WELLINGTON OF FLOWER MOUND RESIDENTIAL ASSOCIATION, INC.

ARCHITECTURAL CONTROL COMMITTEE Bulletin #14 – Rain Barrels and Rain Harvesting Devices

December 19, 2012

STATE OF TEXAS \$

COUNTY OF DENTON \$

The property encumbered by this Rain Barrel Bulletin is that property restricted by the Declaration of Covenants, Conditions and Restrictions for Wellington of Flower Mound Residential Association, Inc., recorded under clerk's file number 006513 (hereinafter the "Declaration"), as same has been or may be amended from time to time, and any other subdivisions which have been or may be subsequently annexed thereto and made subject to the authority of the Wellington of Flower Mound Residential Association, Inc. (the "Association").

Pursuant to Article 10.02 of the Declaration, the Architectural Control Committee (hereinafter the "Committee" or "ACC") may, from time to time, publish and promulgate Architectural Standards Bulletins covering all or a portion of the property subject to the Declaration. These bulletins may contain standards, requirements or limitations in addition to those expressly set forth or referred to in the Declaration.

Pursuant to the authority granted in Section 202.007(d) of the Texas Property Code, the ACC with the joinder of the Board of Directors (the "Board"), hereby adopts this Rain Barrel Policy, which shall run with the land and be binding on all owners and lots within the subdivision. This Bulletin replaces any previously recorded or implemented policy that addresses the subjects contained herein.

This bulletin is applicable to all Wellington lots.

A request via application must be submitted to the ACC for review on a case by case basis for the placement of a rain barrel or rain harvesting system (collectively referred to herein as "Rain Barrels"). Approval or disapproval will be given in accordance with the Declaration. Nothing contained herein waives any right or remedy otherwise available to the ACC under the Declaration. This Bulletin does not apply to property that is owned or maintained by the Association.

A. <u>Installation Requirements and Restrictions:</u>

- 1. Rain Barrels shall not be located on any property or common area owned or maintained by the Association.
- 2. Rain Barrels shall not be located between the front of the property owner's home or fence and an adjoining or adjacent street.

- 3. Rain Barrels may not be installed on the side of any house or at any other location that is visible from a street, another lot, or a common area. A property owner may apply to install Rain Barrels in these locations only if there is no other area on the property owner's property in which to install the Rain Barrels.
- 4. Each Rain Barrel must only be fed by a single downspout from a standard residential gutter and must be located directly beneath the downspout's exit from the gutter so as to minimize downspout length.
- 5. Rain saucers are not permitted.
- 6. All Rain Barrels must be installed at ground level and on a concrete base, either precast or poured on-site.
- 7. Only commercial and professional grade Rain Barrels are permitted.
- 8. Rain Barrels must be made of heavy-grade rigid plastic, be a color consistent with the color scheme of the property owner's home, and shall not be painted.
- 9. Rain Barrels shall not display language or other content that is not typically displayed by such a barrel or system as it is manufactured.
- 10. Rain Barrels must be fully enclosed and have a proper screen or filter to reduce mosquito breeding, algae, and other contaminants. Rain Barrels must have the ability to be drained for maintenance and cleaning.
- 11. Rain Barrels shall not create unsanitary conditions, odors, or be a nuisance to any neighboring properties.
- 12. The overflow from any Rain Barrels must discharge to the same location as the downspout feeding the Rain Barrels and the drainage of the lot on which the Rain Barrel is installed shall not be altered to affect neighboring properties.
- 13. Rain Barrels shall not exceed a 60 gallon capacity.
- 14. Rain Barrels shall not be chained or connected together.

B. Applications to Include:

- 1. A completed application including the purpose of the installation.
- 2. A site plan showing the proposed location of the improvement and distance from any streets, neighboring properties, and common areas. Photos of the location must be included.
- 3. The manufacturer's brochure or website address detailing the product to be installed and containing photos of the product.
- 4. Any ancillary equipment and the location of this equipment including but not limited to the screen or filter used to enclose the Rain Barrels.
- 5. The color or colors of the Rain Barrels and any accompanying equipment.
- 6. The size, dimensions, and number of any Rain Barrels and accompanying equipment.
- 7. The collection method.
- 8. The potential visibility from streets and neighboring properties or common areas.
- 9. Any noise, odor or drainage issues associated with the Rain Barrels or accompanying equipment.

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