

Homeowner's Agreement

I have completed this modification request in good faith and it accurately represents the alteration I propose to make.

I understand that approval of this application does not authorize me to violate any provisions of the Declaration of Covenants, Conditions, and Restrictions (DCCRs) for Fall Creek Addition Homeowners Association.

I certify that all information and all materials submitted with this request are complete, true and correct.

I understand and agree that no work may be performed prior to or in deviation from the terms of the written approval letter provided by the Architectural Control Committee (ACC).

I agree to have work completed within 6 months of approval. If work is not completed in this timeframe, a new ACC Modification Request Form must be resubmitted.

Homeowner's Signature _____ **Date** _____

Mail completed form and all required attachments
(documents, paint sample, etc) to:

If paint sample is not required, you may fill out this form,
scan it along with any support documents and send via:

Fall Creek Homeowner Association
c/o Village Association Management
P.O. Box 460057
Garland, TX 75040

email to: mks@villagemgmt.com
or fax to: 1-866-735-7082

This section for Architectural Control Committee use only

Received by: _____ Date Rcvd: _____
HOA Management Co. Representative

COMMENTS / STIPULATIONS / ADDITIONAL INFORMATION REQUIRED:

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.....
.....

ACKNOWLEDGED BY _____ DATE _____

Received by: _____ Date Rcvd: _____ APPROVED _____ DENIED _____
ACC Committee Representative

COMMENTS / STIPULATIONS / ADDITIONAL INFORMATION REQUIRED:

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.....
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ACKNOWLEDGED BY _____ DATE _____

Received by: _____ Date Rcvd: _____ APPROVED _____ DENIED _____
ACC Committee Representative

COMMENTS / STIPULATIONS / ADDITIONAL INFORMATION REQUIRED:

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ACKNOWLEDGED BY _____ DATE _____

Final on-site review: INSPECTED BY _____ DATE _____

Fall Creek Addition Homeowners Association, Inc.

Architectural Control Committee

Please read the following excerpts from the *DCC&R for Fall Creek Addition and Provision for Fall Creek Addition HOA*:

Article IV, ARCHITECTURAL CONTROL COMMITTEE (page 4 – 5)*

...No building, fence, wall, outbuilding or other structure or improvement shall be erected, altered, added onto, placed or repaired on any lot in the subdivision until the complete plans including site plans, floor plans depicting room sizes and layouts, exterior elevations, and other plans or information deemed necessary by the ACC for the performance of its function "Required Plans, are submitted and approved in writing by the ACC as to the conformity and harmony of the exterior design with existing structure in the Subdivision....

... The goal of the Committee is to encourage the construction of dwellings of good architectural design, quality and proper size compatible with Declarant's conceptual plan for the subdivision. Dwellings should be planned and designed with particular attention to the design and aesthetic appearance of the exterior and the use of such materials, which, in the sole judgment of the Committee, create an attractive and harmonious blend with existing and proposed dwellings in the immediate area and the natural surroundings. ..The Committees evaluation of Required Plans is solely to determine compliance with the terms of this Declaration and the aesthetics or the proposed improvements and the Committee disclaims any responsibility to determine compliance with any applicable building code or other standard for construction.

Use Restrictions for Modifications covered by the ACC can be found in the DCC&R in the following articles:

Article VI, Outbuilding Requirements
Article VIII, Fences
Article XIV, Landscaping
Article XXI, Clothes Hanging Devices
Article XXV, Garages
Article XXX, Athletic Facilities

Article VII, Building Materials
Article IX, Driveways and Sidewalks
Article XX, Microwave, Radio, TV antenna, and Solar Collectors
Article XXIII, Wall, Landscaping, Maintenance, and Other Easements
Article XXVI, Maximum Height

Article IV, ARCHITECTURAL CONTROL COMMITTEE (page 6)*

...The ACC shall have the right, but not the obligation, to grant variances and waivers relative to deviations and infractions of the Declaration or to correct or avoid hardships to Owners. Upon submission of a written request for the same, the ACC may from time to time, in its sole discretion, permit an owner to construct, erect or install a dwelling which is in variance from the covenants, restrictions or architectural standards which are provided in this Declaration. In any case, however, the dwelling with such variances must, in the Committee's sole discretion, blend effectively with the general architectural style and design of the neighborhood and must not detrimentally affect the integrity of the subdivision or be incompatible with the natural surroundings. All requests for variances shall be in writing, shall be specifically indicated to be a request for variance, and shall indicate with specificity the particular standard sought to be varied and the nature of the variance requested. All requests for variances shall be deemed to be DISAPPROVED if the Committee has not expressly and in writing approved such request within thirty (30) days of the submission of such request....Each request for a variance submitted hereunder shall be reviewed independently of similar and the grant of a variance to any one Owner shall not constitute a waiver of the Committee's right to deny a variance to another Owner.

THE FULL TEXT OF THE DCC&R CAN BE FOUND ONLINE AT:

<http://fallcreekgarland.net/pmwiki/pmwiki.php?n=Main.FallCreekGoverningDocuments>