

WELLINGTON OF FLOWER MOUND RESIDENTIAL ASSOCIATION, INC.
ARCHITECTURAL CONTROL COMMITTEE
Bulletin #19 – Play Equipment, Forts, and Playhouses
revised February 8, 2023

STATE OF TEXAS §
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COUNTY OF DENTON §

The property encumbered by this Play Equipment, Forts and Playhouses Bulletin (this “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, Official Public Records of Denton County, Texas (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 (the “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 the Declaration, the ACC, together with the joinder of the Board of Directors (the “Board”), hereby adopts this Bulletin, 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 before any play equipment, fort, or playhouse may be placed on any lot and before any work in preparation for such placement may begin. 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.

Application to Include:

1. A per-scale site plan showing the proposed location of the improvements and distance from any streets, neighboring properties/property lines, sidewalks and common areas. Include any elements, structural or otherwise, already on site (fence height and location, retaining walls, drainage swale, trees, hedges, etc.).
2. Detailed drawings or renderings of the proposed play equipment, fort and/or playhouse. Include size (height, width, and length), materials to be used and stain/paint color.

Categories:

(A) Durable high-grade plastic play equipment. Examples below:



(B) Standard swing sets and slides. Examples below:



(C) Forts, playhouses and larger playsets. Examples below:



(D) Play equipment

Example - a front yard tree swing may be considered by the ACC on a case by case basis as follows:

- (1) One (1) standard single person swing with a molded rubber seat (seat not to exceed 24 inches in length) or hard seat (seat not to exceed 20 inches in length)
 - (2) One (1) single person toddler tree swing
 - (3) One (1) single person small hard disk swing (seat not to exceed 12 inches in diameter)
- OR

- (4) One (1) single person small web/net swing (seat not to exceed 24 inches in diameter)

Swings are to be attached by rope or chain to a single tree limb and not attached by other means (an example includes but is not limited to: a rope suspended between multiple tree branches).



Not allowed in the front yard (examples include but are not limited to: ropes, ladders, zip lines, tire swings, ball swings, hammocks, tree-climbing holds, multi-person swings):



Guidelines:

Category **A** equipment may be installed in a side or back yard (not in the front yard) behind a fence and must be no taller than the top of the fence.

Category **B** swing sets and slides may be installed in a fenced-in side or back yard (not in the front yard) and must be setback a minimum 5 feet from the property line. The equipment may be no taller than 8 feet from the ground as measured at the tallest point.

Category **C** forts, playhouses and playsets:

- (1) Must be installed in a fenced-in side or back yard (not in the front yard).
- (2) For equipment 8 feet tall or less the setback requirement is a minimum 5 feet from the property line. For equipment over 8 feet tall (up to a maximum of 14 feet) the setback requirement will be an additional two feet for every one foot in height.
- (3) Equipment shall be placed on the lot so as to minimize visibility from roadways, common areas and neighboring lots.
- (4) Equipment height as measured from the ground to the tallest point may not exceed 14 feet in height.
- (5) Wood equipment must be stained a translucent or semi-translucent stain color (see approved stain color chart for options) **or** a dark brown/dark walnut solid-stain color **or** painted the same color as the current trim on the home.
- (6) Equipment made of material other than wood will be reviewed on a case by case basis.
- (7) Roofing material will be reviewed on a case by case basis. Any roof added to a playhouse that is changed from the design of the original purchase is required to have shingles the same make and design of the home.

Category **D** play equipment:

- (1) Only one (1) single person swing may be considered by the ACC on a case by case basis in a front yard tree.
- (2) All other play equipment must be installed in the side or back yard behind a fence.

Definition of side yard - the area of yard parallel to the side lot line and extending from the front corner of the house to the backyard. On irregular shaped lots, any yard to which this definition is not clearly applicable may be deemed a side yard.

Maintenance and Use:

Play equipment, forts and playhouses must be maintained at all times to ensure an attractive appearance. Periodic repairs (including but not limited to re-staining, re-painting or replacing roofing material) must be performed on a regular basis. Play equipment, forts and playhouses must be used for their intended purpose only and may not be used as a storage unit or for other purposes. Unused equipment, forts and playhouses shall be removed and disposed of properly.

PLAY EQUIPMENT, FORTS AND PLAYHOUSES

Promulgated by the ACC on August 28, 2015
