

**WELLINGTON OF FLOWER MOUND  
RESIDENTIAL ASSOCIATION, INC.**

**ARCHITECTURAL CONTROL COMMITTEE**

**Bulletin #16 – Storm Shelters**

November 19, 2013

STATE OF TEXAS                   §

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COUNTY OF DENTON               §

The property encumbered by this Storm Shelter 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, Deed Records, Denton County, Texas (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, together with the joinder of the Board of Directors (the “Board”), hereby adopts this Storm Shelter 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 storm shelter. 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. Installation Requirements and Restrictions:**

1. Storm shelters shall not be located on any property or common area owned or maintained by the Association.
2. Storm shelters installed within the interior of the home or garage do not require an ACC application for approval. However, the homeowner should obtain any town permits which may be required.
3. Storm shelters shall not be located between the front of the property owner’s home or fence and an adjoining or adjacent street.

4. Only commercial and professional grade (designed, built and installed) storm shelters are permitted.
5. Storm shelters must be of a color consistent with the color scheme of the property owner's home or a suitable earth tone.
6. Storm shelter markings shall not be altered from the original manufacturer's labeling.
7. For lots fully enclosed by a wooden privacy fence, storm shelter entrance mounds are permitted but must be landscaped. Only entrance door(s) and ventilator turbine(s) are to be visible above ground.
8. For lots without fencing or with tubular steel fencing, storm shelter entrance mounds are not permitted. Only flat deck entrance door(s) and turbine(s) may be visible above ground; however, landscaping must be installed and maintained to block these from public view.
9. Storm shelters shall not create unsanitary conditions, odors, or be a nuisance to any neighboring properties.
10. The drainage of the lot on which the storm shelter is installed shall not be altered to affect neighboring properties.

**B. Applications to Include:**

1. 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.
2. The manufacturer's brochure or website address detailing the product to be installed and containing photos of the product.
3. Any ancillary equipment and the location of this equipment.
4. The color or colors of the storm shelter and any accompanying equipment.
5. The size and dimensions of storm shelter and accompanying equipment.
6. The potential visibility from streets and neighboring properties or common areas.
7. Any noise, odor or drainage issues associated with the storm shelter or accompanying equipment.

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**STORM SHELTERS**

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Promulgated by the ACC on November 19, 2013