

Westminster Glen Estates
Architectural Control Committee
Rules and Regulations



1.0 AUTHORITY

These Rules and Regulations (“Rules”) of the Architectural Control Committee (“ACC”) are enacted under the authority granted in Sections 5.09 and 5.14 of the Declarations of Covenants, Conditions, and Restrictions for Westminster Glen Estates Phases I, II and III (“Restrictions” or “CC&R”).

2.0 SCOPE

- 2.1 The following Rules are based on the Restrictions for Westminster Glen Estates and the Texas Property Code Chapters 202 and 209 and are used by the ACC to implement portions of the Restrictions that apply to home construction, exterior modifications, and other Improvements (as defined in Restrictions, §1.08) to lots in Westminster Glen Estates.
- 2.2 The purpose of these Rules is to insure that the values of all homeowners' properties are protected and enhanced through the application of the requirements defined in the Restrictions. The Westminster Glen Homeowners Association, Inc. (“Association”) and the ACC are responsible for enforcing the Restrictions and addressing material or non-frivolous violations. The Restrictions provide for enforcement by way of fines, after written notice, against the offending property owner. Refer to section 7, below.
- 2.3 These Rules do not replace the Restrictions. In case of conflict between the Rules and the Restrictions, the Restrictions shall have precedence. References to applicable CC&R sections are shown in brackets. Users of this document are encouraged to refer to their copies of the Restrictions, or the Westminster Glen Estates website at <http://www.wmghoa.org/association-documents.html>.
- 2.4 These Rules do not relieve the property owners or builders of any obligations for approval of Development Plans by, or permits from, Travis County and/or the City of Austin. The ACC may require such written approvals and permits to be submitted prior to its approval of Plans. [Restrictions, §5.18]
- 2.5 These Rules may be amended from time to time as deemed necessary by the ACC, which has discretion to amend these Rules according to the authority granted by the Restrictions. [Restrictions, §5.14]

3.0 POLICY STATEMENT ON HOME AND IMPROVEMENT CONSTRUCTION

The Association uses the Restrictions and Rules created by the ACC to regulate construction in Westminster Glen Estates in the best interests of all residents of Westminster Glen Estates. Homeowners, current and prospective, builders, and agents are encouraged to contact the ACC if any additional material is required or if further clarification is needed for any statements contained herein or in the Restrictions.

4.0 DEVELOPMENT PLAN SUBMITTAL PROCEDURES AND REQUIREMENTS

4.1 Development plans ("Plans") are required for the following:

- (a) initial construction of a home (" Dwelling Unit");
- (b) initial installation of landscaping;
- (c) construction of additional Improvements [defined in Restrictions §1.08];
- (d) modifications of a Dwelling Unit or any Improvement, or landscaping (excluding routine repair and maintenance).

The Plans must include all information described below in sections 4.5 (New Home Construction) and 4.6 (Modifications/Additions), whichever is applicable. [Restrictions, §3.01 and §3.03(r)]

4.2 Approval for such Plans must be obtained in writing from the ACC prior to the commencement of any construction activity, such as clearing of trees, excavation or site preparation. [Restrictions, §3.04]

4.3 Plans and documents must be submitted in pdf format to the Architectural Control Committee at acc@wmghoa.org or to the current Property Management company designated by the Westminster Glen Estates Homeowners Association. See www.wmghoa.org/contact-us.html for the current management company contact information. [Restrictions, §5.08]

4.4 Fees: The ACC may utilize the services of a professional architect or engineer to evaluate Plans and therefore a fee is required as part of the Plan submission. Such fees shall be payable to Westminster Glen HOA and sent to the current Management Company as specified at www.wmghoa.org/contact-us.html. [Restrictions, §5.19]

Refer to the current Architectural Modification Request form for the fee schedule.

4.5 Plan Submission Requirements for New Home Construction [Restrictions, §5.12]:

4.5.1 A complete Plan is required, including Site Plan, Floor Plans and Elevations with all of the elements described in Exhibit 2, attached.

4.5.2 A complete Landscape Plan is required, including all of the elements described in Exhibit 2, attached.

4.5.3 Deposit: For new homes, a construction deposit of \$1,000.00 must be received by the ACC at the time of Plan submission. **The deposit is in addition to the Submission Fees above and is held as security for compliance with the Restrictions and ACC Rules.** This deposit shall be payable to Westminster Glen HOA and sent to the current Management Company as specified at www.wmghoa.org/contact-us.html. [Restrictions, §3.01]

4.5.4 Plans should be submitted electronically via standard PDF file format. Alternatively, two sets of hardcopies of the Plans are required. Plans must be complete before they are considered to have been duly and properly submitted to the ACC.

- 4.6 Plan Submission Requirements for Modifications and Additions [Restrictions, §5.12]:
- 4.6.1 Each Plan for modifications or additions to existing homes must be submitted to the ACC for approval using the Architectural Modifications Request form shown in Exhibit 1 (or the current form published at www.wmghoa.org), along with documentation of Plans as described below.
 - 4.6.2 Major modifications (such as building additions and exterior remodeling, cabanas, pools, and outbuildings) also require a complete Plan, including Site Plan, Floor Plans and Elevations with all of the elements described in Exhibit 2, attached.
 - 4.6.3 Modifications such as driveways, walkways, major landscaping changes, fencing, playscapes, sport courts, lighting and minor changes to structure exteriors require the following:
 - (a) A plot plan that shows the existing structures and the design and appearance of the proposed modifications. The drawing must have dimensions showing the location of the modifications in relation to existing structures, property lines and setbacks, as applicable.
 - (b) A description of materials or products to be used. Samples may be requested by the ACC.
 - (c) A plan showing exterior illumination, if applicable, showing location and type.
 - (d) A landscape plan, if applicable, showing locations, species and sizes of plantings, and all other elements of the landscaping project.
 - (e) Provisions for site drainage with cut and fill detail if changes in lot contours are involved.
 - 4.6.4 Plans should be submitted electronically via standard pdf file format. Alternatively, two sets of hardcopies of the Plans are required. Plans must be complete before they are considered to have been duly and properly submitted to the ACC.
 - 4.6.5 The ACC will acknowledge receipt of the submission in writing, generally by email. If the owner doesn't receive an acknowledgement within 15 days, the owner must follow up with the ACC to ensure that the submission was received.

4.7 Response to Plan Submission:

- 4.7.1 After receipt of complete Plans, Architectural Modification Request, fees and deposits (if required), the ACC will respond within 30 days. The ACC may request additional information to properly evaluate the Plan, and such information shall be provided to the ACC within 15 days of request. If additional information requested by the ACC is not provided within 15 days, the Plan will be deemed to have been incomplete and disapproved without further action by the ACC. If additional information is submitted to the ACC prior to the expiration of the initial 30-day period, the time for approval shall be extended by 15 days for each such submission. [Restrictions, §5.12]
- 4.7.2 Approval of Plans by the ACC shall always be in writing; verbal approval is not an official ACC approval. The ACC shall retain one set of the submitted hardcopy and electronic copies of plans.
- 4.7.3 All decisions of the ACC regarding Plan approvals shall be final and conclusive, and no homeowner or any other person, association or entity shall have any recourse against the ACC as described in the Westminster Glen Estates Restrictions. [Restrictions, §5.15]

However, a decision to deny a Plan by the ACC may be appealed to the Westminster Glen Board of Directors according to the Architectural Control Committee Membership and Plan Denial Review Policy. This document is available at www.wmghoa.org/association-documents.html.

- 4.7.4 ACC approvals are valid for a period of one year from the date of approval; substantial construction on the Improvements must be underway prior to that time.
- 4.7.5 Approved and completed projects need not comply with future amendments or revisions to the ACC Rules and Regulations except as necessary to prevent such projects from being or becoming health or safety hazards.
- 4.8 Time for Construction: Once construction begins, it must be completed within 18 months. The beginning of construction occurs when site work starts, including clearing of trees, excavation, etc. [Restrictions, §3.02]
- 4.9 The ACC may, at its option, conduct a post-construction inspection of the improvement for the purpose of compliance with the Approval of Plans. Any non-compliances may result in Notices of Violation or an additional approval process for un-approved changes. The inspection may occur within a time frame specified in the Approval of Plans letter or up to 60 days after substantial project completion.

5.0 DESIGN RESTRICTIONS & RULES

5.1 Goals:

- 5.1.1 The ACC encourages the construction of homes of good architectural design, quality and proper size compatible with the area to maintain the values of homeowners' properties and the neighborhood in general. It is of prime importance to the aesthetic and environmental quality of Westminster Glen Estates that all structures and landscaping be compatible with one another, and, insofar as possible, be in harmony with the natural surroundings.
 - 5.1.2 Because Westminster Glen Estates is located in a wild-land-urban interface with natural areas within and surrounding our subdivision, fire-resistant exterior designs and construction materials are encouraged. Exterior and construction materials should be planned with particular attention to wildfire safety and the creation of an attractive and harmonious blend with existing homes.
 - 5.1.3 Landscaping plans should be carefully considered for wildfire risk mitigation and watering restrictions. Use of native and well-adapted plants and drip irrigation are encouraged.
 - 5.1.4 City of Austin impervious cover requirements for Rural Residential zoning must be respected, which are that no more than 25% of the property may be covered by impervious materials of driveways, sidewalks, structures, pools, sport courts, patios, etc.
 - 5.1.5 The ACC may deny approval of construction of any Dwelling Unit or Improvement where, in the judgment of the ACC, such disapproval is required to meet the stated goals.
- 5.2 Architectural Style: Architectural style may vary consistent with maintaining a compatible appearance throughout Westminster Glen Estates. Designs with vivid colors, that are highly unusual or radically-different, that are incompatible with existing structures or that do not meet aesthetic norms may not be approved at the discretion of the ACC.
- 5.3 Rights-of-Way and Easements: Any construction on street rights-of-way, drainage easements and public utility easements must be approved by the ACC, and, as applicable, Travis County, the City of Austin, or the utility company involved.
- 5.4 Building Setbacks [Restrictions, §3.03(a)]:
- 5.4.1 Side Building Setbacks:
 - (a) Interior lots: 15 feet.
 - (b) Corner lots: 25 feet along the street side.
 - 5.4.2 Rear Building Setbacks: 25 feet on all lots.
 - 5.4.3 Front Building Setbacks:
 - (a) Phase I: 25 feet on all lots.
 - (b) Phases II and III: 40 feet on all lots.

- 5.4.4 The ACC has the right to require additional setbacks as it deems appropriate, and may provide a variance for lesser interior side or rear lot line setbacks at its discretion, but in no case less than 10 feet.
- 5.4.5 Setback Measurements: Measurements of all setbacks shall be made from the outer extremity of the building structure. Eaves may extend into the setback a distance of no more than 30 inches.
- 5.4.6 Flatwork (i.e., sidewalks, driveways, etc.) is not considered part of a building for setback measurement purposes and may extend into the setback space at the discretion of the ACC.
- 5.5 Minimum Living Area [Restrictions, §3.03(b)]:
 - 5.5.1 Phase I: 2750 sq. ft. exclusive of garages, decks and porches (open or enclosed); except lots 23 through 28, 3000 sq.ft. per Supplemental CC&Rs, August, 1998.
 - 5.5.2 Phases II and III: 3000 sq. ft. exclusive of garages, decks and porches (open or enclosed) with at least 1800 sq. ft. on the first floor.
- 5.6 Height Limitations: The maximum height of structures shall be 2-1/2 stories or 35 feet, whichever is less. Height is measured from the highest point on the first floor slab to the highest point of the structure, not counting chimneys and roof vents. The ACC has the right to impose limitations on the height of any structure or improvement. [Restrictions, §3.03(c)]
- 5.7 Foundations and Retaining Walls:
 - 5.7.1 Foundations constructed on original grade slopes of 15% or greater must be designed by a professional engineer licensed to practice in the State of Texas.
 - 5.7.2 Exposed vertical concrete or cement block foundation surfaces must be finished with masonry or stucco to match adjoining wall construction. Such finished surfaces must extend to within 3 feet or less of the final grade. The remaining exposed concrete or cement block surfaces must be finished to the final grade with material that covers concrete-forming defects and mortar joints (e.g., "parged").
 - 5.7.3 Retaining walls greater than 4 feet in height must be designed by a professional engineer licensed to practice in the State of Texas.
 - 5.7.4 Retaining walls must be constructed or finished with stone, brick or stucco that complements the main structure on the lot.

- 5.8 Exteriors [Restrictions, §3.03(d)]:
- 5.8.1 Phase I: Exterior materials must be 100% masonry, stone or stucco on any side facing a street; 100% masonry, stone or stucco on first floor sides not facing a street; and no less than 75% masonry, stone or stucco coverage on the entire structure; except for windows, doors, fascia, soffits and trim.
 - 5.8.2 Phases II and III: Exterior materials must be 100% masonry, stone or stucco on the entire structure, except for windows, doors, fascia, soffits, and trim.
 - 5.8.3 Cement fiber siding products such as Hardiplank are not considered masonry products for the purposes of these Rules.
- 5.9 Roofing [Restrictions, §3.03(e)]:
- 5.9.1 Roofing materials are limited to high grade, quality composition shingles, tile, slate or metal. No materials that produce substantial glare are allowed. Wood shingles are not allowed. Solar photovoltaic shingles are allowed according to the requirements of §5.17, below.
 - 5.9.2 Roof pitches shall be a minimum of 4:12.
- 5.10 Auxiliary Structures
- 5.10.1 Garages: Each Dwelling Unit must have a minimum two-car enclosed garage, attached to or separate from the main structure, subject to all of the Design Restrictions and Rules herein. Prefabricated garages are not allowed. [Restrictions, §3.03(f)]
 - 5.10.2 Cabanas, Pool Houses, and Guest Houses: Such structures are allowed on properties subject to all of the Design Restrictions and Rules herein, and shall be considered “accessory improvements” per Restrictions §2.01(b) for single family usage only; i.e. they cannot be separate housing units for multifamily use, nor can they be rented separately or used for any commercial activities.
 - 5.10.3 Storage Buildings: Such structures are allowed on properties subject to all of the Design Restrictions and Rules herein. Prefabricated sheds (e.g. wood, metal or plastic) are not allowed.
 - 5.10.4 Playscapes and Playhouses: Such structures are allowed for their intended purpose (i.e. for child’s play and not for storage) with prior ACC approval for location (including building setbacks), design, materials and finish.
 - 5.10.5 Sport Courts, Putting Greens, etc.: Such installations are allowed subject to the following:
 - (a) Location, including building setbacks, easements and drainage patterns.
 - (b) If neighbor impact is an expressed issue, screening by both parties may be required to reduce such impact.
 - (c) Site plans, design and construction drawings.

- 5.11 Driveways: Approved materials are concrete, pavers and masonry. Asphalt and gravel are not allowed. Driveways must not adversely impact drainage, and culverts may be required. For portions of driveways that intersect the street, a driveway permit from Travis County is required. [Restrictions, §3.03(g)]
- 5.12 Sewage: Each Dwelling Unit must provide for on-site sewage disposal in a septic system approved and permit issued by Travis County and/or other applicable authority. [Restrictions, §3.03(q)]
- 5.13 Mailboxes: All mailbox housings must use the same materials, size and design as the existing neighborhood standard. Location must be specified on the Plan. Replacing mailboxes with locking mailboxes, or relocating mailbox columns requires ACC approval. [Restrictions, §3.03(h)]
- 5.14 Fences and Walls [Restrictions, §3.03(j)]:
 - 5.14.1 Fences and walls, including gates, shall not obstruct the principal view from adjacent lots or the street, as determined by the ACC.
 - 5.14.2 Wrought iron-style fences are preferred. Solid masonry or wood fences over 2 feet high are not allowed on the property except as stated below. No barbed-wire fences are allowed. No chain-link fences are allowed except as stated below.
 - 5.14.3 Vinyl- or rubber-coated chain-link fence may be allowed with ACC approval for
 - (a) pet enclosures and sport courts interior to the back yard of a lot.
 - (b) along the back property lines of lots in Phase I only.
 - 5.14.4 Wood fencing may be allowed to screen propane tanks in Phase I only, but such fencing must be no further than 3 feet from the tank and no taller than 6 feet. See also 5.18.1 below.
 - 5.14.5 Masonry walls may be allowed to screen pool equipment, tanks, water treatment systems and air conditioners. See also §5.18.2 below.
 - 5.14.6 Solid retaining walls may be installed as necessary to accommodate drainage patterns and changes in grade. See §5.7 above.
 - 5.14.7 The location, design and materials of all fences, walls, hedges, and other similar proposed Improvements shall be shown in the Plan for the lot.
 - 5.14.8 Swimming pool and/or spa security fences, which are defined a temporary barriers installed to prevent children and pets from pool accidents, are allowed, according to the following:
 - (a) transparent mesh or clear panels set in metal frames are required.
 - (b) black is preferred; other colors may be used with ACC approval.

5.15 Exterior Lighting [Restrictions, §3.03(l)]

5.15.1 All exterior and remote (e.g. landscape) lighting must be included in the Plan. One ACC-approved light may be placed at or near the base of a permanent mailbox column.

5.15.2 Permanent outside lighting must not create excessive glare (light trespassing) onto neighboring properties or streets. Dark-sky compliant lighting fixtures are encouraged along with light colors less than 3000K.

5.16 Satellite Dishes and Antennas:

5.16.1 Prior approval by the ACC is not required for satellite dishes (less than 1 meter in diameter) and antennas for the reception of television signals or for wireless internet communications. However, the ACC requires that (a) such dishes and antennas be placed so that they are not visible from the street unless no reasonable alternatives exist such that reception is not impaired, and (b) a permit be obtained from the City of Austin for any antenna or dish placed on a mast that extends more than 12 feet above the home's ridgeline.

5.16.2 Prior approval by the ACC is required for any other type of radio transmitting antennas and towers, including amateur and citizen's band radio. [Restrictions, §3.03(m)]

5.17 Solar Collectors [Restrictions, §3.03(n)]:

5.17.1 The installation of solar energy collection devices requires ACC approval. Approval will generally be granted according to section 5.17.3 for solar energy devices installed either on rooftops or in a fenced yard under these circumstances:

- (a) Roof-mounted solar panels must conform to the slope of the roof, may not extend above the ridge line of the roof surface on which the panels are mounted, and the metal hardware used for attachment must be the normal colors commonly available and must match the roof color as closely as possible.
- (b) Conduits and junction boxes must be painted to match the roof color as closely as possible.
- (c) Building-integrated photovoltaic shingles are encouraged, if practical, as an alternative to roof-mounted panels because of aesthetics.
- (d) Solar panels mounted in a fenced yard may not extend above the fence line.

5.17.2 The ACC may require an alternate location for the solar panels so long as (a) the electrical output is at least 90% of the output that would be generated in the location proposed by the homeowner as calculated using modeling tools from the National Renewable Energy Laboratory, and (b) the alternate location meets the requirements of Austin Energy.

5.17.3 The ACC will approve a solar installation that meets the above criteria unless the ACC determines that the installation will substantially interfere with the use and enjoyment of another owner's property because of glare, aesthetic incompatibility, interference with view, or other annoyance. A written approval by adjacent neighbors would be evidence that objectionable conditions do not exist, but neighbor approval shall not be dispositive or binding on the ACC.

5.17.4 Batteries, if used as part of a solar installation, must be installed in commercially available enclosures and screened from view of the street or neighboring properties. Acceptable screening includes landscaping and masonry.

- 5.18 Tanks and Equipment [Restrictions, §3.03(o)]:
- 5.18.1 Propane tanks must not be visible from the street or neighboring property. If placed on the surface, tanks must be shielded by adequate vegetation. In Phase I only, surface-mounted propane tanks may be shielded by a wooden fence, as stated in §5.14.4 above; however, vegetation is preferred by the ACC for screening surface tanks.
 - 5.18.2 Air conditioning, heating and generating equipment; swimming pool and spa pumps, filter tanks, heaters, and fresh water treatment systems must be screened with adequate vegetation or masonry walls such that no equipment is visible from the street or neighboring properties. Masonry walls require ACC approval.
 - 5.18.3 Rain collection tanks and equipment must be screened from view of the street and neighboring properties. Acceptable screening includes landscaping and masonry.
- 5.19 Utility lines, including electricity, telephone, cable, etc. must be buried. [Restrictions, §3.03(p)] Electrical service boxes shall not be located on the front sides of homes or other structures unless screened from street view. Acceptable screening includes landscaping and masonry.
- 5.20 Water Wells. The installation of water wells requires ACC approval. The homeowner is responsible for obtaining permits from Travis County or other authorities, and the drilling contractor must be licensed by the State of Texas. The following will be considered during the approval process:
- 5.20.1 A well construction plan must be submitted (depth, diameter, casing, cement, surface equipment, etc.).
 - 5.20.2 Well location on the property must be indicated, with dimensions, on a copy of the survey of the property.
 - 5.20.3 TCEQ restrictions on the location of a well in proximity to septic tanks and drain fields must be observed, and the locations of these features must be indicated on a survey of the property.
 - 5.20.4 The plan for access to the proposed well location with drilling equipment.
 - 5.20.5 Plans to avoid/reduce the impact of the drilling operations on the neighbors (noise, potential for run-off during drilling, etc.). All drilling waste products (effluent, cuttings, etc.) must be contained and removed from the site. Nothing is allowed to be dumped on the property. [Restrictions, §4.08]
 - 5.20.6 Plans for screening surface equipment (pumps, pressure tanks, etc.) from view from neighboring properties and the street.

- 5.21 Standby Electrical Generators: Such generators are allowed if they are
- (a) Powered only by natural gas, LP gas, diesel, biodiesel, or hydrogen (gasoline not allowed),
 - (b) Fully enclosed in an integral manufacturer-supplied sound attenuating enclosure;
 - (c) Connected to the main electrical panel of a residence by a manual or automatic transfer switch;
 - (d) Rated for a generating capacity of not less than seven kilowatts;
 - (e) Installed and maintained by licensed contractors and conforming to City of Austin codes; and
 - (f) Screened from view of neighboring properties and streets with masonry or landscaping per §5.18.2 above.

Batteries, if used, must be installed in commercially-available enclosures and screened from view of the street or neighboring properties with masonry or landscaping per §5.18.2 above.

5.22 Flag Display:

- 5.22.1 Flags may be displayed on free-standing flagpoles, not to exceed 20 ft. in height as measured from ground level, or on building-mounted flagpoles not to exceed 6 ft. in length.
- 5.22.2 No more than 1 free-standing flagpole may be installed on each lot.
- 5.22.3 No more than 2 flags may be flown from any flagpole, and no flag may exceed 24 square feet in area.
- 5.22.4 United States flags must be displayed in accordance with the provisions of United States Code (4 U.S.C. Sections 5-10), and Texas flags must be displayed in accordance with the provisions of Texas law (Chapter 3100, Government Code).
- 5.22.5 Flagpoles may not be installed any closer to the property lines than 20 feet from the front or rear or 15 feet from the sides. The location of each free-standing flagpole must be submitted for approval in the same manner as any other improvement on the lot.
- 5.22.6 All flagpoles must be constructed of permanent, long-lasting materials, with a finish appropriate to the materials used in the construction of the flagpole and harmonious with the residence.
- 5.22.7 All flags and flagpoles must be maintained in good condition, and any deteriorated flag or deteriorated or structurally unsafe flagpole must be promptly repaired, replaced, or removed. Each flagpole must be securely anchored at all times.
- 5.22.8 Exterior illumination of the flag(s) must be submitted for to the Association for approval.
- 5.22.9 The owner must take reasonable measures to minimize noise from wind contact with the flagpole, rope, fittings, or flag; the noise should not be discernible more than 25 feet from the flagpole.

5.23 Landscaping [Restrictions, §3.03(r)]:

- 5.23.1 Initial Landscaping: Each yard must be landscaped within 6 months of substantial completion of the dwelling. Landscape plans must be submitted and approved by the ACC prior to completion of construction and move-in. Refer to Exhibit 2 for required information in the Landscape Plan.
- 5.23.2 Major Landscaping Changes: Major changes to existing landscaping, including the removal or addition of trees and hardscapes (retaining walls, driveways, walkways, planters, etc.) require ACC approval. The approval process begins with the submission of an Architectural Modification Request per §4.6 above. Refer to Exhibit 2 for Landscape Plan information.
- 5.23.3: Minor Landscaping Changes and Maintenance: ACC approval is not required for minor changes such as the addition or removal of smaller plants including annuals, perennials, bushes, and ground cover, and for maintenance of existing landscaping.
- 5.23.4: Plant choices should consider wildfire risk mitigation and water conservation. Native and well-adapted plant species are preferred. Irrigation systems are required; drip irrigation systems are preferred for beds.
- 5.23.5 Artificial turf is allowed for putting greens and may be approved for other purposes at the discretion of the ACC subject to considerations such as:
- (a) Amount of coverage,
 - (b) Material quality,
 - (c) Sub-base design and materials and
 - (d) Drainage and impervious cover requirements.

5.24 Modifications and Improvements: Changes to the exteriors of existing structures, fences and landscaping, and the addition of new structures (such as pools, decks, cabanas, outbuildings, etc.) require approval by the ACC. All Design Restrictions and Rules in this part 5 shall apply, and the approval process begins with the submission of an Architectural Modification Request per §4.6 above. [Restrictions, §3.04]

6.0 CONSTRUCTION ACTIVITIES AND RULES

Westminster Glen Estates is a quality residential community and seeks to minimize the impact of construction on our homeowners by strictly enforcing rules for all construction activities. These rules are listed in the Construction Rules shown in Exhibit 3, attached.

7.0 VIOLATIONS AND ENFORCEMENT

The ACC may initiate may work with Homeowners to avoid violations of the Rules and Restrictions. Such efforts may include advice on improvement location, design, materials and finishes.

If these efforts are unsuccessful or not appropriate for the situation such that violations occur, the ACC will initiate enforcement proceedings according to the Construction Violations and Fines Policy (Exhibit 4).

EXHIBIT 1
Westminster Glen Estates
Architectural Modification Request

The Architectural Control Committee must approve any modifications to the exterior of your property according to the Westminster Glen Estates Covenants, Conditions and Restrictions. Requests for modifications are to be submitted to the Architectural Control Committee by email to acc@wmghoa.org. The ACC will review and respond to this Request within 30 days and you will receive a letter confirming approval, denial or request for additional information.

Homeowner's Name: _____	Phone: _____
Address: _____	E-mail: _____

1. Approval requested for (please check as appropriate):

- | | | |
|---|--|---|
| <input type="checkbox"/> Home or Addition | <input type="checkbox"/> Pool House/Cabana | <input type="checkbox"/> Landscaping/Walkways |
| <input type="checkbox"/> Deck or Patio | <input type="checkbox"/> Auxiliary Building | <input type="checkbox"/> Driveway/Parking |
| <input type="checkbox"/> Deck/Patio Cover | <input type="checkbox"/> Playscape/Sport Court | <input type="checkbox"/> Solar |
| <input type="checkbox"/> Pool | <input type="checkbox"/> Fence/Wall | <input type="checkbox"/> Other |

2. Brief description of proposed modifications: _____

3. Work to be performed by: _____

4. Project start date: _____ **Expected completion date:** _____

5. Provide plans and specifications to fully describe the work to be undertaken. Submit PDF-format files by email or two hardcopy sets by mail. Include all, as applicable:

- A plot plan showing the location and dimensions of the existing and proposed improvements.
- Structural design, exterior elevations, exterior materials, colors, textures, and shapes of all improvements to be made.
- Exterior illumination plan including location and method of illumination.
- Provisions for drainage with cut and fill detail if change in lot contour is involved.

Any improvements, including landscaping, located in the county right-of-way or easements may be removed by the county or utility at any time. Check your survey for locations.

6. Fee schedule: The Architectural Control Committee may utilize the services of a professional architect to evaluate modification requests and therefore a fee is required, below:

a. New homes, additions and detached buildings.	\$300.00
b. Any other improvement, in any combination, including but not limited to, swimming pools, patios, outdoor living areas and major landscaping.	\$250.00
c. Walls, fences, playscapes and sport courts.	\$150.00
d. Minor modifications.	No fee
e. Resubmittal of incomplete ACC Modification Requests.	\$50.00

 Homeowner's Signature

 Date

EXHIBIT 2

Requirements for Plans

Westminster Glen Estates Home Owners Association, Inc.

In reference to §4.5 and §4.6 in the ACC Rules and Regulations, Plans submitted to the ACC must meet the following requirements. A complete and accurate submission will ensure prompt ACC response.

1. Site Plan, Floor Plans and Elevations:
 - a. Topographic information at minimum 2-ft. intervals.
 - b. Dimensions and locations of all structures, including distances to property lines and setbacks. Structures include homes, garages, pools, cabanas, outbuildings, and any other type of structure.
 - c. Provisions for site drainage, including cut and fill.
 - d. Exterior elevations of all exposed sides of proposed structures, including material descriptions, roof slopes and exposed foundation treatments. Material descriptions must include material type and color. Samples of materials may be requested.
 - e. Square footage of structures.
 - f. Impervious cover calculations per City of Austin requirements.
 - g. Recorded easements including drainage, utility and conservation.
 - h. Location, height and material description of proposed fences and retaining walls, including a partial elevation drawing of the fence/wall construction.
 - i. Equipment locations including meters, HVAC units, propane tanks and swimming pool equipment.
 - j. Driveways, off-street parking pads and walkways including material specifications.
 - k. Exterior and remote lighting plan including fixture location and type.
2. Septic System:
 - a. Proposed location, size and type.
 - b. A copy of the system design as approved by Travis County when issued.
3. Landscape Plan:
 - a. Proposed finished grade and drainage.
 - b. Tree survey including all trees with a diameter of 8 inches or greater as measured 3 feet above grade.
 - c. Landscape concept including screens and berms, if any.
 - d. Tree removal plan.
 - e. Planting locations with size and species noted. General dimensions should be included such that it is clear where plantings will be placed in reference to property lines and structures.
4. Completed Architectural Modification Request form and fees.
5. Contact Information: The name and telephone or e-mail contact for the architect and/or engineer involved in the designs.
6. Media: Drawings must be ¼"-inch scale, submitted by email in pdf format to the address shown on the Architectural Modification Request form, or two hardcopies mailed to the ACC % the Management Company.

EXHIBIT 3

Construction Rules

Westminster Glen Estates Home Owners Association, Inc.

1. Construction Hours:

Monday-Saturday: 7:00 am - 7:00 pm

Sunday: All work prohibited

Construction is prohibited on the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

2. Construction Activities:

- a. Adequate standard or chemical toilet facilities must be provided for workers for all construction activities if required in the ACC Project Approval Letter.
 - b. Silt fencing with metal reinforced fabric is required where erosion onto adjacent properties, the street or drainage easements is possible, and must be correctly installed to prevent such erosion.
 - c. Construction workers are not allowed to trespass onto adjacent lots.
 - d. The lot must be cleared of all construction-related trash and debris on a daily basis, and the same placed in and contained on site in appropriate containers (roll-offs, trailers, etc.). [Restrictions, §4.10]
 - e. No dumping, burying or burning of construction debris or trash in the subdivision is allowed. [Restrictions, §4.08]
 - f. No servicing, repairing or cleaning of construction equipment in the subdivision is allowed. [Restrictions, §4.14]
 - g. Mud and debris on streets must be kept to a minimum and cleaned up regularly.
 - h. Encroachment onto adjacent properties with equipment or construction activities is not allowed.
 - i. Damage to infrastructure (streets, sidewalks, gutters, utilities, must be promptly repaired.
 - j. No discharge of firearms is allowed. [Restrictions, §4.13]
 - k. No free-roaming or loose pets are allowed.
 - l. Noise from radios, boom-boxes, etc., must not be audible from adjacent lots.
3. Contractor Signs: One (1) job identification sign is permitted during the time of construction of any building or improvement. The contractor's sign must not have a face area larger than 12 square feet. [Restrictions, §3.03(k)]
4. Temporary Structures: No temporary structures or trailers are allowed, except for trailers or job shacks used exclusively to support construction activities during the period of initial home construction. Such trailers or job shacks can be no larger than 300 square feet.

EXHIBIT 4

Construction Violations and Enforcement Policy and Procedures

Westminster Glen Estates Home Owners Association, Inc.

1. Pursuant to the Westminster Glen Estates Conditions, Covenants and Restrictions (“CC&Rs”) and Architectural Control Committee Rule and Regulations (“ACC Rules”), any prohibited activities related to Construction Projects within Westminster Glen Estates are subject to the enforcement procedures and fines described in this Policy.
 - (b) A Construction Project for this policy is defined as any **improvement** (exterior **change**) to properties in Westminster Glen Estates, as defined by the CC&Rs and the ACC Rules.
 - (c) Prohibited Construction Activities include the items listed in paragraph 4.
 - (d) Construction Fines may be assessed according to the schedule of fines in paragraph 4.
 - (e) This policy supplements the existing Westminster Glen CC&R Enforcement Policy (“Enforcement Policy”)
 - (f) Copies of the CC&Rs, ACC Rules, ACC Modification Request form and Enforcement Policy are available at www.wmghoa.org/association-documents.html
2. Construction without Architectural Control Committee (ACC) approval.
 - (a) The CC&Rs state that all exterior improvements to properties require prior approval by the ACC.
 - (b) At the time a Construction Project is identified that has not been approved by the ACC, the ACC Chair will notify the Property Owner via a Stop Work email with the message that, if the work is indeed a Construction Project,
 - i. work on the project is to stop immediately,
 - ii. a completed ACC Modification Request form and complete plans (as described on the form or in the ACC Rules, as appropriate) for the project are due with a Cure Period of 4 calendar days, and
 - iii. if the above documentation has not been received within the Cure Period a daily fine will be assessed according to the Construction Fine Schedule in paragraph 4.
 - (c) If requested by the Property Owner, an extension to the Cure Period for a legitimate reason may be granted by the ACC.
 - (d) If there is no email address on file, the ACC will place a copy of the Stop Work email in the Property Owner’s mailbox. The ACC will also attempt contact the Property Owner by telephone.
 - (e) A copy of the Stop Work email will be sent to the Management Company’s Property Manager to open a violation.
 - (f) If the response from the Property Owner indicates that work is not a project that requires approval (i.e., maintenance or repairs) as determined by the ACC, there are no Construction Fines and there is no further action.
 - (g) If the Property Owner does not stop work on or before the day after the Stop Work email, fines will begin from that date as described in paragraph 4. The Stop Work email is considered the First (Courtesy) Notice in the Enforcement Policy.

EXHIBIT 4

- (h) If, after the Cure Period, an ACC Modification Request and complete plans have not been received by the ACC in electronic format at acc@wmghoa.org, the Construction Fines will commence as described in paragraph 4. The Stop Work email is considered the First (Courtesy) Notice in the Westminster Glen Enforcement Policy.
 - (i) For either a Stop Work or Construction Without Approval violation, the nature of the violation and fine amounts will be communicated by the Management Company per the Enforcement Policy as the Formal Notice defined in that policy.
 - (j) The ACC will inform the Management Company to stop the respective daily fines when either
 - i. the ACC receives the documentation requested in the Stop Work email.
 - ii. the ACC is informed and verifies that construction has stopped per the Stop Work email.
 - (k) Upon receipt of the requested documentation, the Construction Project will be evaluated by the ACC and approved or denied per its normal procedures.
 - (l) If the Construction Project is not approved, the Property Owner may be advised to remove the work that has been done with a completion date specified. This decision may be appealed to the HOA Board per the Westminster Glen ACC Plan Denial Procedures (see www.wmghoa.org)
3. Other Construction-related Violations. At the time the ACC becomes aware of any other Prohibited Activity, the ACC Chair will notify the Management Company via email with a description of the violation and a request to initiate enforcement procedures using the Construction Fine Schedule as shown in paragraph 4 and the standard Westminster Glen Enforcement Policy.
4. Prohibited Construction Activities and Construction Fine Schedule. The Westminster Glen Board of Directors Board reserves the right to adjust the following fine amounts based on the severity and/or frequency of the violation.
- (a) Construction Without ACC Approval: \$25 to \$100 per day until complete plans are received by the ACC per the policy in paragraph 2 above.
 - (b) Failure to Stop Work when notified: \$25 to \$100 per day from the day following the date of the Stop Work email.
 - (c) Construction Hours violations: \$50 per day.
 - (d) Failure to provide adequate standard or chemical toilet (if required in the ACC Project Approval Letter): \$25 per day.
 - (d) Inadequate or premature removal of Silt Fence (if required in the ACC Project Approval Letter): \$50 per day.
 - (e) Failure to clear trash and debris daily: \$100 per day.
 - (f) Failure to provide a roll-off or other means to contain debris: \$50 per day.
 - (g) Burning, dumping or burying debris: \$100 per day.
 - (h) Servicing, repairing or cleaning construction equipment anywhere in the subdivision : \$100 per day.
 - (i) Excessive mud/debris on street: \$50 per day plus clean-up costs.
 - (j) Encroachment on adjacent properties: \$100 per day plus repair costs.
 - (k) Damage to streets, curbs, infrastructure: \$50 per day plus repair costs.

EXHIBIT 4

5. Repeat offenses: If within six months another Construction violation occurs, the amount of the daily fine will increase in accordance with the Westminster Glen Enforcement Policy.
6. Advanced Notification. The ACC will attached to the normal Project Approval Letter the Westminster Glen Construction Rules (see ACC Rules) and the Prohibited Construction Activities and Fine Schedule (paragraph 4 above).