

Marilyn Estates

Deed Restriction Amended Executive Summary

The Marilyn Estates HOA Deed Restriction Committee, in response to resident requests and concerns, has worked over the last year to amend our Deed Restrictions. The following is an executive summary of those changes. For redline review of all changes (including stylistic changes to add consistency to amendments through the years), visit _____.

Please attend the quarterly meeting at 7pm on April 11 to ask the Committee any questions related to the proposed changes. Then check your email for your personalized Consent Form, which will need to be signed and notarized by all co-owners to your home. We'll additionally be holding a HOA event with notaries for everyone's convenience. Stay tuned!

[Section 1 – Short-Term Rentals](#)

- Rentals to non-family must be for 6 month or longer. Purpose is to maintain a community feel by eliminating rotating-door short-term rentals.

[Section 3 – ACC Standards](#)

- Adds reference to Architectural Control Committee Standards, a separate document the ACC is working to create and will thereafter be published on the website. This way, the entire HOA can review and will be aware of the standards the ACC uses when homeowners request approval for changes.
- Clarifies that homeowners, not the ACC, are responsible for ensuring their property changes comply with state and local ordinances.

[Section 5 – Home Size](#)

- Eliminates the 4,000s.f. maximum home size in favor of a maximum based on size of the lot. The maximum square footage increases to 65% of the area of the lot.
- The ACC Standards will define precisely how to measure a home, in keeping with standard architectural standards, which will aid architects in complying with the deed restrictions for new builds.
- Maximum height is now measured from the bottom livable floor to account for raised foundations.
- Limits impervious material ahead of the front building line (i.e. front yard) to 50%. This is to prevent homeowners from turning their entire front yard into a parking lot.
- Limits impervious material over the entire lot to 65%, for flooding purposes. Defines certain pervious and impervious materials, and notably, swimming pools are pervious.

[Section 11 –Fences](#)

- Allows fences along Chimney Rock to be built 2' away from the sidewalk. Purpose is safety along that stretch of road, and to record in the deed restrictions what has been permitted by exemption for decades.

Section 13 – Antennas

- Specifies that satellite dishes less than one meter in diameter should be mounted where they cannot be viewed from the street, but prior ACC approval is not required for installation.

Section 15 – Sheds

- Permits sheds on corner lots to be visible from the street, if necessary, as approved by the ACC.

Section 17 – Neglected Property

- Adds definition of “neglected” for neglected property: “Neglected” shall mean a structure or Lot that is unkempt, storing or accumulating trash or junk, attracting pests of any type, or displaying physical signs of poor maintenance. Examples of neglect include, but are not limited to, grass taller than six inches (6”), rotting fascia, falling gutters, mold/mildew, and deteriorating fencing. Whether a structure or Lot is neglected is subject to the sole discretion of the Board.

Section 20 – Signs, Flags, Yard Decor

- Adds celebratory signs for 7 days (birthdays, baby announcements, etc.).
- Removes time restriction for school/team signs and extends permission for sports team signs. Restricts location to within 5’ of the house foundation and limits number of yard signs to 2 (or more if there are more children in the house).
- Restricts flags to Texas, U.S., branches of the Armed Forces, collegiate flags, sports team flags, and decorative holiday/seasonal flags.
- Adds a mechanism for the Board to review yard décor if another member of Marilyn Estates reports that the yard décor is offensive. Purpose is a pro-active means to review yard displays that would prevent families from walking past that property or would affect neighboring home values.
- Restricts timing of holiday décor: first day of the month prior to the holiday through last day of the month following the holiday (e.g., Christmas and Hanukah décor appropriate to display from November 1 through January 31).

Section 22 – Commercial Vehicles

- Changes existing restriction from one week to 7 days in a calendar month.

Section 24 – Feral Cats

- Prohibits feeding of feral cats.

Section 25 – Trash Pickup

- Extends time to place and remove trash cans. Cans may be placed by the street anytime the day before pickup and must be picked up by midnight on the day of pickup.