

**RESTATED ARCHITECTURAL RULES AND STANDARDS**

**AS AMENDED AND RESTATED ON**

**JANUARY 1, 2016**

**WATERFORD ON LAKE TRAVIS PROPERTY OWNERS ASSOCIATION II, INC.**

**ARCHITECTURAL RULES AND STANDARDS**  
**FOR DESIGN AND CONSTRUCTION AT WATERFORD ON LAKE TRAVIS**

**(Updated January 1, 2016)**

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**ARCHITECTURAL RULES AND STANDARDS**  
**FOR DESIGN AND CONSTRUCTION AT WATERFORD ON LAKE TRAVIS**  
**(Effective January 1, 2016)**

**SECTION 1.0**

**DEVELOPMENT INTENTS**

The aesthetic and ecological design intents of Waterford on Lake Travis Property Owners II, Inc. (WOLT) require that all structures and landscaping be compatible with one another; and insofar as possible, be in harmony with the natural surroundings. To achieve these intents, the following rules and standards have been adopted by the WOLT Board of Directors, and may from time to time be amended as necessary to always achieve the design intent.

The architectural controls governing new construction, additions and/or alterations are administered by an Architectural Committee, commonly referred to as the Architecture Review Committee (ARC). Committee members are appointed by the Board of Directors (BOD) for the Property Owners' Association (POA). ARC seeks to encourage home construction with the design and construction intended by WOLT. Architectural style may vary provided that it is maintains a highly compatible appearance throughout WOLT. Vivid color, bright metal fascia, and/or radically different styles are not permitted; accordingly, all styles and exterior colors must be approved by ARC. Homes should be designed and constructed with particular attention to the exterior's aesthetic appearance; therefore, the materials of construction must, in the judgment of ARC, create an attractive and harmonious blend with existing WOLT homes and the natural surroundings. ARC may disapprove the design and/or construction of a home on purely aesthetic grounds; where in its judgment, such disapproval protects the continuity of those designs or values in the neighborhood held by other homeowners. Prior decisions on rules and/or standards regarding matters of design or aesthetics will not be deemed to have set a precedent if ARC feels that the repetition of such actions will have an adverse effect.

## **SECTION 2.0**

### **ADOPTION OF RULES AND STANDARDS**

Consistent with the foregoing development intents, the following rules and standards are adopted pursuant to provisions of the WOLT Master Declaration.

## **SECTION 3.0**

### **ADMINISTRATIVE PROCEDURE**

ARC may establish and amend its administrative procedures as justified in its discretion from time to time. In general, the procedure will be as follows:

- 3.01** ARC will meet as needed. Meetings may be proposed by any of the committee members when a need is determined.
- 3.02** After each official submittal of a Residential/Major Renovation Building Permit Application (**Exhibit I**) and the required related plans, an initial review meeting shall be arranged by ARC with the owner, general contractor, and ARC member (s).
- 3.03** If deemed feasible by ARC, adjoining property owners may be invited to this meeting for purposes of offering their respective comments. Such interested property owners may submit comments on the submitted plans to an ARC member inside or outside this initial meeting before official application approval. These type comments will be considered by ARC among all factors applicable to a proposed new project; however, these comments (alone) do not constitute veto rights.

## **SECTION 4.0**

### **SUBMITTAL AND APPROVAL PROCEDURE**

The WOLT Master Declaration and its adopted Architectural Rules and Standards require that all proposed new construction, additional construction, remodeling, improvement, fencing, landscaping, changes including exterior painting etc., and other improvement or replacement of private areas be approved by ARC before physical site work of any kind is begun. In essence, ARC shall be consulted in advance of every physical property change. In cases where the physical change is minor, ARC may endorse without formal permit processing and without fees. Otherwise, the approval procedure will be as described below. If a property owner fails to

consult with ARC before a physical change is made, the owner may be fined up to \$500 per incidence.

- 4.01** The appropriate application for permit should be submitted to ARC through one of its members with three sets of drawings and specifications for the proposed project. If there is a question about the appropriate application for permit for a project, please contact any member of ARC for guidance. A plan submittal will prompt the scheduling of an ARC meeting for the purpose of reviewing these plans, normally within two weeks of submittal. The member of ARC chosen to coordinate the project will propose a meeting with the owner and general contractor to review the submittal.
- 4.02** Review of *preliminary* submittals by ARC will be of an advisory nature; therefore, such submittals may consist of informal presentations. In order that ARC may give consideration to the proposed work, it is recommended that *preliminary* submittals adequately describe the scope of the proposed project. *Preliminary* submittals must be in triplicate. Favorable review of *preliminary* submittals by ARC will neither imply nor guarantee acceptance of *final* design submittals. Comments will be provided to the owner orally or in a written format as set forth in **Exhibit II**.
- 4.03** *Final* design submittals will constitute the only basis for conclusive action by ARC, and must adequately reflect the true design and quality of the proposed work. If the project is a new residential construction or major renovation, the *final* designs must be prepared by a registered architect. As stated above, *final* plans will be submitted in triplicate. Upon review of *final* design plans, the owner or applicant will be notified in writing of ARC action. Before the WOLT Building Permit or approved permit application is issued, the owner must provide an Owner's Compliance Statement (see **Exhibit III**), and the general contractor must provide a Contractor's Compliance Statement (see **Exhibit IV**).
- 4.04** Upon approval of *final* submittals and payment of the required owner fees (Section **9.0**), a WOLT Residential Building Permit (**Exhibit V**) or approved permit application will be issued; and, construction may begin after the general contractor deposit is received, provided that permits have been obtained from all other regulatory agencies having jurisdiction over the project. All applicable building permits must be prominently displayed at the job site and covered with clear plastic to prevent fading and erosion.

- 4.05** Projects other than a new residential construction must commence within three (3) months from the date that the application for permit is approved. Completion of the project must occur within the time frame indicated on the approved permit application. If there is not an acceptable reason for a delay in completion, a weekly fine will be assessed as set forth in Section **11.03**.
- 4.06** New residential construction must commence within six (6) months from date of the issuance of the Residential Building Permit and be completed within one (1) year from start of construction. If construction is expected to exceed one (1) year due to the complexity of a project, a time-line must be provided with the initial application that shows the timing of expected milestone events in the construction process. If ARC accepts the proposed time-line, it will be evidenced on the Residential Building Permit (**Exhibit V**). If the project is not completed within the time frame evidenced in the Residential Building Permit and there is not an acceptable reason for the delay in completion, a weekly fine will be assessed until the project is completed as set forth in Section **11.04**. Travis County, LCRA and other governing agencies may have additional permit requirements; and it is the owner's responsibility to seek and obtain these additional permits.
- 4.07** If a Travis County Development Permit for a new residential construction project is not obtained within six (6) months of the issuance of the Residential Building Permit, plans must be re-submitted and re-approved. Provided that the owner submits a reasonable explanation for the failure to commence construction within six (6) months of the issuance of the Residential Building Permit, ARC will not require owner fees to be paid again. ARC encourages the interested applicant to initiate the pursuit of the Travis County Development Permit several months in advance of applying for the WOLT Residential Building Permit; because, experience indicates that the Travis County process can require substantial time, particularly for lakefront building sites where FEMA rules can complicate the application process. See Section **4.06** regarding the possibility of other agencies' permit requirements.
- 4.08** All projects must be completed in accordance with the plans and specifications approved by ARC. Fines may be levied by ARC and ARC may revoke an approved permit for

noncompliance. Any changes after *final* plan approval by ARC must be re-approved by ARC prior to incorporating those changes.

## **SECTION 5.0**

### **FINAL DESIGN SUBMITTAL REQUIREMENTS**

Following is a listing of items that must be submitted for approval to ensure expeditious issuance of a WOLT Residential Building Permit. Plans not in compliance with this listing will not be placed on the ARC agenda.

- 5.01** Submit three (3) sets of plans (24" x 36" drawings and 8" x 11" specifications).
  - A.** Include one set that shows an original signature of the architect.
  - B.** Include architect's name, address and phone number.
  - C.** Include owner's name, address and phone number(s).
  - D.** Include general contractor's name, address, and phone number(s).
  - E.** Include project specifications. These specifications are text definitions beyond drawings; and, they are normally part of the contractual agreement between the owner and general contractor.
  
- 5.02** A topographic map of the specific proposed building site is required.
  - A.** Include an official certification seal by a licensed surveyor.
  - B.** Include elevations at no more than two (2) foot intervals.
  - C.** Include location of existing native hardwoods with an eight (8) inch or greater diameter measured seventy-two (72) inches from grade that are proposed for removal. Permission is required from ARC to remove any tree with an eight (8) inch or greater diameter measured seventy-two (72) inches from grade.
  
- 5.03** A Site Plan is required.
  - A.** Include scale (1"=10').
  - B.** Include legal description, block/section/lot identification and street address.
  - C.** Include building location on the proposed building site. Strong consideration will be given to the proposed pad site in relation to the pad sites of adjacent lots, improved or non-improved, particularly regarding each pad site's view of the lake's main body.

- D.** Include existing easements, greenbelts, etc. which may be obtained from the recorded subdivision plat.
- E.** Include dimensions from lot line to building extremity. Compliance with building setback requirements will be determined by measuring the distance from property lines of the lot to the closest building extremity, excluding eaves (roof overhangs and gables), steps and uncovered porches. Privacy fences for HVAC and pool equipment may exist inside the setback zone; however, this equipment shall be located as far from the property line as feasible. Accordingly, the final placement and screening of this type equipment must be approved by ARC as part of normal plan approvals. While gutters are not required, they may likewise exist inside the setback zone. The type gutters referenced here typically extend from the fascia board approximately six inches (6”).
- F.** Include building setback lines in compliance with following:
  - Front, as shown on the recorded plat, and if not shown, a minimum of 25 feet on all lots. Definition of “Front”: Line common with road right-of- way or 35' private road easement, if 35' private road easement exists.
  - Sides, as shown on the recorded plat.
  - Rear, as shown on the recorded plat.

The LCRA and Travis County are the agencies that determine elevation minimums for building sites in the Lake Travis area. Please contact these agencies for more related definition.

Section 1, Block A: Lots 1-22 and Lots 45-53-----at the 100 year flood line  
 Section 2, Block A: Lots 54-85-----at the 100 year flood line
- G.** Except for corner lots, no garage will open toward any street. Garages on corner lots will open toward the secondary street.
- H.** No detached buildings are allowed except approved gazebos, patios, decks, garages and/or boat docks.
- I.** Outdoor lights which may cause a nuisance to other property owners shall not be permitted.
- J.** Ultimate responsibility for drainage rests with the owner. Shared responsibility rests with the owner’s architect and general contractor.

- K.** Because of the rolling, undulating nature of the terrain, which in many instances is quite sloped, the builder must ensure that grading of the property and installation of any necessary culverts, swales, or French drains will divert the natural flow of excessive precipitation into the proper drainage channels and not onto adjacent properties.
- L.** All walkways and driveways must have a culvert sized in accordance with the approved subdivision drainage study which will permit free flow of storm water. Culvert headwalls shall be constructed of rock.
- M.** Plans that include a circular drive will extend the correctly sized culvert from the outside of one drive to the outside of the second drive. Center area will be landscaped, with a swale for surface run-off, if necessary.
- N.** Treatment of storm water ditches adjacent to the building site must be delineated on the Site Plan and be constructed prior to the issuance of the Certificate of Occupancy (**Exhibit VI**). The following criteria must be met:
- Water must flow from upstream property line to downstream property line.
  - The size of the ditch, if one is required, must be in accordance with the approved subdivision drainage study.
  - The proposed design of culverts and/or ditches needs to be reviewed with M.U.D. No. 10 prior to seeking final approval from ARC.
- O.** All construction including landscaping in rights-of-way must be approved by ARC.
- P.** Sidewalks proposed parallel to streets must not be constructed along the rights-of-way of private streets.
- Q.** All sidewalks and driveways must be pea gravel concrete, stone, paver and/or concrete with a pattern and/or color.
- R.** Paths, walkways, steps and handrails must be constructed in compliance with the path plan as follows:
- To access Lake Travis (Section 1, Block A: Lots 1-23, 45-53, and Section 2, Block A: Lots 54-70), all paths, walkways and steps must be pea gravel,

stone, paver or concrete with a pattern or color. All handrails must be wrought iron or must match fencing approved for house.

- To access the Landscape Easements (Section 1, Block A: Lots 24-44, and Section 2, Block A: Lots 71-85), all paths, walkways and steps must be pea gravel, stone, paver, concrete with a pattern or color, or must match the path built in the Landscape Easement. All handrails must be wrought iron or must match fencing approved for house.
- No paths, walkways or steps may be constructed accessing into or within any of the Conservation Easements other than those paths or hike and bike trails referred to in Section IV, 4.03 of the Master Declaration.

**S.** At minimum, a two-car attached or detached garage is required with minimum interior size of twenty-feet, ten inches (20'10") in width (deep) and twenty-one feet, ten inches (21'10") in length.

- Garage doors must be overhead type of solid wood or metal with no windows.
- Garage openers are required.
- Garages must have finished interior walls.
- Carports are prohibited.
- Parking of vehicles on any street overnight is prohibited.
- Boats, trailers, recreational vehicles, and similar vehicles must be stored in an enclosed garage and not be exposed to view.

**T.** WOLT is designed as an all-electric development; thus, propane tanks will only be allowed if appropriately screened from view on street side and neighboring properties with materials to match the house, or placed from view below ground level.

**U.** Air conditioning and related equipment must be screened from street view and from view of neighboring properties (front and side) with materials to match the house.

**V.** Trash and related receptacles must be screened with material to match the house. Trash receptacle storage inside the garage is preferable.

- W.** The designated locations of required silt fences are defined in Section **6.01** (Site Preparation) of these rules and standards.
- X.** The minimum interior air-conditioned square footage requirements for specific building sites are as follows:

<u>SECTION</u>	<u>MINIMUM SQUARE FOOTAGE</u>
1 & 2 Lakefront property -----	3,000
1 & 2 All other Property-----	2,700

Note: Definition of “lakefront property” is a lot that is allowed to have a full size boat dock.

Planned square footage (air conditioned and non-air conditioned) must appear on the Site Plan presented to ARC using the following chart:

\_\_\_\_\_Ft<sup>2</sup> of interior air conditioned space  
 \_\_\_\_\_Ft<sup>2</sup> feet of non- air conditioned space  
 \_\_\_\_\_Ft<sup>2</sup> Total

- Y.** Desired masonry requirement for WOLT is 90%; but to permit flexibility in design, ARC will accept plans with a minimum of 80% masonry, provided that no elevation may be predominately siding. Planned square footage and masonry must appear on the Site Plan presented to ARC using the following chart:

\_\_\_\_\_Ft<sup>2</sup> (\_\_\_%) of exterior vertical surface that is glass, doors, masonry.  
 \_\_\_\_\_Ft<sup>2</sup> (\_\_\_%) of exterior vertical surface that is other acceptable material.  
 \_\_\_\_\_Ft<sup>2</sup> (100%) Total

- Z.** For new construction, an in-house sewer alarm (audio alarm and/or light) is required to be installed by the builder at time of construction to indicate when the grinder pump is in an overflow condition. This is in addition to the external light/alarm located at or near the pump unit. The internal alarm must be on a separate electrical circuit than the outside alarm/light and pump. This installation shall be coordinated with Travis County’s M.U.D. No. 10.

- aa.** Outdoor fireplaces, outdoor cooking stoves, and outdoor fire pits must be shown on the Site Plan. When area authorities announce a no-burning ban, non-gas fuels are not permitted in these outdoor facilities.

**5.04** A foundation plan is required.

- A.** Foundation plans must include beam layout and details
- B.** All foundations must be designed by a Texas registered engineer.
- C.** Exposed house foundation must not extend above the finished grade more than twelve inches (12") as viewed from the front (street). The exposed house foundation may exceed 12" on the foundation's side and/or rear provided that ARC approves reasonable amounts above 12". Where foundation exposure above 12" is approved by ARC, the exposure must be under-pinned or faced similarly with an alternative masonry material. Exposed deck, fence, etc., foundation must not extend above the finished grade more than four inches (4").
- D.** Exterior vertical surface between decks, porches and grade must be masonry to match the house.

**5.05** An elevation plan is required.

- A.** Include front, rear, and both side elevations.
- B.** Minimum percent of exterior vertical surface that must be glass, doors, or masonry is delineated in Section **5.03Y**.
- C.** Exterior finishes considered appropriate are native stone, brick, stucco, wood, or siding. Samples must be provided for approval.
- D.** All exterior vertical wood or wood siding including stairs and hand-rails must be painted or stained except redwood or other approved woods.
- E.** Regarding ridge elevation, the maximum height of proposed structure must not exceed thirty two feet (32') above finished slab, with the exception of Section 1, Block A, Lots 27 and 28 which must be approved by ARC. "*Finished slab*" is defined as the threshold of the front entrance door.
- F.** Existing grade elevation at highest ridge-line must be shown.
- G.** Slab elevation at highest ridge-line must be shown.
- H.** Roof constructed of clay or concrete tile, or metal is required.
- I.** Roof vents and other penetrations must be as unobtrusive as possible.
- J.** Low profile roof ventilators must be used.
- K.** All chimneys must be clad in masonry of the same type used on the exterior walls.

- L.** Owners may install solar energy devices in accordance with the requirements stated below and with normal submittal to ARC for approval of related plans:
- They may not threaten the public health or safety;
  - They may not violate a law;
  - They must be located on the roof of the home or another permitted improvement or in a fenced yard or patio;
  - If mounted on the roof, they may not extend higher than or beyond the roof line;
  - They must be on the back of the house facing away from the street to the extent possible, unless the estimated annual energy production of the device as determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory, is increased by more than ten percent (10%) of energy production of the device if located on the back side;
  - They must conform to the slope of the roof and have a top edge that is parallel with the roof line;
  - They must have a frame support bracket or visible piping or wiring in bronze, black tone, or a color that matches the roofing material of the residence;
  - If located in the fenced yard or patio, they may not be taller than the fence line;
  - All installations must be in accordance with all of the provisions of Architectural Rules and Standards; and,
  - Owner must have obtained written approval of the proposed placement of the device by all property owners of adjoining properties.
- M.** Exterior television reception and/or a radio or signal receiving/transmitting device can be erected, after site approval by ARC.
- N.** Owners may install rain water harvesting systems or rain barrels in accordance with the requirements stated below and with normal submittal to ARC for approval of related plans:
- Must be kept within an enclosed structure or completely screened from view and not visible from the street or neighboring lots; and,

- Must not display language or other content not typically displayed by such a barrel or system as it is manufactured or be of a size or material that is atypical. If visible from adjacent properties or the street, it must be in a color consistent with the color scheme of the property and improvements and located in an unobtrusive place on the property, in the reasonable discretion of the ARC.
- O.** Owners may install composting bins provided that such installations comply with Section **5.05N** and with appropriate submittal to ARC for approval of related plans. Such proposals must include materials of construction, placement on property, etc., and must have provisions for avoiding unpleasant odors of any type. Any persistent unpleasant odor emission will be justification for ordering removal of the installation.
- P.** Owners may install shingles on the roof that are designed primarily to be wind and hail resistant,
- If they provide heating and cooling efficiencies greater than those provided by customary composite shingles or provide solar generation capabilities;
  - provided they resemble the shingles used or otherwise authorized for use on improvements in WOLT;
  - provided they are more durable than and are of equal or superior quality to such shingles;
  - provided they match the aesthetics of the improvements on the property and are otherwise in accordance with the Architectural Rules and Standards.

**5.06** Floor plans are required.

- A.** Must include plumbing, electrical and HVAC layout.
- B.** Must include layout of a pre-wired security system that is capable of alerting for fire, medical, and intrusion emergencies automatically. Newer technological systems such as video monitoring and wireless will be considered as reasonable alternatives to conventional systems.

**5.07** Structural plans are required.

- A.** Include cross section of wall construction details.

- B.** Include roof plan or truss specification, and provide layout plan details of rafters, joists, beams and/or trusses.
- C.** Include second floor framing or truss details, and provide layout plan details of joists, trusses and beams.

**5.08** A color board is required.

- A.** Include paint sample chips or chart showing exterior and trim color.
- B.** Include roofing material sample.
- C.** Include masonry sample.

**5.09** A landscaping plan is required.

- A.** The Landscaping Plan must be drawn on a copy of previously approved Site Plan.
- B.** Two copies of the Landscaping Plan must be presented to ARC and approved prior to the issuance of the Certificate of Occupancy. All planting and other improvements provided for in such plan must be completed within ninety (90) days of issuance of the Certificate of Occupancy unless an extension is granted by ARC.
- C.** Before landscaping is begun in street rights-of-way or utility rights-of-way, The Landscaping Plan must be approved by ARC.
- D.** A landscaping plan that utilizes rock or crushed rock as a predominate element must meet the requirements contained in Section **5.09F**.
- E.** Silt fences elsewhere required by these rules and standards, will remain in place and be properly maintained until the landscape inspection has been successfully completed. ARC may approve earlier removal when the landscaping plan includes work on the property line for the benefit of the neighbor.
- F.** The following must be submitted in the Landscaping Plan:
  - New plants must be identified by common name, plant size and mature size.
  - Existing plants which are to remain must be noted.
  - Xeriscape landscaping is permitted; however, in areas where xeriscape landscaping is not utilized the use of grass is required. Raised flower beds bordered with masonry to match the house are encouraged.

- Irrigation systems are required for the front yard, as needed for planting. These systems may include sprinkler and/or drip line installations.
  - Walkways, driveways, retaining walls, and flower beds., must be identified by material and dimensions including height above finished grade.
  - Exposed slab on street-facing facade must be planted, with minimum of five (5) gallon plants spaced to cover exposed slab in a maximum of two (2) years.
- G.** In the event that a permanently anchored flagpole is to be installed, the Landscaping Plan must show the location of the flagpole and include specifications for the flagpole including dimensions and installation criteria. If there is desire for a second flagpole to be installed, it must have prior approval by the WOLT Board of Directors.
- 5.10** If applicable, a pool plan will be drawn on a copy of previously approved Site Plan, with specific indications of distances from water containing basin and surrounding slab and walkways to lot lines.
- A.** The water containing basin must not encroach on any easements. This may not necessarily apply to surrounding slab and walkways.
  - B.** Equipment must be screened with material to match the house.
  - C.** If a swimming pool is designed with a backwash filtering system, a plan for drainage of the backwash to a storm water collection system must be shown. Backwash is not permitted to be discharged into the sanitary sewer system nor into Lake Travis.
- 5.11** A fence plan must be drawn on a previously approved Site Plan.
- A.** The Fence Plan must include an elevation view of one section.
  - B.** All-masonry, all-wrought-iron, or masonry columns with up to an eight foot wrought-iron in-fill is required for the front or street side, with columns placed on either side of driveway and property's front corners.
  - C.** Maximum height of a fence is six (6) feet.
- 5.12** If applicable, a boat dock plan is required.
- A.** Private boat docks will not be allowed to be constructed in connection with the following lots: Section 1, Block A, Lots 23-44; Section 2, Block A, Lots 72-85;

Section 1, Block B, Lot 1; and, Section 2, Block B, Lots 2-22. All other waterfront lots will be allowed to construct private boat docks.

- B.** All private boat docks must be built according to the "Waterford on Lake Travis Boat Dock Specifications" (See **Exhibit VII**) which includes a list of recommended builders for WOLT boat dock construction. The boat dock plan must comply with this criterion.
- Include the proposed square footage. Please be aware that LCRA measures square footage *including eaves*; and, WOLT requires eaves. Therefore, the "water footprint" must be less than the "eave shadow"; and, these concurrent requirements must be considered in the design to comply with both LCRA and WOLT criteria.
  - Include the type and color of all materials, such as roof, columns, decking, side boards and flotation material.

## **SECTION 6.0**

### **SITE PREPARATION**

At the time of final submittal, the builder may be required to install a string line on the lot showing the placement and footprint of the proposed plan. The builder is also required to mark any trees that are proposed to be removed. It is not intended that any trees be cut down in accomplishing this preliminary requirement.

- 6.01** At the time of final design submittal, the lot boundary excluding the street side must be fenced using a safety fence similar to the Burke design or an approved equivalent. This fence must remain in place during the duration of the project. ARC may approve earlier removal when the landscaping plan includes work on the property line for the benefit of the neighbor.
- 6.02** Prior to starting construction, a silt fence as delineated on the Site Plan must be installed, and maintained throughout construction and landscaping.
- 6.03** Prior to starting construction, a portable chemical toilet must be in place and removed when construction is complete. The toilet must be placed at least five feet from the concrete ribbon on the street. The removal is required before issuance of a Certificate of Occupancy.

- 6.04** Prior to starting construction, a metal dumpster must be in place and must be removed when construction is complete. The dumpster must be placed at least five feet from the concrete ribbon on the street. It will be the permit holder's responsibility to collect all trash and have a clean and orderly construction site at the conclusion of each day's activities. If a metal dumpster cannot be accommodated on the building site, ARC may consider an alternative method of trash accumulation.
- 6.05** No dumping or burning of trash is permitted within WOLT.

## **SECTION 7.0**

### **INSPECTIONS**

- 7.01** All construction or work for which a permit is required will be subject to inspection by ARC or its designated representative, and/or the County of Travis.
- A.** No work shall be initiated for an alternate source of water, either by well or lake pump drawing from Lake Travis, without approval of specifications as indicated in Section **7.05**.
- B.** There will be a final inspection and approval of all buildings and structures by ARC, its representative, and/or third party inspectors when completed and deemed ready for Certificate of Occupancy approval.
- C.** The building codes stated below shall be used. The latest published version in effect at the beginning of the year in which a WOLT Building Permit is approved will be the governing document in each case:
- \* Uniform Building Code, Latest Published Edition with Amendments
  - \* Uniform Mechanical Code, Latest Published Edition with Amendments
  - \* Uniform Plumbing Code, Latest Published Edition with Amendments
  - \* National Electric Code, Latest Published Edition with Amendments
  - \* CABO Code, Latest Published Edition with Amendments
- 7.02** Ten inspections will be required for new construction. First through third inspections will be completed by ARC. Fourth through tenth Inspections are required to be performed by third-party certified inspectors who are registered and approved by ARC prior to any inspections being performed. Contracting and payment for these inspections are the responsibility of the owner and/or builder; however, plumbing inspections except

for top-out are arranged by M.U.D. No. 10 as part of their agreement with the owner to provide water and sewage services. M.U.D. No. 10 performs these plumbing inspections through a third party contract. The general contractor shall provide reasonable notice to the third party inspectors and to ARC for inspection dates. Any re-inspections that may be required will be at the general contractor's expense, payable to the designated inspection company. A copy of each third-party inspection report must be given to ARC within seven (7) days of the inspection. This section applies to new construction and additions where modification of an existing structure increases the structure's footprint of the structure or modifies the exterior appearance.

- A. First inspection (plan review): Provide three complete sets of plans that include: plot plan or site plan; surveyor certified topographic site plan of lot; engineered foundation plan; four elevations; plumbing plan, electrical plan, mechanical or HVAC plan, security systems plan; window plan; and the specification. H.U.D. form 92005, equivalent plans, or portions thereof that are designed by a registered architect or engineer must be sealed, signed and dated on each page.
- B. Second inspection (for lot clearing): All property corner pins must be located and flagged. All trees to be removed must have been previously marked on the topography map as required in Section **5.02**.
- C. Third inspection (for foundation layout): A safety fence similar to Burke design or equivalent must be in place along property lines. Easement boundaries must be flagged. Foundation batter boards with string lines must be in place. The lowest elevation must be verified with plan. The chemical toilet and metal dumpster must be in place.
- D. Fourth inspection (plumbing rough): Drain, waste, vents and supports must be in -place, tests run and ready to be verified. All pipes must be exposed for visual inspection.
- E. Fifth inspection (foundation, prior to pour): Forms must be erected and braced, beams excavated, reinforcement in-place, all drops, blackouts or slab elevation changes must be in-place. Lowest slab elevation must be checked. Plumbing waste Lines must be in- place and tested. Water lines must be in-place and protected from dissimilar metals and at concrete penetrations. Hot water lines

must be insulated and cold water lines sleeved. Water lines must be tested to minimum 100 psi.

**F.** Sixth inspection:

- (Framing) Roof must be dried-in and materials loaded. All framing, fire blocking and bracing must be in-place. Height elevation must be checked.
- (Gas system rough-in) All pipes must be in-place and tested.
- (Mechanical rough) All duct work and vents must be in-place. Furnace closets and/or catwalks must be completed.
- (Electrical rough) All wiring, boxes, load centers (service and sub panels), service lines in trenches and all work which is to be covered must be in-place and open for inspection.
- (Security system rough) All work which is to be covered must be in-place and open for inspection.
- (Service lines) If electrical, TV and phone conduits are not in place with framing or other inspection, an inspection will be required.
- (Plumbing top-out) All pipes must be in-place. Supports must be connected. Meter location, vent takeoffs, roof flashing and boots, water heater location, and trap arms must be completed. Copper must be pressurized to 100 psi and PVC must be filled with water.

**G.** Seventh inspection (insulation and sealing): Insulation must be in-place, and all joints and penetrations must be sealed. Fireplace must be installed.

**H.** Eighth inspection (wallboard): All fasteners must be in place according to proper nailing schedule. Fire-stop, 5/8" sheetrock required on garage to house wall and garage ceiling must be in-place.

**I.** Ninth inspection (driveway, sidewalks and flatwork): Forms must be erected with all reinforcement in-place and all located within the Interior property boundary lines. Grate must be formed for driveways, if required. Adequate provision shall be made for installation of headers over culverts. Sidewalks that cross the same bar ditch as the driveway will require the same culvert size as specified for the driveway. Layout of walks and driveways shall provide for proper surface water drainage.

**J.** Tenth inspection:

- (Mechanical final) All equipment must be installed and ready for use; including dryer vents, stove hoods, furnace vents, water heater vents and all supply and return air grilles. Air conditioner units must be screened with masonry.
- (Electrical final) All fixtures, switches, receptacles, cover plates, grounds, and appliances must be installed with the meter loop in place.
- (Security system final) System must be tested and ready for use per Section **5.06B**.
- (Gas systems) Systems must be tested. Equipment and appliances must be connected and ready for use. Propane tank must be screened with masonry.
- (Plumbing final) All valves and fixtures must be installed and all vents completed. Water system must be tested. Sewer must be connected and yard line inspected.
- (Building final) Building final inspection must be satisfactorily completed and ready for Certificate of Occupancy inspection.

**K.** Certificate of Occupancy inspection: This inspection will be completed by ARC will ensure that the building was completed in accordance with previously approved plans and is ready for occupancy. Special attention will be given to surface water drainage; bar ditches cleaned, cleared and graded to drain; site clean-up; builder sign removal; and, removal of waste materials including on adjoining lots. This inspection will not be made until all prior inspections including plumbing have been passed.

**7.03** Inspections required for swimming pools, in-ground spas, and hot tubs will include a rough-in and final inspection and must be performed by a third-party certified inspector. Payment for these inspections is the responsibility of the pool/spa/hot tub builder. Any re-inspections required will be at the general contractor's expense, payable to the designated inspection company. General contractor must provide reasonable notice of inspection dates to third party inspectors and to ARC. A copy of the third-party inspection report will be given to ARC within seven (7) days of inspection.

- A.** A swimming pool, spa or hot tub permit application must include plans for equipment screening (including propane tanks) and all related structures, such as decks and patios.
  - B.** All property corner pins must be located to verify that improvements will be within the setback lines.
  - C.** At rough-in inspections, all pipes must be in place and tested. All wiring, boxes, load centers (service and sub panels) and all work which is to be covered must be in-place.
  - D.** At final inspections, all equipment must be installed and ready for use. All fixtures, switches, receptacles, grounds and appliances must be installed and meter loop in place. Gas system must be tested and equipment must be connected and ready for use. All plumbing fixtures must be installed and water tested. All decking and screening must be completed. Final inspection approval will not be given until all necessary screening and related structures are completed in accordance with previously approved plans and appropriate codes.
- 7.04** A one-time required landscaping inspection will be conducted by ARC to ensure landscaping has been completed in accordance with previously submitted plans, or an agreed upon segment of a phased landscape plan has been completed.
- 7.05** The use of a lake pump or well as a source of water for irrigation systems will require the following:
- Wiring will be installed by a licensed electrician and will be shielded in a separate PVC or polyvinyl tubing underground and underwater.
  - All PVC and polyvinyl pipe must be buried underground wherever possible; and, at all other times should be covered with natural stone or by another method approved by the ARC.
  - All equipment and water pressure tanks must be properly screened from view using like construction when placed near the house structure. Screening of equipment placed other than near the house must be approved by the ARC.
- 7.06** Fence installations must be inspected by ARC upon completion of the physical work.
- 7.07** Dock installations must be inspected by ARC upon completion of the physical work.

**7.08** In addition to the required inspections specified above, any ARC member may make or require to be made any other necessary inspections on any construction work to ascertain compliance with the provisions of the Architectural Rules and Standards.

**SECTION 8.0  
CERTIFICATE OF OCCUPANCY**

No residence will be occupied or used until ARC has issued a Certificate of Occupancy to the owner. ARC shall issue a Certificate of Occupancy only under the following conditions:

- After ARC or its representative has inspected the residence pursuant to Section **8.08(A)(2)** of the WOLT Master Declaration and determined that the improvement has been completed in strict compliance with all previously approved plans and specifications; or,
- The improvement has been completed and any noncompliance with the approved plans and specifications has been remedied by the owner or by ARC in the manner described in Section **8.08(A) (3)** of the WOLT Master Declaration.
- There are no financial obligations of the Owner and General Contractor to WOLT pursuant to Section **9.0** or **11.0**.

**SECTION 9.0  
FEE SCHEDULE**

<u>Project Type</u>	<u>Non-Refundable Owner Fee</u>	<u>Refundable Contractor Security Deposit</u>
New construction	\$2,000	\$5,000
Major renovation	\$1,000-\$2,000	\$2,500-\$5,000
Minor renovation	\$ 100-\$1,000	\$ 100-\$2,500
Landscaping	\$ 100-\$1,000	\$ 100-\$2,500
Swimming pool	\$1,000	\$2,500
Fence	\$200	\$ 200-\$2,500
Flatwork	\$ 100-\$1,000	\$ 200-\$2,500
Boat dock	\$200	\$0
Maintenance	\$0	\$0

Notes regarding the above fee schedule follow below:

- The first two project type listings above require a pre-construction meeting among ARC, the owner and the owner's general contractor.
- Owner fees are additive in the above fee schedule; e.g., if a new home is built with a swimming pool, the two fees are added to determine the full fee amount.
- Owner fees are not refundable.
- Fees stated above as a range will be determining by the ARC relative to the scope and nature of the projects. This will be performed prior to approval of the building permit.
- In differentiating between *major* and *minor*, *major* is defined as a project exceeding 300 Ft<sup>2</sup>.
- Examples of *maintenance* projects referenced above include painting, external door replacement, garage door replacement, window replacement, gutter repair/replacement, fence repair/replacement, swimming pool resurfacing, and general repairs affecting external views.
- The general contractor security deposit is subject to total refunding provided that no damage requires WOLT to make repairs and no fines are imposed on the builder. If the cost incurred to repair damages and the cost to cover fines imposed (see Section **11.0** – Fines and Resolution Process) exceed the amount of contractor security deposit, the General contractor and Owner shall be jointly responsible to cover the excess amount and a Certificate of Occupancy shall not be issued until this obligation is paid to WOLT.
- Contractor security deposits are additive in the above fee schedule; i.e., if a new home is built with a swimming pool, the two deposits are added to determine the full deposit amount.
- In the event that the Contractor Security Deposit is depleted as the result of fines and penalties (See Section **11.0** – Fines and Resolution Process), and the amount remaining in the Contractor Security Deposit drops to a level less than 20% of the required security deposit amount, ARC may require the Building Contractor and/or Owner to replenish the Contractor Security Deposit.

## SECTION 10.0

### RULES

WOLT streets, adjacent residences and common areas are substantially impacted by construction activities within the subdivision. If an employee, a supplier, or a subcontractor of the general contractor causes damage to the infrastructure within the subdivision, the general contractor will be responsible to WOLT for the damage caused by the employee, supplier, or sub-contractor that they utilize.

- 10.01** Maintenance of Construction Site - The general contractor is responsible for maintaining the construction site in a neat and orderly state throughout the construction period. Scrap building materials, debris, and trash are to be deposited into a trash container located on the building site (See Section **6.04**) at the end of each day. Building materials that are delivered to the construction site are to be stacked in a neat and orderly fashion on the job site. No building materials are permitted to be stored on the streets within the subdivision.
- 10.02** Prohibition of Encroachment - The general contractor shall not allow its employees, subcontractors, or suppliers to encroach upon properties adjacent to the construction site, conservation easements within the subdivision, or any private property within the subdivision. The general contractor shall be responsible for any damage within the WOLT infrastructure as the result of such encroachment.
- 10.03** Parking Restrictions - All vehicles parked within WOLT must be parked on the paved surfaces of the roads. Any vehicle that parks off of the paved surface shall be in violation of this rule, unless it is parked on the actual construction site for the project. No vehicles or trailers are allowed to be parked overnight on the roads of WOLT.
- 10.04** Cessation of Work – Any cessation of construction for longer than three (3) months shall cause the automatic revocation of ARC’s approval of the Plans and Specifications. Before work may resume on the project, Plans and Specifications must be re-submitted and re-approved and ARC may require the issuance of a new permit and payment of an additional Non-Refundable Owner Fee.

**SECTION 11.0**  
**FINES AND RESOLUTION PROCESS**

The ARC may levy fines and penalties for violations of the rules and standards set forth in this document. A violation will be considered a separate offense for each and every day that the violation is permitted to remain uncorrected. Fines and penalties will be deducted from the Contractor Security Deposit.

**11.01 Failure to maintain construction site (See Section 10.01)**

1 <sup>st</sup> Violation	e-mail notification	3 business days to cure	No fine
2 <sup>nd</sup> Violation	e-mail notification	3 business days to cure	\$ 75 daily after cure period
3 <sup>rd</sup> Violation	e-mail notification	3 business days to cure	\$150 daily after cure period
4 <sup>th</sup> Violation	e-mail notification	3 business days to cure	\$250 daily after cure period

After the fourth violation, the ARC may either impose a \$500 daily fine or elect to engage a contractor to clean the job site. Any fines imposed or costs incurred by WOLT will be deducted from the Contractor Security Deposit.

**11.02 Parking Violations (See Section 10.03)**

1 <sup>st</sup> Violation	e-mail notification	No fine	Vehicle must be immediately moved
2 <sup>nd</sup> Violation	e-mail notification	\$ 50 fine	Vehicle must be immediately moved
3 <sup>rd</sup> Violation	e-mail notification	\$ 75 fine	Vehicle must be immediately moved
After 3rd	e-mail notification	\$100 fine	Vehicle must be immediately moved

Any fines imposed will be deducted from the Contractor Security Deposit.

**11.03** In the event that the completion of a project other than a new residential construction project exceeds the time frame indicated in the approved application for permit and the building contractor has not presented evidence of circumstances beyond its control causing the delay, there will be a \$40 per week fine imposed for each week required to complete the project beyond the period in the approved application for permit. This fine shall be deducted from the Contractor Security Deposit.

**11.04** In the event that the construction period for a new residence exceeds the time frame indicated in the Residential Building Permit and the building contractor has not presented evidence of circumstances beyond its control causing the delay, there will be an \$80 per week fine imposed for each week required to complete construction beyond the period of

construction set forth in the Residential Building Permit. A project shall be considered to be complete upon issuance of a Certificate of Completion as provided in Section 8.0. This fine shall be deducted from the Contractor Security Deposit.

**11.05 Other Violations of these Rules and Regulations**

Fines will be assessed on a case-by-case basis at the discretion of ARC depending on the nature of the violation. The building contractor will receive a written notification of the violation, and will be given a reasonable time period to cure the violation before the fine commences.

**11.06 Damage to WOLT Infrastructure**

A written notice will be provided to the general contractor outlining the damage to the WOLT infrastructure and the party that is responsible for the damage will be identified. The general contractor will be allowed ten days after receipt of the written notification to provide a proposal to repair the damage and a time frame for completion of the repairs. If ARC agrees to the proposal from the general contractor, a written response acknowledging acceptance of the proposal will be provided to the general contractor. If an agreement for repairing the damage is not reached within 30 days of the initial notification to the builder, the ARC will proceed with repairs. Any cost incurred to complete the repairs will be deducted from the Contractor Security Deposit.

**11.07 Hearing regarding fines, penalties, or fees**

The Owner and/or Building Contractor may request a hearing with ARC and/or WOLT Board to review fines, penalties, or fees imposed pursuant to these Rules and Regulations. If, after the hearing, a violation is found to exist, the ARC and/or WOLT Board's right to proceed with the remedies provided within this document shall be absolute. Each day a violation continues shall be deemed a separate violation.

**SECTION 12.0**

**VARIANCES**

**12.01** To consider a variance, the property owner must seek and obtain the written approval for the desired change from the ARC. Variances will be considered only where conditions exist on a property that would impose an extreme hardship on the owner if strict

enforcement of these rules and standards were imposed. ARC may grant variances to the rules and standards so long as the spirit of the rules is upheld.

- 12.02** ARC may grant variances from compliance with any of the architectural provisions of the WOLT Master Declaration or any Supplemental Declaration, including restrictions upon height, bulk, size, shape, floor area, land area, placement of structures, building envelopes, colors, materials or similar restrictions, when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental consideration may, in its sole and absolute discretion, warrant. Such variances must be evidenced in writing and must be signed at least by a majority of all members of ARC. If a variance is granted, no violation of the covenants, conditions or restrictions contained in the Master Declaration or any Supplemental Declaration shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such a variance shall not operate to waive any of the terms and provision of the Master Declaration or of any Supplemental Declaration for any purpose except as to the particular instance covered by the variance.
- 12.03** All variances must be specifically approved prior to construction of any improvement.
- 12.04** Any variance granted but not utilized within six months of the date of issuance will be void.
- 12.05** If the ARC is not permitted to grant the requested variance due to limitations of its authority, the property owner will be advised accordingly. When the ARC is not authorized to issue a variance, the property owner may seek a variance from the WOLT Master Declaration utilizing the procedures set forth in Paragraph **9.10** of the Master Declaration.

### **SECTION 13.0 DISCLAIMER**

The foregoing architecture rules and standards have been adopted to assist ARC in exercising its powers and performing its duties pursuant to WOLT Master Declaration. Compliance with these rules and standards is not intended to guarantee that the proposed improvements will satisfy all the requirements of the Master Declaration, or that the proposed improvements will be

structurally sound, or that they will comply with any applicable building code, or that they will be free from damage from wind, rain or flood, or that they will not encroach on easements, or that they will not divert surface water in a manner not allowed by law.

In giving any approval, ARC finds only that the improvements are satisfactory relative to these rules and standards. Approval of ARC is not an opinion, approval, warranty, or representation by it as to any of the matters mentioned in the foregoing paragraph.

**EXECUTED** effective as of January, 1, 2016.

**WATERFORD ON LAKE TRAVIS  
PROPERTY OWNERS ASSOCIATION II, INC.**  
a Texas non-profit corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Chairman

THE STATE OF TEXAS     §  
  §  
COUNTY OF TRAVIS     §

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, known to me to be the Chairman of Waterford on Lake Travis Property Owners Association II, Inc., a Texas non-profit corporation, who executed the foregoing document in the capacity therein stated and for the purposes therein described.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

**EXECUTED** effective as of January, 1, 2016.

**WATERFORD ON LAKE TRAVIS  
PROPERTY OWNERS ASSOCIATION II, INC.**  
a Texas non-profit corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Chairman of Architectural Review Committee

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF TRAVIS    §

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, known to me to be the Chairman of the Architectural Review Committee of Waterford on Lake Travis Property Owners Association II, Inc., a Texas non-profit corporation, who executed the foregoing document in the capacity therein stated and for the purposes therein described.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas