

PLAN REVIEW APPLICATION
INDIAN BEACH PROPERTY OWNER'S ASSOCIATION

January – December 2006

All site or building construction or alterations or additions, thereto, require approval in writing from the Architectural Review Committee (ARC) prior to construction. (See Restrictions and attached Architectural Control Standards for more detail.)

Please fill out the attached application form and submit three (3) sets of complete plans and specifications in accordance with attached control standards together with application fee to:

Indian Beach Property Owners' Association
Attention: Architectural Review Committee
701 Clarence, Tomball, Texas 77375
P.O. Box 160, Tomball, TX 77377-0160

Please call Susan McKirahan-Gonzales
or C.K.M. Architectural Department with questions
1-888-CKM-1514
281-255-3055 281-255-3056 (FAX)

| (print or type) | PLEASE COMPLETE | DATE: |
|---|----------------------------------|--------------------------|
| OWNER: | PHONE: | ALT #: |
| MAILING ADDRESS | CITY | STATE/ZIP: |
| BUILDER/CONTRACTOR: | | |
| OFFICE PHONE: | CELL/PAGER: | |
| E-MAIL ADDRESS: | FAX | |
| ADDRESS: | CITY: | STATE/ZIP: |
| SUBDIVISION: | SECTION | BLOCK LOT |
| PHYSICAL ADDRESS: | | |
| Description of Improvements: Please select items on application (subject to Deed Restriction requirements): | | |
| HOUSE LIV. SQ. FT. | | |
| DECK: | ADDITION: | PAINT HOUSE: |
| | | OUTDOOR LIGHTING: |
| FENCE: | POOL: | OTHER |
| EXTERIOR MATERIALS: | | |
| EXTERIOR COLORS (Siding and trim) | | |
| ROOF MATERIALS (Colors ~ Include samples) | | |
| TYPE OF TREES: | NUMBER PLANTED: | |
| CULVERT/DRIVE; (must confirm size with City of Galveston) | | |
| START DATE: | PROJECTED COMPLETION DATE | |
| COMMENTS: | | |

Additional information:

APPLICATION FEES: The Filing Fees as follows must be attached to this application:

NEW HOME CONSTRUCTION: \$2,000 (a portion is refundable – see detail below)

EXTERIOR MODELS & IMPROVEMENTS: \$1,000 / FENCING & PAINTING – NO FEE

(Deposit fully refundable less any fines or violations and if inspections are not required)

(Structural construction requiring installation of pilings will require one or two inspections)

DETAIL OF DEDUCTIONS:

REVIEW FEE: \$200 **INSPECTIONS: Two (2) inspections at \$50/ each** (required and will be deducted from the deposit)

APPLICATION REQUIREMENTS

All homes must be designed by a registered architect, by a member of the Texas or American Institute of Building Design or by a builder or designer certified by the Architectural Review Committee ("ARC"). Review the Declaration of Covenants, Conditions and Restrictions for Indian Beach Architectural Guidelines.

THE FOLLOWING REQUIREMENTS ARE TO BE INCLUDED IN THE PLANS:

1. A survey of the lot(s) upon which the improvements are to be constructed showing all adjoining tracts and/or reserves.
2. One set of plans to include all four elevations of structure (i.e., home, addition, etc.), foundation, and floor plan. *See Deed Restrictions on all minimum structural square footage.*
 - A) Elevations - Draft at an architectural scale (1/4" = 1'-0") Elevation of each side, four (4), required to show exterior materials, floor and slab heights and roof slopes.
 - B) Floor Plan(s) - (Draft architectural scale of 1/4" = 1'0") A floor plan to show the dimensions and location of all rooms, patios, balconies, garages and structures at each level. Window sizes, electrical, gas and plumbing fixtures must also be shown.
3. SITE PLAN: One (1) showing placement of home and all other structures with building setbacks, easements and distances of all relevant portions of the structure from building setbacks. Site Plan and driveway - Draft at an architectural scale (1/8" = 1'0") A site plan to show the dimensions of lot and distance from all structures to lot on all sides and distances between building setback and all structures. Site plan must show placement of the home, driveway and all other improvements included in this application or previously approved by the ARC. Indicate all easements, setbacks, slab-elevation, and driveway location including existing and proposed curb cuts, walks, decks, A/C unit extensions and fences. NO PORTION of any improvements will be allowed to be located outside the building setbacks.
4. Specifications - List all specifications relating to slab and/or piling design, structural framing, and quality of exterior materials, colors, textures and shape.
5. Exterior Lighting Plan: Indicate on the plan location, size & type of lighting to be used. No exterior lighting may be placed to cause a nuisance to a neighboring property. Location and description of exterior and dock lighting must be included with application. Light shields must be used.
6. Samples of all exterior colors must be attached to the application.
7. Application fee and any outstanding maintenance fees must accompany this application.
8. Application completed and signed by Owner & Builder/Contractor.
9. Builder deposit made payable to Indian Beach POA.
11. Stairs attached to the home may not encroach into the building setbacks. Stairs attached to boathouses may not encroach into the building setbacks.
12. One (1)-builder sign with a size of 24 X 24 is allowed. No other types of signs other than the house numbers will be allowed.
13. Air Conditioning units should be screened and shown on the plans.
14. Landscaping: Required Palm Trees (Four (4) at 10' minimum height) shrubs and grass planted upon completion of construction. See Deed Restrictions or contact CKM for the information.

Owner Initials _____

OWNER/BUILDER AGREEMENT:

1. Owner hereby acknowledges receipt of Architectural Control Standards and hereby **agrees to comply with all terms and conditions** contained therein and obtain all applicable surveys and inspections as specified therein prior to occupancy.
2. Owner hereby **authorizes the Architectural Review Committee or its agents to enter upon and inspect the lot and structure** thereon during regular business hours for the purpose of ascertaining whether said structure is in compliance with the restrictions, the standards and the approved plans and specifications. Neither the Architectural Review Committee nor its agents shall be deemed to have committed a trespass by reason of such entry or inspection.
3. Owner agrees and understands that the approval of plans and specifications by the Architectural Review Committee shall not be relied upon by any person or entity as to sufficiency, suitability, fitness, workmanship or quality of the design or construction of the improvements.
4. The **burning** of brush, trees or construction materials is **not allowed** in the subdivision. Construction dumping is not allowed. **Each work site is to provide a trash bin, construction fencing and a portable toilet.** The work site is to be kept clean. The contractor is to insure all trash and debris is removed from the site and placed in the dumpster before each weekend. Debris must be contained to prevent it from going on other property. **The dumpster MUST be emptied when full.**
5. Contractors are **responsible for keeping mud, dirt, etc., off the roadway.**
6. **All improvements, modifications, and alterations require ARC approval.** This covers new construction as well as, but not limited to, additions, fences, decks/porches, storage buildings, pools, boat docks/boathouses/bulkheads and change in house colors. Light shields are required for exterior lighting.
7. **If construction is not completed** after plans have been approved **within six (6) months**, an extension **MUST** be obtained, if not, construction activity is on going. For larger homes please, indicate estimated length of time for construction, which can be approved at time of application. Changes to the original design in the original application require approval. If changes have been made to the original design the Plan Review Application, the Plan Review Application will have to be resubmitted.
8. The **Architectural Review Committee has 45-days** from final submittal of plans and permits **to approve** the plans and authorize commencement of construction. The Committee will make every effort to review plans within fifteen (15) days from final submittal.
9. **All maintenance assessments and any other fees due must be paid in full.**
10. The owner/builder/contractor **will place a portable toilet, construction fence and trash bin** on the property immediately after the pilings have been set and prior to any further construction. Portable toilets must be staked to prevent turning over by high winds. **Construction fence is required on side & rear lot lines.**
11. Owner agrees and understands that approval of plans and specifications by the Architectural Review Committee shall not be relied upon by any person or entity as to the sufficiency, suitability, fitness, workmanship or quality of the design or construction of the improvements.
12. Neither the Architectural Review Committee, Home Owners Association, C.K.M. Property Management, Inc., nor any of their respective members, officers, directors, shareholders, employees, or agents shall be liable because of the approval or non-approval of any improvement.
13. Construction of boat docks must be according to the Corp. of Engineers Permit and placement according to the Committees boat dock placement plat. Contact Susan McKirahan-Gonzales or ACC Department for information.
14. **The County/City building permit and the Green ARC approval sign must be posted on the lot from start of construction until the construction has been completed.**
15. Error in location causing an encroachment will be the direct responsibility of the property owner. The builder/owner must satisfy the ARC that improvements are accurately located in accordance with the approved plans and that encroachments are not to occur, without a specific variance having been requested and granted by the Architectural Review Committee. If encroachment occurs without a specific variance having been granted, owner and contractor agree to remove those items.
16. Failure to comply with the above inspections can result in fines and legal action being brought to require compliance. If you are fined, you have the right to a hearing before the Committee. You also have the right to appeal the Committees findings after the hearing, before the Board of Directors.

Date: _____

Signature of Owners: _____ Signature of Builders: _____

Updated May 2, 2006

Basis of Approval and Inspection Process and Fines
Review Indian Beach Covenants, Conditions and Restrictions

Approval of plans and specifications will be based, among other things, on adequacy of site dimensions, design of the structure, conformity and harmony with external design, relation of finished grades and elevations to neighboring sites and conformity to both the specific and general intent of the restrictions. All plans will be reviewed in a timely manner and a letter will be sent to the person's name and address on the Plan Review Application.

The required inspections are done by Ted Shook with the Galveston County Home Inspection Service. Ted Shook may be contacted at 409-740-0088. The deposit is inclusive of the Review fee and the Inspection fees.

It is mandatory to provide three surveys 1) initial survey of lot, 2) "Slab" or "Piling" survey and 3) final survey prior to refund. Other permits or approvals may be required from City, County, or other Governmental entities. It is the responsibility of the owner to obtain all required approvals.

FIRST INSPECTION: Builder: Upon completion of pilings, the **builder shall obtain a "slab" or "piling" survey from a certified surveyor (surveyor stamp and date must appear on copy).** Once the survey is completed, the builder will call the inspector to schedule an inspection. The builder shall provide a copy of the survey to the inspector and the ARC by faxing the survey to CKM and the inspector. **Independent Inspector:** The inspector shall inspect the job site and inform the builder if there are any violations. If there are violations the inspector shall be required to re-inspect once the issues are corrected. CKM shall review the "piling" survey for encroachments.

WEEKLY INSPECTIONS: ARC Inspections are performed once a week by Susan McKirahan-Gonzales or a staff member of CKM. If any noncompliance issue exists the job site shall be "red tagged" to "**STOP CONSTRUCTION**" and a phone call shall be made to the Builder. **Builder shall have 24 hours (business day) to correct the situation.**

CKM Inspection: **If at the next inspection no change or adequate changes, has occurred the builder shall be notified by certified mail and given ten (10) days to correct the issues, that the builder will be fined and the amount of the fine.** **CKM Inspection:** If no change, or adequate change, is noted on the 3rd visit, CKM may employ an attorney to enforce these requirements and collect the fine plus costs.

FINAL INSPECTION: Builder: **Upon completion of construction a final survey will be obtained by the builder. Once the survey has been completed, the builder will call inspector for final inspection. Fax final survey to inspector and same to CKM with written request for refund upon completion of construction.** Upon completion of the final inspection, inspector will forward to CKM a copy of the final inspection; the applicable refund will be processed and paid, less the amounts CKM or the Architectural Review Committee is entitled to withhold and fines and/or violations incurred.

Independent Inspector: The inspector shall inspect the job site for completion of home, driveway, house numbers displayed, construction material and trash cleanup, removal of trash bin & port-a-let and landscaping complete as in planting of trees, shrubs and grass.

CKM: The inspector shall review the final project to ascertain if any encroachments or violations have occurred. Correction of encroachments and other violations shall be the responsibility of the builder and owner.

INDIAN BEACH ARCHITECTURAL REVIEW COMMITTEE FINES

| | |
|--|----------------|
| Start of construction prior to ARC approval | \$1,000 |
| Change in approved Construction without approval | \$1,000 |
| Dirty work site, builder trash, Friday site not cleaned | \$ 200 |
| No Port-a-potty | \$ 500 |
| No Trash bin | \$ 500 |
| Trash bin full and trash over flowing | \$ 500 |
| No Construction fence | \$ 500 |
| Construction fence down | \$ 500 |
| Failure to provide "piling" survey | \$ 500 |
| Failure to provide "final" survey | \$ 500 |
| Failure to obtain inspections | \$ 500 |
| Signs - more than one 24 x 24 builder sign | \$ 100 |
| Failure to provide lighting plan if installing outdoor lights | \$ 500 |

Date: _____

Signature of Owners: _____

Signature of Builders: _____

Updated May 2, 2006

ACC Application Check List

Review the Declaration of Covenants, Conditions and Restrictions for Architectural Guidelines.

- ___ **ACC Application:** Completed with signature of **owner and contractor/builder**; **ALL** pages initialed.
- ___ **Ownership verification:** Provide a copy of Warranty Deed and “Top” portion of Closing Settlement Statement required if not recorded at CKM at time of review.

- ___ **DEPOSIT: Required at time of application; No outstanding Deed Restriction violations and All Maintenance fees must be current and paid.**

- ___ **Site/Plot Plan** to required scale of $\frac{1}{8}'' = 1'$ with dimensions of all structures and setback lines shown, including “flow easement” if applicable

- ___ **Survey:** Provide current survey of property for new home and exterior construction projects.

- ___ **Architectural drawings**, and elevations drawn to scale of $\frac{1}{4}'' = 1'$. (drawings neat and legible) Square footage stated on plans and application. **NO ANGLE BRACING**

- ___ **Pilings** plan with dimensions; an allowance for structural eaves and **NO** encroachments on setback lines.
NO ROUND PILINGS

- ___ **Property line dimensions** (front, side, and rear) clearly shown on the drawings; dimensions should reflect “RECORDED PLAT” AND “SURVEY” of the property.

- ___ **Building “setback” lines** (all four) and easements clearly shown on site/plot plan; NO structural encroachments into building setback lines or any other easements.

- ___ **“Footprint”** of each planned improvement(s) including, residence, garage, outbuilding, driveway, culvert, septic system, pools, fences, monuments, etc., on the drawing.

- ___ **Culvert** (s) design – SEE REQUIRED SIZE PER CITY OF GALVESTON. Culvert shown along with dimensions, location and overall length. Verify culvert diameter and type of end treatment, if any, being proposed; **Include materials** of construction.

- ___ **Driveway** shown on the site/plot plan – must be concrete. The driveway width and centerline clearly located with dimensions from one of the side property lines. **Driveway materials** listed being proposed are clearly shown.

- ___ **County/City Building Permits;** copies of permits submitted with application; include aerobic design and permits. Permits and original Green ACC Committee Card posted on property on/or day before construction starts.

- ___ **Samples** of **ALL** colors (house, buildings, fences, etc..).

COMMENTS:

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| |

INDIAN BEACH ARCHITECTURAL REVIEW COMMITTEE CHECK SHEET

| REQUIREMENT SEC. ___ BLK. ___ LOT ___ | Section 1 | Section 2 | Section 3 | Section 4 | Information Provided - Yes/No | Compliance - details Comments |
|---|--------------|--------------|--------------|--------------|----------------------------------|----------------------------------|
| Min. 1200 sq. ft living space | X | X | X | X | | |
| Min. 300 sq. ft. Covered deck area | X | X | X | X | | |
| Affixed to ground permanently | X | X | X | X | | |
| Built on square wood or round concrete pilings sunk to a depth of 10' | X | X | X | X | | |
| First floor minimum of 18" overhang past pilings | X | X | X | X | | |
| No encroachments into building setbacks, to include stairs and decks. | X | X | X | X | | |
| No angle bracing from pilings to floor stringers | X | X | X | X | | |
| No exposed, untreated or unstained wood, except decking | X | X | X | X | | |
| Maximum of 2 stories of living area | X | X | X | X | | |

| | | | | | | |
|--|---|---|---|---|--|--|
| First level not less than 13' above mean high tide | X | X | X | X | | |
| Set back of 10' from side lot lines | X | | X | | | |
| Section 2: set back of 20' from side lot lines for Lots 10 – 23 & 47 - 57 in block 1 & 10' setback for other lots. | | X | | | | |
| Section 4: set back of 20' from side lot lines for Lots 58 – 62 in block 1 and 10' for other lots. | | | | X | | |
| Front and back building set backs are stated on plat | X | X | X | X | | |
| Concrete driveway to street | X | X | X | X | | |
| Building pad & driveway not more than 75% of lot area | X | X | X | X | | |
| Corner lot deemed to front on street where lot has least amount of frontage | X | X | X | X | | |
| Required drainage structure requirements Contact City of Galveston for exact size requirement and read paragraph 11 of the Restrictions. Confirm and state size on application. | X | X | X | X | | |
| Trash enclosure for under the home, City provides trashcans. No trash cans allowed in site. | X | X | X | X | | |

| INSPECTIONS # 1 | DATE | DATE | DATE | DATE | DATE | COMMENTS |
|------------------------------|------|------|------|------|------|----------|
| PILING SURVEY RECEIVED | | | | | | |
| PORT-A-POTTY ON SITE | | | | | | |
| TRASH BIN ON SITE | | | | | | |
| CONSTRUCTION FENCING ON SITE | | | | | | |
| LOT CLEANED UP | | | | | | |
| DRIVE WAY POURED | | | | | | |
| 4-PALMS PLANTED | | | | | | |

ARC REVIEW: DATE OF REVIEW: _____ APPROVED BY _____ DENIED BY _____
 REASON : _____

Indian Beach Property Owners' Association
BUILDING SITE INSPECTION

C.K.M. Property Management, Inc. P. O. Box 160 Tomball, Texas 77377-0160
281.255.3055 Fax: 281.255.3056 Email: ACC@ckm1.com

FAX THIS FORM TO INSPECTOR WITH SURVEYS
FOR HOME CONSTRUCTION INSPECTIONS
INSPECTOR: TED SHOOK, 409-740-0088, FAX 409-744-2219
Fax surveys to Inspector and CKM

Property Address: _____
Section __, Block __, Lot __.
Builder: _____ Phone: _____
Owner: _____ Phone: _____

INSPECTION NO. 1

SET UP & PILING INSPECTION

- Pilings: pilings for home are placed according to the approved site plan (no round pilings are allowed in any section within Indian Beach)
- Pilings: pilings for the boat dock are placed according to the approved site plan.
- Portable Toilet: has been placed on the lot within the lot boundaries.
- Trash Bin: has been placed on the lot within the lot boundaries.
- Construction Fence: has been placed on three (3) sides of the property, (sides and back).
- Green Architectural Control Committee Approval Permit posted.
- County/City Building Permit posted.

INSPECTION NO. 2

FINAL INSPECTION

- Encroachments: No encroachments have occurred into the building setbacks.
- Completion: Home has been completed.
- Driveway: Completed (Concrete Only)
- Portable Toilet: has been removed.
- Trash Bin: has been removed.
- Construction Fence: has been removed and all trash & builder debris has been picked up.
- Yard: Grass has been planted.
- Landscape: has been planted.
- Address: house number has been installed.
- Tree requirement {Four / (Ten-foot) 10'} Palms have been planted

Comments: (List any infraction of the plans or known infraction of the Restrictions.)

Inspection dates: 1st: _____ by: _____
2nd: _____ by: _____

INSPECTOR: TED SHOOK, 409-740-0088, FAX 409-744-2219
Fax surveys & report to CKM at 281-255.3056.