

ADDENDUM TO TUSCANY SQUARE DESIGN GUIDELINES DATED AUGUST 28, 2007

The following recommendations from the ACC were submitted to the Tuscan Square Homeowners Board of Directors for review on August 10, 2009. The Board of Directors approved the following changes and additions in August of 2009:

Freedom to Display the American Flag

In compliance with H.R. 42 the American Flag Act of 2005, the ACC endorses and encourages the display of the American flag. As per H.R. 42, the guidelines for the display of the American flag by a home owner shall be as follows:

1. Any display of the American flag should be in accordance with Title 4 United States Code pertaining to the proper display and use of the flag of the United States.
2. The American flag shall be displayed from a pole not to exceed six feet in length which is secured to a bracket mounted to the residence.
3. The only flag permitted to be flown in this manner is that of the United States of America (no school flags, other country flags or ornamental flags are permitted).
4. No flag poles shall be erected in any common areas.
5. ACC approval is not required if the above guidelines for displaying an American flag are followed. The ACC will take action if the guidelines for displaying an American flag are not followed.
6. Garden flags not to exceed 2 feet square shall be considered approved as long as they are tasteful in nature and displayed on a free-standing pole that is less than three feet in height and not attached to the residence.

Backyard fences

It is recognized that some backyard fences will need repairs and/or replacement in the near future. The following guidelines are established for fence repair and/or replacement.

1. The owner may submit a request to replace their fence after coordination and permission of joint owner properties has been secured in writing.
2. The fence shall be of equal or better quality wood and construction to the original fence. An owner may upgrade, i.e. white wood to cedar, upon approval from the ACC. The ACC highly recommends but does not require the use of cedar planks and metal posts anchored in concrete for increased stability and longevity of the fence.
3. All fences must be made from white wood or cedar planking that is six feet by one inch by four inches to conform to existing fence construction.
4. All fences must be stained with Behr's chestnut color #DP-310 for conformity. This product is available in ten, fifteen and twenty-five year guarantees. It is recommended that fences be stained every five years in order to preserve the life of the fence.
5. An owner may either repair their fence or construct a new fence. If repaired, the entire fence will be painted to match the chestnut color (DP310). Prior to construction of a new fence, a permit is required from the City of Frisco.

6. If the HOA Board of Directors determines that an owner's fence is in need of repair or replacement, the Board will give the home owner a notice in writing that the fence situation needs correction. The owner has thirty days (30) to comply with the notice of repair. If within thirty (30) days the situation has not been rectified, the owner will be informed that a violation is in effect and must be corrected within ten (10) days. If not corrected within ten (10) days, a third party contract may be obtained to correct the violation and the cost will be charged to the owner in the form of a special assessment and a fine up to \$500 can be assessed.

Front Yard Ornaments

Ornaments of a permanent nature (bird feeders, wind chimes, etc) are prohibited from the front yards of homes. Seasonal holiday decorations are excluded from this guideline.

Reference Page 10, Exterior Modifications, Lighting

Rear Porch Light Replacement: An outdoor lantern of approximately 12" x 15" in size that is black or brown in color should be used.

Front Porch and Outdoor Garage Light Replacements: The replacement light should be approximately 14" x 18" in size and black or brown in color.

Landscape lighting shall either be wired or solar and black or brown in color. NOTE: Plastic fixtures may be used but must be replaced if deterioration is noticed.

All outdoor fixtures shall have either white or yellow (bug light) light bulbs. It is suggested that fluorescents be used when practical.

Landscape Edging

Item 6 of the Design Guidelines is hereby amended as follows: Green or brown metal edging is approved for use in front flower beds or in the backyard. Edging is not to be installed in driveway flower beds that divide driveways. However, the ACC recommends that green or brown one piece plastic edging be allowed due to safety concerns and recommends the use of a new composite material that is recently available.

Spa/Swimming Pools

The ACC must approve spas, hot tubs, Jacuzzis, etc. All units of this type require a City of Frisco permit to be secured BEFORE submitting for ACC approval.

Solar Screens

Solar screens may be installed on front and back windows. The approved color is Buffalo (brown/black) with 80% density. NO dividers (window pane-like feature) are allowed.