

Del Lago Owners Association

Del Lago Owners Association
Legacy Management Group
20008 Champion Forest Drive #703
Spring, Texas 77379
832-843-3363

Del Lago New Construction Application and Rules

Del Lago Address: 20 & 21 Balboa Block# _____ Lot(s)# _____
Owner's Name: _____
Owner's Mailing Address: _____
Daytime Phone Number: _____ Alternate: _____
Owner's Email Address: _____ Fax: _____
Contractor's Company Name & Contact: _____
Contractor's Phone : _____
Contractor's Address: _____
Contractor's Email _____

PLEASE NOTE: SAMPLES AND OTHER INFORMATION SUBMITTED TO THE ARCHITECTURAL CONTROL COMMITTEE (ACC) WILL NOT BE RETURNED.

A) SUBMITTAL REQUIREMENTS - checks to be made out to DLOA.

1. Application Fee: **\$3,000** (Non Refundable).
2. Form Survey Refundable Deposit: **\$500**.
3. New Construction Application signed by Owner; and Construction Rules - signed and dated by Owner **and** Builder.
4. Submittal of Plans: **Must submit one (1) complete full-size set, and one (1) complete set of 11x17 size — address and owners last name marked clearly on both.**
5. **Two (2) sets of samples, including color samples & pictures of exterior fixtures, each in their own 9x12 envelope (address marked on the outside of each).**
6. Two (2) complete sets of building plans, including structural plans. Plans should show eaves and overhang do not encroach into setbacks. Site plans should show AC pad.
7. Two (2) tree removal plans **NO TREES ARE ALLOWED TO BE REMOVED IN ADVANCE OF RECEIVING FINAL APPROVAL. Violations will be assessed per tree removed.** Lots MAY NOT be clear cut or thinned out to promote sale or speculation. Healthy trees that do not lie within a foundation plan are generally not approved for removal. If plan includes a request for removal of trees that fall across adjoining lots, it must be accompanied by a signed and dated Tree Removal Application by the neighboring owner.
8. Two (2) grading plans, rough and finish. Plans should show elevation to top of pad and to top of foundation.
9. Two (2) lot drainage plans. Should show sufficient slope and details (swells, swales, berms, in-ground drains, etc.) so as to show there will be no change in water flow that will adversely affect neighboring properties. ACC reserves the right to require owner/builder to provide an engineer's statement to that effect.
10. Two (2) site plans as prepared by a licensed surveyor (8.5 x 14). Should give distance specs from key points to the setback lines and property lines.
11. Two (2) landscape plans.
12. Two (2) soil reports

13. Two (2) copies of Montgomery County Building Permits
14. One (1) copy builder's valid certificate of insurance
15. ACC Committee will review the above
16. Final grade shall be approved by the ACC Committee.
17. **Form Survey** by Registered Professional - copies to be provided to Inspector for Foundation Forms Inspection, and to the ACC a minimum of two (2) days prior to pour. Deposit is forfeited if slab is poured without timely submittal of Form Surveys to both Inspector and ACC, and before receiving approval – this will be enforced.

B) NEW CONSTRUCTION INSPECTIONS & ACC COMPLIANCE

1. **It is the builders/owners responsibility to contact Brown's Inspection Service at 281.364.0736 for inspections of the following stages:**

A-Building Site Preparation - portable toilet on-site & within property lines, debris fencing from curb line each side & across back to cover all lot lines, trash receptacles, building permit displayed, single electrical pole, if displayed-single Contractor sign, etc.

B-Foundation Forms - prior to concrete pour; inspected for plan location and Del Lago setbacks - **NOTE: setbacks include eaves and roof overhang.**
NOTE: OWNER/BUILDER TO PROVIDE 'FORMS SURVEY' TO INSPECTOR FOR THIS 'FOUNDATION FORMS' INSPECTION, as well as providing a copy to the ACC a minimum of two (2) days prior to pour. Deposit subject to forfeit for non-compliance.

C-Exterior Design - during trim stage - after roof is on and 'siding' installed

D-Final Inspection - after project is complete and Lot is cleaned. Final inspection includes location and exterior design as well as materials, colors, no additional elements without ACC approval, landscaping plan etc. and site & street properly cleared & repaired including waste concrete, contractor sign removed, curb damage, etc.

Non-Compliance with Approved Plans, Declarations and Standards - If a property is found to be in non-compliance with approved plans, Declarations and/or Standards, a "Stop Work" Notice will be issued. Construction must not continue until the Property has been brought into compliance and notice to that effect has been received from the DLOA.

Failure to comply with the 'Stop Work' order, and failure to bring the property into compliance may result in assessments and legal action. The cost to ensure compliance with the Declarations and Standards is to be borne by the owner of the property.

2. Non-Compliance of getting the Professional Inspections at the various stages will result in additional fees being charged. There are additional fees for re-inspections. Additional fees are due and payable immediately.
3. ACC Committee will review the submitted plans and Management will send a letter with the decision of the committee. No work should begin until you have received approval by the committee. No further work should continue after each

- inspection until you have approval by Brown's Inspections.
4. Construction should be complete within 180 days from start date

C) ADDITIONAL INFORMATION SECTION

- **SETBACKS - Is there any encroachment into a setback? (Y/N) _____** Setbacks include the roof, eave, window treatment, etc. overhang, including those on patios or porches - this setback is strictly enforced. **NO VARIANCES WILL BE GIVEN FOR ANY OF THE SETBACK REQUIREMENTS.** The Inspector and the ACC should receive a copy of the 'Form Survey' prior to pour, to check for accuracy of slab placement and any encroachment of proposed roofing, eaves, guttering or window treatments.
 - Generally, setbacks are five (5) feet from side lot lines and 15 feet from the rear property line. Front setbacks vary by property location. Houses on corner lots have a different side setback for the side adjacent to the street. Patio lots have a five (5) foot side setback and a zero lot line side setback. Zero lot line sides are to adjoin a five (5) foot setback side of the adjacent property. The ACC will have final designation of the zero side setback.
- **MINIMUM SIZE REQUIREMENTS**, exclusive of garages, patios, porches, etc. One and two story homes = 2000 sq. feet. Patio lot homes = 1800 sq. feet. Homes are not to exceed two stories in height.
- **MASONRY REQUIREMENT - 70%.** Residences, including the garage, must be a minimum of 70% masonry on the exterior wall area. Hardi-plank and similar materials are not considered masonry. The ACC has sole discretion as to the location and percentage calculation of masonry used.
- **COLORS & MATERIALS** - Plans must show Materials to be used on all surfaces, on all four sides, - including stone, stucco, brick, trim, porch columns, shutters, etc.. - and Samples or Brochures must be provided. **Paint and Shingle samples, not photos or brochures, must be included with Application.** House colors are to be muted Earthtones and Woodtones as approved by the ACC. Roof Colors and Materials - should be muted Earthtones consistent and harmonious with the existing look of the neighborhood, as approved by the ACC. Foam filled plastic trim products will not be approved.
- **EXTERIOR DETAILS** - Plans should include details for all exterior features such as garage doors, lighting fixtures, window treatments, etc.
- **GARAGE** - Minimum 2 bay - no more than 3 bay. Detached garages not allowed.
- **ELEVATION PLANS** - Should not be similar to front elevation plans of nearby houses. Generally, plans will be reviewed to ensure that similar elevations are not closer than 15 houses and are not within line of sight of each other. Similar elevation plans should differ in materials and colors. The ACC reserves the right to require changes in elevations and/or building materials and colors.

- **SLAB CONCEALMENT** - The foundation and elevation plans should indicate the height of the exposed slab. Landscaping may be required to conceal excessive exposed slab - generally, anything over 16 inches.
- **DRIVEWAYS** - Driveways must be concrete or a material within the ACC Standards & Guidelines. Color treatments other than gray, and decorative treatments such as those using brick, stone, etc. must be approved by the ACC. ACC Standards - ACC reserves the right to require a certain percentage of the front yard remain as landscaping and grass.
- **Is AC Pad indicated on Site Survey and House Plans? (Y/N) _____** Placement of AC units and concrete pad in relation to house and side lot lines should be indicated on the lot survey along with specs for size. AC pads are allowed to extend 3 ft into the 5 ft setback area. No window or wall air conditioners are permitted. The ACC reserves the right to designate the location of the AC pad.
- **Plans Submitted Must be Final in all Detail - Plans may not be 'flipped'. Purchased 'stock' plans must be marked to cross out ALL plan elements, including options, that are not to be part of the final house plan.** This includes any part of the plan pages that include foundation details, if they are in conflict with the final engineered foundation plans. All items added, marked out or changed must be dated and initialed by builder.

D) RULES OF CONSTRUCTION — DEL LAGO

1. MONTGOMERY COUNTY AND DLOA PERMITS MUST BE POSTED AND VISIBLE AT ALL TIMES.
2. No more than three (3) homes under construction or unsold at one time.
3. One Contractor Business Sign, in compliance with the Del Lago Sign Policy is allowed. Sub-contractor signs will be removed without notice. Contractor sign may not be displayed before job begins on site and sign must be removed the same day job is finished.
4. Before construction begins, a portable toilet must be placed on the site and remain within property lines.
5. No construction will begin before 7:00 a.m. or continue after 6:30 p.m., Monday thru Saturday, or begin before 12 noon or continue after 5:00 p.m. on Sunday. All work crew are to leave the subdivision promptly at the end of their work day. [Work crew should please not use golf course or resort property, or remain in the subdivision or return after work to fish, swim, etc in Lake Conroe.]
6. Building materials shall not be delivered until necessary - and deliveries should fall within the hours allowed for construction
7. **PLEASE NOTE - strictly enforced:** Radios and other devices broadcasting music are not allowed.
8. All vehicles belonging to work crew will be parked on the same side of the street. No vehicle will block a driveway, view of oncoming traffic or be parked on a neighbor's driveway without obtaining permission of the property owner prior to construction. Consideration must be given for emergency vehicle access, normal traffic flow, access to adjacent driveways, and access to mailboxes for residents and carriers.
9. A debris fence of suitable material shall be maintained in an upright manner at all times during construction. The support posts should not exceed 6 feet on center. This fence shall be placed from curb line each side and across the back to cover all property lines.
10. No owner or contractor may enter onto a lot adjacent to the Improvement site for purposes of

ingress and egress during or after construction unless the same owner also owns adjacent lot. All lots adjacent to the improvement site shall be kept free of any trees, underbrush, trash or other building materials during construction. No materials or equipment shall be permitted on adjacent properties

11. Debris must be removed as needed to keep the property neat and sanitary.
12. All tree stumps, trees, limbs, underbrush and any other debris, removed from the lot for construction must be removed and hauled out of the subdivision. Burning is not allowed in the subdivision.
13. No trash, materials or excess dirt is allowed in the street. Any such trash, materials or excess dirt or fill inadvertently spilling or getting into the street shall be removed, without delay, on a daily basis. Storm drains are not to be used for disposal of these materials.
14. Trash generated during the work week that becomes greater than trash receptacle will hold or is unsanitary will be removed (daily, if necessary)
15. Concrete truck 'wash out' shall be contained on building site.
16. Property owners are responsible for removing or leveling all excess dirt left on the property after construction is completed. The property owner shall also be responsible for repairing any damage to streets, driveways and curbs caused during the course of construction.
17. Every Friday, no later than 4:00 PM, construction site must be cleaned. & trash removed.

E) FAILURE TO COMPLY WITH ANY OF THE ABOVE-NAMED RULES WILL RESULT IN A \$250.00 FINE PER OFFENSE WHICH WILL BE APPLIED DAILY UNTIL THE INFRACTION IS CORRECTED. THE CONTRACTOR WILL THEN HAVE TEN (10) DAYS TO PAY THE FINE, AFTER WHICH A LIEN WILL BE PLACED AGAINST THE PROPERTY. ALL COMPLIANCE MEASURES WILL BE ENFORCED IN THE MANNER ALLOWED BY THE GOVERNING DOCUMENTS AND/OR TEXAS PROPERTY CODE.

F) THE OWNER AND BUILDER ACKNOWLEDES AND ACCEPTS THE ABOVE RESPONSIBILITIES AND TO ABIDE BY ALL DLOA DEED RESTRICTIONS AND BUILDER GUIDELINES.

<hr/> <p style="text-align: center;">Printed Name of Builder</p>	<hr/> <p style="text-align: center;">Printed Name of Property Owner</p>
(X) <hr/> <p style="text-align: center;">Signature Date</p>	(X) <hr/> <p style="text-align: center;">Signature Date</p>
<hr/> <p style="text-align: center;">Company Name</p>	<hr/> <p style="text-align: center;"> </p>
<hr/> <p style="text-align: center;"> </p>	<hr/> <p style="text-align: center;"> </p>
<hr/> <p style="text-align: center;">Builder's Address</p>	<hr/> <p style="text-align: center;">Owner's Mailing Address</p>

OWNER CERTIFIES THAT

I understand that in the accordance with the governing documents of this community that the review process may take up to 30 days from the date the application is received into Committee review, and that I am not to begin any work prior to receiving Approval and a Start Permit from the Association. If all requested information, deposits and fees are not received for this application the Committee will not review the application. I further understand that if I make any alterations to the plans after the initial application has been submitted, I will have to re-submit those changes for prior approval. By signing I certify this information is accurate and complete and that all improvements will be completed as approved and all work completed 180 days from the approval date. Agents or employees of the community association, and inspection service employees, have my permission to enter the property during normal business hours to inspect the improvements.

HOLD HARMLESS

Owner understands that the community association does not review plans for compliance with applicable laws or codes, and that it is the duty of the owner, agent of the owner, and the owner's contractors or consultants to design and construct the proposed improvements according to applicable laws, codes and sound practices. The owner further agrees and understands that any related inspections performed by the ACC or its agents are for its own purposes in determining compliance with the Declaration and the approved plans and will 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 or plans. Owner hereby releases and agrees to hold The Del Lago Board of Directors, The Del Lago Owners Association, The Del Lago Architectural Control Committee and their agents and employees harmless from any cost or liability arising out of the review or approval of plans for the proposed improvements.

I understand that improvement or construction is not to begin until written approval and a Start Permit have been received from the ACC.

(X) _____ Contractor Signature (optional) / Date
Owner Signature Required / Date

NOTE: Review will be conducted in accordance with the Deed Restrictions, ACC Standards and ACC Policies that are current at the date an Application is considered complete and received into Committee review. Owner may lose deposit and/or may be subject to additional assessment, deposits and fees if owner proceeds with project without valid Permit, or if project exceeds 180 day period.

NOTE: Additional fees for re-inspection may be required due to noncompliance with approved plans or failed inspections.

Fees and Refundable Deposit

\$3,000 Application Fee and \$500 Form Survey Deposit

Checks to be made out to: DLOA

..... (For office use only).....

Date Received: _____ Check #: _____ by: _____
DLOA Agent or Mgt Co. Signature

Date Received: _____ Check #: _____ by: _____
DLOA Agent or Mgt Co. Signature

_____ Release of deposit approved

_____ Deposit forfeited for failure to provide Form Survey to Inspector for Foundation Forms Inspection and/or to ACC two (2) days prior to pour.

Refunded \$ _____ Authorized by: ACC Rep _____ Date: _____
Issued by: DLOA Agent / Mgt Co Rep _____ Date: _____