

**WEST CAVE ESTATES HOMEOWNERS' ASSOCIATION, INC.
ARCHITECTURAL CONTROL COMMITTEE (ACC)
NEW RESIDENCE CONSTRUCTION AND
PROPERTY IMPROVEMENT APPLICATION**

(To accompany plans and specifications)

The information provided below is to assist the property owner/builder in providing all the required information the ACC needs to evaluate requests for NEW RESIDENCE CONSTRUCTION and PROPERTY IMPROVEMENTS. Plans and specifications shall be submitted to the ACC for review and approval. The purpose is to assure that all property owners and builders are aware of the West Cave Estates Homeowners' Association (HOA) Declaration of Covenants, Conditions and Restrictions (CC&Rs), as well as the guidelines used by the ACC in the review and approval process. We recommend that you review the HOA's CC&Rs available on line at <http://westcaveestates.com>. Failure to provide detailed information for each of the requirements listed will result in a denial of your application. Whether or not stated below each item requires prior approval of the ACC.

Along with the completed Submission Requirements on pages 3 - 9, the property owner/builder will submit the following:

- 1. A County Building Permit- When Required** (i.e. Travis County Basic Development Permit, or Hays County Development Authorization) or comparable document, and any other county and/or State-required permit(s) such as septic systems, water wells, drainage structures, etc.
- 2. Plat Layout.** (Typically included in Closing Documents).
- 3. A copy of Residence Plans** or Property Improvement Plans, along with exterior materials and colors to be used.

NOTE: Examples of planned property improvement may include: exterior renovations, fence installation, room additions, swimming pool installation, play-scapes, pool cabana construction, outbuildings, rainwater collections systems, septic tanks and solar panels, etc. and may not require the submission of all items listed.

- 4. The plans and specifications** for the construction and improvements must include (per CC&R Art V, Para 2) the following items:
 - a. Site plan, drawn to scale (minimum 1"=30') with distances from property/setback lines, showing placement and orientation of the residence, and all other improvements (Examples: well, septic system, residence, driveways, landscaping, grading plan, fencing, walls).
 - b. Floor plan, drawn to scale (minimum 1/8" = 1'-0");
 - c. All residence exterior elevations (e.g. front, sides and rear of residence) or other structural improvements.

e. Variances from Restrictions. (per CC&R Art V, para 4 and Art 6, para 5). If the proposed design requires a variance, it shall be submitted with the plans and specifications. The ACC shall consider requests for variances in accordance with the referenced CC&R Articles.

5. Submission Process:

a. The ACC, through the Property Manager, will acknowledge receipt of your request. If you do not receive acknowledgment within seven (7) days that your Request was received, please contact the PROPERTY MANAGER to confirm receipt.

b. The ACC, through the Property Manager, will notify property Owner/Builder in writing within thirty (30) days after submission of your Request, of one of the following actions: i. Approval of the Request;

ii. Approval of the Request with Conditions;

iii. Denial of the Request, or

iv. Request for more information and/or scheduling of a site visit. If the requested information is not timely provided to the ACC (typically three (3) weeks), the ACC may deny your request.

v. Once Property Owner/Builder receives Approval of the Request for Construction from the ACC, and unless the ACC agrees otherwise, the exterior of the new residence shall be completed within eight (8) months and property improvements shall be completed with three (3) months.

NOTE: per CC&R Art VI, para 7, the permanent residence must be built before any other construction commences on site.

6. Construction Completion:

a. Refer to paragraph 19 in the Submission Requirements for New Construction Completion requirements.

7. Submit completed forms and all required attachments to:

Goodwin Management, Inc. **and** Architectural Control Committee

Attn: Jeff Frazier Email: jeff.frazier@goodwintx.com and

Attn: Mr. Chris Gaines Email: Gaines@alumni.utexas.net

If Mailing via USPS send to:

West Cave Estates Homeowners' Association, Inc.

C/O Goodwin Management, Inc.

PO Box 2003310

Austin, TX 78720-3310

PROPERTY IMPROVEMENT APPLICATION

(Do Not Use for New Residence Construction)

CONTACT INFORMATION:

OWNER:

Owner's Name: _____

Owner's Current

Mailing Address: _____

Owner's Phone: Home (____) _____ - _____ Cell (____) _____ - _____

Owner's Email: _____

** Please note that pertinent sections of the NEW CONSTRUCTION REQUEST will apply to any PROPERTY IMPROVEMENT REQUEST. For example, if you are planning to install or replace an existing fence, roof, solar panels, etc., please read the appropriate sections of the NEW CONSTRUCTION REQUEST and follow the guidelines stated therein. Likewise, if you are planning to install an improvement to your property such as a swimming pool or rainwater collection system, follow the sections dealing with setbacks, drainage, and landscaping.

Property Improvement Description for existing developed lots:

a. Clearly describe the proposed project (including materials, location, colors, dimensions, etc.) Add additional pages, as necessary, along with drawings, architectural renderings, photos, etc.

Example: "I am planning to install a deck on the back of our residence (see attached Site Plan & Drawings) Please refer to the builder's rendition of the deck (see attached Deck plan). Deck will be constructed of redwood and will be maintained in its natural appearance."

Description: _____

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

b. Explain how the project is to be completed, e.g. by yourself, professional, etc. Add additional pages as necessary.

Example: "The ABC Company of Austin will install a deck, and will be responsible for all

cleanup during and after completion of project. The approximate time for completion is two weeks.”

Explanation:

** Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

SIGNATURES:

Homeowner’s Signature: _____

Homeowner’s Printed Name: _____

Date: _____

Builder’s Signature: _____

Builder’s Printed Name: _____

Date: _____

Estimated start date: _____ Estimated completion date: _____ Planned Property Improvements Timeline: Construction completion must be within three (3) months or 90 days of receiving written approval from the ACC.

FOR PROPERTY IMPROVEMENT REQUEST, **STOP HERE AND SUBMIT** by email to: Goodwin Management, Inc. **and** Architectural Control Committee Attn: Jeff Frazier Email: Jeff.frazier@goodwintx.com **and** Attn: Mr. Chris Gaines Email: Gaines@alumni.utexas.net

If mailing via USPS send to:
West Cave Estates Homeowners’ Association, Inc.
C/O Goodwin Management, Inc.
PO Box 2003310
Austin, TX 78720-3310

NEW RESIDENCE CONSTRUCTION REQUEST APPLICATION

CONTACT INFORMATION:

OWNER:

Owner's Name: _____

Owner's Mailing Address: _____

Owner's Phone: Home () ____ - ____ Cell () ____ - ____

Owner's Email: _____

WCE Legal Description: Lot: ____ Section: ____ Block: ____

Assigned Legal Address: _____

CONTRACTOR:

Contractor's Name (CC&R Art 5, para 2): _____

Contractor's Current

Mailing Address: _____

Contractor's Phone: Business () ____ - ____ Cell () ____ - ____

Contractor's Email: _____

Contractor's Point of Contact (POC): _____ NOTE: Per CC&R Art V, para 2, Contractor must be a member of one of the following organizations. Confirmation of Contractor's membership – check:

() National Association of Home Builders

() HOW Builders Program

Note: ACC must approve contractor prior to construction if not a member of one of these organizations.

SUBMISSION REQUIREMENTS:

1. Site Preparation:

Lot clearing prior to construction requires prior written approval of the ACC. All tree debris shall be mulched and spread OR hauled away. No open fires shall be lighted or permitted on the Property (CC&R Art VI, para 27). Burning of construction materials or debris is **NEVER ALLOWED**, under any circumstances, for any reason.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

2. Site Requirements (CC&R Art VI, para 5):

All construction, except fences, requires a thirty-five-foot (35') setback from the front property line adjacent to the street, a twenty-foot (20') setback from the side and rear property lines and a forty-five-foot (45') setback for barns. The ACC will consider how your home or other improvement might impact your neighbors.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

3. Floor Area (CC&R Art VI, para 4):

Each permanent residence constructed on a lot shall have a living area of no less than one thousand six hundred square feet (1,600 square feet) exclusive of the garages, carports and porches. Living area square footage of plans being submitted: _____

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

4. Exterior Materials:

Masonry must exceed 75% area of the structure (e.g., stone, brick, and stucco). Majority of masonry must be visible to the road. Cementitious siding such as Hardiboard is not considered to be masonry. Approval will not be granted where a predominance of any other siding material is used. Brick

_____ %

Stone _____ %

Stucco _____ %

Wood _____ %

Other _____ %

Total 100 %

Exterior color:

Masonry & Stone: _____ Wood Trim Color: _____

Roof Material: _____ Roof Color: _____

Roof materials and colors must harmonize with the natural surroundings.

Stucco: _____

Stucco finish and color must harmonize with the masonry and trim color.

Submit color samples of the listed building materials above with plans for final approval.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

5. Garage Requirements (CC&R Art VI, par 4):

No garage entrance shall face the same direction as the front door of the main residence. All separate (detached) garages and other buildings as defined in the CC&R shall be of the equivalent and harmonious construction, design and color to the main residence.

NOTE: SCREENING REQUIRED FOR CERTAIN ITEMS (CC&R ART VI, PAR 21)

1. For WCE SECTIONS I & II, the CC&R states, concerning the screening of certain types of vehicles and equipment, the following: "...shall be kept at all times, except when in actual use, in an enclosed structure or screened from view;"

2. For WCE SECTION 4, the CC&R states, concerning the screening of certain types of vehicles and equipment, the following: "...shall be kept at all times, except when in actual use, in an enclosed garage or other structure."

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

6. Driveway Requirements (CC&R Art VI, para 8):

All driveways shall be paved with asphalt, concrete, or other material which has been approved by the ACC.

Asphalt Concrete _ Other (describe) _____

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

7. Mailbox Structure Requirement (CC&R Art VI, para 11):

In order to promote safety, mailboxes should be of a breakaway design and not be made of solid masonry. For specifications see: https://www.traviscounty.gov/images/tnr/Docs/Objects_in_ROW.pdf. However, if the homeowner/builder elects solid masonry it must be harmonious with the house exterior and the homeowner/builder assumes responsibility for that decision. The ACC must still approve the location and design as part of the site plan.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

8. Radio/TV Antennas and/or Satellite Dishes (CC&R Art VI, para 25):

Prior written approval of the ACC is required for all exterior radio or television antennas and satellite dishes visible from the street or neighboring property.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

9. Drainage Structures (CC&R Art VI, para 12):

Drainage structures under private driveways shall always have a net drainage opening of sufficient size to permit the free flow of water without backwater, and shall be constructed and maintained in accordance with all county and state regulations.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

10. Septic Tanks Systems (CC&R Art VI, para 10):

All septic tank systems; (example: soil absorption sewage disposal and aerobic systems). The selected system shall be constructed in accordance with the minimum requirements of the Texas State Department of Health and conform to the restrictions outlined in the recorded plat of the subdivision. The location of

the field(s) must be shown on the site plan submitted for approval. A septic system permit must be obtained from the appropriate County Health Department (Hays or Travis) and submitted to the ACC. The installation shall be inspected by the appropriate duly authorized agent of the appropriate County and written confirmation from the appropriate County authority stating that the installation is within the recommendations prior to Owner's occupancy of residence. Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

11. Fences (ACC Fence Guidelines):

All fence materials, design, color, and size require prior written approval of the ACC. Fences may be constructed up to the lot property lines. Fences must be of wood, and/or masonry construction when facing the street. (See Fence Guidelines attached below.)

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

12. Rainwater Collection Systems (ACC Rainwater Collection System Guidelines): All rainwater collection systems require prior written approval of the ACC. Systems must be screened from view from both the street and neighboring lots by a fence, wall or landscaping (vegetation). Screening materials must be maintained, i.e. if screening is with landscaping and it dies, replacement vegetation (of significant maturity) MUST be installed. Plans must include method of screening and require prior written approval from the ACC. (See Rainwater Collection System guidelines attached below.)

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

13. Propane tanks, A/C Compressors, Electric Generators, and Water Storage and Pressure Tanks: All propane tanks, Air Conditioning Compressors, and electric generators shall be permanently screened from view by a fence, wall, or landscaping (vegetation).

Water storage and pressure tanks shall be screened from view by a fence, wall, landscaping or painted to match the surroundings. (See Fence Guidelines attached below.)

All screening materials must be maintained, i.e. if screening is with landscaping and it dies, replacement vegetation (of significant maturity) MUST be installed. Plans must include method of screening and require prior written approval from the ACC.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

14. Solar Panels (See ACC Solar Panel Guidelines):

Solar panels must comply with County, State and Federal requirements, ACC guidelines and require prior written approval of the ACC. (See Solar Panel guidelines attached below.) Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein:

15. Other Energy-Related Equipment:

Other Equipment used in conjunction with generation of energy (e.g. wind powered generators, emergency electric generators, etc.) must comply with County, State and Federal requirements, ACC guidelines and require prior written approval of the ACC. The installation must be permitted in the county of residence and must adhere to applicable building and electrical codes.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

16. Residence Design:

All heights of any structure require prior written approval of the ACC. Aesthetics, views, and other considerations relating to maintaining the harmony and atmosphere of the subdivision will be weighed. The ACC will use its best judgment to see that the residence's exterior design conforms to the requirements of CC&R Art V, para 8 to harmonize with the surrounding improvements, environment, topography, and finished grade evaluations.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

17. Electrical/Telephone/Cable Utility Service: (CC&R Art IV, para 12):

All electrical/telephone/cable service on each lot shall be installed underground and must be in compliance with applicable building and electrical codes, ACC guidelines and require prior written approval of the ACC.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

18. Construction Timelines:

Estimated construction start date: _____

Estimated construction completion date: _____

New Residence Construction Timeline: (CC&R Art VI, Para 7): Construction completion of the exterior of the residence must be within eight (8) months of receiving written approval from the ACC.

You are required to notify the ACC in writing of the Actual Start Date and the Substantial Completion Date of the residence and driveway.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

19. Construction Completion:

The property owner/builder is required to submit to the ACC a Substantial Completion Certificate signed by the property owner and builder at the time the residence is determined to be substantially Complete. Substantial Completion is defined as when the residence is substantially complete for its intended purpose (occupancy); is in compliance with the approved plans and specifications; meets the CC&R and ACC requirements and has received all required certificates or approvals from local jurisdictions having authority over the project or improvements.

Upon receipt of the project written Substantial Completion Certificate, the ACC may then conduct a site visit.

If the ACC determines through the Substantial Completion site visit that the project was not substantially completed as approved, the ACC may: 1) Require the property owner/builder to demonstrate that the change(s) was/were warranted, and that the residence conforms to and harmonizes with the character and quality of the neighborhood and/or 2) Require the property owner/builder to perform further work to complete the project in an approved manner to meet the Substantial Completion Certificate requirements.

Once the ACC has confirmed through additional visits or by documentation provided by the property owner/builder that the project has been completed in accordance with the requirements stated above, a final written Completion Notice will be issued by the ACC acknowledging compliance and authorize the property owner/builder Occupancy of the completed project.

Property Owner/Builder must initial to acknowledge Compliance with CC&Rs and requirements as stated herein: _____

SIGNATURES:

Homeowner's Signature: _____

Homeowner's Name: _____ Date _____

Builder's Signature: _____

Builder's Name: _____ Date _____

PLEASE SUBMIT COMPLETED REQUEST (by email) TO:

Goodwin Management, Inc. **and** Architectural Control Committee Attn: Jeff Frazier Email: jeff.frazier@goodwintx.com and Attn: Mr. Chris Gaines Email: Gaines@alumni.utexas.net

If mailing via USPS send to: West Cave Estates Homeowners' Association, Inc. C/O
Goodwin Management, Inc.
PO Box 203310
Austin, TX 78720-3310

Fence Guidelines

1. All fences require prior written approval from the ACC before construction.
2. Fences may be constructed up to the lot property lines. Any portion of the fence facing the street, or partially facing the street (regardless if the fence is on the lot property line or inside of set-back lines) must be of wood, and/or masonry construction.
3. Stock or ranch type fences may be constructed up to the side and rear property lines.
4. A color sample of any stain/paint used on fences shall be included with the application request.
5. All fences must be maintained in good repair, i.e. missing or broken boards and posts must be replaced and replacement materials must blend in with existing older fence boards and posts.

Solar Panel Guidelines

Prior to submitting plans to the ACC for approval of the installation of a solar energy device or system, you should refer to Texas Property Code, Title 11. Chapter 202 Construction and Enforcement of Restrictive Covenants, Section 202.010, which addresses the “Regulation of Solar Energy Devices.” These guidelines listed below may NOT address every aspect of the Property Code Law cited above, but should be used as a reference for what the ACC will consider when reviewing your plans. All solar system installations require prior written approval of the ACC.

1. The application should be supported by plans drawn to scale that show the equipment and the location of the proposed installation. Diagrams of the roof area showing where panels are to be installed are required. Brochures, literature, and color photos of the proposed solar system should be submitted when available.
2. All components of the system should be integrated into the design of the house, i.e. conform to the slope of the roof line, have a top edge that is parallel to (and no higher than) the roof line, and conform as closely as possible to the color of the roof material.
3. If you intend to install a system that is not roof-mounted, it must be on your property and screened from view. Solar panels shall be permanently screened from view by a fence, wall, or landscaping. Screening materials must be maintained, i.e. if screening vegetation dies, replacement vegetation (of significant maturity) will have to be installed. Plans must include method of screening and require prior written approval from the ACC.
4. The installation of the system must be performed by properly licensed and insured contractors and this information must be noted on your ACC application.
5. The installation must be permitted in the county of residence, if required, and must adhere to applicable building and electrical codes.

Rainwater Collection System Guidelines

Prior to submitting plans to the ACC for approval of the installation of a rainwater collection system, it may be helpful to refer to the follow resources which address industry accepted standards for rainwater harvesting designs.

Texas Water Resource Institute:

<http://twri.tamu.edu/publications/txh2o/fall-2013/water-rules/>

Texas A&M Agrilife Extension:

www.agrilifeextension.tamu.edu/solutions/rainwater-harvesting

Texas Water Development Board:

www.twdb.texas.gov/innovativewater/rainwater/faq.asp

www.twdb.texas.gov/publications/shells/RainwaterHarvesting.pdf

<http://www.texascoopower.com/texas-stories/life-arts/rainwater-harvesting-faq>

National Conference of State Legislatures:

www.ncsl.org/research/environment-and-natural-resources/rainwater-harvesting.aspx

Texas Health and Safety Code § 341.042. Standards for Harvested Rainwater:

<http://codes.findlaw.com/tx/health-and-safety-code/health-safety-sect-341-042.html>

The Edwards Aquifer Website:

<http://www.edwardsaquifer.net/rainharvesting.html>

The guidelines listed below may NOT address every aspect of designing a system, but should be used as a reference for what the ACC will consider when reviewing your plans. All rainwater collection system installations require prior written approval of the ACC.

1. The application should be supported by plans drawn to scale that show the equipment and the location of the proposed installation of storage tanks, gutter and downspout placement and routing. Diagrams of the roof area showing where gutters and downspouts are to be installed are required. Brochures, literature, and color photos of the proposed rainwater collection system should be submitted when available.
2. All components of the system should be integrated into the design of the house, i.e. size of gutters and downspouts conform to the slope of the roof line and conform as closely as possible to the color of the roof material.
3. The storage tank(s), if above ground must be screened from view by a fence, wall, or landscaping. Screening materials must be maintained, i.e. if screening vegetation dies, replacement vegetation (of significant maturity) will have to be installed. Plans must include method of screening and require prior written approval from the ACC.
4. The installation of the system must be performed by properly licensed and insured contractors and this information must be noted on your ACC application.
5. The installation must be permitted in the county of residence, if required, and must adhere to applicable building codes.

NOTICE TO PROPERTY OWNER/CONTRACTOR
WEST CAVE ESTATES HOMEOWNERS ASSOCIATION, INC.
WORKERS' AND CONSTRUCTION WORK GUIDELINES

A property owner who performs or employs a builder(s) to perform any construction or improvement work on site shall abide by the following rules and guidelines:

1. This Notice must be conspicuously posted on the job site in English and Spanish prior to a builder performing any exterior work.

2. Allowed work hours for exterior work are:

Monday through Friday: 7:30 am to 7:00 pm

Saturday, Sunday and Holidays: 8:00am to 5:00 pm

3. Examples of activities that are permitted during allowed work hours are:

- Operating earth-moving equipment
- Delivery of construction materials
- Operating power equipment
- Hammering or air-stapling
- Any other necessary construction activities

4. Loud music is not allowed at any time. The volume must be controlled to a level that does not disturb the quiet enjoyment of surrounding homeowners at all times.

5. During the entire construction or improvement process, if indoor toilet facilities are unavailable, the property owner and/or builder is required to have portable toilet facilities that are placed within the property boundary (not on any street or Right-of-Way, cul-de-sac, or adjacent lot), unless such requirement is specifically waived by the ACC. In the case of an adjacent lot, that adjacent property owner shall have the right to object to the placement of a portable toilet on the lot. Portable toilet facilities shall be serviced as needed to control unsanitary and/or offensive odors which may be reasonably be considered as an annoyance to the neighbors of the adjacent and surrounding lots. **6. No construction debris, trash, rubbish or brush of any kind is**

permitted to accumulate upon any Lot, and no odors shall be permitted to arise from a Lot so as to render such Lot or any portion of a Lot unsanitary, unsightly, offensive or detrimental to any other Lot, or its occupants. Such items must be removed from the Lot each day or placed in a properly sized and covered dumpster or container and emptied as needed. The dumpster or container, if used, must be placed within the property boundary (not on any street or Right-of-Way, cul-de-sac or adjacent lot.)

7. NO BURNING ALLOWED. Burning within West Cave Estates Subdivision is a violation of its deed restrictions. A property owner or builder IS PROHIBITED from burning construction debris, rubbish, trash, brush or any other material within the community.

8. POSTING OF ACC APPROVAL NOTICE. The property owner/builder shall conspicuously post the ACC Approval Letter on the job site.