CC&Rs, Article VIII, Section 13.03 r.*)

### 8.10.3 Trailers and recreational vehicle storage at the residences

Camping trailers or recreational vehicles may be placed behind the dwelling if they are not used to live in and do not exceed the height of the property's fencing.

### 8.10.4 Motor vehicles

Parking any vehicle on sidewalks and driveway aprons is unlawful, interfering with the Pedestrian's full access to both areas. Violators are subject to ticketing by law enforcement. (*Source: Americans with Disabilities, Act, Title III, Part 36, Sub Part B, 36.211(a) and Sub Part C, 36.30; and Texas Property Code 545.302 (a) [2]*)

Driveable or non-driveable vehicles:

- a. If parked on the street with flat tires, it must be repaired within the time frame shown on the VWOA Courtesy Notice or moved out of sight from the street.
- b. If parked on the street and is either wrecked, damaged, on blocks/jacks, and/or missing parts must be moved out of sight from the street within the time frame shown on the VWOA Courtesy Notice.
- c. Vehicles leaking oil on the driveway, driveway apron, sidewalk, or street must be removed. The residue must be promptly cleaned up for environmental purposes and curb appeal. Residents who refuse to comply will be referred to Bexar County Environmental Services Department.

### **8.10.5 Commercial vehicles**

Commercial vehicles with a load capacity of (1) ton or greater may not be parked on any street abutting any residential properties unless the vehicle is temporarily parked at a residence in connection with services being performed. No others are permitted to park permanently or temporarily on any property within the Villages of Westcreek. *(Source: VWOA-CC&Rs, Article X, Section 10.04)*

### **8.10.6 Vehicles for sale**

Vehicles for sale may not be parked on any common property within the Villages of Westcreek. Motor vehicles that display 'For Sale' signs are permitted on residential properties or in the street in front of the dwelling. Utility and cargo trailers are not permitted to be displayed for sale on residential properties or in the street.

### **8.10.7 Utility and cargo trailers**

Utility/cargo trailers may not be parked in front of the residences longer than one (1) day. Exception: Extended periods may be granted by the Standards Manager (210-679-8761) if deemed essential but only for a short and reasonable time as agreed upon. Three (3) violations within a thirty (30) day period will result in escalated action against the homeowner as stated in the TPC (Texas Property Code)..

### **8.10.8 Food preparation vehicles**

Vehicles for preparing and selling food/beverages may not be parked on residential properties. However, they may be parked on VWOA's property if approved by the Board of Directors.

### **8.10.9 Parking on front yards**

Vehicles of any type may not be parked on the dwelling's front yard. If parked behind the dwelling, none may exceed the height of the property's fencing and limited to (1) one vehicle.

## **8.11 ELECTRICITY PRODUCING POWER SOURCES**

### **8.11.1 Solar Panels**

*No ARC Approval Needed*

Solar Photovoltaic (P.V.) systems, commonly known as Solar Panels, mounted on the roof do not require ARC approval. Installation must be accomplished according to Federal, State, and local laws, including the City Public Service (CPS) requirements. *(Source: VWOA-CC&Rs Article VIII, Section 13.03 k.)*

*Prior ARC approval is required for any of the following:*

### **8.11.2 Solar Hot Water Systems**

Solar hot water systems should be installed by a licensed and qualified professional. Must be placed behind the property's fencing.

### **8.11.3 Ground-Mounted Collectors**

Ground-mounted collectors must be placed behind the fencing and screened with large plants or trees if the collectors are higher than the property's fencing.

### **8.11.4 Ground Mounted Transformers and Air Handling Equipment**

This equipment must be

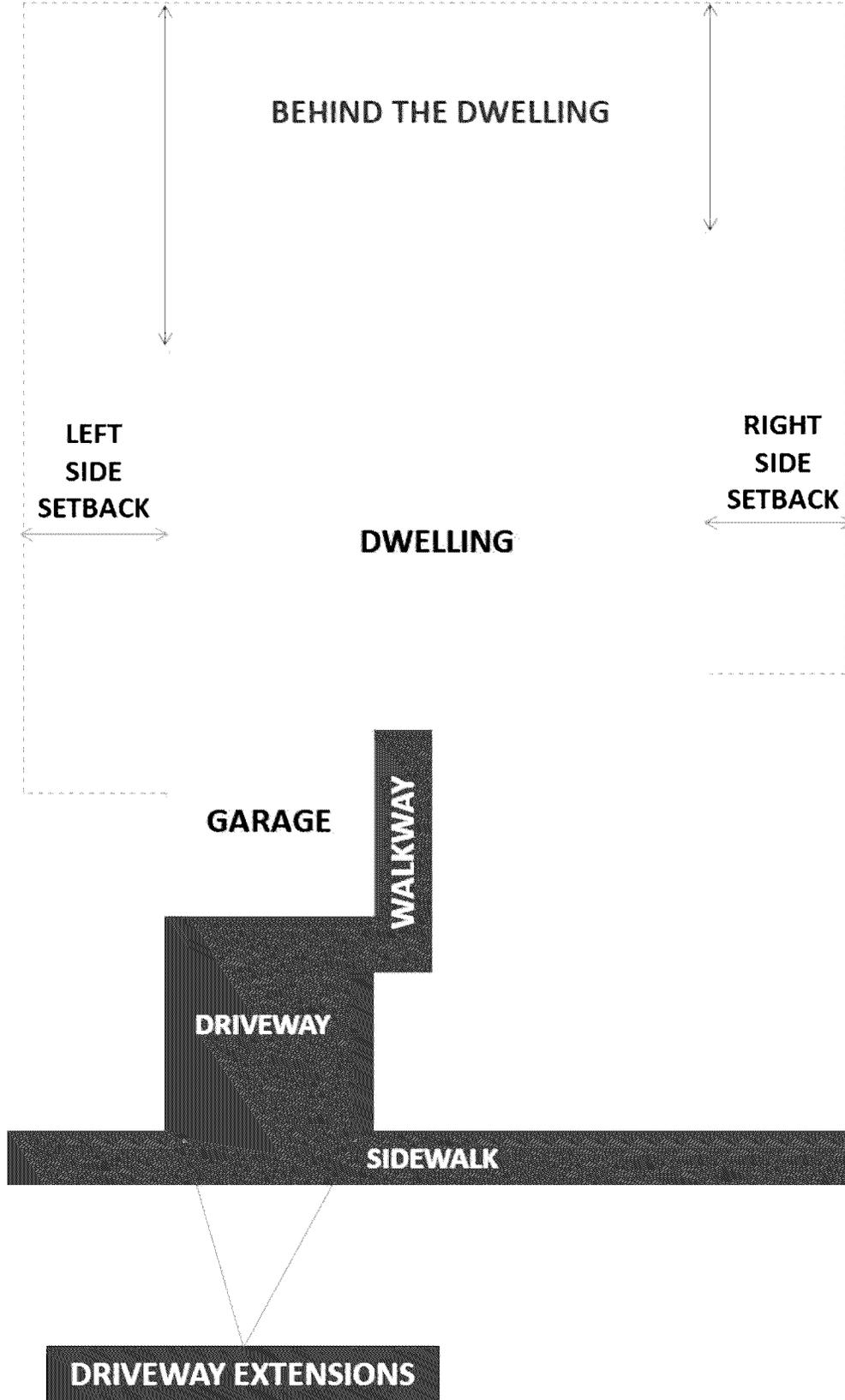
- a. placed behind the property's fencing; and
- b. screened with large plants or trees if this equipment exceeds the property's fencing.

## 8.12 SUN TUBES/SKY LIGHTS

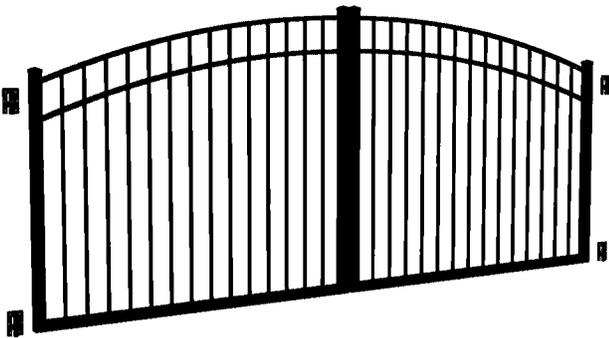
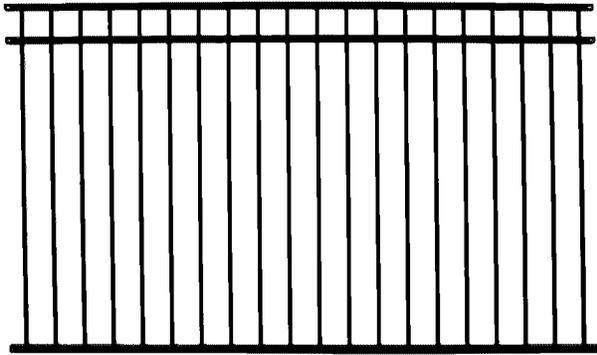
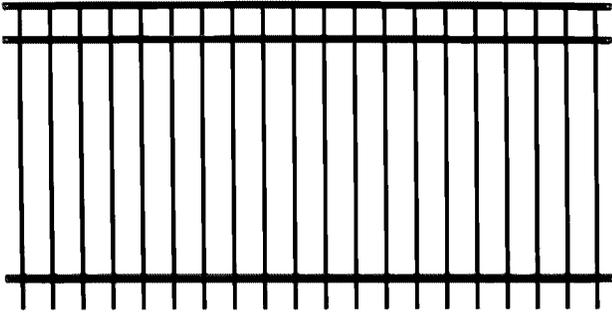
Sun tubes and skylights require a PIA to be submitted, along with a copy of the Plat/Lot Survey showing the size and proposed location. Recommend that this equipment be installed on the rear of the roof and below the highest roofline. An exception may be approved if this location's sun is not prevalent. (*Refer to sample in Appendix*)



Example graphic illustrating "BEHIND THE DWELLING" as stated in Standards.



**Wrought Iron Fencing and Gate Examples:**





SAMPLE

SAMPLE

*Villages of Westcreek Owners' Association  
Standards Department*

**PROPERTY IMPROVEMENT APPLICATION (PIA)**

TO: Villages of Westcreek Owners' Association  
12395 Military Drive West  
San Antonio, TX 78253-6046

Office Use Only

Date received: \_\_\_\_\_

I \_\_\_\_\_ am requesting approval for the following:  
(PRINTED NAME)

- Check  the category of your request:  Patio  Patio cover  Patio enclosure  Deck  Deck enclosure
- Deck cover  Roofing  Solar equipment  Storage shed  Gazebo  Pergola  Window shutters
- Painting  Fencing  Staining  Walkway  Retaining wall  Swimming pool  Plantings
- Xeriscaping  Play equipment  Other **(Each improvement/change requires a separate PIA)**

**Caution:** Permanent objects such as swimming pools, storage sheds on concrete slabs, concrete walkways and trees may not be placed in/over utility easements as shown on the Plat/Lot Survey for your property, unless the written approval from all applicable utility companies is included with the PIA.

Description of improvement/change: \_\_\_\_\_

Proposed location: \_\_\_\_\_

Size (length, width, height): \_\_\_\_\_

Material(s): \_\_\_\_\_

Color--include sample(s): \_\_\_\_\_

I understand that: 1. if the 'VWOA Standards' require a copy of the Plat/Lot Survey of my property showing the location of the item I have described above, I must include it with this PIA; 2. if I do not have or cannot find this document, I may obtain one for my property at the Bexar County Courthouse; 3. if a Plat/Lot Survey is not required, I only need to submit a PIA along with all applicable supporting information; 4. if my request does not include sufficient information to allow an appropriate decision, it will be disapproved pending receipt of the information; 5. if I do not provide this information by the date requested, my request will be disapproved entirely; and 6. a disapproval of my request may require that I modify or remove the item I have described above.

I also understand that: 1. any improvement/change to the exterior portion of my property requires prior approval unless Appendix A of the Standards apply to your request; 2. all federal, state and local government requirements including building permits for construction improvements must be complied with; and 3. an approval does not knowingly supersede any local, state or federal laws that may apply.

PROPERTY ADDRESS: \_\_\_\_\_ VILLAGE'S NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ HOME PHONE: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

# Standards for Architectural Design and Property Maintenance

Updated June 2023

Villages of Westcreek Owners' Association  
12395 Military Drive West  
San Antonio, Texas 78253-6021

## SIGNATURE PAGE

### Updated & submitted by:

### Signatures

### Date

Lynette Bradley, Chair, Architectural  
Review Committee (ARC)

Lynette Bradley

07 / 05 / 2023

Eugene Hopkins, ARC's former Chair  
and original author of these Standards

Eugene Hopkins

07 / 07 / 2023

### Approved by the ARC Members

### Signatures:

### Date:

Lynette Bradley, Chair of the ARC

Lynette Bradley

07 / 05 / 2023

John Alexander, Primary

John Alexander

07 / 12 / 2023

Victor Estello, Primary

Victor Estello

07 / 05 / 2023

Bill Fenstermacher, Alternate

Bill Fenstermacher

07 / 05 / 2023

Matt Ninan, Alternate

Matt Ninan

07 / 06 / 2023

### Reviewed by the Board of Directors:

### Signatures:

### Date:

Elaine Maurer, President

Elaine Maurer

07 / 05 / 2023

Brandon Schuler, Vice President

Brandon Schuler

07 / 05 / 2023

Brian Bush, Treasurer

Brian Bush

07 / 05 / 2023

Lynette Bradley, Secretary

Lynette Bradley

07 / 05 / 2023

### Recorded by:

### Signature:

### Date:

Maria Robinson, Community Manager

Maria Robinson

07 / 05 / 2023

**File Information**

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY  
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

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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 eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 7/17/2023 3:04 PM



*Lucy Adame-Clark*  
Lucy Adame-Clark  
Bexar County Clerk