

PENINSULA HOMEOWNERS ASSOCIATION

DESIGN GUIDELINES, POLICIES AND PROCEDURES

A. The need for an Architectural Review Committee (ARC) has been recognized by the Declarant and provisions made in the Deed Restrictions to establish and empower the Committee. The authority of the ARC is derived from the Covenants, Conditions and Restrictions (CCR's) of the development and actions approved by the Board of Directors.

B. The Architectural Review Committee (ARC) of The Peninsula on Lake Granbury meets on the first Friday of each month, if necessary, to review any applications submitted. If desired, the Committee may meet on an informal basis to handle Committee business. Actions taken during these informal meetings shall be documented in the monthly minutes of the ARC. Copies of the ARC minutes shall be provided to the Board of Directors.

C. Approval of the ARC and the issuance of "Structural Permits" are required prior to the start of any new home construction and for most "structures" as defined by the CCR's. Fines may be assessed if construction work is started prior to a "Structural Permit" being approved by the ARC. All homes are to reflect the individual taste of each respective homeowner; and to that effect, no two homes shall be constructed of like appearance. Builders desiring to construct so called "spec" homes should be especially cognizant of these restrictions.

D. In order to obtain a "Structural Permit" (Form 1), the property owner or authorized agent shall submit a permit request to the ARC. Structural Permit applications must be submitted no later than 4:00 PM on the Friday prior to the scheduled ARC meeting to be eligible for timely consideration.

Documents required to obtain a "Residential Structural Permit" are as follows:

- 1. A standard Permit Application (Form 1) signed by the Property Owner and Contractor (if applicable) along with the applicable \$600.00 application fee. Make checks payable to the Peninsula Homeowners Association. Currently, there is a \$600.00 limit on permit application fees relating to any particular lot for the existing owner. As indicated in Section "F", renewal fees associated with Permit extensions may be assessed. Renewal fees are neither part of nor applied towards the \$600.00 limit.**
- 2. Evidence of property ownership: Copy of Deed, Settlement Statement, Tax Statement, etc.**

- 3. Plat Plan showing the dimensional location on the lot of all structures, including overhangs and planned finished floor elevations, mechanical equipment, driveways, fences, etc. The dimensions reflected on the Plat Plan shall mirror those on the Official Survey. An official survey with the improvements superimposed thereon may be substituted for a Plat Plan.**
- 4. Construction plans for the proposed structure which reflect the square footage of the dwelling, roofing pitch, rear and side elevations, exterior finishes (brick, stone, siding, shutters, etc.) keeping in mind the limits on other than masonry finishes, electrical plan, etc. Plans must be in sufficient detail to enable ARC members to adequately review the plans and should adequately depict what the completed construction will look like. Plans with numerous pen and ink changes or not adequately reflecting the finished product may not be considered.**
- 5. Description of materials and specifications shall include but not be limited to descriptions of exterior and interior finishes (i.e. brick, rock/stone, type of siding, flooring material, counter top material, exterior color schemes, roofing material, mailbox material, etc.) and any other plans, specifications or information deemed pertinent by the ARC. All interior space shall be completely finished out (including garage areas).**
- 6. Copy of survey prepared by a registered surveyor.**
- 7. Evidence of insurance per Article 12 of the CCR's (i.e. Builders Risk Insurance, etc.).**
- 8. For other than Residential Dwellings, a copy of the cost estimate from the Contractor.**

Permit Applications are assigned a Permit Number for tracking purposes along with an expiration date. Residential Structural Permits will be valid for a period of twelve (12) months. Construction must be completed within nine (9) months after work is commenced with applicable landscaping (sod and irrigation system of front and side portions of the lot) being completed within 90 days after construction is completed. Occupancy of the dwelling shall not occur prior to construction completion.

ANY CHANGES TO THE INITIAL SUBMISSION REQUIRE ARC APPROVAL AND MUST BE OBTAINED BEFORE THE CHANGES ARE MADE.

E. To obtain a Permit Application for other than a Residential Dwelling, the following documentation is required:

- 1. Standard Permit Application (Form 1) signed by the property owner and contractor along with a copy of the cost estimate. If the cost estimate exceeds \$10,000.00, an application fee equal to 1% of the amount above \$10,000.00 (NTE \$600.00) must accompany the application. Note: If the current lot owner has previously paid a total of \$600.00 in fees (excluding renewal fees), on this particular lot then no fee is required.**
- 2. Plat Plan showing the dimensional location on the lot of all existing structures as well as the proposed improvements. Plan must mirror measurements of the official survey of the property.**
- 3. Evidence of insurance per Article 12 of the CCR's, if applicable.**
- 4. Dimensional drawings (plans and elevations) if applicable.**
- 5. Description of materials and specifications for the proposed improvement similar to those required for a residential dwelling, if applicable.**

Miscellaneous Structural Permits will be assigned a permit number for tracking purposes and include an expiration date by which all work must be completed.

F. LAPSED PERMIT APPLICATIONS/APPROVALS

- 1. All projects, whether approved by the issuance of a Permit Application or Letter (landscaping which does not require a Permit Application), that have expired must cease any and all work of said project. No further work may be done until approved by the ARC.**
- 2. Project renewals may be approved by the ARC under the following Guidelines:**
 - (A) Issued for a maximum three (3) month period with no fee required.**
 - (B) Request must be made in writing by the owner and received a minimum of ten (10) days prior to the expiration of the initial approval. For requests sent via mail, the receipt date will be two (2) days after the official postmark.**
 - (C) A completion schedule itemizing the major work pending indicating the date such work will be completed.**
- 3. A second three (3) month renewal may be made by the ARC, however, all conditions of Paragraph 2 must be met and an application fee of \$250.00 will be assessed. Renewal fees are neither part of nor applied towards the dollar limitation set for Permit Application fees.**

Time extensions for completion of work are not automatic. Property owners are expected to complete projects within the initial time-frames allotted. Extension requests must be supported by reasons beyond the control of the owner/builder, etc. In reviewing requests, the ARC will take into account whether excessive time delays were encountered during project completion for reasons other than weather.

Projects not completed within the time-frames approved by the ARC will be subject to the assessment of a fine.

G. Applications for structural permits will normally be handled by the ARC on the basis of documents submitted. Applicants are welcomed and encouraged to appear in person to explain unusual features or obtain information from the ARC. Applicants must notify the ARC of this desire in writing with their submission.

H. The ARC shall examine each Permit Application to determine if the application and accompanying documentation are complete and acceptable, and that the proposed project (new house or property improvement) meets the requirements of the applicable Deed Restrictions and guidelines and/or limitations established by the Board of Directors. Based on its findings, the ARC will approve or reject each application submitted. If an application is rejected, the basis for the rejection will be stated. Approvals may be made without comment or may be made with conditions imposed. Such conditions will be included in the final Permit Application (normally on Page 4 of the Permit) and must be agreed to by the Owner. If the owner declines to agree to any stipulations, the Permit Application will be rejected accordingly. The ARC shall notify the owner/builder of the nature of any rejection per Article 6.3 of the CCR's.

I. The ARC shall use the applicable Deed Restrictions and/or Design Guidelines as the basis for determining approval or disapproval of each Permit Application or project. When a question arises concerning matters that are not clearly defined by the Deed Restrictions or the Design Guidelines the Committee will use its best collective judgment to determine whether the Permit Application can be approved. Matters with possible serious consequences may be referred to the Board of Directors with the ARC's recommendation for approval or rejection. Variances to the CCR's and Design Guidelines may be granted by the ARC on a case-by-case basis. Variance requests must be made in writing by the owner indicating the reasons for requesting a variance.

J. The ARC does not serve as a construction inspection agency, however, ARC members may informally observe construction projects and call concerns to the attention of the owner or others. Normally these concerns will relate to the project not being completed as approved by the ARC. Owners/Builders are responsible for ensuring that construction is completed within the terms of the contract and that all Governmental Requirements are adhered to. Governmental Requirements are defined as all applicable federal, state, county or local laws, ordinances, and regulations, etc.

K. SPECIAL CONSIDERATIONS: Specific construction restrictions on dwellings, miscellaneous structures, boathouses, pools, fences, landscaping, building materials, etc. are contained in Articles 7 and 8 of the CCR's. Owners should ensure that all submissions to the ARC are in full compliance with these restrictions as well as those detailed in the Design Guidelines. Any deviation from the requirements of the CCR's or Design Guidelines must be requested in writing and be approved by the ARC.

Although the CCR's are quite thorough in listing restrictions and limitations, there are a few areas which require additional emphasis, clarification or contain requirements approved by the Board of Directors under the authority contained in Article 6 of the CCR's:

1. Garages: Article 7.4 specifies the requirements for garages. This restriction is in place to limit the visibility of garage contents, therefore, enhancing the appearance of houses. It is also the reason carports are not permitted since contents would be readily visible. Based on this same reasoning, porches, covered patios and driveway shelters adjacent to or at the end of driveways are not permitted since these are potential carports for present and future owners. Interior garage space must be "finished", contain an automated opener for each door, and exterior doors must match the exterior trim unless approved otherwise by the ARC.

2. Playground Equipment: Slides, swings, wading pools, and jungle gyms are portable structures that can be moved off-site when they are no longer needed or when the residence is sold. No structural permit is required for these items. A playhouse is a structure (Article 7.5 CCR's) and shall be subject to approval by the ARC. Tree houses fall into neither category and are banned altogether.

3. Landscaping: Articles 1 and 6.2 of the CCR's provide basic guidance on the requirements associated with landscaping. The ARC does not require the submission of a Permit Application for landscaping, however; it does require a plat plan or similar documents reflecting the number, types and location of planned landscaping in relation to other structures on the property.

Basic landscaping for residential dwellings is defined as the placement of sod and an automated irrigation system on the front and side portions of lot during initial construction of the dwelling. No request is needed since this is a requirement. Any additional landscaping must be requested accordingly. The area to be covered in sod and contain an automated irrigation system is determined by extending a line from the most rear portion of the dwelling outward to the side lot lines and then forward to the street, including the drainage area. Allowances for oversized lots may be made at the discretion of the ARC. Sod does not include seeding, hydro-mulch, etc. Landscaping must be completed within 90 days from the date of completion of the dwelling or prior to the permit expiration date whichever comes first. Allowances to the time-frames can be made because of weather, etc. provided a written request is made to the ARC prior to the applicable deadline.

The ARC will provide written approval of landscaping requests with an expiration date for completing the project. Extension requests for these projects will be approved under the same conditions as other Permit Applications.

4. **Routine Maintenance:** Routine maintenance and repairs (i.e. painting, repair of damaged property, etc). does not require a Permit Application unless different materials or substantial changes in exterior color schemes are used.

5. **Swimming Pools, Spas, Hot Tubs, etc:** Auxiliary equipment associated with these items (i.e. filtering equipment, heaters, solar panels, etc.) must be properly screened from view. Screening must be sufficient to prevent viewing from the street and other properties. The exact manner of screening, including the type of material to be used, must be included with the Permit Application. If Shrubs are to be used, they must be of sufficient height for immediate screening. No allowance for growth will be approved.

6. **Safety Fencing:** This type fencing will be required for all swimming pools, garden ponds, etc. Plans should include a description of the material to be used and a plat plan depicting the location of the fencing.

7. **Exterior Finish:** Article 7.7 stipulates that the overall finish of a dwelling shall be 85% masonry. This requirement is further restricted in that the front elevation of a dwelling must be 100% masonry. Masonry does not include cinder blocks, cementitious boards (hardie board) or siding.

8. **Fencing:** Perimeter fencing, dog runs, etc. are normally installed for aesthetic, utilitarian or safety purposes, therefore, the type of fencing approved will depend on its purpose. In addition, fencing initially approved for one purpose may not be suitable for another (i.e. rail fencing initially approved would not be suitable as safety fencing for a swimming pool installed at a later date).

9. **Culverts:** Culverts, either temporary or permanent must be a minimum of 18” in diameter unless otherwise approved. Owners desiring to install culverts for any purpose must submit a Permit Application request to the ARC indicating size, location, etc.

10. **Horses:** In accordance with Section 8.9 of the HOA Covenants, up to two (2) horses may be kept on Lots 1 through 25; 87 through 93; and 121 through 123. No more than four (4) animals of any type may be kept on any lot and no exotic animals may be kept.

The following guidelines were developed taking into consideration the desires of the individual property owners; adjacent property owners; the neighborhood in general; and the safety and well being of the animals:

(a) Fences: Fences must comply with the existing requirements set-forth in Article 7.16. So-called “horse fence” or other similar type fencing will not be approved.

Each owner shall submit a proposed fencing plan that provides a buffer area between adjacent properties and the residential dwelling. Fences may not be placed within the “no build areas” of the property (front or side) or in any reserved drainage area. Fencing requirements should also include a separate area for a corral.

(b) Barns/Stables: Property owners desiring to have horses must provide adequate shelter for these animals:

- (1) Structures must comply with HOA covenants for accessory structures. (i.e. compatible with residential dwelling; no more than 600 SF unless otherwise approved). Lean-To type structures would not be appropriate.**
- (2) Provide adequate space, ventilation, etc. for animals, supplies and any commercial feed, etc. Basic requirements may include a stall for each animal, tack room, paddock area, etc. Structures must have running water and electrical connections.**
- (3) Areas must be maintained in a safe and sanitary condition at all times. The portion of the lot designated for residential purposes must be maintained in accordance with the provisions of Section 8.4 Covenants, Conditions & Restrictions. That portion of the lot designated as pasture land must be maintained in accordance with the guidelines provided by the Board of Director’s each year on the maintenance of unimproved lots.**

L. Flood Plains: Residential construction within an area designated within the flood plain area is strictly prohibited and will not be approved except as provided in section 7.13 of the Covenants, Conditions and Restrictions.

Any improvements occurring within the area designated as within the 100 year flood plain (i.e. fences, pools, retaining walls, etc.) will require the approval of both the ARC and the City of Brazos Bend, TX. Therefore; such requests may take a longer period than usual for final approval. Owners should allow for a minimum of sixty days for approval.

M. Driveway/Street Connection: Most of the driveways within the development are concrete. The area between the concrete and the street must be filled with asphalt material to prevent damage to the street.

N. Signs: Section 8.3 of the Covenants provides guidelines for the placement of signs within the development. The ARC has found it helpful for a contractor sign to be in place during the period of construction of a residential dwelling. Therefore, the ARC will approve the placement of one (1) contractor sign, approximately the size of a normal for sale sign, on the lot. A request must be made in writing by the Contractor/Builder indicating they understand that no sub-contractor signs will be allowed.

O. Fines: In order to ensure that the requirements of the Covenants, Conditions and Restrictions as well as the Design Guidelines are adhered to, the Peninsula Home Owners Association has implemented a system of fines for violations associated with the completion of authorized projects as well as compliance with other portions of the Covenants. The dollar amount of each fine is based upon the severity of the violation. The Board of Directors has full and complete authority to establish fines and may modify the fine schedule at its discretion. A published schedule of all fines will be provided upon request by the Peninsula Homeowners Board.

In accordance with the provisions of Article 5.22(d) of the By-Laws of Granbury Peninsula Homeowners Association, Inc., the Board of Directors hereby designates the Architectural Review Committee (ARC) as the “Covenants Committee” for the purpose of administering the fine assessment program.

The ARC will try to resolve any issues or concerns with homeowners on an informal basis, explaining the problem and requesting the owners resolve the issue. Failing that, the ARC will issue the applicable Notice of Violation to the property owners. Failure to correct the violation and/or pay the fine can result in substantial penalties and interest including the placement of a lien against the property.