

WINDERMERE OAKS

ARCHITECTURAL

CONTROL

GUIDELINES,

REQUIREMENTS,

And

OTHER

INFORMATION

Revised December 1, 2008

TABLE OF CONTENTS

<u>Subject</u>	<u>Page No.</u>
I. Introduction and Statement of Purpose	1
II. Design Review Process	1
III. Plan Requirements	2
IV. Site Design Guidelines And Requirements	3
V. Architectural Guidelines And Requirements	4
VI. Construction Guidelines And Requirements	5
VII. Fees, Fines & Other Information	6

I. INTRODUCTION AND STATEMENT OF PURPOSE

Windermere Oaks is a restricted community in the Texas Hill Country on the shores of beautiful Lake Travis. It had its beginning in late 1970 and continues today as a place to enjoy the living and recreational potential of its extraordinary location.

These "Guidelines" address the design issues of building in Windermere Oaks. They are for the purpose of guiding property owners, architects, and contractors in continuing the building traditions characteristic of Windermere Oaks. It is the lot or the homeowner's responsibility to make sure the ACC guidelines are followed.

These "Guidelines" are in place to insure real value for all of the property owners in Windermere Oaks. For the protection of all, only single family houses that are properly designed and in keeping with the environment will be permitted in Windermere Oaks.

The Windermere Oaks Property Owner's Association Inc. (WOPOA) and the Architectural Control Committee (ACC) administer the "Guidelines." The WOPOA is empowered as a result of the recorded restrictive covenants and recorded amendments (collectively, the "Restrictions") affecting property use in Windermere Oaks. The WOPOA and ACC may modify and add to these "Guidelines" from time to time at their sole discretion and without notice.

In the event of any conflict between any provision contained in this document and the Restrictions, the Restrictions shall control.

II. DESIGN REVIEW PROCESS

Your home in Windermere Oaks is a part of the Texas Hill Country; therefore it is appropriate to build in harmony with the area. A home suitable for Cape Cod, the beach, or Tudor England will not fit in Windermere Oaks.

Your home shall be custom built and will require the services of a certified house planner, a professional engineer, or an architect licensed in the state of Texas. Be sure your architect is familiar with the "Guidelines," the Restrictions, and applicable governmental building codes.

Prior to designing your home, you and your architect are encouraged to contact the ACC to discuss your home site and special design concerns. While not required, a review of preliminary plans is suggested to avoid wasting time and professional fees for a design not in keeping with the "Guidelines."

All new home construction, additions, paint colors or materials, lighting, and any other modifications to the exterior of any existing residence or lot are controlled by these "Guidelines". A rule of thumb might be "if it shows get ACC approval".

(3)

III. PLAN REQUIREMENTS

The requirements for the final plans submitted to the ACC are as follows:

1. Site Plan with a minimum of 1"=10' showing property lines, lot contours lines at 5' intervals, location of all trees larger than 4" caliper, building location, driveways, parking areas, easements, utilities, air conditioning compressors, propane tanks, grinder pumps, location of outdoor lighting, fences, dog runs, trash bins and decks. In determining the proper location of your home, consideration should be given to the location of existing and future development on adjacent sites. Only the current lot owner may submit construction requests.
2. Proposed floor plans, exterior elevations, and statement of total square footage of floor space in enclosed living areas, excluding garages, decks, and porches are required.
3. A sample material board that includes the manufacturer's name and color (number) for the following exterior materials: roofing, wall material, exterior trim, chimneys, window trim, door color, and the stone or rock to be used with mortar color specifications.
4. Submit a dated, written application letter signed by the lot owner, the material board, two sets of plans, and a \$1,500.00 road use fee. The ACC will have forty-five (45) days following the signed receipt of the complete request package to review, approve, or reject the plans. If the plans are rejected or require revision, the ACC will have twenty (20) days to review the corrected plans. Plans will not be approved if the property owner is delinquent on any fees or an assessment on any lot owned in Windermere Oaks or, is otherwise not a member in good standing. The review process will not begin until the submission package is complete and the ACC Chairman has confirmed acceptance of the completed package in writing.
5. Written approval from the ACC is necessary before beginning any construction on your site. The clearing of lots, or any other site work, in preparation for building is prohibited without ACC approval of the construction documents.
6. Changes in the plans or materials may not be made without the written approval of the ACC. No work, other than routine maintenance, which will result in changes to the exterior, may be undertaken without the written approval of the ACC.
7. Exterior painting or repainting of existing houses requires ACC approval of all colors to be used. All exterior re-modeling or exterior improvements to existing homes including decks, sidewalks, patios, awnings, fences, or other exterior changes must be approved in advance by the ACC. The ACC will approve the request on these issues within 45 days after written acceptance of plans or samples.
8. Evidence of the filing of all approved re-plats with Burnet County must be submitted to the ACC prior to beginning construction.
9. All fees and assessments payable to the WOPOA and the WOWSC must be paid in full prior to approval of construction documents.

(4)

IV. SITE DESIGN GUIDELINES AND REQUIREMENTS

The location of your home on your lot is critical to design success. Topography affects the view from your house and that of your neighbors. No two lots are exactly alike; therefore the ACC will review your plan in relation to your lot and its surroundings. Characteristics such as topography, adjoining home sites, and natural features may require special consideration. Lots can be combined as one lot, but must be replatted as one lot prior to construction. The specifics of replatting are detailed in the "Restrictions". Please refer to paragraph I of the Restrictions. Lots re-platted for construction purposes will not be considered combined for dues and assessment purposes until a single family residence (enclosed living area exclusive of decks, garages or porches) is constructed on all of the replatted lots.

SET BACKS: Typically the setbacks are as follows: no portion of any building shall extend nearer than 20 feet to any road right of way, nor nearer than 5 feet to any property line. A 2-foot property line set back applies on the Hill. No setbacks of any kind are required in Center Coves I, II, or III.

GARAGES: All residences must have attached and enclosed two car garages with operating doors. No structures or pads that will accommodate, park, or house any aircraft or airborne vehicle will be approved. Garages must be integrated into the design of the house or connected to the house by a permanent covered walkway. Recreational vehicles (boats, RV's, trailers, or campers) may not be stored on site unless they are kept in an enclosed garage.

DRIVEWAYS: Driveways are required and shall be constructed of concrete or asphalt, connecting the garage to the nearest street at its existing grade level.

FENCES: No fence wall or hedge may be built without written approval of the ACC. Front fences (between house and street) must be decorative in nature (not a containment fence) and cannot exceed 30 inches in height, except columns may be 36 inches in height. A small area (patio size or dog run) containment fence may be built in the rear of the house, not exceeding 4ft. in height. It cannot be solid in construction and must be aesthetically compatible with its surroundings and integrated into the design of the house. Chain-link, hog wire, wire cable fences and fences that demarcate a property line are not permitted.

PROPANE TANKS: Propane tanks must be buried, unless otherwise approved by the ACC. All tanks not buried must be hidden from public view in a location, and with materials, approved by the ACC.

EXTERIOR LIGHTING: Exterior lighting must be kept to a minimum, but consistent with good security practices. No exterior light whose direct source is visible from a street or neighboring property or which produces excessive glare to pedestrian or vehicular traffic will be allowed. The "Full Cut Off" fixture directing lighting downward is required. These fixtures allow for night sky viewing while providing the exterior lighting desired by some property owners. Soffit and tree lights shall be shielded and directed toward the ground to eliminate off-site glare and source visibility. When the home is unoccupied, all exterior lights should be turned off. All lighting including landscape lighting must be approved by the ACC.

V. ARCHITECTURAL GUIDELINES AND REQUIREMENTS

The intent of these "Guidelines" is to provide design quality, compatibility and appropriateness for what will be built. The basic objectives are to create and protect real estate values for everyone and to have beautiful homes in Windermere Oaks.

STRUCTURE: Only one single-family dwelling may be placed on any lot. No prefabricated structures, manufactured homes, or mobile homes of any type are allowed. No house shall have less than 1800 square feet of living area exclusive of decks, porches, and garages; except houses on the Hill, which shall have no less than 1400 square feet of living area exclusive of decks, porches, and garages. Garages must be permanently attached to the house by a common wall or covered walkway with a solid roof. No detached structures will be permitted.

BUILDING HEIGHTS: Building height, on interior lots and on the top of the Hill, is limited to a two-story house, thirty feet at the highest point of the roofline above the crown of the road serving the lot. Unless otherwise approved by the ACC, homes on lakeside and lakeview lots or lots on the lower portion of the Hill are limited in height to twenty-three feet at the highest point of the roofline above the road serving the lot. The actual acceptable height on a lot will depend on many factors including trees, existing structures, and view impairment to other lots. The ACC may, at the owner's expense, confirm the height of the roofline by a third party inspector.

ROOFS: Roofing materials must be painted or treated metal to decrease glare or premium composition shingles. Other man made roofing materials may be submitted to the ACC for consideration. Roofing materials must be in natural or earth tones that blend into the natural look of the area.

EXTERIOR WALLS: All new homes must contain a minimum of 30% natural stone or rock for the total exterior surface, with the sides visible from the street at least 40% natural stone or rock. The remainder of the home may consist of cement-based siding (example: Hardi-plank), stained wood, or other material that may be approved in advance by the ACC. Exposed foundations over 24in in height that are visible from the street must be minimized by painting or screened with landscaping. Except as permitted herein, no brick, plywood, stucco, vinyl siding, metal siding, or artificial or manmade material of any type is allowed. All exterior wood/Hardi-plank must be coated with at least two coats of paint or stain and must be maintained to preserve its attractiveness. Colors in natural earth tones must be used and approved in advance by the ACC. Earth tones are browns, greens, grays, taupe, and beiges. The intent is to blend with your surroundings and not to clash with the local color palette. Sharp, contrasting colors of the home and trim is not allowed.

DECKS: Decks and porches attached to the home are an important part of any Hill Country home. They may be covered or uncovered, (awnings must be approved) but their construction must be integrated into the main structure. Wood and most man made materials that are suitable for outdoor use are acceptable for the deck; however only steel and/or wood railings are allowed (hog wire is not allowed).

SATELLITE DISHES: No exterior antenna or dish of any type larger than one meter in diameter or rising more than two feet above the roof may be erected on any lot without the approval of the ACC. Any antenna must blend into its surroundings or be hidden from public view by shrubbery or other screening material.

UTILITIES: All utilities must be underground from the source to the house.

TRASH BINS: All constructed trash bins must be attached to the house.

VI. CONSTRUCTION GUIDELINES AND REQUIREMENTS

To insure safe, neat, and orderly construction, the ACC and the WOPOA have established construction requirements, which are in addition to the owner's obligation to comply with the Restrictions, for the benefit of all owners and residents. The ACC must be notified prior to the beginning of construction which builder is to be responsible for the construction and such builder's phone number.

It is important that all construction activity be safe and that caution be taken to prevent conditions that would cause fire or other hazards. Storage of material is at the risk of the owner and contractor. Property and adjacent lots shall not be disturbed. Building materials may not be placed on any lot more than 10 days before beginning construction.

The owner or contractor must provide a container (dumpster) for trash and debris. Trash and debris shall be removed from Windermere Oaks on a regular basis. Trash and debris shall not be buried nor burned on site. Lightweight material should be covered or weighted down to prevent material from being blown off the site. Each builder must provide adequate sanitary facilities for his workers.

The use of radios, tape, or CD players must be restrained and not audible on adjacent lots.

Any damage to off-site property, including streets, will be repaired promptly at the expense of the owner or builder. The WOPOA street (asphalt) contractor or a contractor approved in advance by the ACC will perform any required street repairs. Special attention is called to the location of the water and sewer lines. Vehicles leaving the road can easily damage these lines. It is the owner's financial responsibility to repair any utilities damaged during construction, or move any utilities required by construction. (Water, sewer, power, or telephone lines)

Construction must begin within six (6) months of plan approval. Failure to commence construction within this time will terminate the approval and require the plans to be resubmitted to the ACC for reconsideration. All improvements must be completed within eight (8) months of commencing construction. Landscaping must be completed within 6 months of completion of construction of the new home. All remnants of construction materials must be removed from Windermere Oaks within 15 days of completion of construction of the house. The WOPOA may, at any point during construction, seek a third party to verify the contractor's adherence to approved plans.

Your cooperation is essential in observing the following.

1. No open fires or burning of any type (Burning will be subject to a fine of up to \$1,000.00)
2. 25 MPH speed limit
3. No loud or excessive noises
4. No signs or banners of any type are allowed in Windermere Oaks except as specifically permitted in the Restrictions.
5. General daily cleaning of construction sites
6. Work hours: dawn to dusk Monday-Friday. 9:00AM to 5:00PM on Saturday. There will be no work on Sunday. Interior work that creates no noise audible off site may be done at any time.

7. Construction site must be kept as clean as possible, with no blowing trash, at all times during construction.

(7)

VII. FEES, FINES, AND OTHER INFORMATION

FEES:

- A tap fee for water and sewer connections payable to the Windermere Oaks Water Supply (WOWSC) is required. There are other fees payable to the WOWSC before construction can begin. Contact them for information on all fees.
- WOPOA dues on a developed lot are greater than dues on an unimproved lot. Contact the WOPOA for current dues and assessment information.
- The road use fee of \$1,500.00 is for normal wear of the roads. Any damage to roadways within Windermere Oaks caused by construction activity or vehicles will be the financial responsibility of the owner.

FINES:

- Beginning construction without ACC approval will result in a fine of up to \$1,000.00 and \$100.00 per day of construction activity prior to ACC approval.
- Incomplete construction: up to \$1,000.00 plus the cost to complete if undertaken by the WOPOA.
- Construction not in compliance with approved plans: up to \$1,000.00 plus the cost of the remedy. The WOPOA may consider approval of the modification and increase the fine.
- A \$50.00 per day fine for violations of the "Restrictions" may be levied according to Article XII of the By Laws of the WOPOA. A fine of \$50.00 per day for boats, personal watercraft, trailers, and vehicles parked outside for a period of longer than 72 hours may be levied.

OTHER INFORMATION:

- Garage, yard, estate, or other similar sales are not allowed in Windermere Oaks.
- Dogs are not allowed off of owners lot unless on a leash or controlled. No animals are allowed except for customary household pets such as cats, dogs, small in-house birds, or fish; and then only if not bred for commercial purposes.
- Any animal or animals that pose a health or a safety hazard will be permanently removed from Windermere Oaks.
- Use of illegal drugs or firearms is prohibited in Windermere Oaks.
- Fireworks are not allowed in Windermere Oaks.
- Real estate signs, banners, and information boxes are not allowed in Windermere Oaks.
- Refer to the Third Amendment of the Restrictions regarding boat docks and other lakeside structures.
 - Boats, personal watercraft, trailers, and recreational vehicles can only be parked on the owner's lot (and not on the street) for a period not to exceed 72 hours.
 - No explosives can be used in Windermere Oaks

(8)