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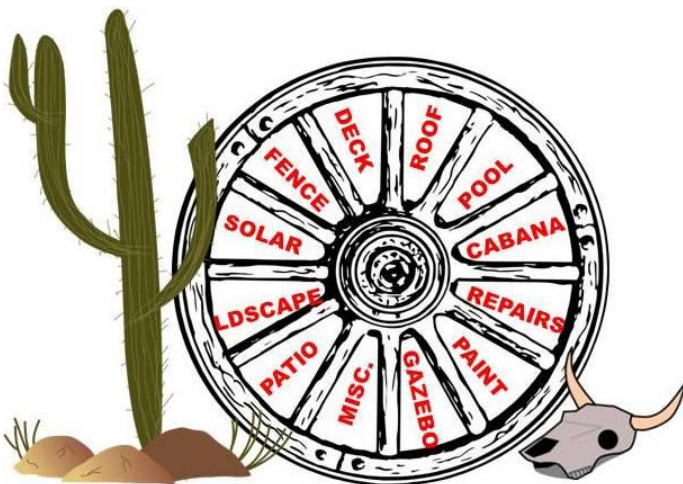
TYPE:

**GRAND HARBOR
PROPERTY OWNERS ASSOCIATION
MONTGOMERY, TEXAS**

**OTHER IMPROVEMENTS
CONSTRUCTION
APPLICATION**

Managed Under the Cognizance of:

**ARCHITECTURAL
CONTROL
COMMITTEE**



INSTRUCTIONS, REQUIREMENTS AND FORMS FOR CONSTRUCTION OF ALL IMPROVEMENTS EXCEPT FOR NEW HOME OR BOAT DOCK W/CANOPY OR BULKHEAD CONSTRUCTION

July 10, 2018



18956 Freeport Dr. Suite A, Montgomery, TX 77356

**GRAND HARBOR ON LAKE CONROE
OTHER IMPROVEMENTS CONSTRUCTION
OFFICIAL ARCHITECTURAL CONTROL COMMITTEE APPLICATION**

PART I. OTHER IMPROVEMENTS CONSTRUCTION - APPLICATION DOCUMENTATION

Except for New Homes or Boat Docks or Waterfront Bulkheads, ALL NEW OR REHABILITATION IMPROVEMENTS PROPOSED TO BE CONSTRUCTED BY PROPERTY OWNERS within Grand Harbor (GH) begin with submittal of this Property Owners Association (POA) Architectural Control Committee (ACC) Application document. The completed Application puts forth a large collection of construction-related information and data assembled by the Applicant(s) following the instructions in this booklet. This material serves as physical evidence that all essential construction tasks, processes and procedures, once completed, will meet the requirements and satisfy the guidelines promulgated herein by the GH POA ACC. The submitted Application effectively becomes a contract by virtue of the vested parties signing the document and subsequent POA/ACC approval; in essence, the Owner/Builder pledging their finished “As-Built” endeavor will adequately represent the “As-Designed” configuration contained in the approved Application package.

This application document is to be used for approval of a significant number of different new constructions or for modification/addition to existing structures. In each case, the type and complexity of the proposed construction will determine the applicant information and data, fees and deposits that must be supplied. Table One should be used to indicate the construction this application addresses. Contact the GH POA for assistance in ensuring this Application document is correct for the intended purpose.

**Table 1 Type of Proposed Construction
(Select 1 OIC)**

| OIC LTR | | OIC TYPE |
|---------|--------------------------|-----------------------|
| A | <input type="checkbox"/> | Swimming Pool |
| B | <input type="checkbox"/> | Fence, Wood and Metal |
| C | <input type="checkbox"/> | Gazebo/Pergola |
| D | <input type="checkbox"/> | Exterior Paint |
| E | <input type="checkbox"/> | Roof |
| F | <input type="checkbox"/> | Solar Panels |
| G | <input type="checkbox"/> | Patio/Deck |
| H | <input type="checkbox"/> | Landscape |
| I | <input type="checkbox"/> | Outbuilding |
| J | <input type="checkbox"/> | Other |



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Establishing the construction (Type) designation in Table 1, the Applicants should note the alpha character and then peruse the appropriate column in Table 2. This then defines the applicant information and data, fees and deposits that must be supplied in the eventual submittal to the ACC.

Table 2: Required Applicant Documentation Submittal

| | OTHER IMPROVEMENT CONSTRUCTION | | | | | | | | | |
|---|--------------------------------|--------------|--------------|------------|--------------|--------------|--------------|--------------|---------------|---|
| REQUIRED DOCUMENTATION | A | B | C | D | E | F | G | H | I | J |
| APPLICATION | X | X | X | X | X | X | X | X | X | |
| FEES & DEPOSITS (Dollars) | | | | | | | | | | |
| Application Fee (N/R) | \$100 | \$100 | \$100 | \$0 | \$0 | \$100 | \$100 | - | \$100 | |
| Refundable Deposit | \$650 | \$200 | \$300 | \$0 | \$500 | \$400 | \$300 | \$100 | \$900 | |
| Total | \$750 | \$300 | \$400 | \$0 | \$500 | \$500 | \$400 | \$100 | \$1000 | |
| PLANS | | | | | | | | | | |
| Site | X | X | X | | | | X | X | X | |
| Drainage | X | | | | | | | | X | |
| Construction/Drawings | X | X | X | | | X | X | | X | |
| Excavation & Access Route | X | | | | | | | | | |
| Foundation | | | | | | | | | X | |
| Landscape | X | | X | | | | | X | X | |
| SAMPLES /MATERIALS/ PHOTOS | | | | | | | | | | |
| Paint | | | X | X | | | | | X | |
| Brick | | | | | | | | | X | |
| Materials | | X | X | | X | X | | X | X | |
| SEPTIC COMPLIANCE | X | | | | | | | | X | |
| INSURANCE/LICENSE | | | | | | | | | | |
| INSURANCE/LICENSE | X | X | X | X | X | X | X | X | X | |
| BUILDER INFORMATION | | | | | | | | | | |
| BUILDER INFORMATION | X | | | | | | | | X | |
| SUBCONTRACTOR LIST | | | | | | | | | | |
| SUBCONTRACTOR LIST | X | | | | | | X | X | X | |
| NEIGHBOR AFFIDAVIT OR ACCESS AGREEMENT (if applicable) | | | | | | | | | | |
| NEIGHBOR AFFIDAVIT OR ACCESS AGREEMENT (if applicable) | X | X | X | | | | | | X | |

It is important that Applicants know certain Grand Harbor requirements imposed on construction originate in other document. To make this Application manual more effective, each cited document will either have pertinent information lifted and incorporated from the source document or the source material will be a whole document callout, with the document available by request to: acc@grandharborpoa.com or directly available at <http://www.grandharborpoa.com/3/miscellaneous6.htm>.

PART II. APPLICATION PREPARATION AND ACC INCREMENTAL REVIEWS

In accordance with GH Deed Restrictions, the ACC must process and disposition an Application within sixty (60) calendar days of its submittal and acceptance. Incomplete Application submittals will invariably delay eventual construction start dates because the 60-day processing interval resets after each deficiency is corrected.



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The following is a recap of the typical sequence of events in the Other Improvements Construction life-cycle from the POA/ACC perspective:

a) Application Preparation and Submittal

The Property Owner and/or the Builder generate the Application according to ACC Instructions, complete the document checklist and sign and date the Signature sheet and initial all others where indicated.

b) Initial Application Screening

After formal submittal, the GH POA/ACC Staff screens the received Application and supplemental documents (e.g., Site/Plot Plan) to ensure the Applicant has provided all Submittal Checklist elements. Partial/Incomplete Applications are not accepted for any reason.

c) Pre-Construction Review

With successful content screening, the sixty (60) day clock start; the ACC then reviews the complete application package in detail to determine if all proposed project work is within subdivision "Deed Restriction" and architectural control "Construction Requirements," as well as determining if additional explanatory documents are required.

d) Pre-Construction Committee Disposition

At the end of the Pre-Construction Review, the Application is declared adequate or not by Committee members with written notification given to the Applicant, either allowing construction to proceed or rejection for cause. In most cases, ACC rejection allows for revision and resubmittal into the review cycle. Rejection ends the approval cycle and any correction or modification restarts the 60 day review clock.

Refer to PART III, Special Note f), if any disagreement on the Application reaches a serious Applicant-to-ACC impasse.

e) Drainage Plan and Landscaping Plan Review

Essential data for most improvements, the delivered Drainage Plan and Landscaping Plan will be thoroughly examined during the Initial Review. The requirements for effective lot drainage that must be addressed are contained in the later requirements PART XII. The committee will either approve or disapprove the plans and may, on rare occasion - at their discretion, employ the services of a Civil Engineer, licensed in the State of Texas, to review the drainage plan and advise them on its acceptability. The Builder will be notified of this pending action so that the cost of engineering services will be acknowledged as the property owner's responsibility before it is incurred.

f) Septic Plan (for Pools)

Aerobic system modifications, along with the San Jacinto River Authority Approval for any improvement that may affect the operational compliance of your aerobic system. If no aerobic system modifications are thought necessary, a letter from your septic maintenance company must accompany this application. To avoid delay, contact SJRA or your septic company well before submitting this application.

g) Refund Request

Once the Use Certification has been rendered (and the full approved Landscape Plan has been completed) the Applicant's Refund Request can be submitted for prompt payment. Refund Request Form is available on-line or by request. At this time the ACC will do verify by a Final Review that the project is completed as what was approved in the application process.



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PART III. SPECIAL NOTES

a) The GH POA and ACC have no obligation and are not legally liable in approving any improvement or modification to any improvement, from the standpoint of owner safety, adequacy of intended function whether structural or otherwise, or overall improvement conformance to established building codes or other governmental laws or regulations.

b) Applicants are strongly encouraged to engage the services of professional tradesmen or qualified inspectors to validate the design & actual fabrication of certain more involved improvements (*or its functional parts*) during the course of construction and at completion. A qualified Inspector is an independent third-party Licensed Architect, minimal Registered Structural Engineer, or Building Inspector certified by the “International Conference of Building Officials” or the “Southern Building Code Congress International.”

c) The Construction Requirements in this Application are derived from various Sections in the Grand Harbor Conditions, Covenants and Restrictions (CCR) document. The Applicant(s) are urged to carefully study the contents of the CCRs cited here by Article, Section and Title to ensure Applicant compliance with the purpose/objective of each CCR, Stipulation, Construction Requirement and ancillary Document in this booklet.

TABLE 3: DECLARATION OF CONDITIONS, COVENANTS & RESTRICTIONS OF GH Articles II, III & IV

| | | | |
|---|-------------|--|-------------|
| “CCR Applicability” indicated by Table 1 [] callout | | | |
| CCR II Section 6. Easements | [All] | CCR II Section 7. Utility Easements | [All] |
| CCR III Section 3. Architectural Control | [All] | CCR III Section 15. Views to & from LAKE | [A,B,C,G,J] |
| CCR III Section 5. Type: Construction, Materials, Landscaping | [B,C,D,E,F] | CCR III Section 16. Walls, Fences and Hedges | [A,B,C,G,J] |
| CCR III Section 7. Slab Requirements | [J] | CCR III Section 18. Utilities | [All] |
| CCR III Section 8. Special Restrictions For Interior Lots | [All] | CCR III Section 24. Solar Panels | [F] |
| CCR III Section 13. Storage, Disposal of Garbage and Refuse | [All] | CCR III Section 26. Drainage | [All] |
| CCR III Section 14. Electric Distribution System | [J] | | |
| CCR IV Section 4. Minimum Construction Stds | [All] | | |

“Grand Harbor Conditions, Covenants and Restrictions” available on-line or by request.

d) If an Application is “Rejected with Prejudice” (i.e., for irreconcilable circumstances) by the ACC, the cause for disapproval can be appealed to the Grand Harbor Board of Directors. In finding for or against the Applicant/Complainant, decisions by the GHPOA Board of Directors are indisputably final. The appeal process can be used only once for any issue.

e) One Builder’s Business Sign, in compliance with the GH Sign Policy/Procedure, will be allowed. Subcontractor signs will be removed without notice and held for Owner/Builder retrieval.

The three Applications along with the applicable/reference documents specifically called out in this Application are available by request to: acc@grandharborpoa.com or directly available at: <http://www.grandharborpoa.com/3/miscellaneous6.htm>.

PART IV. APPLICANT

APPLICANT: Please Submit Only Signed/Initialed Pages 6 Through Page 10 plus Completed Affidavits. Retain All Other Application Pages for Reference. Don’t forget the Plans and other material called for in Part VII, “Contents Checklist.”



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| Property Owner Information | | |
|--|--------------------|--|
| Property Owner: | <i>For ACC</i> | <i>Application #</i> OIC- Type: |
| Construction Address: | | <i>Legal ID</i> Section: Block: Lot: |
| Billing Address: | | |
| Owners Phone #(s): | | |
| Owner's Email: | | |
| <p><i>The ACC Committee and POA Staff will use email for application status and general communications.</i> Indicate if you prefer another method of communication NO <input type="checkbox"/> YES <input type="checkbox"/> How?</p> | | |

To avoid miscommunication, the Owner(s) and/or Builder (hereafter referred together as "Applicants" and identified above) shall be the sole points-of-contact to the ACC in all official matters pertaining to the construction.

| Contractor/Builder Information |
|--|
| Builder Name: |
| Builder Address: |
| Builder/Construction Manager Business & Cell Phones Fax: |
| Builder's Email: |
| <p><i>The ACC Committee and POA Staff will use email for application status and general communications.</i> Indicate if you prefer another method of communication NO <input type="checkbox"/> YES <input type="checkbox"/> How?</p> |



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PART V. APPLICATION SUBMITTAL

OIC-

“The undersigned owners and/or Builder hereby request Grand Harbor Architectural Control Committee’s (ACC) approval to construct a TYPE _____ structure in accordance with the Plans, Drawings, Specifications and Miscellaneous Documents submitted with this Application.”

| | |
|--|------|
| Property Owner #1 | Date |
| Property Owner #2 | Date |
| Builder | Date |
| <i>The Grand Harbor Community Welcomes You</i> | |

PART VI. APPLICANT CONSTRUCTION STIPULATIONS

Applicants agree to the following stipulations without reservations or deviation:

a) Applicants have read and understand all specific PART III, TABLE 3 referenced GH “Declaration of Covenants, Conditions and Restrictions of Grand Harbor” (CCR - also commonly referred to as “the Deed Restrictions”) and the herein attached “Construction Requirements” (CR) applicable to the above described property and state that the improvements will be made in compliance with such CCR and CR.

b) Applicants understand and agree that, after ACC approval of this Application as it is presented, if the agreements or representations contained therein are not correct and complied with, the Applicant’s authorization to construct the improvements is subject to suspension or revocation.

c) When applicable, Applicants shall provide a copy of a Montgomery County Building Permit and the permit from the San Jacinto River Authority (SJRA) authorizing the design of the aerobic system to be installed.

d) Applicants shall not clear the building site or start construction other than culvert installation until ACC Pre-construction Review has been completed and official notification via approval letter is received.

INITIAL HERE: Page Contents
Are Understood and Accepted

Owner #1

Owner #2

Contractor



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e) Applicants shall ensure all Subcontractors, Architects, Engineers, Special-purpose Staff, etc., have had access to the PART III, Table 3 CCR callouts, along with attached Regulations, Specifications & Standards prior to the initiation of construction. Applicants understand the POA/ACC will NOT approve any variance due to owner, builder or subcontractor neglect or mistakes, architect design, or survey mistakes, or inattention to the details associated with invoked CCRs and Requirements.

f) Applicants (Owners) represent that, to the best of their knowledge, they are GH POA members in good standing at the time of application submittal, i.e., they are not in arrears in the payment of annual maintenance dues, and currently do not have open or unresolved CCR violation action(s) against any Grand Harbor property to which they hold title or have significant vested interests. If there are any charges, fees, or fines outstanding, they shall be paid in full prior to the ACC completing the Application review process.

g) Applicants acknowledge responsibility for any damage to the roadway immediate to the construction site when caused by construction activities. Failure by the Builder to adequately repair a damaged local roadway will result in forfeiture of deposits listed in this application to the level of GH POA estimated repair costs. Pre-construction roadway photos will be on file for reference.

PART VIII. GENERAL CONSTRUCTION SITE REQUIREMENTS

a) All lots adjacent to the building site shall be kept free of any trees, underbrush, trash or other building materials. Damaged fencing must be repaired within one workday after discovery or notification given to on-site personnel.

b) Contractor personnel shall not enter or exit on any lot adjacent to the building site during or after construction. If ingress/egress is temporarily required on an adjacent lot, approval from the lot owner must be obtained through a written release (Access Agreement) filed with the application or obtained within one week prior to needed access.

c) All tree stumps, trees, limbs, underbrush & any other debris, removal necessary for construction, shall be hauled out of the subdivision prior to starting construction. Burning is not allowed in the subdivision.

d) No fill, including foundation fill, shall be placed or maintained on any lot nearer to the front, rear, side or street side lot building setback line as shown on recorded Plats for each section unless a waiver is requested and approved by the ACC.

e) As needed, soil runoff/erosion prevention fence shall be installed at the rear and two side build lines for the duration of construction. Temporary fence removal is allowed but must not be reinstalled within three (3) days after completion of the task for which it was removed.

f) Grading subcontractors shall remove all dirt & debris in the street immediately upon completion. The grading subcontractor must broom clean the street after rough & final grade and also immediately and properly reinstall all silt and vegetation fencing after rough grade.

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Owner #2

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- g) All building sites shall be kept clean and materials stored in an orderly manner. A four-sided trash receptacle shall be maintained for construction lumber scrap/debris, paper, drink container, etc., and the builder or his construction manager shall be responsible for assuring that it is so used.
- h) No trash, build materials, excess dirt, or fill inadvertently spilled outside of the construction fences is allowed to remain on the street or in the ditches; these materials shall be removed on a daily basis providing for a "broom-clean" condition.
- i) All subcontractors washing equipment & discharging waste concrete must perform this activity at a location designated by the Builder. The discharge site must be on the construction site or property owned by the Builder, at least 30 feet distant from the roadbed centerline (well away from the ditch easement)...
- j) Port-a-can facilities shall be provided at the job sites when major construction starts and maintained in place until construction is completed. Port-a-can must be placed on the lot, not in the street or ditches.
- k) All vehicles belonging to work crew shall be parked on the lot where the construction is occurring. No vehicle can block a driveway, view of oncoming traffic or be parked on a neighbor's driveway without obtaining permission of the affected property owner prior to construction.
- l) Approved construction times are 7:00 am to 7:00 pm Monday through Saturday. Construction is PROHIBITED on Sundays and Holidays.
- m) Consumption of alcohol and the playing of loud music (audible to the neighbors) on the worksite is forbidden during any phase of construction.

PART XII. DRAINAGE REQUIREMENTS

Drainage Requirements vary with the Improvement

- a) A comprehensive Site Drainage Plan shall be prepared and submitted to the POA/ACC including, as a minimum, the following structural information:
 - An accurate site drawing showing all property lines, the location of the road and, on waterfront lots, the location of the lake relative to the lot.
 - The placement of the structures on the lot.
 - The location of any driveway and any other hardscape.
 - The location/diameter of the culvert(s). *(Culvert diameter requirements shall be provided by The ACC)*
 - The location and height of any retaining walls.
- b) In addition to the structural improvements, the Site Drainage Plan shall include, as a minimum, the following information on direction or redirection of surface water flow:
 - A simple elevation survey of the lot to confirm the direction of planned drainage. Either contour lines or arrows showing the direction of water flow across the lot.
 - If swales or berms are used to redirect surface water flow, the width and the depth/height of the swale/berm. For example, a swale would be described as being "3 feet wide and 4" deep at the center." The swale/berm shall also have an arrow showing the direction of surface water flow.

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Owner #1

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- If a subsurface drainage system is used to redirect water flow, the location and size of all catch basins shall be cited on the drainage plan drawing. The location and diameter of all related pipe systems shall also be cited on the drainage plan.
 - If gutters and/or French drains are used to redirect water flow, the size and location of all piping and drains shall be cited on the plan's site drawing.
- c) Construction debris and sediment must be removed and the road side ditch reshaped to conform with drainage standards allowing water to flow unimpeded during and after construction.

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Owner #1

Owner #2

Contractor