

# **Shoalwater Flats Association**

## **ARCHITECTURAL REVIEW COMMITTEE GUIDELINES**

*EFFECTIVE October 2, 2010*

# **Shoalwater Flats Association**

## **GUIDELINES STATEMENT**

The Architectural Review Committee (“ARC”) was created by unanimous vote in the January 2009 General Assembly meeting to maintain compliance with Calhoun County Floodplain construction regulations and to enhance property values by requiring conformity to certain standards of construction, visual appeal, uniformity and design. No building shall be erected, placed or altered on any lot until construction plans and specifications, a plan showing the location of the structure in relation to lot stakes, and a permit (or waiver) are submitted to the ARC for approval.

Please contact a board member to determine where you should submit your application.

All existing structures are considered grandfathered and, if remain unaltered, do not need to be modified to be in compliance with these guidelines. However, modifications to a grandfathered structure are subject to the terms of these guidelines.

For new construction and additions, the ARC will review the construction documents to verify a structural engineer has included provisions for breakaway walls. The engineer must be registered in the State of Texas and their seal/stamp must be present on each structural plan sheet. The ARC will verify that the construction documents properly account for elevation requirements set forth by the County as well as review the structure’s footprint in regards to lot limitations.

**SPECIAL NOTE: FOR NEW STRUCTURES, IT IS THE RESPONSIBILITY OF EACH LOT OWNER TO DETERMINE AND MAINTAIN COMPLIANCE WITH THE TEXAS WINDSTORM INSURANCE REQUIREMENTS. FOR MORE INFORMATION, PLEASE VISIT:**

<http://www.tdi.state.tx.us/wind/index.html>

# **Shoalwater Flats Association**

## **PROCEDURE**

An “Architectural Review Form” must be completed and mailed to the address indicated on the form. All pertinent information such as plans, specifications, permits, location of the proposed improvements, and so on, must be included with the application form.

An Architectural Review Form is included as the last page of these guidelines. The ARC cannot respond to verbal requests for approval – all applications must be made in writing, whether transmitted by hand or mail delivery. The plans must show (by way of distances described in feet and inches) the actual location of the proposed structure or other improvement in relation to setback lines, building lines and utility easements on the lot.

The ARC has forty-five (45) days from the date of receipt of the application in which to respond. If additional information is required by the ARC, the application process will be extended accordingly. Plans for the implementation of the proposed improvement(s) should allow for the time required to complete the approval process. No construction should begin prior to the approval. Additionally, should your application be submitted after the fact of construction, the ARC is not required to provide approval, and if the unapproved change is deemed to be a violation of the Guidelines or government requirements, you may be required to remove said improvements.

If an application is not approved, the ARC will state in its letter why such approval was denied and what type of application changes, if any, would alter that decision. If an applicant wishes to discuss or appeal a decision made by the ARC, the ARC should be contacted in writing and the matter will be turned over to the Board of Directors for a final decision during the next regularly scheduled board meeting.

Each cabin owner is ultimately responsible for ensuring all improvements conform to these Guidelines and other applicable Federal, State and County laws and regulations. Failure by an Owner to perform improvements in conformity with the aforementioned requirements subjects the owner to the risk and expense of removal of each non-complying improvement.

# **Shoalwater Flats Association**

## **INTRODUCTION**

The following are guidelines adopted by the ARC to specify standards, requirements and the process used in evaluating an application. The guidelines may be amended from time to time as the circumstances or conditions change or as amended by the general assembly. It should be noted that each application is considered on its own merit and that the ARC may grant a variance from these guidelines to the extent written. The ARC has the right to deny approval of any application that is incomplete or does not meet the requirements set forth in these guidelines.

It should also be noted that ARC approval is required prior to the installation or construction of the improvement or change. If an improvement is made without ARC approval, the Board of Directors has the legal right to enforce its removal and actual costs for removal may be assessed to lot Owner if approved by majority vote of the general assembly.

### **1. Outbuildings/Sheds**

- 1.1 An “Outbuilding/Shed” is defined as any structure, which is not attached to the main structure, and is larger than 120 square feet. This definition does not include bonafide additions to the main residence wherein an actual opening to the main structure exists, but does include storage and/or boat sheds and garages.
- 1.2 An “Outbuilding/Shed” is further defined as a structure that is uninhabitable.
- 1.3 These structures require approval from ARC prior to construction in order to verify proximity to underground utilities. If said structure should encroach a utility easement, in order to receive ARC approval, the cabin owner may have to, at his or her cost, hire a licensed plumber to re-route the utility. A separate application must be submitted to re-route an underground utility and the utility must be moved elsewhere through the cabin owner’s lot or to Shoalwater Flats Association common property. The utility may not be moved to an adjacent lot without written approval from that lot owner.
- 1.4 Because these structures are “Enclosed”, they also require approval from the County to verify the inclusion of breakaway walls. An engineer’s stamp must be included on the structural plans sheets.

# **Shoalwater Flats Association**

## **2. Porches**

- 2.1 A “Porch” is defined as an attachment to an existing structure that is not “Enclosed”. Therefore, a porch may not have solid walls, doors or windows.
- 2.2 Porches should not be situated on the lot or constructed in such a means that they may pose a problem to the effective drainage of the lot or neighboring lots.
- 2.3 These structures require approval from ARC prior to construction in order to verify proximity to underground utilities. If said structure should encroach a utility easement, in order to receive ARC approval, the cabin owner may have to, at his or her cost, hire a licensed plumber to re-route the utility. A separate application must be submitted to re-route an underground utility and the utility must be moved elsewhere through the cabin owner’s lot or to Shoalwater Flats Association common property. The utility may not be moved to an adjacent lot without written approval from that lot owner.
- 2.4 Because these structures are not “Enclosed”, they do NOT require approval from the County. However, a waiver from the floodplain commissioner must still be submitted to the ARC.

## **3. Room Additions**

- 3.1 “Room Additions” are defined as an “Enclosed” attachment to the main residence wherein an actual opening to the main structure exists.
- 3.2 Room addition exterior construction materials are as follows: aluminum, steel, pressure treated woods such as cedar, fir, redwood or pine, cementitious concrete paneling, siding or soffits, windows, doors and prefabricated storm shutters.
- 3.3 Room additions should not be situated on the lot or constructed in such a means that they may pose a problem to the effective drainage of the lot or neighboring lots.
- 3.4 These structures require approval from ARC prior to construction in order to verify proximity to underground utilities. If said structure should encroach a utility easement, in order to receive ARC approval, the cabin owner may have to, at his or her cost, hire a licensed plumber to re-route the utility. A separate application must be submitted to re-route an underground utility and the utility must be moved elsewhere through the cabin owner’s lot or to Shoalwater Flats Association common property. The utility may not be moved to an adjacent lot without written consent from the affected neighbor(s). If electrical utilities must be moved to facilitate construction, it is the financial responsibility of the lot owner to move the utility. If the utility is moved to an adjacent lot, the lot owner must receive written consent from the affected neighbor(s).
- 3.5 Because these structures are “Enclosed”, they also require approval from the County to verify the inclusion of breakaway walls. An engineer’s stamp must be included on the structural plans sheets.

# Shoalwater Flats Association

## 4. New Structures

- 4.1 A “New Structure” is defined as a fully “Enclosed” building constructed for the intent of inhabitation.
- 4.2 New structures exterior construction materials are as follows: aluminum, steel, pressure treated woods such as cedar, fir, redwood or pine, cementitious concrete paneling, siding or soffits, windows, doors and prefabricated storm shutters.
- 4.3 New structures should not be situated on the lot or constructed in such a means that they may pose a problem to the effective drainage of the lot or neighboring lots.
- 4.4 New structures require approval from ARC prior to construction in order to verify proximity to underground utilities. If said structure should encroach a utility easement, in order to receive ARC approval, the cabin owner may have to, at his or her cost, hire a licensed plumber to re-route the utility. A separate application must be submitted to re-route an underground utility and the utility must be moved elsewhere through the cabin owner’s lot or to Shoalwater Flats Association common property. The utility may not be moved to an adjacent lot without written consent from the affected neighbor(s). If electrical utilities must be moved to facilitate construction, it is the financial responsibility of the lot owner to move the utility. If the utility is moved to an adjacent lot, the lot owner must receive written consent from the affected neighbor(s).
- 4.5 Because these structures are “Enclosed”, they also require approval from the County to verify minimum building height and, if necessary, the inclusion of breakaway walls. An engineer’s stamp must be included on the structural plans sheets.
- 4.6 Refer to the Lease Improvement Restrictions for building heights.

# Shoalwater Flats Association

## Construction Review Application

---

### **GENERAL**

Lot# \_\_\_\_\_ Spokesperson: \_\_\_\_\_

Primary Phone: \_\_\_\_\_ Emergency Contact Phone: \_\_\_\_\_

Today's Date: \_\_\_\_\_ Permit (or waiver) Date: \_\_\_\_\_

Permit Expiration Date: \_\_\_\_\_ Expected Finish Date: \_\_\_\_\_

---

### ***FOR NEW STRUCTURES AND ROOM ADDITIONS ONLY:***

Engineer Name: \_\_\_\_\_

Engineer Phone: \_\_\_\_\_

Engineer License #: \_\_\_\_\_

License Expiration Date: \_\_\_\_\_

---

### ***DO NOT WRITE BELOW THIS LINE:***

Reviewed By: \_\_\_\_\_ Review Date: \_\_\_\_\_

Calhoun County Floodplain Approval (or waiver) Date: \_\_\_\_\_

Plans and Specs Received: Yes \_\_\_\_\_ No \_\_\_\_\_

Reason if application is rejected: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved: Yes: \_\_\_\_\_ No: \_\_\_\_\_

**PLEASE POST DURING CONSTRUCTION**