

Architectural Review Request for
New Home Construction

[Property Owners Name(s)] _____

Lot # _____ and Street name in Whispering Hills: _____

Street Address where I can be reached: _____

City, State & Zip where I can be reached: _____

My E-mail contact is: _____

My phone is: _____

My builder is: _____

Builder phone contact: _____ email: _____

Builder/Contractor Business Address _____

Job site Foreman: _____

Foreman phone contact: _____ email: _____

I understand that the Whispering Hills subdivision has defined architectural criteria as described in the Deed restrictions and in the Architecture and Land Site Design Guidelines for New Construction in Whispering Hills. I understand that Whispering Hills has the authority to **review and approve my plans in advance** of construction, **including the installation of septic systems, water wells, driveways and other improvements identified in the submittal.**

The WH Architectural review is neither an endorsement nor approval of your contractor's construction techniques, engineering applications or the effects of such construction on neighboring lands. Our architectural review is limited to fundamental and basic verification of compliance with the Whispering Hills Deed restrictions.

All structures, wells and improvements (see our website for a legal definition) must be at least 50 feet from the front property line as marked by a survey. I understand that I am solely responsible for reading and understanding the Deed restrictions and I understand that I

have access to the members of the Architecture and Land Review Committee (ALRC). I have submitted my plans, including the exterior elevations which are marked to describe how I will finish the exterior of my primary residence. *I also understand that no other structures and improvements may be built prior to the primary residence, with the exception of an ALRC approved water well, a septic system and driveway.*

Before I change any of the exterior finishes that are identified in my initially approved plans, I must obtain written approval from the Whispering Hills Property Owner Association (WHPOA). I have submitted my application fee and understand that it is non-refundable if I fail to start construction within a reasonable timeframe. Finally, I acknowledge that WHPOA will post signage on my lot once construction plans have been approved and WHPOA officials are authorized to access my property to evaluate compliance and progress.

Owners are at their own risk if they undertake any initial construction activities in advance of written approval. In accordance with Article seven (7) of the Deed restrictions, advance approval from the ALRC is required for the removal of trees for excavation purposes. In the event a property owner or an employee or contractor hired by the property owner proceeds to remove trees/initiates land clearing activities or excavation without advance review and approval from the ALRC, the property owner will be charged an additional non-refundable, non-compliance fee of \$250.00. This fee shall be paid prior to final construction approval.

Any variance authorized or approved to the basic guidelines and key substantive restrictions must be approved in advance, in writing, by the Board of Directors or their ALRC designees.

Exterior construction and cleanup should be completed within six (6) months following the pouring of the foundation. Please keep the ALRC informed if you encounter difficulties as we can usually authorize some reasonable extension if requested in advance of the estimated completion date. Complete and final construction of interior and all approved supplemental improvements must be completed within 11 months of foundation pour or the builder will forfeit fifty percent of the construction deposit.

This approval is valid for 45 days. The foundation must be poured within 45 days otherwise this approval is cancelled and the application fee of \$275.00 will be forfeited.

Certain permits for driveways, septic and wells are required by the Comal County Engineer's Office or other governmental agency. The owner and contractor are responsible for obtaining these permits. In accordance with Comal County laws, the property frontage for a corner lot is determined by the location of the driveway and the location of the 50' setback.

I understand that WHPOA may delay final approval until the boundary pins are clearly marked and the outline (frame) for the foundation, well, septic field, and other improvements have been clearly marked on the property site.

Included in my application submission is a completed Architectural Review Request for New Home Construction application form and;

The Site Plan which must be a minimum scale 1"=20' or in a digital pdf format to fit an 8x11 page or paper copies not to exceed 24" by 36". The Site Plan includes the following:

- For established and verified new home builders, a construction deposit of \$5,000.00 is required. If landscaping is required, based upon lot topology, the deposit shall be \$7,500.00.
- For non-established new home builders (not having built four new homes within last two years), a construction deposit of \$8,000.00 is required. The landscaping deposit will be added if deemed necessary by the ALRC.
- North arrow and scale;
- Property lines with dimensions and bearings;
- Setback and Easement lines;
- Adjacent street names;
- Proposed location of home on the lot;
- Outline of exterior walls, patios, decks and driveways;
- Distances from four (4) corners of foundation to adjacent property lines;
- Proposed driveway including specified construction material;
- **Driveway location and approved Comal County driveway permit;**
- Proposed retaining walls;
- Proposed accessory structures (i.e., out-building, trellis, a/c units, etc.);
- Topological lines; **NOTE:** topology will be utilized to verify and determine appropriate excavation, landscaping and location of primary residence.
- **Septic system location and approved Comal County septic system permit;**
- **Water well location and approved Comal Trinity Ground Water District permit.**
- All decks and terraces.

Primary House Plans must be a minimum scale 1"=20' or in a digital pdf format to fit an 8x11 page or paper copies not to exceed 24" by 36". Plans include the following:

- Interior rooms dimensioned and labeled;
- All window and door openings noted and size included;
- Structure's total area in square feet;
- Front, rear and two side elevations with clearly labeled rock/stone and stucco areas;
- Front, rear and two sides will clearly identify surface square footage and the calculated percentage (%) of rock/stone/stucco on each elevation;
- Elevations labeled with height and length distances corresponding to the site plan;
- Structure's highest elevation measurement.

Secondary structures:

- Identify structure's purpose and diagram the total area's square footage layout;
- Front, rear and two side elevations with clearly labeled rock/stone and stucco areas.

- If improvements are in front of the primary residence or on a corner lot, there are additional requirements for concrete foundations and matching color schemes. Refer to the “Architectural & Land Site Design Guidelines” for details.

My estimated foundation pour date will be determined after the owner, builder and ALRC representative have met at the building site. My estimated completion date will be six (6) months after the foundation is poured unless the ALRC has granted a written extension. I, in conjunction with my builder, will notify the ALRC representative within three (3) days of the estimated foundation pour date. I understand and recognize this as a legal agreement. I will inform the ALRC upon move-in so that the WHPOA Treasurer has a correct address.

This application, \$275.00 application fee and all related paperwork may be electronically submitted as a complete package to the ALRC Chair Mr. Grant Swenson at gfsvenson@gmail.com or in a hardcopy to our address: 7001 Portsmouth Drive.

Owner(s) Signature

Date

Builder Agreement and Acknowledgement

I/we agree that my company has been contracted by the owner(s) to build a new residence and associated improvements contained in this application. I/we understand that the Whispering Hills Subdivision has architectural policies and Deed Restrictions governing new construction. As the contracted builder for the property owner, I/we will abide by the policies and Deed Restrictions of the Whispering Hills Subdivision and no exterior changes will be made nor relocation of any improvements contained in this approved submittal will be made without a prior, written approval of the owner(s) and official representatives of WHPOA.

I have read the Deed Restrictions and the ALRC Site Design Guidelines and agree to make the required construction deposit to guarantee that I will abide by the approved construction plans. Any variance to the basic guidelines or key substantive restrictions must be approved in advance, in writing, by the POA Board of Directors or their ALRC designee.

I understand that this is a joint legal agreement between WHPOA, the homeowner and my company. I understand exterior completion is required within six (6) months and entirety of home must be completed within twelve (12) months of foundation pour.

All deposits, less any forfeitures, will be returned to the primary contractor within 30 days following notification to the WHPOA ALRC of completion of all items on this application. I acknowledge that all monies withheld from the New Construction Deposit due to violations will be retained by WHPOA.

Prime Contractor Signature (person legally representing builder)

Date

ALRC to complete the following –

Review and approval to be completed by WHPOA Architecture and Land Review Committee

Remarks/Comments:

Driveway permit included _____ Permit # _____

Septic Permit included _____ Permit # _____

Water well permit included _____ Permit # _____

OR

If no water well, is there a Canyon Lake Water Company agreement included _____

OR

If water catchment system is proposed, are the engineering studies submitted detailing the storage tank locations and dimensions _____

Site plan approved as submitted _____ or modified plan approved _____

Foundation is _____ or is not _____ closer than 55 feet from front boundary. A second survey and follow-on visit with ALRC is required prior to finalizing foundation layout and foundation pour if closer than 55 feet.

Architectural plans and masonry approved as submitted _____

Front rock/stone/masonry % _____ Back rock/stone/masonry % _____

L side rock/stone/masonry % _____ R side rock/stone/masonry % _____

Water well site approved for _____ feet from front and _____ feet from boundary

Well site is _____ closer than 55 feet from front boundary. Builder must arrange pre-drilling visit with ALRC prior to drilling.

Septic location approved (describe) _____

Other approved buildings/improvements:

Well House _____

Stand-alone garage – size: _____

Storage building – size: _____

Other: _____

Other ALRC remarks:

Architecture and Land Review Committee Member or WHPOA President

Date