



POINTE WEST  
A Coastal Texas Resort

# ARCHITECTURAL GUIDELINES

**EFFECTIVE JANUARY 1, 2006**

*The standards and procedures set forth herein are subject to change from time to time.*

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## **1.0 Introduction**

### **1.01 Purpose of the Architectural Guidelines**

These Architectural Guidelines have been prepared by Centex Homes d/b/a Centex Destination Properties (the “Declarant”) for the purpose of promoting the development of a community known as Pointe West (the “Development”). The standards of design expressed in these Architectural Guidelines are intended to describe Declarant’s “vision” of the Development through procedures that are clearly outlined and informative. Declarant’s intent is to encourage a cooperative approach to planning, design and construction within Pointe West.

### **1.02 Community Master Plan**

Pointe West is a coastal master planned community located between the Gulf of Mexico and Galveston Bay. It is the intent of Declarant to protect the natural features of Pointe West throughout the course of development. Declarant reserves the right to revise and update these Architectural Guidelines as well as performance and quality standards to respond to future changes. Such changes shall be prospective and will not affect plans for improvements already approved by the ARB in accordance with these Architectural Guidelines.

These Architectural Guidelines contain general provisions applicable to all of the Development as well as specific provisions that may vary according to, among other factors, product type, location within the Development, and proximity to or visibility from a lagoon, the beach or a private amenity.

### **1.03 Relationship to Legal Documents and Government Approvals**

These Architectural Guidelines are supplementary to the Declaration of Covenants, Conditions and Restrictions for Pointe West (the “Covenants”) recorded in the Galveston County, Texas public records. The criteria are intended to complement the Covenants and should a conflict arise, the Covenants shall prevail. In addition, Owners shall be responsible for obtaining all permits and approvals from the City, County and other Governmental Authorities. In the event of a conflict between the Architectural Guidelines and such governmental approvals, the most restrictive requirement shall control. The Development is subject to the General Land Use Plan Southside and General Land Use Plan Northside, and the regulations set forth therein are incorporated into these Architectural Guidelines. Unless otherwise specified, all capitalized terms shall have the meaning set forth in the Covenants.

### **1.04 Approval of Contractors**

In order to ensure that appropriate standards of construction are maintained throughout the Development, all general contractors must be approved by the Architectural Review Board (“ARB”) prior to engaging in any construction activities within the Development. The ARB has implemented an approval process that requires the submission of a written application for approval and sets forth qualifications that contractors must meet. Both the qualification requirements and the application form are subject to change in the sole discretion of the ARB. Approval of contractors may not be construed as a recommendation of a specific contractor by the ARB or Declarant or any Declarant Affiliate, nor a guarantee or endorsement of the work of such contractor. The requirements established by the ARB for approval of contractors are solely for Declarant’s and Declarant’s Affiliates’ protection and benefit and are not intended to provide the Owner with any form of guarantee with respect to any approved contractor. Owner’s

selection of a contractor shall be conclusive evidence that the Owner is independently satisfied with any and all concerns Owner may have about the qualifications of such contractor.

### **1.05 Rules and Regulations**

The Pointe West Construction Rules and Regulations (“Rules and Regulations”) are a supplement to these Architectural Guidelines and contain additional information and forms for use by Owners and their contractors during the construction process. Owners are responsible for obtaining the latest Rules and Regulations from the ARB.

## **2.0 Organization and Responsibilities of the Architectural Review Board**

### **2.01 Mission and Function**

The Covenants state that no structure is to be erected upon any Lot and no improvements of any kind or other work shall take place within the Development without being approved by the ARB pursuant to Article IV of the Covenants. These Architectural Guidelines are utilized by the ARB for the evaluation of projects submitted to them but are not the exclusive basis for the ARB’s decisions. The final decision of the ARB may be based on purely aesthetic considerations. It is important to note that these opinions are subjective and may vary as ARB members change over time.

The ARB is comprised of one or more members appointed by the Declarant. The right to appoint members to the ARB shall be retained by Declarant until 5 years after the Development and Sale Period unless Declarant earlier terminates its rights in a recorded instrument. At such time, the Board of Directors of the Property Owners Association of Pointe West, Inc. (the “Association”) shall appoint the members of the ARB in accordance with Article IV of the Covenants.

### **2.02 Scope of Responsibility**

The ARB has the following responsibilities:

1. Reviewing all new construction plans submitted by an Owner for adherence to these Architectural Guidelines and compatibility of the design with the adjoining sites and Common Areas.
2. Reviewing all modifications to existing structures, including, but not limited to, walls, fences, exterior painting, material replacements, window tinting, shutters, louvers, additions, play structures, and landscaping.
3. Monitoring the design and construction process in order to ensure compliance with the Covenants, these Architectural Guidelines and the Rules and Regulations.
4. Enforcing these Architectural Guidelines and the Rules and Regulations through special assessments, self-help, fines, or other measures as described in the Covenants and the Rules and Regulations.
5. Interpreting the Covenants, these Architectural Guidelines and the Rules and Regulations at the request of the Owners or Owner’s contractor.

### **2.03 Enforcement Powers**

Any structure or improvement that is placed on a Lot in the Development without ARB approval shall be in violation of these Architectural Guidelines and the Covenants. The ARB has the power to request that the non-conforming structure or any other exterior improvements, including, without limitation, landscaping, be brought into compliance at the Owner's expense. Should the Owner fail to comply with the request of the ARB, the ARB has the right to act in accordance with Article VII of the Covenants to bring the non-conforming item into compliance.

### **2.04 Limitation of Liability**

Approval by the ARB does not constitute a representation of warranty as to the quality, fitness, or suitability of the design or materials specified in the plans. Owners should work with their architect and/or contractor to determine whether the design and materials are appropriate for the intended use. In addition, approval by the ARB does not assure approval by any governmental agencies that require permits for construction. Owners are responsible for obtaining or ensuring that their architect and/or contractor obtains all required permits before commencement of construction. The Declarant, the Association, the Board of Directors of the Association (the "Board"), any committee, or member of any of the foregoing shall not be liable or responsible for any injury, damages, or loss arising out of the manner or quality of approved construction on, or modifications to, any Lot. In all matters, the committees and their members shall be defended and indemnified by the Association as provided in Article IV of the Covenants.

## **3.0 Design Review Process**

### **3.01 Review of Plans and Specifications**

The design review process is divided into 3 steps:

Step One: Pre-Design Review (optional)

Step Two: Sketch Plan Review

Step Three: Final Plan Review

The ARB will review design submissions at each step during scheduled ARB meetings. Submission requirements for each step are described in these Architectural Guidelines. Incomplete submissions will not be reviewed. Submissions are due 7 calendar days before each meeting, which meetings are held once a month on the 2<sup>nd</sup> Tuesday of each month. The Owner must contact the ARB no less than 7 days prior to the monthly meeting to schedule a review appointment with the ARB. After the ARB receives all requests for review appointments, the ARB will prepare an agenda of meeting times for distribution to each Owner that requested a meeting. If no submissions or meeting requests are made for a particular review meeting, then the ARB may cancel that review meeting. The ARB may, in its sole discretion, increase the frequency of review meetings to the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month to meet Owner's requests.

### **3.02 ARB Contact Information**

All requests for appointments and information and submissions of applications for design review, modifications or variances should be directed to the ARB at:

Principal Management Group  
Attn: Pointe West Architectural Review Board  
11000 Corporate Center Drive  
Houston, Texas 77041-5179  
Phone: 713-329-7100

### **3.03 Architect and Contractor Licensing Requirements**

All plans for the construction of dwellings and other buildings or significant structures on Lots in the Development must be designed and drawn by an architect who is registered and licensed in the State of Texas. All construction work must be completed by a contractor licensed in the State of Texas and approved by the ARB.

### **3.04 Contractor Qualification Requirements and Application**

An Owner's contractor must meet the following minimum qualifications prior to submitting a Builder Application to the ARB for approval:

1. Minimum of 5 years of home building experience
2. Satisfactory references from at least 5 homeowners
3. Satisfactory references from at least 3 subcontractors
4. Satisfactory financial references
5. Financial statements reflecting positive cash flow
6. Written home warranty
7. Evidence of commercial general liability insurance, worker's compensation, builder's risk, and any other coverage deemed necessary by Declarant in such amounts and form as determined by Declarant. Contractors shall be required to name Centex Homes d/b/a Centex Destination Properties and the Property Owners Association of Pointe West, Inc. as additional insureds.

If the above qualifications are met, the Owner's contractor must submit a Builder Application, in the form attached to these Architectural Guidelines, and be approved by the ARB prior to the Owner submitting an Application for Final Plan Review. A Compliance Deposit (as defined and more particularly described in the Rules and Regulations) in an amount set forth in Section 11.0 must be paid by the Owner's contractor or Owner to the Association upon submission of the Application for Final Plan Review. Approval of a contractor may not be construed as a recommendation of a specific contractor by the ARB or Declarant or any Declarant Affiliate, nor a guarantee or endorsement of the work of such contractor. The ARB, in its sole discretion, may allow a contractor approved by the ARB to be deemed approved for construction on additional Lots as long as such contractor is in compliance with the Covenants, these Architectural Guidelines and the Rules and Regulations. A Compliance Deposit must be posted for each Lot upon which the contractor is constructing improvements.

### **3.05 Design Review Fees**

ARB fees for new construction, modifications and variances are set forth in Section 11.0 of these Architectural Guidelines and are paid to the Association. The purpose of these fees is to cover all expenses related to the processing of applications for construction or modification and architect review of plans and specifications. The ARB reserves the right to change or waive these fees from time to time without prior notice. The design review fees must be submitted with the applicable design review applications. Applications received without the design review fee will be considered incomplete and returned to the Owner.

### **3.06 Pre-Design Review Meeting**

The purpose of the pre-design review meeting is for the Owner and ARB to review and discuss these Architectural Guidelines and the Owner's intended design of improvements. This meeting is not mandatory; however, it is strongly recommended that the Owner and the Owner's design team schedule this meeting prior to sketch plan review to ensure that the intended design of improvements will be in accordance with these Architectural Guidelines. An Owner may choose to combine the pre-design review meeting with sketch plan review. In such event, both of the applicable review fees shall be paid. Attached to these Architectural Guidelines is a Pre-Design Review Checklist of Materials, which describes all of the materials and information that Owners should bring to the meeting. In addition, a pre-design review fee must be submitted to the ARB at the time of the meeting. In order to schedule a pre-design review meeting, an Owner must contact the ARB to set up an appointment as set forth in Section 3.01.

### **3.07 Sketch Plan Review**

The purpose of sketch plan review is for the ARB to review the initial design of all improvements including landscaping. This is a mandatory step in the ARB review process. For sketch plan review, an Owner must submit an Application for Sketch Plan Review and all materials and information described on the Sketch Plan Review Checklist, which application and checklist is attached to these Architectural Guidelines. In addition, a sketch plan review fee must be submitted to the ARB with the application. In order to schedule a sketch plan review meeting, an Owner must contact the ARB to set up an appointment as set forth in Section 3.01. If an Owner chooses to combine pre-design review with sketch plan review, the Owner must notify the ARB at the time of scheduling the meeting to allow enough time to be scheduled. The ARB will make every effort to provide its comments to the Owner during the sketch plan review meeting or within 10 calendar days after the meeting.

### **3.08 Final Plan Review**

Prior to obtaining a building permit from the City of Galveston and commencing construction, all plans and specifications for improvements, including landscaping, shall be approved by the ARB. For final plan review, an Owner must submit an Application for Final Plan Review and all materials and information on the Final Plan Review Checklist, which application and checklist is attached to these Architectural Guidelines. The materials and information submitted must address conditions imposed by the ARB during the sketch plan review. The name of the contractor approved by the ARB must be shown on the application. A final plan review fee and the Compliance Deposit must be submitted to the ARB with the application.

### **3.09 Approval of Final Plan Applications**

In accordance with Article IV of the Covenants, the ARB shall make a determination on each application for final plan review within 45 calendar days after receipt of a complete application, the review fee, Compliance Deposit, and all materials and information required as set forth in these Architectural Guidelines; provided, however, that the ARB will make every effort to make a determination on each application within 14 calendar days.

After the initial 45-day period has elapsed, if the Owner has not received notice of the ARB's determination, the Owner may make a second written request for approval of the plans previously submitted which shall be marked "Second Request." If the ARB fails to respond within 7 business days from receipt of the Second Request, approval shall be deemed given. However, no approval (or improvement governed by such approval), whether expressly granted or deemed granted, shall be inconsistent with these Architectural Guidelines or the Covenants unless a written variance has been granted pursuant to Section 3.14 of these Architectural Guidelines.

Notwithstanding anything to the contrary in the Declaration or the By-Laws, Owners shall send any such "Second Request" via the U. S. Postal Service, certified mail, return receipt requested, or by commercial overnight carrier that obtains a signed receipt upon delivery. A Second Request shall be deemed made, and the 7 business day time period shall commence running, on the date of the ARB's actual receipt of the Second Request, as evidenced by its signature on the return receipt provided by the U. S. Postal Service or in the records of the overnight carrier, as applicable.

### **3.10 Conditions of Approval / Rejection of Final Plans**

Approval by the ARB shall in no way relieve the Owner of responsibility and liability for the adherence to any applicable ordinances and codes. Plans submitted for review or any portion thereof, may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ARB, including purely aesthetic considerations.

### **3.11 Appeals Process – Final Plan Approval**

If an application for final plan approval is denied or conditions are imposed by the ARB, the Owner or Owner's authorized agent may request the ARB to reconsider its decision by providing additional supporting information (such request herein referred to as the "appeal"). The ARB must receive the written request for appeal not more than 15 calendar days following the date of the original decision of the ARB. Within 15 calendar days following receipt of the written request for appeal, the ARB shall reconsider the application and render its written decision. The failure of the ARB to render a decision within the 15-day period shall be deemed a decision against the Owner. The decision of the ARB shall be binding and final.

### **3.12 Authorization to Commence Construction**

After an Owner receives final plan approval and prior to commencement of construction, the Owner and contractor shall sign a Construction Compliance Agreement and receive a completed Construction Authorization form from the ARB in the forms attached to these Architectural Guidelines. All requirements set forth in these Architectural Guidelines and the Rules and Regulations, as they pertain to construction site conditions, must be satisfied, and the Lot inspected by the ARB, prior to issuance of a completed Construction Authorization form.

### **3.13 Completion of Construction**

Upon completion of construction and installation of landscaping, Owner or Owner's authorized agent must submit a request for ARB inspection using the form attached to the Rules and Regulations. Upon passing inspection, a Certificate of Compliance, in the form attached to the Rules and Regulations, will be issued to the Owner.

### **3.14 Variances to the Architectural Guidelines**

From time to time, the Architectural Guidelines or existing site conditions may impose an undue hardship that may inhibit construction on a particular Lot. In such case, the Owner must submit to the ARB a Variance Application, in the form attached to these Architectural Guidelines, in addition to the Application for Final Construction Approval or Modifications Approval, as the case may be. All variance requests shall be submitted to, and approved by, the ARB prior to submission to the appropriate Governmental Authorities, if such variance is subject to governmental approval. The ARB will grant or deny the variance request in writing within 15 calendar days of receipt of the request. No variances are allowed unless the Owner has received a written notice of approval from the ARB. Any variance granted is unique and does not set any precedent for future decisions of the ARB. During the Development and Sale Period, a variance requires Declarant's written consent.

### **3.15 Unscheduled Meetings with the ARB**

Unscheduled reviews will be considered on a case-by-case basis for modifications not requiring major engineering or site development changes. The ARB reserves the right to refuse an unscheduled review for any reason.

### **3.16 Modifications of Existing Structures**

All modifications of existing structures and exterior improvements, including, without limitation, landscaping, must be approved by the ARB. The Owner or Owner's authorized agent shall submit plans showing the nature of the work to be performed and an Application for Modifications Approval. A review fee and a Compliance Deposit may be required by the ARB as set forth in Section 11.0 of these Architectural Guidelines. The Compliance Deposit, if any, shall be returned in accordance with the Rules and Regulations.

### **3.17 Use of Plans and Copyright**

Each application to the ARB shall be deemed to contain a representation and warranty by the Owner that use of the plans submitted does not violate any copyright or other intellectual property right associated with the plans. Neither the submission of the plans to the ARB, nor the distribution and review of the plans by the ARB shall be construed as publication in violation of the designer's copyright, if any. Each Owner submitting plans to the ARB shall hold the members of the ARB, the Association and the Declarant harmless and shall indemnify said parties against any and all damages, liabilities, and expenses incurred in connection with the review process.

## **4.0 Architectural Standards**

### **4.01 General Standards**

Homes must be designed in conformity with the standards, requirements and guidelines set forth in the Covenants and these Architectural Guidelines. All permanent improvements must be sited within the setbacks. Plans submitted for review, or any portion thereof, may be disapproved upon any grounds that are inconsistent with the purpose and objectives of the ARB, including purely aesthetic considerations.

Pointe West draws its design influence from coastal cottage vernacular. While allowing diversity, the ARB will make a conscious effort to create a neighborhood of identifiable character.

### **4.02 Character Guidelines**

To assist Owners in interpreting these Architectural Guidelines, Declarant has provided a set of Character Guidelines with visual illustrations of the type and design of homes and landscaping to be constructed in the Development. Owners are encouraged to refer to the Character Guidelines in conjunction with these Architectural Guidelines in the design process.

### **4.03 Modular and Manufactured Home Construction**

Modular homes are permitted only if approved by the ARB. Modular homes shall include any prefabricated or pre-built dwelling which consists of one or more transportable sections or components. The placement of prefabricated and transportable sections shall be installed onto a permanent foundation and inspected by the City of Galveston building inspector. No manufactured homes shall be placed, erected, constructed, or permitted within the Development. Prefabricated accessory structures, such as sheds and gazebos, must be reviewed and approved in strict accordance with Article IV of the Covenants.

### **4.04 Dwelling Size / Minimum Standards / Maximum Standards**

Minimum and maximum square footages shall be defined as heated floor space. Heated floor space does not include garages, carports, covered walks, or porches. Variances from minimum dwelling sizes may be granted if the site conditions present a hardship. Variances may also be granted if, in the ARB's sole discretion, the resulting appearance of such residential dwelling will preserve and conform to the existing architectural aesthetics. The minimum and maximum building sizes are set forth in Section 12.0.

### **4.05 Setback Requirements and Height Requirements**

Setback requirements and height requirements are set forth in Section 12.0. No permanent improvements may be constructed within any setback area. The installation and construction of a boardwalk or any similar structure providing access from the Lot to the beach is strictly prohibited and will not be considered by the ARB.

### **4.06 Massing and Scale**

Residential scale of all structures shall be promoted and maintained in the Development. Larger volume massings shall be broken down by secondary, simple, traditional forms. While variety is

encouraged, a strong emphasis should be placed on following coastal cottage style in building massing and detailing. Detailing, massing and materials are to be consistent on all elevations.

#### **4.07 Front Façade**

The main entry on the front elevation must clearly be defined. The composition of the façade must be balanced and in proportion to reflect the simple geometries of coastal cottages. Foremost wall of front elevations must be planned in accordance with the existing structures on the street to present a balanced streetscape.

#### **4.08 Porches**

Porches have traditionally served as entry defining features and should serve the same function in the Development and be designed to serve as an extension of the home. Detailing of all porches must be architecturally compatible with the home. Porches are required on the street side and beach side elevations. Corner lots should have a porch that follows the street wall around the corner and contain trellises. The minimum depth of a porch is 8 feet. Porches used for ingress/egress purposes may be smaller with ARB approval. Porch screen colors must be submitted to the ARB for approval. Railing design must be simple and terminate at posts or columns. Porch ceilings shall be high to maximize views and light.

#### **4.09 Exterior Materials**

Hardiplank or other fiber cement board and wood siding (clapboard, lap, vertical), vinyl siding, and vinyl shake are permitted. Brick, masonry, stone, and reflective glass are prohibited. Lattice screen wall may be used between piles or columns and beneath exterior stairs. Exterior materials shall be used consistently on the front, side, and rear elevations of the home.

#### **4.10 Colors**

The predominant colors and tones of all structures must be selected from the attached color palette. The use of primary and brighter colors may be considered by the ARB.

#### **4.11 Finished Floor Elevation**

The Development is located within the VE flood zone and minimum elevation requirements exist for all habitable spaces; therefore, the Federal Emergency Management Act (FEMA) requires elevated construction. Piles or posts must be 8 inches minimum thickness and must comply with all applicable codes. Any ground level enclosures must be constructed with breakaway walls per the local building code.

#### **4.12 Pilings**

Exposed pilings on front and sides of homes are prohibited. Pilings must be screened from view.

#### **4.13 Roofs**

The main roof pitch should be 5-8:12. Pitches for porches, breezeways and other secondary structures may have a flatter pitch of 3-6:12, provided they are approved by the ARB. Mansard, parapets, flat, and A-frame roofs are not permitted. Roof overhangs are limited to a maximum size of 24 inches. All roof penetrations (gas flues, exhaust vents, plumbing vents, skylights, etc.) shall be located on the rear roof slopes, if possible, so they are not visible from the street. Roof

penetrations must be painted a color that is compatible with the roof color. Failure to paint roof penetrations may result in a deduction from the Compliance Deposit. Roof penetrations visible from the street must be approved in writing by the ARB.

Approved roof materials and colors are as follows:

- A. 30-year or better dimensional fiberglass shingles (brown, tan, grey)
- B. Metal: standing seam, galvanized, corrugated (brown, tan, grey, weathered galvanize, copper color, zinc color) (painted metal roofs are prohibited)
- C. Concrete tile (brown, tan, grey)

#### **4.14 Chimneys**

The materials used for chimney finishes shall be consistent with Section 4.09.

#### **4.15 Garages, Carports and Garage Doors**

Front loaded garages or carports shall be set back a minimum of 2 feet from the front elevation of the home. All side loaded or courtyard garages must face away from the predominate flow of traffic as determined by the ARB. The street side elevation of a courtyard garage must incorporate windows, louvers, or shutters as necessary to provide variety. Garages or carports on corner lots shall not face the street side elevation. A raised panel garage door is required for all garage doors. Front loading 2-car garages shall have a separate garage door for each car.

#### **4.16 Home Identification**

The ARB reserves the right to approve or deny the use of any home numbering that detracts from the appearance of the home. Home numbers shall be submitted with the plans and specifications during the final plan review.

#### **4.17 Doors**

Exterior entry doors shall be appropriate to the architectural theme and have glass or be paneled. Exterior sliding doors shall only be permitted on rear elevations. Storm and screen doors are not permitted unless they are of the appearance of a typical exterior door. All storm and screen doors shall be approved by the ARB.

#### **4.18 Windows**

Storm resistant windows are required. Windows must be wind loading and impact resistant. Use of glass block shall be reviewed on a case-by-case basis. Skylights and or roof windows will not be allowed on the street side elevations of the home. Dormer windows must be proportional in size and spacing with the geometry of the main residence.

#### **4.19 Cornices and Exterior Trim**

The use of traditional crown molding and detailing at cornices, as well as authentic detailing around window and door openings, is an important part of the overall appearance. Such detailing must be consistent on all elevations.

#### **4.20 Awnings and Shutters**

Awnings and canopies shall not be affixed to the exterior of the residence without written ARB approval.

### **5.0 Site Requirements: Utilities**

#### **5.01 Service Area**

Each home is required to have an enclosed service area, which area shall contain and screen from view from the street and neighboring properties, all utility connections, HVAC units, trash bins, meters, and irrigation control boxes. The location of the service area shall be shown on the architectural and site drawings. The service area shall be screened with a wall that is architecturally compatible with the home. This screen wall shall be constructed of wood, cement siding (*i.e.*, Hardiplank) or vinyl lattice. In addition, the screen walls shall be planted with shrubs or blooming vines. The service area screen wall must be at least 4 inches higher than the units contained therein and serve as a noise buffer for adjacent properties.

#### **5.02 Propane Gas**

If an Owner chooses to use propane gas as a heating source for the home, tanks must be installed underground and only in the rear yard of the Lot. All underground propane tank support structures shall be designed by a professional engineer registered in the State of Texas. Tanks above ground are strictly prohibited.

#### **5.03 Antennas and Satellite Dishes**

Owners are prohibited from installing satellite dishes that are more than one meter (39.37 inches) in diameter and television antennas that are more than one meter in diameter or 12 feet above the roof line. Any permitted satellite dish or antenna shall be placed in the least visible location having clear reception. Landscaping, painting or screening may be required by the ARB to minimize visual impact. Other exterior satellite dishes, television and radio antennas are not permitted.

### **6.0 Site Requirements: Accessory and Decorative Structures**

#### **6.01 Arbors and Trellises**

Arbors and trellises are permitted. Location, elevations and finishes must be submitted to the ARB for approval prior to beginning construction. Structural elements must be treated wood.

#### **6.02 Fences**

Fences and walls must harmonize in character and color with the home. All fences shall be 48 inches in height. Fence materials shall be PVC, fiberglass or vinyl with standard vertical pickets and rail, and white in color. Fencing of the entire Lot is not permitted. Fencing shall be restricted to the rear yard of the Lot. Wood, chain link and off-the-shelf metal picket fences are prohibited. The location and materials of all fences and walls shall be submitted on the site plan for approval. Fully-enclosed fencing is mandatory at the perimeter of swimming pools and hot tubs with a locking gate mechanism.

### **6.03 Flagpoles**

No in-ground flagpoles will be allowed. One United States flag and one State of Texas flag, not exceeding 36 inches x 60 inches, may be mounted on the exterior façade of the home at a location approved by the ARB. Flags shall not be hung from trees, porch railings, or overhangs.

### **6.04 Swimming Pools, Hot Tubs and Water Features**

Any and all proposed swimming pools, hot tubs, fountains, etc. must comply with Texas State law and FEMA guidelines in addition to these Architectural Guidelines. In-ground swimming pools located within 1,000 feet of the mean high tide line are prohibited by the City of Galveston. Above-ground swimming pools and bubble covers for in-ground swimming pools are prohibited. Pools may not be installed in the front or side yard of any Lot. All plans for swimming pools must be submitted to the ARB for approval. Outdoor hot tubs are subject to ARB approval. Location of a hot tub shall be shown on the site plan. Hot tubs shall not be installed in the front or side yard of any Lot. Hot tubs installed in the rear yard of Lots adjacent to other Lots may be subject to additional screening requirements as imposed by the ARB.

### **6.05 Decorative Objects**

No decorative objects may be placed in the street side or side yard of any home without written approval by the ARB. This includes the following: sculptures, birdbaths, fountains, birdhouses, and lawn ornaments. All decorative objects placed on the Lot are subject to ARB approval. Decorative planters may be placed around the home; however, the size, number and type of planters are subject to ARB approval.

### **6.06 Clothesline**

There shall be no outdoor clothesline on any Lot.

### **6.07 Dog Houses and Bird Houses**

Dog houses must be screened from view. All pets shall be kept on a leash when outside. Birdhouses are allowed as long as they are not placed in the side or street side yard.

### **6.08 Play Structures and Basketball Goals**

Swing sets and play structures are allowed under certain conditions. The structures must be made of wood or similar material with a natural finish. Plans showing the location and finish of all play structures must be submitted and approved prior to construction. Basketball goals are permitted, if the goal is a permanent structure and the backboard itself is not facing the street. The location and finish of basketball goals shall be submitted and approved prior to construction.

## **7.0 Site Requirements: Lot Fill Materials, Grading, Erosion Control and Drainage, Storm Water Permits**

### **7.01 Lot Fill Materials**

Declarant has reserved the right to place fill material on certain areas of the Development including Lots. Placement of the fill material will be done pursuant to Declarant's grading plans approved by the City of Galveston and the recommendations of Declarant's outside engineering consultant for each Lot. Declarant currently intends to conduct testing of each Lot to verify that

the fill has been compacted to a density of 95% of Standard Proctor (ASTM D698), and will provide Owners with compaction reports confirming that the fill has been compacted to this density. Owners and the Owner's contractor shall be responsible for ensuring that the piling system supporting the Owner's home is designed in accordance with soil conditions and home specifics. Owner is advised that Owner and/or Owner's contractor, or another professional engaged by Owner or Owner's contractor, should determine whether all of the soil conditions of the Lot, including the fill material, are adequate for the construction of a home on the Lot.

### **7.02 Grading, Erosion Control and Drainage**

A proposed grading and drainage plan must be submitted in order to obtain ARB approval for construction. Drainage from the home site must flow in accordance with the flow patterns shown on the Pointe West engineered master drainage and grading plans. Drainage shall not flow onto adjacent Lots. Owners will be held responsible for the repair of any adverse effects (i.e. erosion) of improper or excessive storm water runoff. Erosion control measures, including silt fencing, shall be installed and maintained by the Owner's contractor during construction. Failure to construct and maintain erosion control measures and drainage systems shall result in fines in accordance with the Rules and Regulations.

### **7.03 Storm Water Permits**

Prior to commencing any construction activity on a Lot, Owner's contractor shall obtain local and state storm water permits and comply with all required storm water control measures required by the Texas Commission on Environmental Quality and the City of Galveston.

## **8.0 Site Requirements: Driveways and Walks**

### **8.01 Driveways**

All driveways shall be constructed of brick or concrete pavers or concrete with a uniform pattern of scoring joints. Colored or stamped concrete must be submitted and approved by the ARB prior to installation. Driveways shall have a minimum width of 12 feet with adequate space for turnaround and or guest parking. Driveways shall be connected to the street using a standard concrete edge detail and a standard City of Galveston driveway detail as shown on an attachment to these Architectural Guidelines. Entry statements used in conjunction with the driveway are subject to ARB approval. The entry must be discrete and reflect the architectural details and materials of other site elements and the home. This element must be set back off the street behind the right-of-way line.

### **8.02 Walks**

Walkways shall be constructed using materials consistent with the driveway or prominent architectural features of the home. All walks shall be a maximum of four feet in width. All material selections and location of walks shall be approved by the ARB.

Approved materials for walkways are as follows:

- A. Concrete/stamped concrete
- B. Brick/stone pavers

## **9.0 Site Requirements: Landscaping and Irrigation**

### **9.01 Landscape Budget and Submission Requirements**

Generally, the landscaping budget will be between 5% and 10% of the total construction budget. Submission requirements for landscape plans are described in the Design Review Checklist. Attached hereto is a list of suitable landscape plants for the Development.

### **9.02 Landscape Plan Requirements**

At a minimum, the following landscaping will be required for all homes:

1. Four or more 3-inch caliper interior trees or palm trees with a minimum 8-foot clear trunk height shall be required on standard 60-foot lots with proportionately more trees on larger lots.
2. Blank areas of walls shall be landscaped with upright shrubs, small trees (4 feet minimum height) or trellises with blooming vines.
3. Sod is required in any grass areas. For the types of allowable sod, refer to the list of suitable plants and perimeter plantings attached to these Architectural Guidelines.
4. Bark mulch or approved equal shall be used in all plant beds and areas without grass. This shall be maintained in a weed-free condition.
5. Landscape plans for Lots with beach frontage require salt tolerant plants.
6. Any plantings by an Owner within the right-of-way shall require ARB approval.
7. In accordance with the Pointe West landscape plans, Declarant will install landscaping and associated irrigation within the rights-of-way along public roads. The landscaping may consist of street trees, bedding plants or shrubs. Where applicable, the landscaping in front of the Lots will be located on the left, as oriented facing the Lot from the right-of-way.

Refer to the list of suitable plants and perimeter plantings attached to these Architectural Guidelines when preparing a landscape plan. Substitutions must be approved by the ARB.

### **9.03 Timing of Landscape Installation**

All landscape installation shall be completed within 45 calendar days of receiving a certificate of occupancy. Landscaping must be complete before an Owner may submit a Request for ARB Inspection and Compliance Deposit Refund. If the 45-day deadline cannot be met, the Owner may request an extension, in writing, from the ARB. Failure to meet this deadline will result in fines in accordance with the Rules and Regulations.

### **9.04 Irrigation Requirements**

An automatic, underground irrigation system shall irrigate all landscape areas including separately zoned lawn areas and plant beds. Irrigation over-spray is not permitted. A drip irrigation system is highly recommended. Declarant will provide irrigation for all planting areas located in the right-of-way and other designated areas.

## **10.0 Additional Requirements**

### **10.01 Storage of Recreational Vehicles and Equipment**

All recreational vehicles (golf carts, boats, motor homes, and campers) shall be kept in a garage or carport. If recreational vehicles are stored in a carport, they must be screened from view on the side elevation. These and any other vehicles or equipment (trade vehicles, trailers) not stored in a garage or screened from view in a carport may be removed from the property by the Association at the Owner's expense.

### **10.02 Signage**

For Sale/For Lease signs are prohibited. Only contractor/builder signs, as described in the Rules and Regulations, are allowed on the Lot during construction. No other signs, except those as provided in Article III of the Covenants and approved by the ARB shall be permitted on the Lot. Any additional signage or displays found on a Lot may be removed at any time without warning.

### **10.03 Exterior Lighting**

All exterior lights shall consist of shielded fixtures that prevent light from escaping through the top and sides of the fixture. Down lighting is encouraged to reduce glare, to better light drives and paths, to protect neighboring properties from bright light sources, and to prevent interference with nesting turtles on the beach. Colored lights are prohibited. Amber lights are subject to ARB approval. Spotlights and floodlights will be considered on a case-by-case basis, depending on orientation and location. All path and landscape lighting must consist of low voltage lamps. Path and landscape lighting shall have a maximum height of 42 inches. All exterior lighting fixtures and locations must be approved by the ARB.

### **10.04 Holiday Lighting and Decorations**

Holiday lighting and decorations may only be displayed on a Lot for up to 30 calendar days prior to a publicly observed holiday or religious observance and up to 15 calendar days thereafter without prior ARB approval, subject to the right of the Association or Declarant to require removal of any such decorations as set forth in Exhibit "C" of the Covenants. Any window with holiday lights must be tastefully done. Temporary ornamental sculptures or structures and all other exterior holiday lights are permitted only with the approval of the ARB, as per exterior lighting standards set by the Board.

**11.0 Schedule of ARB Fees**

Pre-Design Review Fee	\$200.00*
Sketch Plan Review Fee	\$500.00*
Final Plan Review Fee	\$750.00*
Design review fee for revisions to approved plans	\$100.00
Variance Request	\$100.00
Modifications Review Fee**	\$250.00
Compliance Deposit for new construction	\$5,000.00
Compliance Deposit for modifications**	\$1,000.00

\*The review fees are based upon the following hours of ARB, architect and landscape architect review and are subject to change:

Pre-Design Review:	2 hours
Sketch Plan Review:	6 hours
Final Plan Review:	8 hours

Any additional time spent on reviewing plans or meeting with an Owner shall be billed to the Owner at an hourly rate of \$125.00 per hour. No reduction in fees is allowed if less review time is required.

\*\*The ARB shall determine, in its sole discretion, if a review fee and Compliance Deposit is required based upon the extent of the construction required in the modification.

**12.0 Minimum Building Square Footage, Maximum Building Square Footage, Maximum Building Height, Setback Requirements**

**Section One A (gulf side)**

**Block One**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1	2,500	8,000	45 feet above the minimum base flood elevation	20 feet	20 feet	10 feet	10 feet
2-19	2,500	8,000		20 feet	20 feet	10 feet	N/A
20-22	1,800	5,000		15 feet	20 feet	7.5 feet	N/A
23-39	1,800	5,000		20 feet	20 feet	7.5 feet	N/A
40-48	1,800	5,000		15 feet	20 feet	7.5 feet	N/A
49	1,800	5,000		15 feet	20 feet	7.5 feet	10 feet
50	*see below	*see below		10 feet	20 feet	5 feet	10 feet
51-81	* see below	*see below		10 feet	20 feet	5 feet	N/A

**Block Two**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1-13 16-25	* see below	* see below	45 feet above the minimum base flood elevation	10 feet	20 feet	5 feet	N/A
14, 15	* see below	* see below		10 feet	20 feet	5 feet	10 feet

**Block Three**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1, 2, 4-8 10-21	1,800	5,000	45 feet above the minimum base flood elevation	15 feet	20 feet	7.5 feet	N/A
3, 9	1,800	5,000		15 feet	20 feet	7.5 feet	10 feet

\*Minimum Building Square Footage and Maximum Building Square Footage of cottages is determined by the floor plan for that particular Lot.

**Block Four**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1-12 15-27	1,800	5,000	45 feet above the minimum base flood elevation	15 feet	20 feet	7.5 feet	N/A
13, 14	1,800	5,000		15 feet	20 feet	7.5 feet	10 feet

**Block Five**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1, 2	1,800	5,000	45 feet above the minimum base flood elevation	15 feet	20 feet	7.5 feet	10 feet
6	2,500	8,000		20 feet	20 feet	10 feet	10 feet
3-5 7-14	2,500	8,000		20 feet	20 feet	10 feet	N/A

**Block Six**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1	2,500	8,000	45 feet above the minimum base flood elevation	20 feet	20 feet	10 feet	10 feet
8	2,500	8,000		20 feet	20 feet	10 feet	20 feet
2-7, 9	2,500	8,000		20 feet	20 feet	10 feet	N/A

**Section 4B (bay side)**

**Block One**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1-35	1,250	3,000	45 feet above the minimum base flood elevation	10 feet	20 feet	5 feet	10 feet
36-61	1,800	5,000		15 feet	20 feet	7.5 feet	N/A

**Block Two**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1-6	1,800	5,000	45 feet above the minimum base flood elevation	15 feet	20 feet	7.5 feet	N/A

**Block Three**

<b>Lots</b>	<b>Minimum Building Square Footage</b>	<b>Maximum Building Square Footage</b>	<b>Maximum Building Height</b>	<b>Rear Setback</b>	<b>Front Setback</b>	<b>Side Setback</b>	<b>Corner Setback</b>
1-38	1,800	5,000	45 feet above the minimum base flood elevation	15 feet	20 feet	7.5 feet	N/A

**CHECKLISTS, APPLICATIONS AND OTHER INFORMATION**

**Pre-Design Review Checklist of Materials**

**Application for Sketch Plan Review**

**Sketch Plan Review Checklist of Materials**

**Color Palette**

**Suitable Landscape Plants and Perimeter Plantings**

**Standard Concrete Edge Detail &  
the City of Galveston Driveway Detail**

**Builder Application**

**Application for Final Plan Review**

**Final Plan Review Checklist of Materials**

**Construction Compliance Agreement**

**Construction Authorization**

**Variance Application**

**Application for Modifications Approval**

## **PRE-DESIGN REVIEW CHECKLIST OF MATERIALS**

Owners are encouraged to bring their architect/design team and the following materials to the pre-design review meeting:

- ❑ **Rough Site Plan showing:**
    - Proposed house/building locations
    - Driveway and parking area locations
    - Any/all other major site improvement locations
    - Both existing contours and proposed new final grading contours
    - Property boundary locations
    - Required setback locations
    - Site drainage locations: Intended drainage outfall locations from the lot showing how the drainage plans tie into the drainage plan for the Development
    - Utility easements, right-of-way lines, and all other adjacent easement locations
    - Utility line locations
    - Significant natural features such as adjacent beach dune complex and dune vegetation, adjacent lagoon amenities, adjacent common area amenities, etc.
  
  - ❑ **Rough Floor Plans**
  
  - ❑ **Rough Front and Rear Building Elevations** (to indicate the architectural character, proposed design concept, and architectural design theme of the home)
  
  - ❑ **Photos of the Site** (include adjacent common areas and adjacent lots and homes, if any)
  
  - ❑ **Any other relevant information** that the design team would like to show the ARB at this stage if you so desire (e.g. colors, exterior materials, etc.).
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**At the pre-design review meeting, the ARB would like to cover the following items with you:**

- ❑ Purpose of the pre-design review meeting
- ❑ Design review process and steps
- ❑ Construction process, steps, inspections, and the Rules & Regulations
- ❑ Payment of design review fees and the Compliance Deposit
- ❑ Fines for violations of the Architectural Guidelines, Rules and Regulations and the Covenants
- ❑ Overview of the architectural design theme for Pointe West
- ❑ Owner's proposed preliminary design concepts, architectural design theme, site planning issues, and landscaping design theme
- ❑ Lot and site-specific characteristics, adjacency to common areas and amenities, and associated design opportunities
- ❑ Any other relevant design considerations and regulations

**APPLICATION FOR SKETCH PLAN REVIEW**

DATE:

HOME SITE (Block/Lot):

**PROPERTY OWNER:**

ADDRESS:

CITY, STATE, ZIP:

TELEPHONE:

FAX:

EMAIL ADDRESS:

Include with this application all materials and information described on the Sketch Plan Review Checklist of Materials attached to these Architectural Guidelines.

ARB Comments (incorporate into the Final Plan Review)

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ARB Representative

Date: \_\_\_\_\_

## **SKETCH PLAN REVIEW CHECKLIST OF MATERIALS**

Owners are encouraged to bring their architect to the sketch plan review meeting. The following materials shall be submitted to the ARB no less than 7 calendar days prior to the sketch plan review meeting. All plans shall be prepared by a licensed architect, with the exception of the landscape plan, which shall be prepared by a licensed landscape architect.

- ❑ **Existing Conditions Survey:** Minimum scale: 1" = 20'. Must include the following information:
  - Owner's name, address, telephone and fax numbers
  - Architect's name, address, telephone and fax numbers
  - North arrow and scale
  - Lot lines with dimensions and bearings
  - Setback lines
  - Easement lines
  - Adjacent streets
  - Existing utility structures
  - Outline of building footprints and driveways on directly adjacent lots (if applicable)
  
- ❑ **Site Plan:** Minimum scale: 1" = 20'. Must include the following information:
  - Proposed house/ building locations
  - Proposed driveway, parking area and walkway locations
  - Dimensions from corner of foundation to adjacent property lines
  - Proposed fences and retaining walls (may be incorporated with landscaping plans as below)
  - Proposed pool or spa location
  - Location, materials, and finishes of all outdoor living spaces (patios, decks, terraces, etc.)
  - Proposed accessory structures (play structures, out buildings, etc.)
  - Any/all other major site improvement locations
  - Both existing contours and proposed new final grading contours. Indicate both existing and final grading elevations
  - Finished floor elevation (FFE) of first level and garage/carport
  - Proposed spot elevations on corners of driveways and walkways (with flow arrows showing drainage)
  - Property boundary locations
  - Required setback lines
  - Site drainage locations: Intended drainage outfall locations from the lot showing how the drainage plans tie into the drainage plan for the Development (drain locations, sizes, flow direction, invert elevations, and inverts of day lighted drainpipe)
  - Utility easements, right-of-way lines, and all other adjacent easement locations
  - Utility line locations
  - Significant natural features such as adjacent beach dune complex and dune vegetation, adjacent lagoon amenities, adjacent common area amenities, etc.
  
- ❑ **Floor Plans:**  
Showing the general layout of all rooms, exterior decks and porches, window and door openings, the total square footage of enclosed space for each level, the total proposed square footage of enclosed space for the overall structure, and the heated square footage of structure. Minimum scale: ¼" = 1'-0".
  
- ❑ **Exterior Building Elevations:**  
Front, rear, and two side elevations in sufficient detail to indicate the architectural character of the residence, fenestration, massing, exterior decks, porches, and terraces, and existing and proposed

finished grades. Elevations are also to show and include a description of all exterior materials and colors. Minimum scale:  $\frac{1}{4}'' = 1'-0''$ .

□ **Roof Plan:**

Indicating the proposed roof pitches, overhang lines and lengths, flue and roof vent locations, skylight locations, locations of major ridge, valley, and eave line, and proposed roof materials. Minimum scale:  $\frac{1}{4}'' = 1'-0''$ .

□ **Site/ Building Sections:**

Site and building section cuts showing building walls, floors and roof lines relative to the site grading, including retaining walls, and proposed major site improvements such as patios, decks, major landscaping features, etc. The purpose is to demonstrate the relationship between the exterior and interior of the residence. Minimum scale:  $\frac{1}{4}'' = 1'-0''$ .

□ **Landscape Plan:** Minimum scale:  $1'' = 20'$ . Must include the following information:

- Owner's name, address, telephone and fax numbers
- Landscape architect's name, address, telephone and fax numbers
- North arrow and scale
- Lot lines with dimensions and bearings
- Setback lines
- Easement lines
- Indicate all existing landscaping to remain and all existing landscaping to be removed (if any)
- Lot lines with dimensions and bearings
- The location and sizes of all proposed landscape materials
- Locations of all lawn areas and planting bed lines
- Locations of all proposed plant materials
- Plant list with quantities, botanical names, common names, sizes, and specifications
- Specifications for seeded areas including seed mix, mulch, and fertilizer type
- Locations of all site improvements such as patios and decks, walkways, retaining walls, landscape walls, fences, etc.
- Locations of additional drainage requirements and permanent erosion control measures not indicated on the submitted site plan
- Location and specifications of all exterior lighting fixtures
- Total area of irrigated lawn areas in square feet
- Total area of irrigated lawn area as a percentage of the overall site/lot

□ **Sketch Plan Review Fee**

□ **Other materials as requested by the ARB at the Pre-Design Review Meeting**

## **COLOR PALETTE**

REFER TO THE PAINT COLOR SCHEMES ON THE FOLLOWING PAGES.

**SUITABLE LANDSCAPE PLANTS AND PERIMETER PLANTINGS**

	<b><u>COMMON NAME</u></b>	<b><u>SCIENTIFIC NAME</u></b>
<b>Ground Covers</b>	Asparagus, Sprengeri fern	Asparagus densiflorus 'Sprengeri'
	Trailing Lantana	Lantana montevidensis
	*Stonecrop	Sedum acre
	Asiatic Jasmine	Trachelospermum asiaticum
	*Confederate Jasmine	Trachelospermum jasminoides
	*Wedelia	Wedelia trilobata
	*Shore, Blue Pacific Juniper	Juniperus conferta
	Lily Turf, Liriope	Liriope spicata, L. muscari
	Japanese, Purpleleaf Honeysuckle	Lonicera japonica
	Mondo or Monkey Grass	Ophiopogon japonicus
<b>Vines</b>	*Cape Honeysuckle	Tecomaria capensis
	Bougainvillea	Bougainvillea spectabilis
	*Trumpet Vine	Campsis radicans
	English Ivy	Hedera helix
	*Coral Vine	Antigonon leptopus
	Fig Ivy, Creeping Fig	Ficus pumila
	Carolina Jessamine	Gelsemium sempervirens
<b>Shrubs</b>	*Century Plant	Agave americana
	Pampas Grass	Cortaderia selloana
	*Rosemary	rosmarinus officinalis
	*Yucca (many varieties)	Yucca spp.
	Abelia	Abelia grandiflora
	*Agarito	Berberis trifoliolata
	*Natal Plum Tomlinson	Carrissa grandiflora 'Tomlinson'
	American Beautyberry	Callicarpa americana
	Sago Palm	Cycas revoluta
	Coralbean	Erythrina herbacea

**COMMON NAME**

**SCIENTIFIC NAME**

Fatsia	Fatsia japonica
*Red Yucca	Hesperaloe parvifolia
Dwarf Yaupon Holly	Ilex vomitoria 'Nana', 'Stokes Dwarf'
Juniper, many varieties	Juniperus chinensis cvs.
Indian Hawthorne	Raphiolepis indica
*Elaeagnus	Elaeagnus pungens
*Wax Myrtle	Myrica cerifera
*Pittosporum	Pittosporum tobira
Bird of Paradise Bush	Caesalpinia gilliesii
Hollywood Twisted Juniper	Juniperus chinensis 'Torulosa', 'Hollywood'
Ligustrum, Glossy Privet	Ligustrum lucidum
Waxleaf Ligustrum	Ligustrum japonicum
*Texas Sage, Ceniza	Leucophyllum spp.
*Common Myrtle	Myrtus communis
Feijoa or Pineapple Guava	Feijoa sellowiana
Yaupon Holly	Ilex vomitoria
Japanese Yew	Podocarpus macrophylla

**Perimeter Planting**

Abelia	Abelia grandiflora
*Agarito	Berberis trifoliolata
*Wax Myrtle	Myrica cerifera, "Nana"
*Elaeagnus	Elaeagnus pungens
*Feijoa or Pineapple Guava	Feijoa sellowiana
*Red Yucca	Hesperaloe parvifolia
Dwarf Yaupon Holly	Ilex vomitoria 'Nana', 'Stokes Dwarf'
*Texas Sage, Ceniza	Leucophyllum spp.

**Trees**

*Texas Persimmon	Diospyros texana
Southern Golden Raintree	Koelreuteria bipinnata
*Lavendar Chaste Tree, Vitex	Vitex agnus-castus
Camphor Tree	Cinnamomum camphora

<b><u>COMMON NAME</u></b>	<b><u>SCIENTIFIC NAME</u></b>
Citrus	Citrus spp.
Loquat	Eriobotrya japonica
Retama	Parkinsonia aculeata
Japanese Black Pine	Pinus thunbergia
*Arizona Cypress	Cupressus glabra
*Live Oak	Quercus virginiana
Bald Cypress, Montezuma Cypress	Taxodium distichum, T. mucronatum

**Palms**

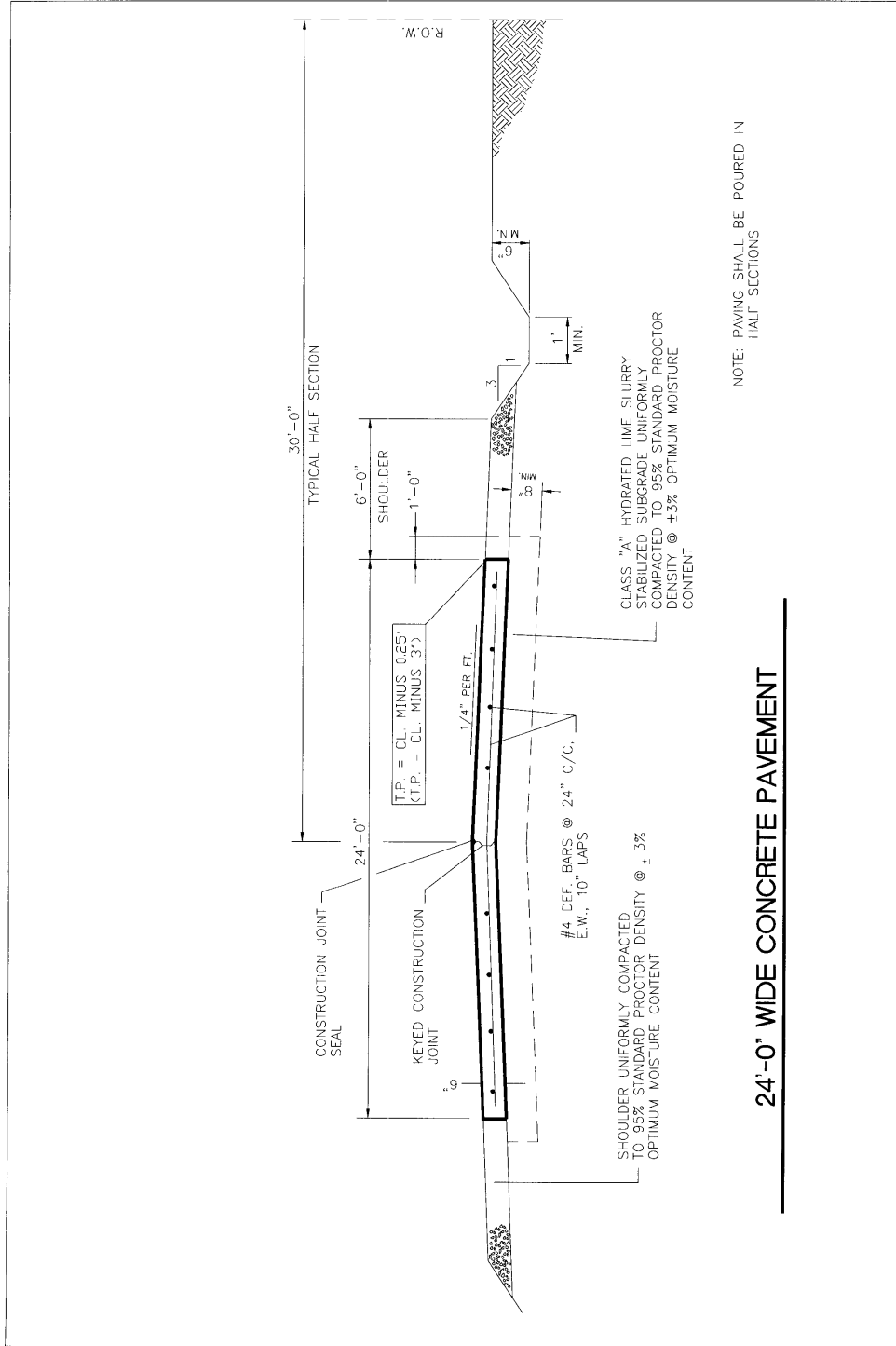
Palmetto Palm	Sabal minor
*Texas Palmetto	Sabal texana
*Cabbage or Florida Palmetto	Sabal palmetto
*Washington Fan Palm	Washingtonia filifera and hybrids
Pindo Palm	Butia capitata
European Fan Palm	Chamaerops humilis
*Phoenix or Canary Island Date Palm	Phoenix canariensis

**Grasses**

Bermuda grass	Cynodon dactylon
Raleigh – St. Augustine	Stenotaphrum Secundatum
*Sea Coast Blue Stern	Andropogon scoparius
*Lindheimer's Muhly Grass	Muhlenbergia Lindheimeri
*Fountain Grass	Pennisetum sataceum
*Giant Seoats	Uniola paniculata

\* Indicates plants that can be used along beach frontage

**STANDARD CONCRETE EDGE DETAIL**





# BUILDER APPLICATION: 1 of 5

## BACKGROUND

Company Name	
Trade Name (if any)	
Parent Company (if any)	
Street	
City / State / Zip	
Telephone	
Fax	
E-Mail	
Web Address	
Type of Company	<input type="checkbox"/> "C" Corp. <input type="checkbox"/> LLC <input type="checkbox"/> "S" Corp. <input type="checkbox"/> Partnership <input type="checkbox"/> LLP <input type="checkbox"/> Other _____
State of Incorporation / Registration	
Year Founded	

## OFFICERS & DIRECTORS

Please list all officers, directors and/or partners of the corporation or partnership. (Use additional pages, if necessary.)

Title	Name and Address	Percent of Ownership

## LOCAL MANAGEMENT TEAM

Please list key members of the local management team not shown under Officers, Directors or Partners above.

Title	Name and Address	Years with Company

## BUILDER APPLICATION: 2 of 5

Company Name	
--------------	--

### TRADE CONTRACTOR & SUPPLIER REFERENCES

Please list the trade contractors and suppliers with whom the company is primarily doing business.

Sub / Supplier	Company Name	Contact	Telephone
Electrical			
Plumbing			
Drywall			
Carpentry			
HVAC			
Lumber			
Concrete			

### FINANCIAL REFERENCES

Please list the financial institutions utilized by the company. List the checking accounts and lending institutions in the appropriate places and include other financial institutions with which you do business

Financial Institution	Lender	Contact	Telephone
	Checking Accounts		
	Lender		

### AWARDS

Please lists any awards, citations and special recognition received by the company.

Name of Award, Citation or Special Recognition	Received From	Year Received

## BUILDER APPLICATION: 3 of 5

Company Name

### SALES & CONSTRUCTION ACTIVITY

Please complete this sheet for all current construction activity in the Galveston area.

Community	Location	Product Type	Current Activity					AC Sq. Ft. Range		Price Range ❶	
			Builder Lots			Owner Lots	Total	Low	High	Low	High
			Sold & Not Started	Sold & Under Const.	Specs Under Const. or Complete	Active Const. Contracts					

❶ For construction contracts on owner lots, please include the approximate value of the homesite.

### CUSTOMER REFERENCES

Please provide information requested on the past 5 consecutive closings or completed construction contracts.

	Customer	Community	Location	Product Type	Closing or Completion Date	Home Telephone
1						
2						
3						
4						
5						

## BUILDER APPLICATION: 4 of 5

<b>Company Name</b>					
<b>GENERAL INFORMATION</b>					
Is the company organized under the laws of the State of Texas?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
If "no," is the company qualified to do business in the State of Texas?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
How many full-time personnel are employed by the company?					
	2000	2001	2002	2003	2004
How many residential units has the company closed in the following years?					
Is the company a member of NAHB or any other industry-related organization?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
In what homeowners warranty plan, if any, is the company currently registered? Please attach a copy of the company's limited warranty.					
How many years has the company's chief executive officer controlled a home building company?					
Does the company or any of its principals listed on page 1 of this application have 10% or more interest in any other home building business? If "yes," please list entities.	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Name the parent company, if applicable.					
Name any subsidiary companies, if applicable.					
For the remaining questions below, "company" shall be defined to include the applicant company as well as all entities listed in the three (3) inquiries immediately above.					
Is the company or any of its officers, directors, partners or principals in default of any loans or involved in any type of foreclosure proceedings?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Has the company ever given any deeds in lieu of foreclosure?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Has the company or any of its officers, directors, partners or principals ever filed bankruptcy or been adjudicated as bankrupt within the past seven years?	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Has the company or any of its officers, directors, partners or principals ever been expelled from, suspended from, or refused registration by any warranty program? If "yes," list the name of program: Reason for Action:	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Are there currently tax liens, mechanics liens, materialmen's liens, or other liens filed of record against Builder arising out of the operation of Builder's business? If "yes," please attach a description of each lien in detail.	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Is Builder currently a defendant in any lawsuit or other legal action relating to Builder's construction activities? If "yes," please attach a description of each such legal action in detail.	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Have any complaints been filed against Builder with the Better Business Bureau, Bureau of Consumer Protection or any other consumer agency? If "yes," please attach a description of each such complaint in detail.	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Have any of the company's officers, directors, partners or principals ever had a real estate or contractor's license suspended or revoked? If "yes," please attach an explanation in detail.	<input type="checkbox"/> Yes <input type="checkbox"/> No				

## BUILDER APPLICATION: PAGE 5 OF 5

### SUBMITTED AND CERTIFIED BY

As an authorized agent of the company, the undersigned submits the above information and attachments as being true and correct, and authorizes Centex Homes, and all affiliated entities (collectively "Developer") and their designated agents to utilize such information, obtain financial and credit information, and make investigations concerning the company and its officers, directors, partners and principals as may be deemed necessary in its sole discretion. The company and undersigned agent agree to indemnify, defend and hold harmless Developer and their designated agents for any costs, damages or liability arising from any such investigation. The undersigned, on behalf of the company agrees to inform Developer of any changes to the above information within five calendar days of such change and acknowledge that my failure to provide correct and complete information may result in the ARB denying my application and prohibiting the company from engaging in any construction activities within Pointe West.

PLEASE ATTACH:

- (1) Company brochure, history and background.
- (2) Copy of Builder's limited warranty to be used at Pointe West.
- (3) Copy of Builder's License.
- (4) Copies of Builder's commercial general liability insurance, worker's compensation and builder's risk insurance.

**APPLICATION FOR FINAL PLAN REVIEW**

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DATE: HOME SITE (Block/Lot):

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**PROPERTY OWNER:**

ADDRESS:

CITY, STATE, ZIP:

TELEPHONE: FAX:

EMAIL ADDRESS:

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**CONTRACTOR:**

ADDRESS:

CITY, STATE, ZIP:

TELEPHONE: FAX:

EMAIL ADDRESS:

LICENSE #:

---

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**ARCHITECT:**

ADDRESS:

CITY, STATE, ZIP:

TELEPHONE: FAX:

EMAIL ADDRESS:

---

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**APPLICATION CHECKLIST:**

All items described on the Final Plan Review Checklist of Materials must be approved by the ARB, and the review fee and the Compliance Deposit must be received, prior to receiving final approval for construction.

---

**CONSTRUCTION DOCUMENTS:**

Two sets of construction documents must be submitted. Refer to the Final Plan Review Checklist for specific requirements for each document.

- Existing Conditions Survey
- Site Plan
- Construction Management Plan
- Architectural Plan
- Landscape Plan
- Proposed Construction Schedule

**MATERIAL SAMPLES:**

One set of material samples must be submitted to the ARB for review.

**Foundation:**

Material:

Color (include sample):

Mortar Color (if applicable):

**Walls:**

Material:

Color (include sample):

**Trim:**

Material:

Color (include sample):

**Roof:**

Material:

Color (include sample):

**Soffits / Fascia:**

Material:

Color (include sample):

**Windows:**

Type:

Manufacturer's Number (include cut sheet):

Color (include sample):

**Front Door:**

Type:

Manufacturer's Number (include cut sheet):

Color (include sample):

**Garage Doors:**

Type:

Manufacturer's Number (include cut sheet):

Color (include sample):

**Porches and Railings:**

Materials (submit detail): \_\_\_\_\_  
Color (include sample): \_\_\_\_\_

**Patios/Terraces:**

Materials (submit detail): \_\_\_\_\_  
Color (include sample): \_\_\_\_\_

**Retaining walls:**

Materials (submit detail): \_\_\_\_\_  
Color (include sample): \_\_\_\_\_

**Gables, & Dormers:**

Materials (submit detail): \_\_\_\_\_  
Color (include sample): \_\_\_\_\_

**Service Area Screen Wall:**

Materials (submit detail): \_\_\_\_\_  
Color (include sample): \_\_\_\_\_

**Driveway:**

Materials (submit detail): \_\_\_\_\_  
Color (include sample): \_\_\_\_\_

**Exterior Lights:**

Submit cut sheet: \_\_\_\_\_

**ESTIMATED CONSTRUCTION COMMENCEMENT AND COMPLETION DATES**

Commencement: \_\_\_\_\_ Completion: \_\_\_\_\_

**TOTAL HEATED SQUARE FOOTAGE** \_\_\_\_\_

**APPLICATION FEES (see Section 11.0 for amounts )**

Make all checks payable to Property Owners Association of Pointe West, Inc.

Review Fee  
Amount \$ \_\_\_\_\_

Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Check No.: \_\_\_\_\_

Compliance Deposit  
Paid by:  Owner  
 Contractor

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Check #: \_\_\_\_\_

Amount \$ \_\_\_\_\_

**\*\*\*POINTE WEST ARCHITECTURAL REVIEW BOARD ONLY\*\*\***

Owner: \_\_\_\_\_ Block/Lot: \_\_\_\_\_

Contractor: \_\_\_\_\_

Date Received: \_\_\_\_\_

The ARB reviewed the Application for Final Plan Review and rendered the following decision:

- |       |                                              |
|-------|----------------------------------------------|
| _____ | Approved                                     |
| _____ | Approved with limiting conditions (attached) |
| _____ | Denied                                       |

COMMENTS (Recommendations) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LIMITING CONDITIONS (Binding Provisions) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
ARB Representative

Date: \_\_\_\_\_

**NOTE: THE ARB DOES NOT ASSUME RESPONSIBILITY FOR THE FOLLOWING:**

- A. The structural adequacy, capacity or safety features of the proposed improvement or structure.
- B. Soil erosion, uncompactible or unstable soil conditions.
- C. Compliance with any or all building codes, safety requirements, governmental laws, regulations, or ordinances.
- D. Performance or quality of construction performed by any contractor or such contractor's subcontractor(s).
- E. Marketability of the product.
- F. Violations of copyright by the designers and authors of all material submitted to the ARB for review pursuant to the Covenants and these Architectural Guidelines.

## **FINAL PLAN REVIEW CHECKLIST OF MATERIALS**

Owners are encouraged to bring their architect to the final plan review meeting. The following materials shall be submitted to the ARB no less than 7 calendar days prior to the final plan review meeting. All plans shall be prepared by a licensed architect, with the exception of the landscape plan, which shall be prepared by a licensed landscape architect.

- **Existing Conditions Survey:** Minimum scale: 1" = 20'. Must include the following information:
  - Owner's name, address, telephone and fax numbers
  - Architect's name, address, telephone and fax numbers
  - North arrow and scale
  - Lot lines with dimensions and bearings
  - Setback lines
  - Easement lines
  - Adjacent streets
  - Existing utility structures
  - Outline of building footprints and driveways on directly adjacent lots (if applicable)
  
- **Site Plan:** Minimum scale: 1" = 20'. Must include the following information:
  - Proposed house/building locations
  - Proposed driveway, parking area, and walkway locations
  - Dimensions from corner of foundation to adjacent property lines
  - Proposed fences and retaining walls (may be incorporated with landscaping plans as below)
  - Proposed pool or spa location
  - Location, materials, and finishes of all outdoor living spaces (patios, decks, terraces, etc.)
  - Proposed accessory structures (play structures, out buildings, etc.)
  - Any/all other major site improvement locations
  - Both existing contours and proposed new final grading contours. Indicate both existing and final grading elevations
  - Finished floor elevation (FFE) of first level and garage
  - Proposed spot elevations on corners of driveways and walkways (with flow arrows showing drainage)
  - Property boundary locations
  - Required setback locations
  - Site drainage locations: Intended drainage outfall locations from the lot showing how the drainage plans tie into the drainage plan for the Development (drain locations, sizes, flow direction, invert elevations, and inverts of day lighted drainpipe)
  - Utility easements, right-of-way lines, and all other adjacent easement locations
  - Utility line locations
  - Significant natural features such as adjacent beach dune complex and dune vegetation, adjacent lagoon amenities, adjacent common area amenities, etc.
  
- **Floor Plans:**  
Showing the general layout of all rooms, exterior decks and porches, window and door openings, the total square footage of enclosed space for each level, the total proposed square footage of enclosed space for the overall structure, and the heated square footage of structure. Minimum scale: ¼" = 1'-0".
  
- **Exterior Building Elevations:**  
Front, rear, and two side elevations in sufficient detail to indicate the architectural character of the residence, fenestration, massing, exterior decks, porches, and terraces, and existing and proposed

finished grades. Elevations are also to show and include a description of all exterior materials and colors. Minimum scale:  $\frac{1}{4}'' = 1'-0''$ .

❑ **Significant Exterior Architectural Details:**

Provide descriptions and drawings in sufficient detail to demonstrate the architectural character of the building, exposed structural connections, material interfaces, etc. Minimum scale:  $1'' = 1'-0''$ .

❑ **Roof Plan:**

Indicating the proposed roof pitches, overhang lines and lengths, flue and roof vent locations, gutter and downspout locations, skylight locations, locations of major ridge, valley, and eave line, proposed roof materials, and all projections and penetrations located above the roof (such as mechanical exhaust vents and chimneys). Minimum scale:  $\frac{1}{4}'' = 1'-0''$ .

❑ **Site/ Building Sections:**

Site and building section cuts showing building walls, floors, and roof lines relative to the site grading, including retaining walls, and proposed major site improvements such as patios, decks, major landscaping features, etc. The purpose is to demonstrate the relationship between the exterior and interior of the residence. Minimum scale:  $\frac{1}{4}'' = 1'-0''$ .

❑ **Landscape Plan:** Minimum scale:  $1'' = 20'$ . Must include the following information:

- Owner's name, address, telephone and fax numbers
- Architect's name, address, telephone and fax numbers
- North arrow and scale
- Lot lines with dimensions and bearings
- Setback lines
- Easement lines
- Indicate all existing landscaping to remain and all existing landscaping to be removed (if any)
- Lot lines with dimensions and bearings
- The location and sizes of all proposed landscape materials
- Locations of all lawn areas and planting bed lines
- Locations of all proposed plant materials
- Plant list with quantities, botanical names, common names, sizes, and specifications
- Specifications for seeded areas including seed mix, mulch, and fertilizer type
- Locations of all site improvements such as patios and decks, walkways, retaining walls, landscape walls, fences, etc.
- Locations of additional drainage requirements and permanent erosion control measures not indicated on the submitted site plan
- Location and specifications of all exterior lighting fixtures
- Total area of irrigated lawn areas in square feet
- Total area of irrigated lawn area as a percentage of the overall site/lot

❑ **Building Height Calculation Relative to Existing and Finish Grades:**

Building height shall be calculated by taking the average height of all 4 elevations from finished grade to the ridge line of the roof. Building height shall be no greater than 45 feet above the base minimum flood elevation.

❑ **Material Samples:** Must include the following items:

- Exterior wall and siding materials and types
- Trim type
- Roofing type
- Garage door type and color, photo/cut sheet
- Exterior door type and color, photo/cut sheet
- Window type and color, photo/cut sheet

- Site and residence exterior lighting, photo/cut sheets, for all proposed exterior lighting
  - Home numbers
- **Exterior Color & Finish Samples/ Specifications:** Must include the following items and on a 2' x 2' panel:
- Proposed complete color palette, including main body color, trim color, soffit color, fascia color, porches, patio, and balcony colors, railing color, dormer colors, gable colors, window color, door color, roof color, and secondary roof colors.
  - Proposed textures and finishes, including siding, trim, porches, balconies, and roofs.
  - Roofing samples including cut sheets
  - Exterior lighting fixtures including cut sheets
  - Foundation materials
  - Retaining wall materials, colors, and lay-up
  - Screen wall materials and colors
  - Stucco color, texture, and finish
  - Masonry type, colors, texture, and lay-up
  - Driveway color if other than standard asphalt or standard grey concrete
  - Colored or stamped concrete colors, texture, and finish
- **Erosion Control and Revegetation Plan:**  
Indicating the means and time schedule by which the prevention of soil erosion will be addressed during and after construction, revegetation of cut and fill slopes, methods of controlling surface water, siltation control devices, and location of soil storage areas and stabilization measures.
- The builder/owner is to submit a Stormwater Pollution Prevention Plan (SWPPP) specific for the proposed construction on the lot to the ARB for review during the Final Plan Review. In addition, a Stormwater Permit or Notice of Intent (NOI) is to be obtained by the builder/owner from the Texas Commission on Environmental Quality (TCEQ) with a copy provided to the ARB during the Final Plan Review. In no case is the builder/owner to initiate any construction activities on the lot prior to obtaining their NOI Permit and SWPPP for the lot.
- **Proposed Construction Management Plan:** Minimum scale: 1" = 20'. Must include the following information and be separate from the final site plan or final landscape plan:
- Location of the limits of disruption zone, the area within which all construction activities will be limited
  - Location of all silt fencing and all erosion control structures
  - Dumpster location
  - Portable toilet location
  - Contractor sign location
  - Material lay-down, equipment storage, and staging locations
  - Construction vehicular access point, construction entrance and driveway, and parking
  - Any required mitigating measures for protection of natural features, either on the lot or adjacent to the lot, during construction activities.

- ❑ **Proposed Construction Schedule:**  
Provide the approximate time schedule of commencement and completion dates for construction, utility hook-up, completion of landscaping, and anticipated certificate of occupancy date and the occupancy date.
- ❑ **Final Plan Review Fee**
- ❑ **Compliance Deposit**
- ❑ **Other materials as requested by the ARB at the Sketch Plan Review Meeting** (such as perspective sketches, on-site scale wall mock-up, or other)

**CONSTRUCTION COMPLIANCE AGREEMENT**

Owner: \_\_\_\_\_ Block/Lot: \_\_\_\_\_

Contractor: \_\_\_\_\_

Owner and contractor acknowledge and agree as follows:

1. We have read and understand the Covenants, Architectural Guidelines and the Rules and Regulations and will follow and comply with these documents.
2. We declare that use of the plans submitted does not violate any copyright associated with the plans. Neither the submission of the plans to the ARB, nor the distribution and review of the plans by the ARB shall be construed as publication in violation of the designer's copyright, if any.
3. We agree to hold the members of the ARB, the Association and the Declarant harmless and shall indemnify said parties against any and all damages, liabilities, and expenses incurred in connection with the review process.
4. We are responsible for completing construction of all dwellings and structures, including landscaping, as described by the drawings and specifications approved by the ARB within 18 months from commencement of construction unless a variance is granted by the ARB. Construction shall conform to the latest requirements of all local and state building codes and all permits and approvals shall be obtained.
5. We are responsible for paying all review fees, the Compliance Deposit and any fines that may be imposed due to violations of these Architectural Guidelines and the Rules and Regulations.
6. We will maintain a clean construction site at all times and install a commercial dumpster or trash enclosure and portable toilet in conformance with the Architectural Guidelines. A contractor sign shall be installed at the start of clearing and grading. All other signs are prohibited.
7. We are responsible for the conduct of all workers and subcontractors performing services on this project at all times while they are engaged by us.
8. We are responsible for applying for all utilities (including, but not limited to, electricity, water, and natural gas, if available) immediately upon receiving approval for construction. Declarant will not be held responsible for construction delays due to the Owner's or contractor's failure to apply for utilities in a timely manner. Furthermore, Declarant will not be held liable for the failure of any utility to provide their services to the Owner or contractor in a timely manner.
9. We are responsible for ensuring that we comply with the erosion control and stormwater pollution prevention requirements and install dune and vegetation protection measures required by Declarant and all state and local authorities.
10. We agree to store all construction materials in the location shown on the construction management plan approved by the ARB.
11. We agree that construction work shall only take place Monday – Friday from 6 a.m. to 7 p.m. and Saturday from 8 a.m. to 5 p.m. No work is allowed on Sundays, Christmas Day, Thanksgiving Day, or the 4<sup>th</sup> of July.

12. Neither the ARB, Declarant nor the Association undertakes any responsibility to inspect or monitor the performance of the construction of improvements on the Lot. Any such inspections and monitoring are performed for the sole benefit of the inspecting entity. Neither the ARB, Declarant nor the Association makes any warranties of good workmanship, design, habitability, quality, structural integrity, fitness for purpose, merchantability or compliance with building codes and other governmental requirements as to the construction of improvements. Owner and contractor retain responsibility for all such matters.

13. Owner shall reimburse the Association, as set forth in the Rules and Regulations, for any restorative, corrective, enforcement or maintenance efforts expended on behalf of Owner or contractor. Any such amounts will be deducted from the Compliance Deposit, but such amounts are not limited to the Compliance Deposit amount.

14. We agree that the contractor's insurance required by the ARB, as set forth in Section 3.04 of these Architectural Guidelines, shall be endorsed to name Centex Homes d/b/a Centex Destination Properties and the Property Owners Association of Pointe West, Inc. as additional insureds and shall be endorsed to provide that they are primary coverages, not in excess of any other insurance available to the Declarant and its affiliates. Furthermore, all policies shall be endorsed to provide that each underwriter waives its right of subrogation against the Declarant, the Association and their affiliates. Certificates evidencing the insurance and specific endorsements required hereunder shall be furnished to the ARB prior to commencing any work on the Lot. The certificates shall provide for 30 days' prior written notice to Declarant of any cancellation or material change. If requested by the ARB, the contractor shall also provide the originals or certified copies of the insurance policies for inspection. All such insurance shall be maintained in effect so long as contractor is engaging in any construction on a Lot.

\_\_\_\_\_  
Owner's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Contractor's Signature

Date: \_\_\_\_\_

**CONSTRUCTION AUTHORIZATION**

Owner: \_\_\_\_\_ Block/Lot: \_\_\_\_\_

Contractor: \_\_\_\_\_

The above described property has been inspected by the ARB and is found to be in compliance at this time with the requirements of the Architectural Guidelines and the Rules and Regulations. Issuance of this Construction Authorization only indicates compliance with the Architectural Guidelines and the Rules and Regulations as they apply to commencement of construction and is not intended to indicate compliance with any other legal requirements. The Owner and contractor must ensure compliance with all applicable local and state regulations.

Construction is approved to commence as of \_\_\_\_\_.

\_\_\_\_\_  
ARB Representative

Date: \_\_\_\_\_

**VARIANCE APPLICATION**

Owner: \_\_\_\_\_ Block/Lot: \_\_\_\_\_

Owner hereby makes application to the Architectural Review Board for the following variance:

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*(Note: For any variance, include a description of encroaching structures and the amount of intrusion expressed both in feet and inches or feet to tenths and as a percentage of existing setback.)*

The reasons for the request are:

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The impacts of the request on the neighbors and/or Development are:

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Affected Contiguous Properties/Owners: \_\_\_\_\_

\_\_\_\_\_  
Estimated Date of Construction

\_\_\_\_\_  
Estimated Completion Date

\_\_\_\_\_  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Date

Note: The ARB decides whether a variance is to be granted or denied based on the requirements set out in the Architectural Guidelines and careful consideration of the merits of the individual request.

**\*\*\*POINTE WEST ARCHITECTURAL REVIEW BOARD ONLY\*\*\***

Owner: \_\_\_\_\_ Block/Lot: \_\_\_\_\_

Date Received: \_\_\_\_\_

The ARB reviewed the Variance Application and rendered the following decision:

_____	Approved
_____	Approved with limiting conditions (attached)
_____	Denied

COMMENTS (Recommendations) \_\_\_\_\_

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

LIMITING CONDITIONS (Binding Provisions) \_\_\_\_\_

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

\_\_\_\_\_  
ARB Representative

Date: \_\_\_\_\_

**APPLICATION FOR MODIFICATIONS APPROVAL**

DATE: \_\_\_\_\_ BLOCK/LOT: \_\_\_\_\_

TYPE OF MODIFICATION:

- EXTERIOR COLOR / MATERIAL CHANGE
- ARCHITECTURAL RENOVATION / ADDITION
- LANDSCAPE RENOVATION / ADDITION

---

**PROPERTY OWNER:** \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

---

**CONTRACTOR:** \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

LICENSE #: \_\_\_\_\_

---

**ARCHITECT:** \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

---

**APPLICATION CHECKLIST:**

Applicable items described on the Final Plan Review Checklist of Materials must be approved by the ARB, and the review fee and the Compliance Deposit, if any, must be received, prior to receiving approval for modifications.

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**CONSTRUCTION DOCUMENTS:**

A complete set of construction documents must be submitted to the ARB for review. All exterior modifications to elevations, landscape, and floor plans, etc. must be documented and added to the homesite record on file with the ARB.

- Site Plan
- Building Elevations
- Floor Plan
- Overlay of Existing and proposed conditions
- Landscaping Plans (if applicable)

**MATERIAL SAMPLES:**

One set of material samples must be submitted to the ARB for review.

**Color Change:**

Existing: Color Name, Designation #, Manufacturer

Proposed: Color Name, Designation #, Manufacturer

**Material Change:**

Existing: Type, Color, Manufacturer

Proposed: Type, Color, Manufacturer

Detailed description of change/addition: \_\_\_\_\_ (Include size, height, location, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

Additional Heated Square Footage, if any: \_\_\_\_\_

Review Fee  
Amount \$ \_\_\_\_\_

Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Check No.: \_\_\_\_\_

Compliance Deposit, if applicable  
Paid by:  Owner  
 Contractor  
Amount \$ \_\_\_\_\_

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Check #: \_\_\_\_\_

Date of Commencement: \_\_\_\_\_

Date of Completion: \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner or Authorized Agent

Date: \_\_\_\_\_

**\*\*\*POINTE WEST ARCHITECTURAL REVIEW BOARD ONLY\*\*\***

Owner: \_\_\_\_\_ Block/Lot: \_\_\_\_\_

Date Received: \_\_\_\_\_

The ARB reviewed the Application for Modifications Approval and rendered the following decision:

_____	Approved
_____	Approved with limiting conditions (attached)
_____	Denied

COMMENTS (Recommendations) \_\_\_\_\_

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

LIMITING CONDITIONS (Binding Provisions) \_\_\_\_\_

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

\_\_\_\_\_  
ARB Representative

Date: \_\_\_\_\_