

Frequently Asked Questions (FAQs) on Yorkshire Deed Restrictions (Updated December 1, 2020)

- **What are Deed Restrictions?**
 - These are the covenants under which all persons buying and living on the property in the platted subdivision agree to abide.
- **Why are there “Guidelines”?**
 - Guidelines can be promulgated and recorded by the Board in order to clarify the practical meaning of specific Deed Restrictions.
- **What requires ACC approval?**
 - Per the Deed Restrictions / Guidelines, Section 4. ARCHITECTURAL CONTROL:
“No building or other improvements shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure or improvements have been approved by the Architectural Control Committee as to use, quality or workmanship and materials, harmony of external designs with existing structures, and as to location with respect to topography and finish grade elevation.”
 - *Translation / guideline: ACC approval is required for just about anything, including demolition, which is an alteration.*
- **What about new construction?**
 - Due to the dramatic increase in new construction throughout Houston and recognizing the need to be more diligent and assertive in the proper enforcement of Deed Restrictions, the ACC did the following:
 - Promulgated and recorded Lot Maintenance Guidelines.
 - Promulgated and recorded Deed Restriction Guidelines whose primary emphasis was to:
 - Ensure that houses were constructed entirely within lot set back requirements. This meant that all parts of the new residence, including eaves, gutters, AC units, etc. had to be within the lot line boundaries
 - Control the height of the houses
 - Control the elevation of the “finished first floor”
 - Create an ACC procedural checklist of requirements for homeowners and their builders seeking approval for new construction
- **What about pets?**
 - The Deed Restrictions state the following:
 - Section 12. LIVESTOCK, POULTRY AND PETS: “No animals, livestock, reptiles or poultry of any kind shall be raised, bred or kept on any lot; two (2) dogs, cats or other household pets may be kept, but

positively not bred or raised and shall not be permitted to run loose in Yorkshire.”

- **What can be done about neighbors’ activities that are problematic to other neighbors?**
 - Our best suggestion is to define and then communicate the issue directly with the neighbor and seek resolution.
 - If no resolution is forthcoming, the appropriate provision of the Deed Restrictions is Section 8. NUISANCES: “No noxious or offensive activity shall be permitted upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood and adjoining neighbors.”
 - Know that the ACC would be very circumspect with regard to utilizing this available provision of the Deed Restrictions
 - For general guidance to all neighbors, the ACC would look at the situation along the following lines:
 - If all neighbors followed the same behavioral path, would the neighborhood be negatively affected? Some examples:
 - Storing a boat in the driveway
 - Excessive and continuous outside noise, to include dog(s) barking
 - Using the public street as if it were part of the residence, to include parking personal vehicles on the street rather than in the garage or driveway
- **What about landscaping?**
 - The Deed Restrictions state the following in Section 6 (Building Location): “No fence or hedge shall be located nearer to the front lot line or nearer to the side street line than the building set-back lines as shown on the recorded plat.” The “building set-back line” is thirty feet.
- **What about trees in the front yard?**
 - It would be ideal if all lots had at least two mature trees in the front yard. Yorkshire is a “treed” community and all would agree that it looks the better for it. Every effort to maintain the mature “treed” look in front yards is greatly appreciated.
 - For new construction there are City requirements in “City of Houston Code of Ordinances Sect. 33-110. single-family residential properties 5,000 square feet or greater in size.” To summarize, new construction would exercise one of the following options:
 - Plant two (2) new trees of 1 ½ inches in diameter or,
 - Plant one (1) new tree of 4 inches in diameter or,
 - Preserve one (1) tree of 1 ½ inches in diameter and add one (1) new tree of 1 ½ inches diameter
 - Note that these apply to lots of 5,000 square feet – Yorkshire’s smallest lot is 10,800 square feet; the average is 14,482 square feet.

- It has been noticed that many mature trees were lost on new construction lots, usually a year or more after construction was completed. Hopefully these will be replaced.
- **What about signs on the property?**
 - The applicable Deed Restrictions and Guidelines are as follows:
 - 10. RESTRICTIONS ON SIGNS: “No signs of any kind shall be displayed to the public view on any lot except one sign of not more than five 5 square feet advertising the property for sale or rent.”
 - *Translation / guideline: No signs for re-modeling contractors, landscapers, etc. The sole exception, by overriding law, is for political signs, which are permitted for 90 days prior to the relevant election and must be removed 10 days after election day*
 - We have seen a number of wire-mounted “bandit” signs promoting a variety of causes, to include encouragement or congratulations for related activities such as graduation or other special events. Strictly speaking, these are not permitted. It is hoped that any such displays would be removed within a week or so of placement.
 - There are also signs at construction sites specifying parties responsible for the security and maintenance of the property prior to the owner moving in. These are required by City Code and are permitted.

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