



# BARTON CREEK LAKESIDE

**SPICEWOOD, TX**

## Architectural Standards

**Adopted February 2019**

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# 1.0 INTRODUCTION

These Architectural Standards have been established as pursuant to the Second Amended and Restated Declaration of Consolidated Covenants, Conditions and Restrictions for Barton Creek Lakeside (CCRs) to provide property owner(s) (Owner), architects and contractors with a set of parameters for the preparation of their drawings, specifications and plans. The authority for the Architectural Review Committee ("ARC") is established in the CCRs under Article 3.

## 1.0 BACKGROUND

Barton Creek Lakeside is a comprehensively planned residential community situated within the extraordinary landscape of the Texas Hill Country. The guiding principle of Barton Creek Lakeside is to create a sustainable community which yields a high quality of life in concert with nature. It is the ultimate goal of the master plan to protect the land, the landscape, the habitat, therefore creating a unique community.

The intent of these Architectural Standards is to provide a high level of design quality, compatibility and appropriateness for what will be built on each residential lot. There are two basic objectives: one, create and protect real estate value for each homeowner; two, create a cohesive community in harmony with nature.

The Architectural Standards address many of the design issues involved and are intended to be beneficial in assisting architects, builders and property Owner in the process of designing and building individual homes which will together create consistent neighborhoods and streetscapes.

The purpose of the Barton Creek Lakeside Architectural Review Committee is to evaluate each proposed house and site design on a case-by-case basis. The ARC may determine that what is appropriate in one situation may not be appropriate for another, in fact, approval of an improvement on one site does not constitute approval or a similar improvement on any other site. Overall, the ARC encourages discretion and understatement in architectural and site design that does not call attention to the home or other improvements and respects its neighbors as well as the overall community.

The terrain at Barton Creek Lakeside appears rugged but is environmentally sensitive. Damage to the slopes and vegetation is difficult and expensive to repair. Architectural and site design require consideration of the existing site, attention to building massing, texture, color, height and materials as well as planting design and overall site layout. Also, run-off considerations, water retention and other technical issues are critical in creating a building and site development compatible with the natural and restored landscape.

Each site has unique features of topography, slope, drainage, views, vegetation, and wildlife that need to be systematically analyzed in the design process. Lot Owners must demonstrate how development of their property respects the environment, and the reasonable interests of neighbors to views, vistas and amenities and of the community as a whole.

The natural character of the land has exposed limestone, shallow soils, and a lack of rain; therefore, it will take years to naturally mitigate the



impacts of disturbance that may occur during the development and implementation. These Architectural Standards are intended to provide for the protection and restoration of the natural Hill Country. **Written or electronic approval by the ARC is required before any site clearing or commencement of construction activities.**

The ARC recognizes the occasional need to clear a small area for design or engineering purposes. Examples would include an area for scaffold to determine or verify a view or the need to do a mechanical boring for foundation stability. Such clearing is allowed only after written approval is granted by the ARC.

## 1.1 REVIEW AND APPROVAL AUTHORITY

The Second Amended and Restated Declaration of Covenants, Conditions and Restrictions ("CCRs") and Architectural Standards include procedures and criteria for the review and approval of improvements within the community. The CCR's provide that these Architectural Standards are intended to provide rules and guidance to Owner and contractors regarding matters of particular concern to the Property Owner Association

Houses or projects built before the adoption of these restrictions that were approved under previous versions of the restrictions are grandfathered as approved, however, any major renovations, additions or changes to the homes, lots or structures must be in compliance with the current restrictions.

If any part of this document is ruled unenforceable by a court the balance of the document would remain valid and enforceable. **In the event of a conflict between the language of this document and the CCRs, the CCRs is the controlling document, but the balance of the Architectural Restrictions remains valid and enforceable.**

## 1.2 DEFINITIONS

These Architectural Standards contain language that reflects the following principles: "Shall" or "Must" refers to a building rules for which conformance is intended to be mandatory. The ARC has the authority to grant variances to these rules and standards under a formal variance process.

"Should" or "Highly Encouraged" refers to a building guideline for



which conformance will be strongly encouraged through the design review process and is intended to be a recommendation to the builders and Owner. The ARC has the ability to approve or deny "Should" or "Highly Encouraged" guidelines on a case-by-case basis without a formal variance, but the approval on one project does not set a precedence for any future approvals.

**Approvals and submissions shall be either written or electronic, or as determined by the Architectural Review Committee from time to time in their submittal standards**

### 1.3 GOVERNMENTAL REQUIREMENTS

It is the responsibility of each Owner to comply with all applicable City, County, State and other Municipal Entity governmental ordinances and regulations and obtain every necessary permit and inspection. Compliance with the CCR's and these Architectural Standards is not a substitute for compliance with the applicable ordinances and regulations. Please be advised that the Covenants and these Architectural Standards do not list or describe each requirement which may be applicable to any property within the community. **Owner is advised to review all encumbrances affecting the use and improvement of any portion of their property prior to submitting plans to the ARC.** Furthermore, approval by the ARC should not be construed to mean that any improvement complies with the terms and provisions of all encumbrances which may affect any portion of the property within Barton Creek Lakeside. Certain encumbrances may benefit parties whose interests are not addressed by the ARC.

The ARC shall bear no responsibility for ensuring that any submitted plans comply with any applicable building codes, zoning regulations and other governmental requirements.

The ARC takes no responsibility for the quality of construction on any home or improvement that is reviewed by the Committee. The responsibility of the quality of construction lies solely with the Owner, Architect/Designer and the Builder of the Improvement.



## 2.0 THE DESIGN REVIEW PROCESS AT BARTON CREEK LAKESIDE

### 2.0 ARCHITECTS, DESIGNERS AND BUILDERS

Barton Creek Lakeside is a community of custom-designed homes and a premium is placed on high design. To this end it is of utmost importance that this special character not be compromised by architectural designs and site plans improperly conceived, unresolved, poorly executed or out of character with the neighborhood. **Only those plans designed by professional residential designers or architects will be accepted.** The overall value of every home is significantly increased if all homes maintain high design excellence and responsiveness to local conditions. The criteria used in determining the qualifications of a designer or of an architect will be within the sole discretion of the ARC.

The Committee has the right to approve or deny any and all Builders in the Community. Builders should be quality, custom home builders with a long track record of building custom homes in the Central Texas area. No production builders or "build on your own lot" builders will be approved. Builders should be prepared to provide the Committee with a company resume, including background of the principals, a reference list, a listing of the current building projects and a listing of recently completed building projects. Builders that have built in the Community previously are not guaranteed to be able to continue building in the community.

All plans must be custom designed for each lot. **No stock plans or off-the-shelf plans that are purchased and dropped on a lot will be accepted or approved by the ARC.**

**A plan approved for a specific lot may not be used and placed upon another lot within the Community and be deemed approved, all plans must go through the entire review process.**

It is essential that the architect/designer complete a thorough analysis of the site to gain an understanding of the environmental character and features of the home site and these Architectural Standards. It is also important that the architect/designer be able to convey to the ARC the concept and design of a proposed residence, particularly in terms of how it fits into the overall layout of the site.

By encouraging quality and attention to detail, and adherence to the requirements and recommendations of the ARC and these Architectural Standards, aesthetic harmony, natural tranquility and overall property values at Barton Creek Lakeside will be enhanced and preserved.

Structural drawings for the foundation, ceiling joist plan and roof framing are required to be stamped by a structural engineer licensed with the State of Texas and submitted with the Final Plan Review.

### 2.1 ALL APPROVALS IN WRITING

All approvals by the ARC shall be in writing, either by mail or e-mail. No verbal approvals or representations by the ARC shall be valid or enforceable. Individual ARC Members cannot make determinations, approval or denials on any submittals or issues.

The ARC is composed of a body of people who are knowledgeable of the goals and values of the Barton Creek Lakeside community. Although the ARC requires the applying Owner or Owner's representative to be present at the pre-design meeting, the ARC reserves the right to discuss and act on an application without the applicant or a representative of the applicant being present. It is recommended that the architect/builder be the agent for the client or Owner when interacting with the ARC. (Owner is strongly encouraged to attend the pre-design meeting with the ARC.)

### 2.2 REVIEW AND APPROVAL PROCESS

The approval process is interactive. The ARC hopes to work with the Owner and architect to ensure that the final design is appropriate for each home site. ARC and other HOA Contact Information is available on the website: <http://www.bclakeside.org>

#### 2.2.1 PRE-DESIGN MEETING

To initiate the review and approval process, the Owner and architect/designer shall schedule a meeting with the ARC to present the goals of the design. This informal meeting is intended to offer guidance and education prior to the often-expensive design process. The Owner and architect/designer should discuss any questions about the Architectural Standards or present ideas about the proposed residence.

Submittal of the pre-design information shall be delivered to the ARC seven (7) days prior to the scheduled review meeting. Submittals can be either electronic files or physical copies. A Pre-Design Submittal Application, tree and topo survey, site analysis plan and a program plan will be required at this meeting and must include the following:

- A. Tree and Topo Survey prepared by a Licensed Surveyor
  - Boundary Survey
  - Building Setbacks per the Plat or other Recorded Easements
  - Topographic Survey in 1' intervals for the lot from the street through the buildable area of the lot.
  - All hardwood trees over 6" for single trunk or 9" for multi trunks. No Juniper Trees are required to be surveyed.
  - If no trees that meet these criteria are on the lot, the topo survey should have a note on the plans that no trees or notable trees are located on the lot.
- B. Site Analysis Plan based upon the Required Tree and Topo Survey and containing all this base mapping information.
  - Site characteristics
  - Significant vegetation
  - Rock outcroppings
  - Desirable view corridors
  - Building Setbacks as set by the Plat, other Recorded Easements and by the CCRs





- Solar angles
- Wind directions
- Site hydrology
- Existing utilities and drainage
- Approximate Location of adjacent residences (if applicable)
- Proposed or Best Building Site on Lot
- Proposed Trees to be removed in the Building Site

#### C. Program Plan

- Proposed Build Site on the lot for the home
- Proposed site access and circulation
- Proposed utilities and drainage
- Proposed trees to be removed or vegetation to be cleared in the proposed build site.

Floorplans or elevations of a home are not required at this meeting, but the Owners should be prepared to discuss the following:

- Possible Architectural Style of the Home
- Possible Exterior Materials and Colors
- Possible Builders for the home

## 2.2.2 PRELIMINARY DESIGN REVIEW

Following the pre-design meeting, the Owner or Owner's representative shall submit preliminary plans to the ARC for review. The purpose of the Preliminary Design Review is to ensure that the design conforms to the CCRs and these Architectural Standards. Submittal of the preliminary design shall be delivered to the ARC seven (7) days prior to the scheduled review meeting. Submittals can be either electronic files or physical copies. An early response by the ARC will help avoid wasted time and **professional fees that result from pursuing a design in conflict with the Architectural Standards or goals and/or objectives of the ARC.** The preliminary design review submittal shall include three (3) copies of the following plus an electronic copy to the Committee for records:

- Preliminary Plan Application
- Site analysis plan (as described above in the pre-design meeting) scaled to or delivered on a minimum of 11" x 17" sized sheet(s).
- Site plan based upon the tree and topo survey scaled to or delivered on a minimum of 11" x 17" sized sheet(s) showing all existing trees to remain and proposed trees to be removed, all building and improvement locations, including driveway, walkways, proposed patios and possible pool locations, existing and proposed site grades and Finished Floor Elevations of the Improvements, and the location of the existing adjacent sites, buildings, natural and man-made features.
- A preliminary floorplan of the home.
- Preliminary elevations of all sides of the building which include proposed building height based upon average natural grade of the lot or the finished grade of the lot if no significant cut will be made and roof pitches.
- If a lot is proposed to be cut or filled, a preliminary showing

the building height off average grade should be prepared in accordance with the Exhibit in the CC&Rs.

- A general description of materials.

In addition to the submittals to the Committee, the Architect/Designer should bring a plan sized copy of the preliminary plan to the Committee Meeting for presentation purposes.

If a preliminary plan is rejected and then resubmitted, additional design review fees may be imposed at the ARC's discretion.

Upon completion of the ARC's review of the preliminary design, a written or electronic notice to the Owner and architect/designer will be issued.

The Owner is required to pay the current submittal, oversight and inspection fees as established by the current fee structure with the Preliminary Review. The Construction Compliance Deposit is not due until the Final Plan Review.

The Owner or Owner's representative should be present at the meeting and the architect and/or builder must be present at the Preliminary Design Review meeting. The presentation at that meeting must include the findings from the site analysis and review, illustrating how the proposed design reflects the site's opportunities and constraints.

If the Builder has been chosen at this time, the Committee must grant approval to build in the Neighborhood.

The Owner is responsible for accuracy of all information and material submitted to the ARC, including all dimensions, elevations, and the location of the key features of the natural terrain. Each Owner or Owner's representative, through their architect/designer or builder, shall certify to the accuracy thereof before the ARC will undertake review. Plans which are not accurate will be rejected.

## 2.2.3 FINAL DESIGN REVIEW

The final step in the review process is the Final Design Review. All the drawings and requirements of the preliminary design review are required to be updated, finalized and presented in appropriate detail for the final design review. Additionally, all dimensions of rooms, exterior doors and windows, heights of all roofs, chimneys, exterior walls and fences shall be shown. All exterior elevations shall include a description of materials and scale indications along with sufficient detail to represent the visual expression of the building and its architectural detail.

Submittal of the final design shall be delivered to the ARC seven (7) days prior to the scheduled review meeting. The final design shall be similar in scope and content as the approved preliminary design by the ARC. If substantial changes are made between the preliminary and final review, the applicant may be asked to resubmit a new preliminary plan before approval can be granted.

The final review submittal shall include three (3) copies in a minimum of 24"X36" plan sized pages of the following:

- Site drawn on the approved Tree and Topo Survey which includes the following:
  - Home layout with finished floor elevation relative to the



topography

- Driveway
- All Hardscape
- Future Pool Location (if any)
- Any other improvements proposed on the site.
- Any proposed retaining walls on the site with proposed heights from finished grade or average natural grade.
- Topography
- easements and setbacks per the Plat, CCRs and separate documents,
- utility trenching, connections and meters,
- existing trees to remain or to be removed,
- man-made features,
- cut and fill or grading plan for the lot
- drainage,
- proposed area to be disturbed during construction
- perimeter and silt fencing,
- construction entrance,
- materials storage,
- dumpster, and
- port-o-let.
- Final elevations and floor plans at 1/4".
- Stamped engineered drawings of the foundation plans
- Engineered Roof Frame Plans and Floor Frame Plans (for 2 story construction)
- Engineered Truss Plans for Floor and roof trusses.
- Window, Door and Garage Door Specifications, including Manufacturers, Models, and Colors.
- Executed "Construction Compliance Deposit Agreement" and check for the deposit amount payable to the Association in accordance with the current Fee and Deposit Structure.
- Proposed parking plan for contractors or subcontractors.
- Proof of Builders Risk Insurance for the Site
- Proof of Comprehensive Liability Insurance provided by the builder.
- Proposed Construction Schedule.
- Pictures of proposed Exterior Materials

**Please be advised that a minimum 4X8' sample board shall be built on the construction site separate from the home which will be reviewed and approved by the ARC prior to exterior materials being installed on the site.**

The Sample Board is to remain on the project site until the exterior of the home is complete and the ARC has verified the approved samples were installed correctly upon the home. Samples shall be identified with manufacturer's name, color and or number. The board shall include:

- Roof material and color
- Stucco sample with color and finish
- Exterior trim material(s) and color(s)
- Any other exterior materials such as wood siding.
- Stone/rock and brick to be used and mortar color specification.

## 2.2.4 INSPECTIONS

Prior to the start of any formal construction, A representative of the ARC will inspect the site to ensure that all erosion controls are installed, the perimeter fence is installed, and the bull rock entry has

been installed

**No construction can begin until all plans are approved by the inspection company and the ARC representative has done the inspection of the erosion controls, perimeter fence and bull rock**

During the construction phase, the ARC or its agent will perform periodic inspections to ensure compliance with erosion controls, construction rules and approved plans.

**The Builder is responsible for contacting the inspection company to schedule the required building inspections during the course of construction. Failure to receive the proper inspections could result in the forfeiture of the Construction Compliance Deposit.**

## 2.2.5 FOUNDATION FORM SURVEY

A foundation form survey is required for all new home construction and major additions or outbuildings. The survey shall be prepared and sealed by a Registered Land Surveyor. The survey must be submitted to the inspection company with a copy to the ARC prior to inspection by the inspection company of the foundation forms to ensure the Structure is within the building envelope and in the proper location on the site.

## 2.2.6 COMPLETION OF PROJECT REVIEW

To ensure that the residence is constructed in accordance with the approved final design, a completion of project review is required. The homeowner shall inform the ARC immediately after all other inspections have been completed. The ARC will respond within one (1) week of receipt of such notice with the completion of project review based upon the application approved by the ARC including the landscape plan and improvements and will issue a notice determining that requirements have been met.

**No residence may be occupied prior to completion of ALL improvements and receipt of "Completion of Project Review."**

The ARC has the right to issue a "Conditional Completion of Project Review" for a project that has been substantially completed but is missing minor items such as partial landscaping or revegetation. These types of issuances will be on a case-by-case basis per project.

Upon receipt by the ARC of a satisfactory Completion of Project Review, the balance of the Construction Compliance Deposit will be refunded within 60 days.

## 2.3 VARIANCES AND APPROVALS

Exceptions (Variances) to the Architectural Standards may be approved in instances the ARC, in its sole discretion, determines are warranted. The ARC reserves the right to have the Board of Directors approve a Variance if the requested Variance is for regulations found within the CCRs. Owners do not have any rights to obtain a Variance and the granting of Variances will be the exception rather than the rule. The logic behind a requested variance should be carefully documented.

**Because each home site is different, a variance that is granted or a house plan that is approved shall not set a precedent. All house**



plans and variances are approved or rejected on a case-by-case basis.

Any Variances to the Architectural Standards must be submitted in writing and should be addressed in the pre-design or preliminary design meetings. All variance approvals must also be in writing. No verbal approval or representation concerning a Variance by the ARC or anyone else associated with Barton Creek Lakeside shall be valid or enforceable.

Any approved Variance must be formalized and recorded in County Records. The cost to draft and record this variance will be the burden of the Owner and will be based upon a separate fee.

## 2.4 FINES

The ARC or its representative will perform periodic inspections during construction to ensure the improvement is built in accordance with the approved specs and plans, as well as to identify non-complying construction activities. If items identified as non-complying with the regulations are not remedied in a timely manner (by the close of the second business day after the notification of the violation has been Delivered) fines will be levied and deducted from the Compliance Deposit. In the event such fines exceed, and/or fines remain unpaid by the builder or Owner, the ARC reserves the right to file a lien against the subject property.

SCHEDULE OF FINES	
Premature Clearing or Construction	\$500 plus tree replacement
Construction without Approval	\$1,000 per day
Inadequate Construction Entry	\$250 plus \$50/day
Inadequate/Removed Silt Fence	\$250 plus \$50/day
Inadequate/Removed Construction Fence	\$250 plus \$50/day
Excessive mud/debris on the street	\$250 plus \$50/day
Inadequate use of Dumpster or no Dumpster	\$250 plus \$50/day
No chemical toilet provided	\$250 plus \$50/day
Encroachment on adjacent properties	\$500+ repair cost
Damage to streets, curb, infrastructure	\$500 min. plus cost of repair
Delivery vehicle over 40,000 lbs. gross wt. (6 yards of concrete maximum)	\$500
Workers before or after hours	\$250
Open Fires or Burning of Trash	\$500
Loud music reported	\$250
Adjacent lot storage of materials or trash	\$250 per day
Occupancy of home before final inspection	\$1,000 + \$250/day

Miscellaneous violation of construction rules to be determined by the ARC. In the event a site has an ongoing violation, the ARC can accelerate or levy larger fines as they see fit.

**PLEASE BE ADVISED THAT THE ARC HAS THE RIGHT TO INCREASE OR ACCELERATE THESE FINES IN THE EVENT THEY FEEL THE BUILDER IS NOT MANAGING THEIR SITE EFFECTIVLY OR IGNORING THE RULES AND REGULATIONS OF THE ASSOCIATION.**

The Association reserves the right to use the Construction Compliance Deposit to repair any damaged common areas or adjacent lots caused by the Builder or their subcontractors.

## 2.5 CHANGES

During construction, no changes in the exterior plans materials or colors previously approved by the ARC may be undertaken without prior written approval from the ARC.

Once the residence is completed, no exterior alterations including, but not limited to, colors, materials, additions or deletions shall be undertaken without prior written approval from the ARC.

## 2.6 MODIFICATION AND ENFORCEMENT

The ARC may at any time, in its sole discretion, amend these Architectural Standards. As the ARC reviews plans, it is inevitable that unforeseen situations will require amendments to these Architectural Standards. Every effort will be made to notify Owner of these changes; however, it is ultimately the Owner's responsibility to obtain the latest Architectural Standards.

## 2.7 ARCHITECTURAL REVIEW COMMITTEE

Neither the ARC, nor their respective successors or assigns, shall be liable in damages to anyone submitting plans or other materials to them for approval or to any Owner by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans or other materials. Every Owner or other person who submits plans to the ARC for approval agrees, by submission of such plans or other materials, that Owner will not, and waives any right to bring any action or suit against the ARC.

Due to the age of the community and the various Architectural Restrictions that have been drafted and enforced over the life of the community, some homes were approved and built to standards that no longer are valid in the community. The ARC reviews all plans and submittals in accordance with the current Architectural Restrictions and does not consider previous approvals done under previous Restrictions.

These Restrictions have language that could be considered ambiguous. The interpretation of these Restrictions on any and all language lies solely with the Committee.

Approval of plans by the ARC in no way guarantees the quality of design or construction of the project. This liability lies solely with the owner and the builder.

The ARC and the Association shall have the right to enforce all terms and provisions of these Architectural Standards and the CC&Rs. The rights of enforcement are more specifically spelled out in the CC&Rs.

The Construction Compliance Deposit shall be used for the following:

- Cost overages on inspection and re-inspection fees from the inspection company.
- Cost overages on any ARC Consultants due to multiple meetings, inspections or special trips to the site.
- Cost Overages for additional Security required by Foundation Pours.





- Fines levied against the site due to non-complying construction activities.
- Cost of repair to common areas or adjacent lots caused by the construction process.



## 3.0 SITE DESIGN STANDARDS

To help Owner, architects, designers and builders design and build residences that are compatible with the intentions of Barton Creek Lakeside, a number of standards have been prepared for site design, architecture, and landscape design. These standards range from suggestions and recommendations to requirements which must be addressed at the Design Review stage and followed through on all subsequent reviews.

### 3.1 BUILDING ENVELOPE AND ORIENTATION

Siting the building is of critical importance to the design success of the individual residence and of the entire neighborhood. Topography affects the views from the applicant's residence and from adjacent neighbors. Side yard setbacks and staggering of homes on adjacent lots will provide extra privacy and sense of separateness.

Because no two lots are exactly alike, and many orientations are involved, the ARC will review each plan and other improvements in relation to the specific characteristics of the particular lot and its surroundings. Characteristics such as topography, adjoining homesites and natural features, open spaces or the golf course may require special consideration. The ARC will review each plan for dwellings to be located on lots adjacent to such features for appropriateness and consider exceptions that would benefit the neighborhood and the dwelling. The ARC reserves the right to make site adjustments to a proposed site layout if deemed necessary.

The Building Construction Envelope (BCE) acts as a limit beyond which no construction activity or site disturbance; including grading, access and materials storage; shall take place. The Owner and Builder should determine with the Architect and the Builder the appropriate BCE for each specific site. The ARC can determine during the review process if the BCE should be adjusted for construction activity purposes. The BCE shall be protected by a chain link fence with privacy screening that is maintained in good condition at all times. All areas outside the BCE must be protected by the Owner/ Builder.

The ARC understands that additional construction areas will be needed for materials storage, dumpster location and equipment access. To change the BCE, the Owner and/or builder, shall, prior to the onset of construction, submit for approval a written request with a drawing. There shall be a preliminary BCE delineated at the time of preliminary design submittal. It shall be finalized in the documents for final design review.

Construction shall not begin prior to written approval from the ARC. The ARC does reserve the right to mandate or allow for any changes to the Building Construction Envelope during construction.

The ARC will review the proposed BCE based upon its impact on existing vegetation, slopes, drainage patterns, neighboring homesites, golf course, and size and practicality of the requested work area. Both the builder and architect should carefully plan the construction sequence to minimize the area needed.

All areas within the BCE or disturbed during the construction process

must be re-vegetated with formal landscaping or native restoration upon completion of the project. The ARC reserves the right to not issue a final Certificate of Completion until such revegetation has been completed and established.

### 3.2 CUT AND FILL

The sloping topography of Barton Creek Lakeside may require cutting and filling of the site. Generally, houses that step down a slope should follow a rule of balancing the cut and fill. No exposed fills are allowed; as fills shall be contained by retaining walls or slopes minimized and revegetated. Revegetated slopes are required when any land is impacted by cut and fill. Exposed cuts are permitted if the result is an aesthetic limestone ledge or other design asset approved by the ARC.

Drawings (plans and elevations) of cut and fill areas, retaining walls and proposed revegetation, if applicable or required by the ARC at Preliminary Review, shall be submitted with the final design package at the same scales as noted in Sections 2.2.1 and 2.2.2 above.

Any proposed cut and fills on a lot will affect the calculation of the building height for the home. Architects and Designers should prepare cut and fill exhibits, including sections that denote average grade as defined in the Exhibits of the CC&Rs.

### 3.3 DRIVEWAYS AND PARKING

Driveways shall be constructed of masonry pavers, textured concrete, salt finish concrete, stained concrete in natural, muted colors, exposed aggregate concrete or other material approved by the ARC either at final plan submittal or as part of the exterior material sample board. Where possible, driveways should be flush with the finished grade and have a masonry paver or concrete border. When not at finished grade, exposed portions of the driveway over 18" should be faced with stone, stucco or underpinning to match the home. All exposed portions of driveways should also be screened with landscaping.

Two off-street parking spaces will be required. The spaces will preferably be a minimum of twenty-five (25') feet from the front property line and substantial landscaping to screen the guest parking area from the street or neighboring property is encouraged. These guest parking spaces need to be defined on the final plan submittals





The architect will submit the proposed driveway location as part of the Preliminary Plan Review and on the Final Plan Review. In locating the driveway, consideration should be given to sight distances along the road, natural vegetation and the location of the adjacent home sites.

### 3.4 PATIOS, DECKS, POOLS AND SITE AMENITIES

The location of patios, decks, pools and other site amenities should consider the relationship to the indoor floor plan. The design of site amenities should carefully consider the surrounding environment to achieve a compatibility with surroundings. Pool and spa mechanical equipment shall be enclosed by a masonry screening wall in the same manner as HVAC Units that completely screen the equipment from the street and neighboring properties. Pools and spas shall conform to all applicable building and pool codes. Clearing for site amenities shall be kept to a minimum to preserve as much of the natural vegetation as possible.

Swimming pools must be of a standard gunite construction and shall be at or below grade, or a balanced cut and fill, and shall be designed to be compatible with the site and dwelling. No fiberglass insert pools or above ground pools will be allowed. Adequate screening, security, and maintenance shall be provided. Fencing or walls around the pool shall be permitted as described in Section 4.15 and integrated into the design of the dwelling and site. **Fences must meet all governmental regulations for safety.** Exposed foundations of any pool foundation, pool skirting, or patio foundation must be constructed of the same masonry material as the single-family residence constructed on the lot.

Proposed pool plans must be drawn on a copy of the previously approved site plan. The plan shall include all improvements, pool equipment location and screening, decking, retaining walls, etc. If a pool is to be constructed after the completion of the house, the site plan must also indicate how the site will be accessed. **Construction of pools/spas must not begin until plan approval and the inspection company approval has been granted.**

All Pool Construction done after the initial home construction will be required to install silt fence on the downhill side of the excavation to ensure minimum silt runoff. The ARC has the right to require Construction Privacy Fencing and a Construction entry on an individual basis, based upon the site and location of the pool.

Decks and Patios should be at grade or a balanced cut and fill, and any exposed portions of patio or deck foundations must be screened with masonry to match the house or wood if a wooden deck is approved.

Other site amenities such as outdoor kitchens, pergolas, and other types of shade structures must architecturally match or complement the home and must be approved by the ARC prior to construction. The ARC reserves the right to require construction fencing with screening on any project that is built after the initial house construction that they deem needs the fencing.

### 3.5 BUILDING SETBACKS

The Owner should be aware and comply with the setbacks referenced in the CCRs, shown on the final plat and recorded in the County records. The ARC in its sole discretion will determine appropriate site specific setbacks. The setback chart is found in the CC&Rs.

### 3.6 DEVELOPMENT OF MULTIPLE LOTS BY A SINGLE OWNER

Occasionally an owner will purchase multiple lots in order to build a larger home, an estate, or to maintain buffer lots around their home. The following guidelines should be used by owners when considering any sort of development or use of additional lots.

The development of multiple lots is addressed in several sections of the 2<sup>nd</sup> Amended and Restated Declaration of Covenants, Conditions and Restrictions for Barton Creek Lakeside (the "CC&Rs").

An owner has the right to replat multiple lots into a single lot so that they can expand the footprint of a building over lot lines, remove building setbacks or expand their estate. Any accessory or supplemental buildings added to a re-platted lot must conform the existing Architectural Standards and CC&Rs in effect at the time. It is the owner's sole responsibility to manage the re-platting process through the applicable governmental entities. Under Section 3.25 of the CC&Rs, any proposed re-platting must be approved by the ARC.

If a lot is re-platted, the number of assessment units and voting rights levied against the re-platted lots is defined in Section 5.3(a) of the CC&Rs.

All lots must be maintained and used for residential use. The ARC will determine if a proposed improvement or use of a lot still maintains the residential use of the lot. Owners may not place structures or improvements on an additional lot that can be rented separately, either long-term or short-term, or used for business purposes.



Under Section 2.3 of the CC&Rs, an owner may develop a lot without re-platting, but the development of that lot must be for residential use and any improvements must conform the existing Architectural Standards and CC&Rs in affect at the time. Any structural improvements must conform to the setbacks of the lot.

*An owner may do minor improvements to an adjacent lot under their ownership, thus creating a "landscape lot" or "accessory lot" as long as it is still deemed residential use. Improvements of this type include landscape, minor flatwork, fencing or other small improvements that can be easily removed if the lot is subsequently sold to another owner.*

In the event an owner intends to sell an adjacent lot that has been improved without replatting, that lot must be sold with the main lot, or if sold individually, any improvements removed prior to closing making it a fully buildable lot.

Any and all improvements to lots in Barton Creek Lakeside must be reviewed and approved by the ARC prior to any work being done.

Lots that are left in a native state for buffer lots should be maintained in a manner consistent with the standards set by the Board of Directors and the Association.





## 4.0 ARCHITECTURAL STANDARDS

The design for dwellings at Barton Creek Lakeside will emphasize development that is planned to harmonize, blend and compliment, rather than dominate the natural environment. The intention is to create a unique collection of individual residences with designs that are compatible with each other and the site.

### 4.1 SITE AND ENVIRONMENTAL FACTORS

The site shall play a role in determining the specific form, size and layout of each individual residence, and it is the responsibility of the Owner, architect/designer and builder to fully understand the site and the site's opportunities and constraints and should be ready to discuss this at the presentation to the ARC.

Prior to the design, the Owner and the Owner's architect will survey the lot to identify extraordinary features and conditions, such as view corridors, stone outcroppings, trees, significant vegetation, natural drainages, adjacent residences, or other specific features that must be preserved or responded to by the design of the residence.

Tree protection during construction is required for trees slated to remain within the BCE. Building volumes should sit sympathetically in the topography. In general, long, thin building masses should be parallel to the contour. No awkward or intrusive volumes of the buildings should protrude from the lines of the landscape.

### 4.2 HOUSE SIZE

The ARC favors designs which establish a positive connection between indoor spaces, designed outdoor spaces, and the landscape beyond. Such designs should allow for the reduction of the gross massing of houses in general by the expeditious use of exterior spaces.

**The minimum square footage permissible for any residence at Barton Creek Lakeside is listed within the CCRs.** Home sizes should be appropriate to the size of the lot and fit within the context of the street and surroundings. No residence shall stand so apart in its design or construction so as to detract from the overall environment.

### 4.3 BUILDING HEIGHT

Owners shall alter, as little as possible, the site from its original condition. In the case of a site being altered, the alteration should be a balanced cut and fill.

Building Height is measured from average grade of the site and not from a finished floor elevation. Architects and Designers should be cognizant of this calculation when designing a home and should consider proposed cuts and fills of a site to balance the building.

**Maximum building height and finished grade definition to measure building height are covered within the CCR's.**

- Excessively large two-story massing is discouraged and the breakdown of volumes to a more appropriate Texas Hill Country

scale is encouraged.

- Mechanical ventilation devices must be concealed with masonry and placed upon the rear elevations of the home or the roof.
- Roof vents and other penetrations shall be on the rear portion of the roof, not visible from the street, and as unobtrusive as possible.
- Hip roofs are strongly encouraged but multiple gables facing the street are strongly discouraged.
- No wide gables (24' or more) shall face the street.
- See Section 4.7 which suggests low wall heights with hip roofs and low eave lines to minimize the exposed wall.

The ARC will require special exhibits to show the building height on a lot if the Architect/Designer is proposing to do cuts or fills to create a building site or bring the building in compliance with building height limitations. These Exhibits should show the average grade as defined in the Exhibits of the CC&Rs and should include a grading section as well as site plan showing grading areas, proposed retaining walls or cut slopes. These exhibits should be shown on preliminary review in order to make sure the ARC will approve the proposed site grading before completing final construction drawings on a project.

### 4.4 BUILDING MATERIALS

The choice of materials, and method of construction employed, should serve as a major factor in determining the form of the building. The goal for Barton Creek Lakeside is to have houses constructed with materials that are compatible with the general color and texture of the surrounding landscape.

Masonry, including stone, brick and stucco systems with varying scale, techniques, details and textures shall comprise the dominant building material. Materials changes shall be at interior corners. Preferred masonry details include segmental arched lintels, one-piece stone lintels, sloped stone sills, and highly finished decorative surrounds for windows and other openings.

The 2x6 wall has become increasingly popular in recent years, primarily because it provides more space for insulation and allows for minor energy-saving advantages. **All exterior walls are required to be 2X6 Framing.**



Using more than 3 materials for walls is discouraged. (Excluding



windows and doors) As an example two brick types, stone and stucco would be 4 types of materials and would be discouraged. Vinyl siding is prohibited, and wood/cementitious siding should be used in a limited manner, and only as an accent or architectural detail. No more than 25% of a Structure's exterior shall be siding or other architectural materials. Plywood or Masonite siding is not allowed. Metal siding, break metal, or other metal architectural details will only be approved on a case-by-case basis, and solely at the discretion of the ARC.

Decks, exterior stairs and related construction must be of compatible materials and finish as that of the exterior elevation.

Certain Sections of Barton Creek Lakeside, such as the Hilltop Property, the Golf Cottages and the Homes on Founders Circle are encumbered by established exterior materials and colors. Owners will be required to conform to the CC&Rs for these sections regarding exterior materials, site designs, and colors.

## 4.5 BUILDING MASSING



The mass of a building or residence refers to the size, bulk, scale and shape of the structure. The ARC encourages massing that is simple and logical. Massing that separates the building functions into different parts for courtyards, kitchens, living areas, bedrooms, garage or porte cocheres are favored. Monolithic structures, long linear massing and other architectural massing styles that make the building stand out from the landscape are prohibited.

Generally, the second floor area of the residence shall not exceed 60% of the enclosed first area of the residence (heated or air-conditioned), including garages, but not including covered outdoor spaces. Two-story interior spaces are included as second floor area in calculating the percentage of second floor area to be built.

Large unbroken expanses of masonry in excess of twenty-four feet (24') in length or walls over twelve feet (12') in height will not be allowed without an opening or other appropriate treatment to break down the mass.

Arbitrary or predetermined shapes, forms and volumes such as octagons, triangles, geodesic domes, pyramids, etc. shall not be allowed for their own sake, except as they may occur as part of the overall design.

## 4.6 ORIENTATION AND SHADE STANDARDS



Desirable orientation for most rooms is to the South because the sun angle from the South can be controlled by overhangs and porches. The least desirable room orientation in Texas is to the West because the hot afternoon sun cannot be shaded except by dense trees close by. The East orientation provides the same heat load on the house, but it is at a time of day when it is welcomed in some seasons. The North orientation provides excellent light, little solar heat load, but is sometimes the source of cold winds and should be protected. Careful attention to solar orientation can vastly reduce heating and cooling bills. Generally, all windows and most walls should have a minimum of an 18" overhang on east, west and south facing walls. An exception is allowed for windows under four square feet which are recessed at least 12" from the face of the wall.

## 4.7 ROOFS

Generally, roof materials should be limited to standing seam non-reflective metal, terra cotta tiles, concrete tiles, slate or synthetic slate subject as approved by the ARC.

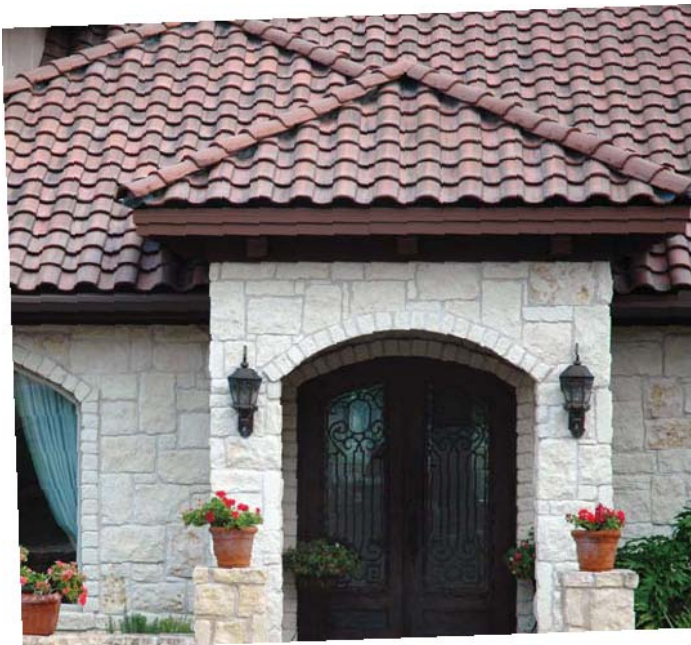
Generally, Hip roofs with a minimum slope of 6:12 and a maximum slope of 10:12 shall be used. These roofs provide broader eaves and porches to handle the heat of the Texas summer. Lesser pitches may be proposed only when as a small extension of a main roof or as an accessory roof. The ARC will consider lower sloped roofs, but only if they are complementary to the proposed architectural style of the home.

Roofs should not be long, linear, monolithic elements. Gabled and Hip Roof designs are encouraged. The use of shed or butterfly roof designs are acceptable but must be broken up so that these are not primary architectural elements of the design of the home.

Flat roofs, very low-pitched roofs or roofs that appear to be flat are not acceptable as design elements in Barton Creek Lakeside. Roofs hidden behind parapet walls to create the element of a flat roof are discouraged.







#### 4.8 PORCHES, VERANDAS & BALCONIES

By careful orientation, a house can be designed to offer two different lifestyles: one well sealed for heating and air conditioning; the other, open, shady and open to the outdoors. Porches, verandas, outdoor living spaces and balconies are encouraged. Designs must be architecturally compatible and integrated into the design of the dwelling.

#### 4.9 CHIMNEYS

Chimneys may be of any style or proportion that is compatible with the building design and approved by the ARC. The use of wood clad or metal chimneys is not allowed.

Spark Arrestors on Chimneys must be covered by a chimney cap.

Chimney Cap design must be approved by the ARC on the Final Plan Submittal.

#### 4.10 WINDOWS AND DOORS

The central architectural role of windows at Barton Creek Lakeside is to generously link inside and outside spaces and to introduce natural light. The use of large areas of glass, floor to ceiling windows, operable sections, the shading of windows for view, glazed lineage spaces, and other means of extending space from the indoor to outdoors is favored by the ARC. Windows that offer large, uninterrupted viewing areas are encouraged. Windows shall be wood, vinyl-clad wood, metal-clad wood or high-grade metal. Composite Windows can be used sparingly in certain areas of homes, and only with the specific approvals of the ARC

Builder Grade or Production Builder Quality Aluminum, PVC, Composite or Vinyl are not allowed.

All windows and exterior doors shall be of wood or steel construction

unless a Variance based on architectural merit, not cost, is granted.

Windows will be evaluated by the ARC in terms of ventilation, light and view in relation to the architectural concept as well as to their relationship to adjacent properties.

Windows should be set in the home so that they have trim detail around them, are inset into the wall for depth, but are not set in the same plane as the wall with no architectural break to distinguish the window plane from the wall plane.

Ornamental iron grillwork, gates and doors require ARC approval.

The Final Plan Application should include the Manufacturer, Model and Color of the proposed windows and doors to be used on the home.

#### 4.11 SHUTTERS

The use of shutters at Barton Creek Lakeside is optional. If shutters are used, their horizontal dimension should be no more than one half of the window dimension. It is encouraged that they be functionally operable and not purely aesthetic decoration.

Shutters must be made of traditional materials; no plastic or composite materials are allowed. Façade, folding or sliding type shutters are not allowed on front elevations of homes.



#### 4.12 TRIM AND ACCENT MATERIALS AND COLORS

Exterior masonry trim may be decorative, dressed, cast or carved stone used to accent the main masonry massing and openings. Molded stucco including formed window or door surrounds, accent banding, or brick used to accent and delineate masonry or stucco masses is also allowed. Wood trim may be used in combination with any of these materials and as incidental to the primary masonry exterior veneer. Exterior wood shall be of a finish and grade appropriate to the design and finished with stain or paint.

Building colors should arise from the inherent colors of the materials used. For painted surfaces visible from neighboring houses, roadways, or public spaces, colors should be drawn from features in the landscape, such as colors of the earth, stone, and flora. The intention is to avoid loud, obtrusive, excessively contrasting or bold colors and to use color to enhance the design as opposed to draw



inordinate attention to an architectural effect.

Cornices, porch ceilings, exposed beams and rafters shall be constructed of wood or masonry and shall be stained or painted in approved colors. Vinyl gutters, trim components, soffits, vents and other architectural components are not allowed.

Gutters and downspouts shall be consistent with roof materials and finishes. Painted half-round galvanized or natural copper gutters and downspouts are preferred over factory finished "ogee" gutters and downspouts.

No bright natural aluminum should be visible on the residence; roof vents should be painted out to match the principal roof material color. Skylights and other miscellaneous metal materials should also be finished to blend in with the primary roof material.

Breaker boxes and other utility boxes should be mounted inside the home or garage if possible. Those mounted on the home must be painted to match the exterior of the structure.

Any exterior mounted tankless water heaters must be painted to match the exterior of the home and have landscape screening installed on the home to lessen the visual effect of the water heater from neighboring properties and the street.

All Exterior Utility Connections should be in unobtrusive locations on the home and not on the front elevation, these locations should be shown on the final plan submittals to the ARC.

#### 4.13 GARAGES AND GARAGE DOORS

Detached garages must be architecturally composed to complement the main house. Garages must comply with the design elements found within the CC&Rs. Servants' quarters or guests' quarters may be included in the garage building but cannot take away from the required number of garage spaces. (NOTE: CCR's do not allow for guest quarters to be rented. Barton Creek Lakeside is a single-family community.)

Garage Doors cannot face the street and must conform with the stipulations found within the CC&Rs regarding orientation and site layout.

Garages orientation, sizes and door sizes must be designed in accordance with the CCRs. Garages may not be converted into indoor uses such as dens, recreation rooms, family rooms, workshops, etc., without specific written approval from the ARC.

It is encouraged that the surface and design of the garage door be treated architecturally. Recessed doors or other thoughtfully designed elements are encouraged for three garage bays or more.

Garages doors can be metal, wood or wood clad, but should be painted or stained to integrate into the architectural style of the home.

The use of glass or clear garage doors is discouraged and will only be considered by the committee if the doors cannot be seen from the street or neighboring lots.

The Manufacturer, Model, Style and architectural treatment of the Garage Doors must be submitted with the final plan review.



#### 4.14 MECHANICAL UNITS, PLAY EQUIPMENT, FOUNTAINS AND OTHER SUPPLEMENTAL STRUCTURES

All HVAC units, accessory equipment, and pool equipment shall be screened from the view of the street and neighboring residences with a masonry wall to match the exterior of the house. This masonry wall must be of sufficient length and height to fully screen the equipment. Any exposed piping or conduit that extends above the masonry wall will be encased in a chase painted to match the home or painted to match the home. The design of the wall must conform to the correct equipment spacing for the equipment it encloses. The opening of the enclosure must face the rear of the property. If the location of the equipment does not allow for an opening facing the rear of the property, a solid gate should be added to create a full visual screen. Landscaping will also be required to help soften the structure.

All utility connections should occur on the sides and rear of the home and should be placed in unobtrusive locations.

Grinder pumps, where required, should be on the side of the homes, buried in accordance with current code and screened with landscaping.

Exterior mounted tankless water heaters should be either inset in the masonry with covers painted to match the home or surface mounted in a location not visible from the street or common areas. If a water heater is surface mounted, it should be done in an unobtrusive location and screened with an enclosure cabinet, an architectural element or landscaping to minimize its view from the street, common areas and neighboring properties.

Exterior Utility Boxes, Junction Boxes, Phone and Cable Connections should be located in unobtrusive locations and painted to match the home.





All above ground meter racks and breaker boxes not on the home should be painted a natural color such as green and screened with landscaping.

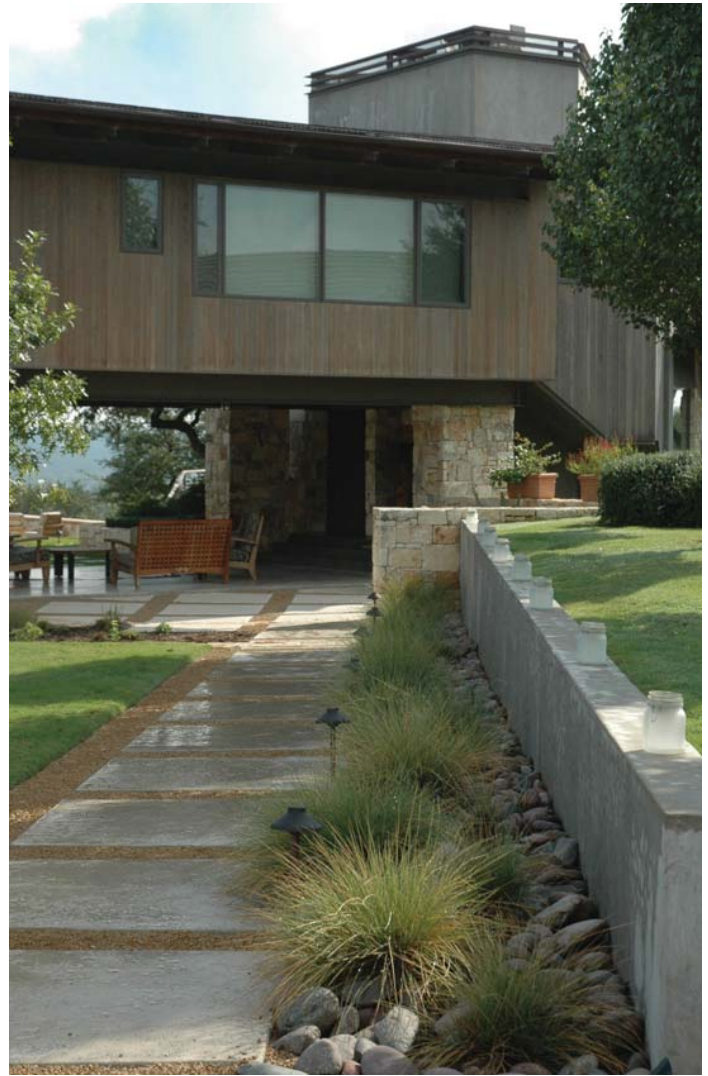
Any above ground irrigation backflow devices should be screened with landscaping and if covered, should be covered with a false rock available at the large landscape supply houses.

Propane Tanks should be buried in areas where the fill apparatus is not readily visible from the street, common areas or neighboring properties. Fill apparatus that is visible above ground should be screened with landscape.

Other structures that require ARC Approval and must be screened from view of the street and neighboring residences include, but are not limited to; children's play equipment, basketball goals, sports courts, swimming pools, ornamental pools, architectural fountains, yard art and sculptures. The ARC will require specs and/or plans and will have final authority on placement for all of the above referenced items

Vegetative screening is required for all HVAC enclosures, pool equipment enclosures, tankless water heaters, utility boxes and connections and should be included on the landscape plan.

## 4.15 FENCING AND WALLS



As a general rule, fences are discouraged. When fencing is used it is encouraged that the Owner minimize the fenced area to include the area required for privacy, play or pool security. Normally this will not require a fence at the boundary. Boundary fencing creates walls and limits the open hill country views. The choice of materials, placement, height, color and landscaping are at the sole discretion and approval of the ARC.





#### 4.16 SATELLITE DISHES AND ANTENNAS

Where placed, fencing should disappear into the surrounding vegetation. Any fencing visible from the street may require dense landscaping by the ARC if there is a lack of natural vegetation. If installed, fencing should be wrought iron or architectural metal. Fence height should be minimized in order to keep the hill country views open and for the minimum height fence to meet the needs of the owner. The ARC discourages the uses of fence over 5-foot in height and will only approve larger heights on a case-by-case basis where an owner has legitimate reasoning for needing a taller fence. Only during construction are solid wood or chain link fences allowed.

Fencing installed along lots adjacent to the Golf Course that are placed within the 40' Golf Course Setback should have an access gate added to the fence to allow golfers to access the area for ball retrieval.

There are many places where walls can be used to provide a sense of enclosure and privacy, as well as gracing the landscape of the individual house and the street-scape. Walls must be architecturally compatible and integrated into the design of the dwelling. Materials of the walls shall be the same as the dwelling. All walls and fences shall have landscaping to the exterior of the wall or along the fence line to screen or soften the visual effect of the fence or wall from the street and neighboring properties.

Fencing of Front Yards is highly discouraged and will only be considered on a case-by-case basis by the ARC and only in areas of the development where front yard fencing is existing and appropriate and will allow for a consistent streetscape with adjacent properties. In the event the ARC will approve front yard fencing or walls, these areas must be heavily vegetated to break up the visual impact of the fencing.

Permitted Antennas (as defined and established in the CCRs) are satellite dishes or HD TV antennas and may not exceed one-meter (39.37") inches in height and diameter and shall be installed in a location on the Lot from which an acceptable quality signal can be obtained and where least Visible. In order of preference, the locations of a Permitted Antenna which will be considered least visible by the ARC are as follows: (a) Attached to the back of the principal single-family residence constructed on the Lot, with no part of the Permitted Antenna any higher than the lowest point of the roofline and screened from view of adjacent Lots and the street; then (b) Attached to the side of the principal single-family residence constructed on the Lot, with no part of the Permitted Antenna any higher than the lowest point of the roofline and screened from view of adjacent Lots and the street.. (c) Pole mounted in the rear or side yard with landscaping to screen the dish from the street or neighboring properties. Additional information on Satellite Dishes and Antennas can be found in the CC&Rs.



## 4.17 BARBEQUE GRILLS AND OUTDOOR KITCHENS

Freestanding grills are permitted only if they are stored and used in a location that is not visible from the street. Freestanding grills visible from adjacent properties shall be well maintained. The use of built-in grills is encouraged. All permanently installed grills or outdoor kitchen structures must be approved by the ARC.

Outdoor Kitchens must be constructed of materials to complement or match the home and be designed to be architecturally compatible with the site.

## 4.18 ADDRESS MARKERS OR SIGNS

Address markers or signs are required and shall conform to and be compatible with the design of the house. Bright colors are not allowed. All address markers and signs must be approved by the ARC. The Address Marker or Sign should be visible from the street and may need to be lit for visibility.

All new construction homes shall also paint the address of the home on the curb to match the existing curb address painting for 911 identification.

## 4.19 SOLAR PANELS

Solar Panels are allowed with ARC Approval, but only under the stipulations found within the CC&Rs.

The ARC must review and approve the locations of any Solar Panels and has the right to require they be placed in an alternate location on the home or lot if the ARC determines an alternate location is appropriate.

## 4.20 RAINWATER COLLECTION SYSTEMS

Rainwater Collection Systems are allowed with ARC Approval, but only under the stipulations found within the CC&Rs.

## 4.21 FLAGPOLES

Flagpoles are allowed with ARC Approval, but only under the stipulations found within the CC&Rs.

## 4.22 EXTERIOR LIGHTING/SECURITY LIGHTING

The goal of Barton Creek Lakeside is to minimize and alleviate light pollution. All exterior lighting must be designed to mimic a natural look and not fully illuminate a site, a home or a home's facade. Landscape and exterior lighting is encouraged to be oriented downward in a moonlighting fashion or shielded to minimize light spilling off the site. Wattages of exterior lighting should be minimized so that the entire site is not illuminated.

Exterior Lighting on homes must be approved by the ARC. Final plans should detail the location, type and wattage of any exterior lighting on the home. Soffit Lighting should be used sparingly and

should not illuminate the entire elevation of a home. The ARC reserves the right to approve or deny any soffit lighting on a case-by-case basis.

Security Lighting should be consistent with good security practices. Security Lighting should not stay on all night long.

All lighting should be oriented to not shine onto neighboring properties.

No focal point of lighting should be visible from the street or neighboring properties.

## 4.23 UTILITY CONNECTIONS, UTILITY TRENCHES, GRINDER PUMP LOCATIONS, STREET REPAIRS, PROPANE TANKS

Utilities Connections and Meter Locations on homes should not be on the front façade of the home.

Grinder Pumps, if necessary, should be located on the side or rear of the home.

Utility Trenches should be located on the lot to minimize the disturbance of natural vegetation and should not be located where trees should be removed or damaged by the trench lines.

In the event a utility provider or contractor must cut a street or curb to install a service, the street cut must be approved by the ARC and the street repair must be done in accordance to the standards set by the Association. The Association reserves the right to complete a street repair if not done correctly and deduct the cost of the repair from the Construction Compliance Deposit.

Any street repairs being done by the Contractor must be done with an Association approved contractor.

Propane Tanks are allowed and must be buried. The propane tank fill area must be screened from view of the street and neighboring properties.

## 4.24 BOAT DOCKS, BOAT HOUSES AND ACCESS TO LAKE

Lots with lake frontage have the right to install Boat Docks, Boat Houses and Lake Access to these docks. All Boat Docks, Boat Houses and Lake Access Points must be reviewed and approved by the Committee and in accordance with Appendix A of this Document. Any supplemental permitting from the LCRA must be obtained by the owner or the contractor.





## 4.25 REMODELING AND ADDITIONS

Remodeling and additions to existing homes are required to meet the same criteria as new construction, including ARC approvals.

Any remodels that affect the exterior of the home must have ARC approvals. Interior remodels that do not affect the exterior of the home do not require ARC approval, however the Construction Rules for all projects do apply and the ARC has the right to enforce these rules and regulations.

The ARC has the sole authority to review and approve exterior remodels and additions. The Committee also has the right to mandate review fees, Construction Compliance Deposits and other Construction Rules on these types of projects. The ARC can also require plan review by the Inspection Company and regular inspections on the remodel if deemed necessary.

Any and all remodel projects, whether ARC approvals are necessary must conform to the construction rules and regulations for the community, including contractor parking, work hours and use of dumpsters.

## 4.26 INAPPROPRIATE ARCHITECTURAL ELEMENTS

Below is a list of inappropriate architectural elements. This list is not all inclusive of all inappropriate architectural elements. The ARC may add to this list from time to time as they see fit. The ARC also assumes no liability for approval, disapproval or determinations of what is determined as an Inappropriate Architectural Element.

- Imported or exotic styles which have not been adequately modified for the Hill Country.
  - Architectural Styles that are not appropriate or blend with the Hill Country Setting.
  - Exposed propane or other fuel tanks.
  - Enormous front door assemblies, such as triumphant arches or tall, over scaled doors
- Excessively pitched roofs, gambrel roofs, chalet roofs, roofs too steep or too shallow, shed roofs except as incidental to the main roof or as accessory roofs.
  - Flat Roofs or Roofs that appear to be flat.
  - Long, linear rooflines that dominate the architectural style of the home.
  - Roofs hidden behind parapet walls to give the illusion of a flat roof.
  - Diagonal siding, plywood siding such as "texture one eleven."
  - Monolithic brick, unless painted;
  - Masonite or other synthetic wall materials.
  - Large areas of white surfaces such as white stucco, unless compatible with the architectural style of the home and at the discretion of the ARC.
  - Bright colored roof surfaces.
  - Synthetic stone or stone which appears glued-on.
  - Builder Grade Aluminum windows,
  - Excessive over scaled arched openings,
  - Mirrored glass.
  - Exposed foundation walls of more than 18" above finish grade.
  - Stove pipe chimneys.
  - Random roof penetrations, vents or skylights facing the street, white bubble skylights.
  - Vivid inappropriate colors, non-earth tone colors.
  - Massive unarticulated building volumes, or unbroken horizontal masses in excess of 24'.





## 5.0 CONSTRUCTION STANDARDS

These construction standards are intended to ensure that the natural environment is not damaged and that neighboring residents are not unduly disturbed during the construction process. The Owner and the builder shall be bound by these standards. The ARC recommends that the Owner incorporate these into the builder contract.

### 5.1 CONSTRUCTION OF IMPROVEMENTS AND TIME FOR COMPLETION

The residence shall be complete and available for occupancy in a timely manner. The CCR's establish the maximum construction time for the Owner's approved construction project. ARC approvals are good for 12 months from final approval.

Once construction starts, the project should be completed within 12 months. If a project is not complete in 12 months, the ARC must issue a written extension for project timeframe. Any project that goes over 12 months may have their Construction Compliance Deposit drawn upon to cover the additional cost for project oversight or additional construction inspections.

### 5.2 CONSTRUCTION COMPLIANCE DEPOSITS

Every new construction, major addition or renovation project, and large landscape projects will be required to place a Construction Compliance Deposit. The ARC has the sole determination authority regarding if a project requires a deposit. The Association will draw down on this deposit for any fines levied, common area damages, additional review of oversight costs on the site due to extended construction time or excessive issues during construction, or applicable expenditures incurred by the Association attributable to the property during the construction period.

Upon completion of the home as per the approved plans specifications, (including landscape installation), a final inspection will be performed by the ARC. When damage caused in connection with the construction to the common areas, curb, streets or adjacent properties, if any, are remedied, the balance of the Construction Compliance Deposit will be returned to the Owner.

### 5.3 CONSTRUCTION FENCING/SITE SIGNAGE

To protect the natural areas, a six (6') foot chain link fence with dark screening fabric must be placed around the perimeter of the approved Building Construction Envelope before any construction activity begins. Metal fence posts must be no more than ten (10') feet apart. This fence must be kept in a good state of repair during construction. Unless previously approved by the ARC, the fence shall have only one entrance at the approved location. This fence should not have supplier signage on the panels.

No construction activity or materials storage may take place outside of the fence.

The perimeter fence must stay in place and maintained until such time as the exterior of the house is completed, the site has been cleaned up, final grade has been established around the home and the site is ready for landscaping and or final hardscape installation. At that time, the fence can be removed for landscape and hardscape work, but the silt fence must stay in place. Removal of the fence must be approved by the ARC Representative.

Note that silt fencing alone cannot be a substitute for the perimeter fencing around the building construction site.

Every new construction site must have a sign on the fence or in front of the fence with the following information:

- Site Address
- Builder Name
- 24 Hour Contact Builder Number

The sign may also include:

- A rendering of the home.
- The Designer/Architecture Firm's Name (no contact info)

The sign may not include:

- Any For Sale Language
- Any other Marketing Language
- Any Contact Info other than the Builder 24 Hour Contact Number

The maximum size of the sign is 24" X 36"

Builders may place additional signage inside the perimeter fencing such as Construction Rules, Work Hours, Parking Areas or Additional Contact information. Builders are solely responsible for informing their workers and subcontractors of all the construction rules and regulations.

### 5.4 MATERIALS SAMPLE BOARDS

Every new construction site is required to install a Materials Sample Board for review and approval by the Committee prior to installation of any materials on the home. The requirements of this site are:

**A minimum 4X8' sample board shall be built on the construction site separate from the home which will be reviewed and approved by the ARC prior to exterior materials being installed on the site.**

The Sample Board is to remain on the project site until the exterior of the home is complete and the ARC has verified the approved samples were installed correctly upon the home. Samples shall be identified with manufacturer's name, color and or number. The board shall include:

- Roof material and color
- Stucco sample, color and finish
- Exterior trim material(s) and color(s)
- Any other exterior materials such as wood siding.
- Stone/rock and brick to be used and mortar color specification.



## 5.5 ENVIRONMENTAL REQUIREMENTS

The greatest amenity at Barton Creek Lakeside is the land itself, and to protect this amenity for the enjoyment of everyone, the following strict water quality controls are in effect:

Erosion Control Plan. Drainage during construction must be controlled so as to cause no erosion of the homesite, adjacent homesites, or the natural areas. Silt fencing must be installed prior to commencement of any clearing or construction and must be properly maintained during construction. The builder should anticipate that built-up sediment will need to be removed from the silt fence after heavy or successive rains. Any breach in the silt fencing must be repaired or replaced immediately.

Construction Entry. A stabilized construction entrance composed of 3"-5" stone in an area at least 10'x15' is required for each construction site. The construction entry minimizes the amount of mud, dust and other debris tracked onto the streets. The entry must be installed prior to any clearing or commencement of construction. Builders will be required to maintain this entry and replenish the stone during the course of construction.

In the event the construction entry is not adequate to clean the mud and debris off vehicle tires, the builder must clean the street daily. It is encouraged that the Builder establish a water source early in the construction process so that water is available to wash tires and clean the street.

Water or other methods, such as mulch, shall be used to minimize dust outside the driveway and Building Construction Envelope.

## 5.6 WORKING HOURS

Construction will be permitted Monday through Friday from 7:00 a.m. to 6:00 p.m. and from 8:00 a.m. to 4:00 p.m. on Saturdays.

Absolutely no construction will be allowed on Sundays, including interior work.

No construction will be permitted on generally accepted holidays.

Please check with the Guardhouse or the ARC regarding the definition of holidays.

## 5.7 SANITARY FACILITIES

Each builder shall be responsible for providing and maintaining adequate sanitary facilities for its construction workers. Portable toilets shall be located only within the approved BCE. Builders should attempt to provide Portable Toilets that are of a natural color versus bright colors such as orange or yellow.

Portable Toilets should be provided for every site, including renovations and additions, unless the owner of the home will provide bathroom access to the workers. The ARC reserves the right to mandate a Portable Toilet on any site it deems necessary.

## 5.8 VEHICLES AND PARKING AREAS

Construction crews shall not park on or otherwise use other building sites or open spaces. Because of the narrow streets, parking is allowed only on one side of the street. Parking is not permitted on any grass or natural vegetation. The ARC will require common, off-site parking areas for use by construction crews.

The builder and architect shall plan parking needs in advance of construction and submit a parking plan at the final design review for ARC approval.

Washout of concrete trucks or cleaning of any equipment must be contained within the BCE. Washout or cleaning residue shall not be allowed to flow out of the BCE.

## 5.9 SITE CLEANLINESS, LANDSCAPE MAINTENANCE OF LOTS UNDER CONSTRUCTION, DEBRIS AND TRASH REMOVAL

Building Materials should be stacked or staged neatly. Any spoils from the site should be piled or removed if not being reused. Any rock from the site that will be reused must be stacked or piled. The ARC reserves the right to require addition silt fence to be installed around silt or rock piles.

Sites should be cleaned regularly; trash piles and debris should be placed in the dumpster daily.

Builders shall provide a regulation sized dumpster for debris. Trash and debris shall be removed from the site frequently and will not be allowed to overflow the container. In the event the size of a site is too small for a regulation dumpster, the ARC reserves the right to approve an alternate trash disposal area than a regulation sized dumpster.

No burning or burying of trash, spoils or vegetation is allowed.

Areas outside of the perimeter fence on lots under construction must be maintained on a regular basis by cutting the grass on a normal maintenance schedule to keep the length conforming to the standards of the neighborhood.

The street in front of the house must be cleaned on a weekly basis. After rains or when mud, dust or other debris is tracked onto the street, the streets will be cleaned on a daily basis.

## 5.10 NOISE AND GENERAL NUISANCE

The use of radios, tapes and CD players must be restrained so as not to be heard from adjacent home sites.

Pets are not permitted on the job site.

Blasting is not allowed.

No open fires, barrel fires or any other fires allowed on the sites.



## **5.11 INSURANCE**

Builders shall furnish satisfactory proof of Builder's Risk Insurance and Comprehensive Liability Insurance to the ARC.

## **5.12 CONTRACTOR AND SUBCONTRACTOR ACCESS TO THE COMMUNITY**

All contractors and subcontractors attempting to access the community must show valid driver's license and proof of insurance for their vehicle. Individuals not able to show valid driver's license and proof of vehicle liability insurance for their vehicle will not be allowed to access the community.

## **5.13 DELIVERY TRUCK WEIGHT LIMIT**

All Delivery Trucks attempting to enter the community must provide a valid weight ticket. No trucks over 40,000 lbs. will be allowed to enter the community. Concrete trucks are limited to a maximum of 6 yards.



## 6.0 LANDSCAPING

The goal of the landscape standards is to ensure that the developed areas of Barton Creek Lakeside not only harmonize and blend with the natural environment, but also meet two important criteria in the Texas Hill Country. The first is to encourage the installation of landscaping that uses water wisely by embracing drought tolerant native and adapted plants and second, to incorporate recommendations for a Firewise landscape ([www.firewise.org](http://www.firewise.org)).

### 6.1 LANDSCAPE, IRRIGATION AND OUTDOOR ILLUMINATION PLANS

Lots on which a Structure is constructed must be landscaped pursuant to a landscape plan submitted to and approved by the ARC. The landscape plan must be drawn on a previously approved site plan. An irrigation plan (prepared by a licensed irrigator) and illumination plan will also be required. Such plan should be a minimum scale of 1" = 10'. A plant legend indicating all plant and turf species, quantities and sizes, as well as decks, fencing, pavements, driveways and any free-standing structures must also be included.

Low water grasses such as prairie, Tiff 419 Bermuda (which is required next to the golf course), 609 buffalo grass, zoysia or other water conserving turf grasses are encouraged. St. Augustine grass is not permitted.

Landscape areas not covered with plant materials shall be covered with materials approved by the ARC.

Areas outside of the formally landscaped areas that were disturbed during construction must be revegetated with native grasses or native plantings to restore these areas.

Exterior lighting plans submitted to the ARC for approval must include light locations, photometrics and specs. Care should be taken to prevent glare onto surrounding properties or the street. Sodium, mercury vapor, or bare HID yard lights are prohibited. LED Lighting wattages and colors should be minimized in order to keep the illumination more natural and not fully light up a yard.

Upon completion of the landscape installation, the ARC will conduct an inspection of the property to ensure compliance with the approved plan. Silt fencing must remain in place until the landscape inspection has been performed and the installation approved.

### 6.2 FIREWISE PRINCIPALS

Barton Creek Lakeside is a Firewise Community. All landscape plans should consider Firewise principles and design in order to conform to the Firewise Community objectives. This includes the formal landscape design and the treatment of the lot left native outside of the formally landscaped area. More information on Firewise principals and design can be found at: [www.firewise.org](http://www.firewise.org) and

<https://www.fema.gov/media-library-data/1519061366471-725c32a4ffe6d6a9c03ebf33735a5d3/Firewise-landscaping.pdf>

### 6.3 IRRIGATION REQUIREMENTS

In order to prevent damage to streets, all irrigation must be designed to prevent water from being sprayed onto the pavement. Spraying water onto private driveways and other paved areas shall not be permitted.

All irrigation systems must be automatic and have rain sensors. Drip irrigation systems that minimize evaporation are highly encouraged. Irrigation designs must be prepared by a licensed irrigator.

Irrigation systems can be either connected to the potable water system or, in many cases, to the raw water provided by the Irrigation Water Company. In the event the irrigation system is connected to the raw water system, there may be additional design criteria for the irrigation system. The responsibility for knowledge of any additional criteria lies with the owner and irrigation designer/installer.

### 6.4 DRAINAGE

**Responsibility for proper site drainage rests with the Owner, and the Owner's General Contractor and architect. A grading/drainage plan must be included with the site drawings.**

Any roof drains from gutters, drainage swales or grading cannot direct water off a lot onto an adjacent residential lot.

### 6.5 LANDSCAPE PLANTING

The City of Austin Grow Green Program ([www.growgreen.org](http://www.growgreen.org)), the Ladybird Johnson Wildflower Center ([www.wildflower.org](http://www.wildflower.org)) and the Zilker Botanical Garden are ideal resources to visit and observe native plants and grasses and how they can be used. Owners are encouraged to hire a landscape designer or landscape architect that has experience in the Texas Hill Country.

The use of native and adaptive plants is required and should be chosen from the Grow Green List and Wildflower Center List. Native plants use less water and are more deer resistant and are well adapted to the highly alkaline soils of the site and are more conducive to a Firewise landscape.

Landscape Design should consider corner and street sight line language found within the CC&Rs.

### 6.6 LANDSCAPE INSTALLATION

All landscaping and planting should be installed prior to occupancy of the house. The ARC may approve, at its sole discretion, other time limits requested by the Owner to extend the planting installation. All requests to extend landscape/plant installation must be submitted in writing to the ARC and must be accompanied by a proposed date of installation and completion. Guy wires and protective fences should be removed from trees one year after installation.

The ARC will review the plan for adequately sized trees and shrubs. Generally, the ARC will require a minimum number of plantings to





provide a finished look.

## 6.7 OAK WILT PREVENTION

Barton Creek Lakeside contains active Oak Wilt Areas. Care should be taken when trimming and removing Oak Trees to keep the disease from spreading. It is highly recommended that a professional arborist assesses each lot with Oak Trees that could be affected prior to construction, during construction and post construction. More information can be found at [www.bclakeside.org](http://www.bclakeside.org) or [www.stopoakwilt.com](http://www.stopoakwilt.com).



## 7.0 REVIEW PROCEDURES

A three-step process is required by the ARC for all plans. To initiate this review and approval process, the Owner must meet with ARC for a Pre-Design consultation and is advised to attend the meeting with the selected architect/designer. This meeting is intended to offer guidance and education prior to the often-expensive design process. The Owner and/or architect/designer should plan to discuss any questions about the Architectural Standards or present ideas about the proposed residence.

Thereafter the architect/designer will submit preliminary plans to the ARC. The purpose of the preliminary design is to ensure that the proposed design conforms with these Architectural Standards before expensive construction drawings are produced. Submittal of the preliminary design must be delivered to the ARC seven (7) days prior to the date of a scheduled ARC meeting at which the Owner wishes to have the preliminary plans reviewed.

Submittal of the final design shall be delivered to the ARC seven (7) days prior to the review meeting. The final design shall be substantially the same as the preliminary design approved in writing by the ARC. If substantial changes are made between the preliminary and final review, it is recommended that the preliminary design be resubmitted. The final review submittal shall include three (3) copies of all plans. In addition, please include one electronic set for ARC records.

### 7.1 OVERVIEW

All approvals by the ARC must be written or electronic. No verbal approvals or representations by the ARC shall be valid or enforceable.

The following is a summary of the ARC Approval Process:

- Pre-Design Meeting with Committee
- Preliminary Review Meeting with Committee with payment of review, oversight and inspection fees
- Final Plan Review Meeting with Committee with payment of Construction Compliance Deposit
- Plan Review for Code Compliance by Inspection Company
- Notice to proceed once Inspection Company completes review
- Installation of Perimeter Fence, Silt Fence and Construction Entry
- Pre-Construction Site Inspection by Committee Representative
- Installation of Dumpster and Portable Toilet
- Foundation Forms
- Submittal of Foundation Forms Survey to Committee and Inspection Company
- Pour Foundation and Start Construction

- Installation of a Materials Sample Board for Committee review and approval.
- Construction of home with normal Inspections by the Inspection Company and the Committee Representative
- Submittal of Pool Plan and Final Landscape Plan for review and approval.
- Installation of Pool and Landscape
- Final Inspections by Inspection Company
- Final Inspections by the Committee for Certificate of Project Completion
- Owner Occupies Home
- Refund of Balance of Construction Compliance Deposit, generally within 60 days of issuance of Certificate of Project Completion.

### 7.2 CONSTRUCTION INSPECTIONS

The following inspections shall be conducted:

Code Inspection. Once the ARC approves a set of final plans, but prior to the start of construction, a code inspection will be conducted by a company which is qualified to review and verify the plans on current code requirements, which company shall be designated by the ARC. Plans will be inspected to the current IRC Codes. Please contact the Committee regarding the submittal requirements.

Pre-Construction. Site inspection by an ARC Representative to ensure all erosion controls in place prior to commencement of clearing or construction. Silt fencing, perimeter fencing, construction entry, must be in place for approval to proceed.

Foundation. Foundation forms survey required for ARC and Inspection Company review and approval prior pouring foundation.

Inspections during construction - Full Building, Plumbing and Electrical. inspections will be conducted during the construction process. Please contact the Committee for the current inspection requirements.

Periodic. Periodic, as determined by the ARC, site inspections by ARC and/or its agent to ensure design and environmental compliance, compliance with approved plans and construction rule compliance.

Landscape. Inspection of final landscape installation.

Final Inspection. Prior to the issuance of the Completion of Project Review



## 8.0 APPLICATION FORMS

- Pre-Design Application
- Preliminary Plan Review Application
- Final Plan Review Application
- Landscaping, Pools, Hardscape, and Fencing/Walls Plan Application
- Variance Request Application
- Construction Compliance Deposit Agreement





# BARTON CREEK LAKESIDE

## Architectural Review Committee

### *Pre-Design Meeting for New Construction and Major Projects*

Date \_\_\_\_\_  
 Legal Description Block \_\_\_\_\_ Lot \_\_\_\_\_ Section \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner's Name \_\_\_\_\_  
 Builder \_\_\_\_\_ (if known)  
 Architect/Designer \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

**Notes:**  
 1. The purpose of the Pre-Design meeting is to informally discuss the design process, to review the Tree and Topo Survey, the Site Analysis Plan, the Program Plan and for the Committee to answer any questions the applicant may have relating to the Architectural Restrictions and construction procedures in Barton Creek Lakeside.  
 2. It would also be helpful, though not required, for the applicant to bring copies of any schematic plans, photos or additional information pertaining to the proposed home design.  
 3. If possible, the Committee would like to keep one set of all information presented in graphic form (i.e. not material samples or models) for our files.

**Tree and Topo Survey prepared by a Licensed Surveyor**

- \_\_\_ Boundary Survey
- \_\_\_ Building Setbacks per the Plat, the CC&Rs, or other Recorded Easements
- \_\_\_ Topographic Survey in 1' intervals for the lot from the street through the buildable area of the lot.
- \_\_\_ All hardwood trees over 6" for single trunk or 9" for multi trunks. No Juniper Trees are required to be surveyed.
- \_\_\_ If no trees that meet these criteria are on the lot, the topo survey should have a note on the plans that no trees or notable trees are located on the lot.

**Site Analysis Plan drawn on a copy of the Tree and Topo Survey**

- \_\_\_ Site characteristics
- \_\_\_ Significant vegetation
- \_\_\_ Rock outcroppings
- \_\_\_ Desirable view corridors
- \_\_\_ Solar angles
- \_\_\_ Wind directions
- \_\_\_ Site hydrology or natural drainage
- \_\_\_ Existing utilities or utility stubs
- \_\_\_ Approximate Location of adjacent residences (if applicable) or note that no adjunct structures exist
- \_\_\_ Proposed or Best Building Site on Lot
- \_\_\_ Proposed Trees to be removed in the Building Site
- \_\_\_ Any other information deemed important to the siting of the residence

**Program Plan**

- \_\_\_ Proposed Build Site on the lot for the home
- \_\_\_ Proposed site access and circulation
- \_\_\_ Proposed utilities and drainage
- \_\_\_ Proposed trees to be removed or vegetation to be cleared in the proposed build site.







# BARTON CREEK LAKESIDE Architectural Review Committee

## *Preliminary Plan Review Application for New Construction and Major Projects*

Date \_\_\_\_\_  
 Legal Description Block \_\_\_\_\_ Lot \_\_\_\_\_ Section \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner's Name \_\_\_\_\_  
 Builder \_\_\_\_\_ (if known)  
 Architect/Designer \_\_\_\_\_  
 Applicant's Signature \_\_\_\_\_

What is the architectural style of the home? \_\_\_\_\_

**Notes:**

1. Preliminary plan applications will be accepted only after completion of the required Pre-Design meeting.
2. Incomplete applications and plans will be returned for completion prior to inclusion on an ARC agenda.

**Preliminary Site Plan (drawn on base mapping of Required Tree and Topo survey)**

- \_\_\_ Site analysis plan (as described above in the pre-design meeting) scaled to or delivered on a minimum of 11" x 17" sized sheet(s).
- \_\_\_ Draft Site plan based upon the tree and topo survey scaled to or delivered on a minimum of 11" x 17" sized sheet(s) showing the following
  - all existing trees to remain and proposed trees to be removed
  - all building and improvement locations, including driveway, walkways, proposed patios and possible pool locations
  - existing and proposed site grades
  - Finished Floor Elevations of the Improvements
  - the location of the existing adjacent sites, buildings, natural and man-made features.
- \_\_\_ A preliminary floorplan of the home with proposed square footages
- \_\_\_ Preliminary elevations of all sides of the building showing proposed exterior materials which include proposed building height based upon average natural grade of the lot or the finished grade of the lot if no significant cut will be made and roof pitches.
- \_\_\_ A general description of materials.

**Fees**

- \_\_\_ Check for Submittal Fee and Inspection Fees based upon the current structure. Checks should be Payable to Barton Creek Lakeside POA.





# BARTON CREEK LAKESIDE Architectural Review Committee

## *Final Plan Review Application for New Construction and Major Projects*

Date \_\_\_\_\_  
 Legal Description Block \_\_\_\_\_ Lot \_\_\_\_\_ Section \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner's Name \_\_\_\_\_  
 Builder \_\_\_\_\_  
 Architect/Designer \_\_\_\_\_

Applicant's Signature \_\_\_\_\_

**Notes:**

1. Incomplete applications and plans will be returned for completion prior to inclusion on an ARC agenda. **Please fully complete this application prior to submittal to ensure your plans and applications are complete.**
2. Three Copies of the Plans and Engineering are required in full plan sizes, two will be used for the Inspection Company Review, one will be kept for the ARC Records.

**Site Plan (drawn on base mapping of Required Tree and Topo survey)**

- \_\_\_ 1" = 20' or larger scale, as appropriate to the acreage
- \_\_\_ Site dimensions
- \_\_\_ Existing Contours
- \_\_\_ Property lines/Building Setbacks/Easements
- \_\_\_ Chemical toilet location
- \_\_\_ Silt fence location
- \_\_\_ Chain link fence with privacy screen location at limits of construction
- \_\_\_ Construction entry with dimensions of entry
- \_\_\_ Dumpster location
- \_\_\_ Materials storage location(s)
- \_\_\_ Building Location with Finished Floor Elevation(s)
- \_\_\_ Driveway and Hardscape Locations with Finished Elevations (if proposed to be out of grade)
- \_\_\_ accessory Buildings or Structure Location(s) with Finished Floor Elevations
- \_\_\_ HVAC units and appropriate screening walls
- \_\_\_ Proposed tankless water heater locations on exterior of home
- \_\_\_ Utility connections at street and residence, and trench locations
- \_\_\_ Address marker location on site
- \_\_\_ Future accessory site development proposed locations (pools, cabanas, etc., not to be built with the main house)
- \_\_\_ Trees to remain
- \_\_\_ Trees to be removed
- \_\_\_ Patios, porches (covered and uncovered)
- \_\_\_ Boundary of area to be turf and/or formal landscape
- \_\_\_ Required visitor parking area
- \_\_\_ Proposed Retaining walls with proposed heights



## Construction Documents

### Elevations:

- \_\_\_ 1/4" = 1' scale
- \_\_\_ Roof pitches
- \_\_\_ Roof peak height above foundation labeled
- \_\_\_ Exterior materials- walls and roof labeled
- \_\_\_ Window specifications and manufacturer
- \_\_\_ Actual grade at foundation indicated
- \_\_\_ Foundation properly concealed (maximum 18" of exposed foundation)

### Floorplans:

- \_\_\_ Floor plans at 1/4" = 1' scale
- \_\_\_ Standard Square Footage Chart
- \_\_\_ Note on plan for exterior walls to be 2X6 Framing
- \_\_\_ Electrical Plans

### Engineered Plans/Submittals:

- \_\_\_ Roof Frame Plans and Floor Frame Plans (for 2 story construction) at 1/4" = 1' scale
- \_\_\_ Truss Plan for Floor and Roof Trusses at 1/4" = 1' scale
- \_\_\_ Engineered foundation plan with Engineer's Stamp at 1/4" = 1' scale
- \_\_\_ HVAC Manual J
- \_\_\_ RES(idental) Energy Check Report for all Buildings (<https://www.energycodes.gov/rescheck>)

## Other

- \_\_\_ Window, Exterior Door and Garage Door Specifications (Make, Model, Color)
- \_\_\_ Grading or Cut and Fill Plans (if deemed necessary by the Committee)
- \_\_\_ Finished Grade Plans (if deemed necessary by the Committee)
- \_\_\_ Details or Photos of proposed exterior Materials
- \_\_\_ Builders Risk Insurance for the Site
- \_\_\_ Proof of Comprehensive Commercial Liability Insurance for the Builder
- \_\_\_ Draft Construction Schedule

## Construction Compliance Deposit

- \_\_\_ Check for Construction Compliance Deposit in accordance with the current fee schedule, payable to Barton Creek Lakeside POA.





# BARTON CREEK LAKESIDE Architectural Review Committee

## Plan Review Application for Landscaping, Pools, Hardscape, Accessory Buildings/Structures and Fencing/Walls

Date \_\_\_\_\_  
 Legal Description Block \_\_\_\_\_ Lot \_\_\_\_\_ Section \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner \_\_\_\_\_  
 Builder \_\_\_\_\_  
 Architect/Designer \_\_\_\_\_  
 Applicant's Signature \_\_\_\_\_

**Notes:**

1. Landscape plans on new construction must be submitted with a copy of the approved site plan from the final plan submittal of the original home.
2. Plans will not be reviewed without submittal fees if required by the Committee.
3. Incomplete applications and plans will be returned for completion prior to inclusion on an ARC agenda. **Please fully complete this application prior to submittal to ensure your plans and applications are complete.**
4. Upon completion of the installation of all landscaping, owner or builder shall notify the Architectural Review Committee for an inspection to ensure installation is in compliance with the approved plan.

### Landscape/Landscape Lighting/Fencing/Walls

- \_\_\_ 1" = 20' or larger scale, as appropriate to the acreage
- \_\_\_ Lot lines, site dimensions, easements and building setbacks
- \_\_\_ Existing Contours
- \_\_\_ Trees to remain per the Tree Survey
- \_\_\_ Trees to be removed not originally approved for removal on the initial house plans
- \_\_\_ Replacement trees, if required
- \_\_\_ Areas of hardscape, pools, accessory buildings or recreation facilities (includes playscapes, basketball goals, accessory buildings, outdoor kitchens, etc.)
- \_\_\_ Drives, parking areas and walks
- \_\_\_ House and accessory structures
- \_\_\_ Required Address Marker and Planting
- \_\_\_ Boundaries of turf areas
- \_\_\_ Type of turf noted (St. Augustine is NOT permitted)
- \_\_\_ Planting Plan showing the locations of all proposed plants
- \_\_\_ Plant legend indicating species, quantities and sizes at time of planting
- \_\_\_ Screening of utility boxes/transformers/utility connections/masonry screen walls/RPZs/tankless water heaters
- \_\_\_ Treatment/Revegetation of areas outside of formal landscape areas that were disturbed during construction
- \_\_\_ Location, height, detail, material, and color of fencing, walls, gates
- \_\_\_ Lighting Plan with fixture location, type and proposed wattages
- \_\_\_ Construction access.





**Pools/Hardscape/Accessory Buildings/Outdoor Structures/Playscapes**

- \_\_\_ Location on Lot or Site Plan (for New Construction) showing property lines, building setbacks, and easements
- \_\_\_ Trees to be Removed
- \_\_\_ Existing Hardscape and Proposed Hardscape
- \_\_\_ Floorplans for New Accessory Buildings/Outdoor Structures either to scale or dimensioned (the Committee reserves the right to require additional plans or engineered plans on Accessory Buildings/Outdoor Structures, depending upon the size and complexity of the structure)
- \_\_\_ Elevations for New Accessory Buildings/Outdoor Structures to scale or dimensioned
- \_\_\_ Proposed Materials for New Accessory Buildings
- \_\_\_ Sculpture and/or fountain locations, dimensions and photograph or specifications
- \_\_\_ Detail of Playscape, with size, colors, and design
- \_\_\_ Construction Access Points \_\_\_ 1" = 20' or larger Site Plan showing Pool Location
- \_\_\_ Detailed Plans of Pool
- \_\_\_ Cross Section of Pool
- \_\_\_ Out of grade measurements of pool decking, pool coping, or planters from natural grade.
- \_\_\_ Pool Equipment Location with required screening
- \_\_\_ 3D Renderings of Pool (Optional)
- \_\_\_ Decking, Coping and Pool Plaster Materials/Colors
- \_\_\_ Fencing Plan per state code showing self-latching gates and detail of fence
- \_\_\_ Construction access
- \_\_\_ Silt Fence Location
- \_\_\_ Materials Staging Areas
- \_\_\_ Perimeter Fence Locations (if needed)

**Fees**

- \_\_\_ Applicable Fees and Construction Compliance Deposit per the current fee schedule if fees as determined necessary by the ARC.  
(New Home Construction does not have to pay additional fees for submittals as part of the initial home construction)







# BARTON CREEK LAKESIDE Architectural Review Committee

## Variance Application

Date \_\_\_\_\_  
 Legal Description Block \_\_\_\_\_ Lot \_\_\_\_\_ Section \_\_\_\_\_  
 Address \_\_\_\_\_  
 Owner \_\_\_\_\_  
 Builder \_\_\_\_\_  
 Architect/Designer \_\_\_\_\_  
 Applicant's Signature \_\_\_\_\_

**Note:**

1. Variances are granted on a case-by-case basis for an individual lot. The ARC has no responsibility to grant a variance, even if a similar variance has been granted on another lot within the Community. No precedence is established, set or guaranteed for any variance, previous, current or future.
2. Plans must be attached depicting requested variance from Architectural Restrictions or CC&Rs.
3. A separate application and \$500.00 fee must be submitted for each type of variance request. Fees are payable to the Barton Creek Lakeside POA. In the event the request is denied by the ARC, the owner/builder/designer may appeal this decision within 30 days of the Committee's initial action without incurring additional fees. The Committee will accept an appeal that has additional or revised information up to 30 days after the Committee decision, if the 30 days should lapse, a new variance request form and fee will be required.
4. Non-standard variances (as determined by the Committee) which require additional preparation of additional legal documents may require additional application fees above the \$500.00 fee stated above.
5. All variances will be recorded in County Records of the Applicable County.

### Variance Requested

Setback  
 Height  
 Square Footage  
 Floor Area Ratio  
 Visitor Parking Requirement  
 Other \_\_\_\_\_

### Type of Request

Initial Request  
 Appeal within 30 days of initial decision (no fee required)  
 Appeal more than 30 days after initial decision

### Applicable Plans (1 copy)

Yes  
 No

Please describe the reason for the variance request including any hardships which will be incurred should the variance be denied:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**PLEASE ATTACH ANY SUPPLEMENTAL INFORMATION OR PLANS THAT WILL ASSIST THE COMMITTEE IN MAKING A DECISION.**





## BARTON CREEK LAKESIDE Architectural Review Committee

### *CONSTRUCTION COMPLIANCE DEPOSIT AGREEMENT*

In addition to any Fees due for plan reviews, and in compliance with the rules adopted, \_\_\_\_\_ (“Owner/Builder”) does hereby deposit with the Association the sum of \$\_\_\_\_\_ (hereinafter called the “Compliance Deposit”) and agrees to the following terms and conditions.

#### TERMS AND CONDITIONS

The Compliance Deposit shall be held as security against:

- violation of erosion control or construction rules and fines incurred for such violations;
- any damage caused to the Association’s Common Areas, streets, or other Owner’s Lots, and all improvements, structures, landscaping and personal property attached hereto or located thereon; which damage is caused by the acts and/or omissions of the Owner/Builder, his general contractor and/or any employee, agent or subcontractor of the Owner/Builder or general contractor in connection with the construction of improvements on the Owner’s Lot.
- cost overages incurred by the Association for consultants or inspection companies due to the project having issues, requiring multiple re-inspections, or going over the proposed time for completion.
- Legal Fees incurred by the Association for issues with the Site, the Contractor or the Sub-Contractors.

Within a reasonable time of the notification of the occurrence of any such violation of erosion control or construction rules to the ARC, the amount of the Compliance Deposit to be used as a fine amount in accordance with the Architectural Restrictions, if any, shall be approved in writing by a majority of the ARC. The ARC may postpone its review of payment pending receipt of any information which the ARC, in its sole discretion, may require. A copy of the ARC decision shall be delivered to Owner/Builder via electronic mail or at the address registered with the Association.

If the Owner/Builder wishes to contest the ARC’s decision to use any or all of the Compliance Deposit as described above he/she must, within ten (10) days after the date of ARC approval, submit a written request to the ARC for a hearing before the ARC. The ARC shall schedule such a hearing as part of the larger agenda of a regular or special ARC meeting and send written notice of the hearing date to the Owner/Builder no less than five (5) days prior to the date. The ARC, by majority vote, shall determine the amount of the Compliance Deposit to be used, if any.

Upon the occurrence of any such damage to Common Areas, neighboring lots, or Association or personal owned property, the Architectural Review Committee (“ARC”) from time to time, and without prejudice to any other remedy, may use the Compliance Deposit to the extent necessary to repair such damage or pay to the affected party the cost to repair such damage. It is expressly understood that the use of any or all of the Compliance Deposit shall not be considered a measure of the damage nor release the Owner/Builder from paying additional amount if the total damage exceeds the amount of the Deposit.

Any amounts used for fines or repairs will be automatically deducted from the Compliance Deposit. If the balance of the deposit reaches under 25% of the original deposit, the ARC reserves the right to have an additional Compliance Deposit funds added to the project to bring the balance back to the original Deposit Amount.

The ARC shall not be liable to the Owner/Builder or to any other person for any loss, damage, or injury arising out of the payment or nonpayment of the Compliance Deposit funds unless such loss, damage, or injury is due to the willful misconduct or bad faith of the ARC.





During construction, it is the responsibility of builders and owners to carry the necessary hazard and liability insurance. This deposit is not intended to be used to remedy any sort of insurance claim.

Upon final completion of the construction of a homesite or project, as per the approved plans and specifications, including landscaping and sufficient revegetation, and an issuance of a Certificate of Project Completion, the Committee shall perform an audit and accounting of the Compliance Deposit and cause the balance of the Deposit to be refunded to the entity which originally placed the deposit with the Association.

The Committee has 60 days to refund the balance of the deposit from the date it agrees to refund the deposit.

No interest shall be payable upon the Compliance Deposit.

By signature below, the ARC acknowledges receipt of the Compliance Deposit.

Executed on the \_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_  
Owner/Builder

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Section \_\_\_\_\_ Lot # \_\_\_\_\_ Block \_\_\_\_\_

Address: \_\_\_\_\_

Barton Creek Lakeside  
Architectural Review Committee

By: \_\_\_\_\_





## APPENDIX A

### RULES FOR USE OF LOTS 37 AND 38 COMMON AREAS IN BARTON CREEK LAKESIDE

The declarations applicable to Barton Creek Lakeside provide that common areas may be used by lot Owner; provided that

- (i) Improvements can be made or placed on or over any common area by lot Owner, including on or over lots 37 and 38 referenced below, ONLY after the prior written approval of Barton Creek Lakeside POA, Inc. and
- (ii) No activity may be conducted on or over any common area that could be dangerous or would interfere with the use by other lot Owner of the common area or the use of lots bordering the common area.

Lots 37 and 38 are common area water front lots that extend below 670 feet above sea level, including coves, which are covered all or in part by Lake Travis when the lake is at normal levels. These lots are for residents' use for boat docks and other recreational activities at or near lake level. The placing and use of boat docks, anchors for docks, floating swim platforms or flotation devices left longer than three days, buoys, water lines, electrical lines and pumps for irrigation and other items below 670 feet above sea level by the Owner of a lot adjacent to either lot 37 or 38 must be placed and kept immediately below the owned lot that adjoins the common area in a manner that would not constitute a safety issue to others.

Plans for all boat docks, floating swim platforms, flotation devices, water lines, electrical lines, pumps, anchors and buoys must be submitted to the Barton Creek Lakeside Architectural Review Committee (ARC) for review and approval. Any improvements must conform to the LCRA Water Surface Management Safety Standards for residential docks.

These LCRA Standards and Permitting can be found at <https://www.lcra.org/water/permits-contracts/docks-and-marinas/Pages/default.aspx>.

In cases where a Barton Creek Lakeside property Owner believes their use of a common area in accordance with the Rule is impacted by the use of the common area by other residents, such Owner shall call for an inspection by LCRA personnel and present the issue along with the results of the inspection and a proposed resolution to the ARC for discussion and approval of a resolution of the issue. All impacted Owners will be notified of and invited to the discussion.





## APPENDIX B

### BARTON CREEK LAKESIDE Architectural Review Committee *Review Fees and Compliance Deposit Amounts*

Pursuant to Article 3, Section 3.2 (b) (v) of the Second Amended and Restated Declaration of Consolidated Covenants, Conditions and Restrictions for Barton Creek Lakeside; filed in Travis County Records (Instrument Number 2014012804), the Board has the right to adopt fees for plan reviews completed by the Architectural Review Committee (ARC).

#### NEW CONSTRUCTION:

- ARC Plan Review Fee \$ 1,000.00
- Consultant Plan Review Fee \$ 225.00
- Consultant Site Management Fee (1 year) \$ 1,800.00
- McComis Inspections Fee \$ 1,000.00
- New Construction Compliance Deposit (Refundable at end of project) \$10,000.00
- Foundation Pour Security Fee \$ 225.00

\*The ARC reserves the right to determine if a large renovation or addition project is required to pay fees as a new construction project.

#### RENOVATIONS/ADDITIONS/POOL/HARDSCAPE/LANDSCAPE:

Consultant Site Management Fee:

- 1 Year Projects \$ 1,800.00
- 9 Month Projects \$ 1,200.00
- 3 Month Projects \$ 450.00

Compliance Deposits:

- Major Renovations and Additions \$10,000.00
- Moderate Renovations and Additions \$ 5,000.00
- Small Renovations and Additions \$ 3,500.00

#### OTHER/ADDITIONAL FEES:

- Variance Application Fee \$ 500.00

\*The ARC reserves the right to impose additional fees to cover attorney costs for the drafting and recording of a formal variance.

