

Scenic Heights Subdivision Property Owners Association
1201 Whispering Hills Dr. Canyon Lake, TX 78133 (830) 899-7782 www.shspoa-cltx.com
Architectural Review Committee (ARC) APPLICATION FOR CONSTRUCTION PLANS APPROVAL

Name of Applicant: _____ Phone: _____
Applicant's mailing address: _____ Email: _____
Property Lot No.(s) and Unit: _____ Street Address: _____
Describe Proposed Construction: _____
Estimated Start Date: _____ Estimated Completion Date: _____

Application is hereby made for approval of the attached plans for improvements and improvement locations on the above-described property.

Applicant agrees that construction will be in accordance with such plans and the subdivision deed restrictions and covenants pertaining to the property described above, particularly including those restrictions regarding:

- A. **Building minimum set-back requirements** (as measured from the closest point of any structure extending toward the front and side property lines) of 30 feet from the front property line and 5 feet of the side property lines except as noted in specific property deed. Roof overhang, steps, porches, and decks are extremities of the building and must be considered in the setback measurements (See notes 2 and 3 on the next page).
- B. **The minimum floor space of any residence** (excluding porches, decks, garages, etc.) **is not less than 600 sq. feet.**
- C. **Only new materials will be used** and to comply with all other restrictions concerning construction details and limitations.
- D. **No clearing/preparations of the lot, no trees, no excavation prior to the building permit application approval by the ARC committee WITH NO EXCEPTIONS.** Resulting in a \$600.00 fine. Once approved to begin clearing, no clearing materials, trees, bushes, rocks, dirt etc can be placed, pushed etc on adjoining lots that do not belong to you. You must arrange to have clearing materials removed from the job site.
- E. **Building site required to have a roll off dumpster on site for the duration of the build and a porta potty** for your construction crew. The job site must be kept picked up, no trash on other property owners land.
- F. **Minimal clearing** in the preparation to sell a lot, no construction. Minimal clearing is considered KEEPING most trees with clearing of underbrush (i.e. five foot and shorter, shrubs, saplings, low vines, etc. growing under the larger trees) Submit this form, check this section only. (NO FEE) Note: Comal County is often under a burn ban. If there is no water meter on the property you CANNOT BURN. **ALL debris must be removed upon completion.** Non-compliance will result in a 600.00 fine.

1. Applicant understands that this application and any approval thereof is voided if construction is not commenced within eight (8) months from the approval date, and that construction as to external finish and appearance must be completed within six (6) months from the commencement date of construction.

2. Applicant agrees that any deviation from the actual plans, which through incidental inspections by the Architectural Review Committee, may be in violation of the Association and/or property deed restrictions, will void this approval and subject the owner/builder to immediate legal action to halt construction activities until such discrepancies are resolved.

3. Applicant further agrees to pay application fee according to the schedule below (see A, B, C) Approval of application by the ARC group subsequently authorizes the ARC to inspect property for compliance until completion.

APPLICATION FEE SCHEDULE AS FOLLOWS:

- A. **\$150** (dwelling with or without attached garage).
- B. **\$50.00** (home additions [involving footprint change], sheds, outbuildings, detached garage, etc., and additions thereto must be erected on a platted lot with accompanying dwelling.)
- C. **\$100.00** Pre-construction Variance, if required as shown by site plan. (**\$600.00** Post-construction).

APPLICANT'S SIGNATURE: _____ DATE: _____

APPROVED BY: _____ DATE: _____

PERMIT NO. _____

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Construction Application: Checklist & Guidelines for Approval / Denial

1. Owner or contractor must complete two (2) copies of the application. (Page 1).
2. Obtain a copy of site plan and building plans (minimum requirements are elevations and floor plan).
 - a) review site plans to ensure there will be no encroachment of setback requirements (which must show on drawing, such as roof overhang [see note 3 below], porches, decks, etc. These extremities must be considered when measuring setback).
 - b) also see note 3 below (POA accounts must be up-to-date).
 - c) check for minimum floorspace of homes, buildings and living quarters (600 sq. ft except in Unit 4 where modern, factory-built and underpinned trailers over 100 sq. ft. may be approved in writing by the board).
 - d) review tree removal plans. Encourage the builder/contractor to mark the trees for removal with colored tape or paint before clearing begins.
 - e) obtain a copy of county approval of installation of septic system.
3. Check that POA fees are up-to-date. If in doubt, check with the Treasurer or President. Deny the request if assessments the account is not current.
 - a) log request in POA Construction Application Journal and assign the next permit number.
 - b) sign approval block of the application (2 copies: 1 to applicant, 1 for POA records)
 - c) fill out permit, have owner or contractor sign statement at the bottom of the permit, and give to applicant to post at job site (must be visible for district monitoring or compliance inspector to find and see).
 - d) place application request, copy of plans, and copy of approval letter in file folder.
4. If not approved, advise the applicant of the problem (in writing).
 - a) tell applicant that the request will be kept on hold if he/she wants to amend the project or request/obtain a variance to eliminate the problem(s).
 - b) if the applicant is reluctant to amend the project, offer to take it before the Board. If Board action is requested, call the applicant with the results within 3 days following Board action.

NOTES:

1. Exterior completion and cleanup should be completed within six (6) months after the start date of construction (i.e., beginning of work on foundation).
2. Setback checks are measured from the closest point of structure foundation - plus porch/patio/deck/ or other structure extension, including roof overhang.
 - a) Corner Lots:
 - SIDE STREET (as determined by site plan) = 10 ft. from county right of way.
 - FRONT STREET (as determined by site plan) = 30 ft. from county right of way.
 - ADJOINING LOT (as determined by site plan) = 5 ft.
 - b) Other Lots:
 - FRONT STREET (as determined by site plan) = 30 ft. from county right of way.
 - ADJOINING LOT (as determined by site plan) = 5 ft.
- 3) Setback Exceptions:
 - a) All setback measurements are subject to variance approved by the Board upon written request and appropriate fee paid. (\$100.00 pre-construction, \$600.00 post-construction).