

23-05816

CONSTRUCTION PLAN SUBMITTAL AND APPROVAL PROCESS GUIDELINES
for
HIDDEN SPRINGS HOMEOWNERS' ASSOCIATION, INC.

STATE OF TEXAS §
COUNTIES OF GILLESPIE, §
KENDALL, AND KERR §

I, Brian Schroder, President of Hidden Springs Homeowners' Association, Inc. (the "Association"), do hereby certify that in the open session of a properly noticed meeting of the Board of Directors (the "Board") of the Association, duly called and held on the 18th day of September, 2023, with at least a quorum of the Board members being present and remaining throughout, and being duly authorized to transact business, the following Construction Plan Submittal and Approval Process Guidelines for Hidden Springs Homeowners' Association, Inc. (the "Guidelines") were duly approved by at least a majority vote of the members of the Board present at the meeting.

RECITALS:

WHEREAS, the property that is subject to these Guidelines is the property encumbered by the Declaration of Covenants, Conditions and Restrictions of Hidden Springs Subdivision, recorded in the Official Public Records of Real Property of Kendall County, Texas under Clerk's File No. 00321865, and in the Official Public Records of Real Property of Kerr County, Texas under Clerk's File No. 18-03334, as same has been or may be amended and/or supplemented from time to time (the "Declaration"), and any other property which has been or may be subsequently annexed thereto and made subject to the authority of the Association;

WHEREAS, Article VII, Section 4 of the Declaration provides that no Improvement shall be erected, constructed, placed, altered (either by addition or deletion), maintained or permitted to remain on any portion of the Properties until plans and specifications, in such form and detail as the Architectural Control Committee ("ACC") may deem necessary, shall have been submitted to and approved in writing by the ACC;

WHEREAS, Article VII, Section 5 of the Declaration provides that the ACC may establish and publish from time-to-time reasonable administrative procedures and separate building guidelines covering residential and non-residential Improvements; and

WHEREAS, the ACC and Board desire to establish standards and guidelines regarding the submission of construction plans and the approval process for Improvements on Lots within the Hidden Springs subdivision.

NOW, THEREFORE, the Board approves, and the ACC hereby adopts the following Guidelines applicable to all Lots (as defined in the Declaration) under the jurisdiction of the Association:

GUIDELINES

The following Guidelines are based on the Declaration and administered by the ACC in accordance primarily with Articles VII, VIII, IX, X, and XI of the Declaration for outlining the steps necessary to obtain approval for and complete construction of new residential construction or improvements to existing properties. For renovations and improvements to existing properties, the ACC may modify these guidelines to reflect the extent of the work contemplated. The Owner must submit a signed and dated acknowledgment indicating an understanding of the requirements, and a signed and dated copy of the Architectural Control and Building Guidelines document, which indicates that all parties have been informed and intend to comply with these Guidelines and procedures as outlined in this document before construction can commence.

It is in the Owner's best interest to contact the ACC early in the planning process to minimize the chances of misunderstanding and extra expense. The ACC strongly recommends the Owner retain competent professional services for planning and design.

Article VII of the Declaration defines the purpose and authority of the ACC. It is the intent of this document to assist the Owner in understanding the requirements of the Declaration, the process by which the ACC issues a Building Permit, and how the Owner can expedite construction of the improvements with minimum disruption to the peaceful enjoyment of neighboring properties.

Please note that the Owner must submit plans for all improvements, structures, buildings, hardscaping, major landscaping, pools, fences, water catchment systems, and solar panels to the ACC for approval before any work starts.

The ACC requires that the builder installs 3 x 5 rip rap rock at the first 50 feet of entry onto the Lot (including a culvert, if necessary) prior to any construction or lot improvements (i.e. well drilling, land clearing, home building, etc.).

1. DESIGN GUIDELINES

The Design Guidelines are in two sections, Site Planning and Design and Architectural Design. They reflect and interpret the relevant sections of the Declaration in helping the Owner to achieve their own desired plans in harmony with the neighboring community.

2. SITE PLANNING AND DESIGN

The ACC recommends that Owners consider the impact of their home on neighboring existing and future homes and try to achieve spacing, location, and orientation that create balance with those homes. Pursuant to Article VII, Section 3 of the Declaration, the goal of the ACC is to encourage Owners to plan homes and improvements that are good

architectural design and compatible with a conceptual plan for the Hidden Springs subdivision and which blend with the existing dwelling and natural beauty of the area. To that end, the ACC recommends, regarding the site requirements, that the Architect try to position the dwelling, improvements, etc. in such a way as to minimize disruption to the natural contour of the Lots, as well as minimize disruption to existing drainage patterns (through an extensive cut or fill) in order to prevent erosion and water pooling. The ACC realizes that many lots within the Hidden Springs subdivision have unique challenges due to the terrain, elevation changes, and size of the Lots, and recommends that the Owner make their Architect/Designer aware of these issues so that placement on the Lot will meet the existing setback requirements and yield a structure that protects the serenity and natural beauty of the surroundings. The ACC encourages the Architect/Designer or Owner to contact the ACC with questions.

3. ARCHITECTURAL DESIGN

The ACC will consider the external appearance of the house and its associated improvements as well as whether the materials used are appropriate and in accordance with the Declaration so that the home is compatible with the neighborhood.

- A. Dwelling Size - Pursuant to Article IX of the Declaration, the minimum total floor area (square footage) of dwelling, inclusive of guest quarters, but exclusive of open porches, breezeways, carports, garages, and other outbuildings, shall be 2,000 square feet of climate-controlled, (heated and air-conditioned) floor area which is sheltered under a single continual roof and built upon a single concrete foundation for single story dwellings and 2,500 square feet of climate-controlled floor area for two-story dwellings.
- B. Facade - Pursuant to Article IX of the Declaration entitled "Architectural Vision", all dwellings will be in keeping with German Heritage/Hill Country Style architecture commonly found in and around Fredericksburg, Texas, and shall be constructed of authentic building materials. Authentic building materials include limestone, fachwerk, half-timbering with whitewashing, plaster, adobe, and cedar or cypress siding. Typical details include shed roofs, pitched gables, dog runs, and covered porches.
- C. Masonry Requirement - The exterior of all dwellings must be constructed with 60% masonry. Windows and doors of a dwelling shall be included and calculated as masonry. The majority of the 60% masonry product must be stone. The exception to the masonry requirement is an all wood exterior siding, including but not limited to Fir, Cypress, Pine, and Spruce. Cement board siding (i.e. Hardie Board or similar products) may be utilized, but will not be included in the 60% masonry calculation/requirement.
- D. Roofs - Pursuant to Article XXIII of the Declaration, all roofs shall be made of either slate, factory fire-treated wood, or metal, and other similar materials with a 30-year

minimum lifetime as approved by the ACC. If a 30-year minimum is not commercially available, then the life shall be the longest lifetime commercially available. No Hip or hipped roofs. Chimney construction must be of native stone, plaster, or stucco. All penetrations, antennae, and accessories must be rear of the ridgeline. If any of the ridgelines runs perpendicular to the street, any penetrations shall be oriented to the back half of the house.

- E. Driveways - Pursuant to Article X, Section 1, Part (a) of the Declaration, the first fifty (50) feet of all driveways from the road pavement will be concrete. Unpaved or unimproved driveways of any kind are not permitted. All driveways running from the road pavement to the entry of the residence shall be constructed/surfaced with concrete, brick pavers, stone, tile, or other similar hard-surfaced material. That portion of the driveway constructed upon the common area shall be of concrete brick pavers, stone, tile, or other similar hard-surfaced material. The remainder must be constructed of concrete, brick paver, stone, tile, hot mix, asphalt, or other similar hard-surfaced materials. If using any type of loose material (i.e. pea gravel, or decomposed granite), the application must be curbed or retained. Try to place the driveway along natural contours so it does not dominate the entry to your home and place the driveway entrance where existing cuts have been made by the developer.
- F. Culverts - Entrance - Drive aprons shall generally be shaped to the contour of the driveway, drainage easement, and the street which is adjacent to the driveway apron. Culverts shall only be utilized if approved by the ACC. The ACC recommends that a culvert, if required, must be appropriately sized corrugated pipe with sloped, safety headwalls, and limestone rip-rap. Drainage easements must be restored to their original condition.
- G. Solar Panels - The use of solar panels is subject to special ACC approval if added after the original construction of the house. Solar panels to be installed upon original construction must be approved as part of the process for issuing the Building Permit and such approval shall be in compliance with Texas Property Code 202.010.
- H. Guesthouses or Other Outbuildings - Shall be compatible in appearance with the main house and shall balance and complement the house in massing and location.
- I. Flagpoles - A stand-alone flagpole taller than 20 feet and the displaying of a flag larger than 3 ft. x 5 ft. requires special ACC approval. All other flagpoles and flags are subject to ACC approval and such approval shall conform to Texas Property Code 202.012.
- J. Fencing - If fencing is desired, approval depends on minimum visibility and impact on adjacent Lots and common areas. It is recommended that fencing be limited to 1 acre or less. The county taxing authority will assign 1 acre of your Lot to be associated with your home, and that acre will not be eligible for the Agricultural Exemption. Fencing beyond 1 acre will reduce the amount of acreage subject to the Agricultural

Exemption and will likely increase your property taxes. **ALL FENCING MUST BE APPROVED BY THE ACC.**

- K. **Lighting** - All exterior lighting including landscape and security lighting must be approved by the ACC and comply with the "ACC Guidelines for Exterior Lighting" presented to the Board of Directors. Site lighting should not affect neighboring Lots or create light pollution of the night sky. Please use night sky-compliant lighting for all external lights. Use security lighting only in emergencies.
- L. **Water Storage Tanks** - If a water storage tank is desired, the ACC's preferences are 1) Wood or Natural Stone clad, 2) Galvalume, or 3) a concrete tank, and the application must be compatible with the house.

4. REVIEW AND APPROVAL PROCESS

A. The Process is in six steps:

- i. Pre-Design
- ii. Preliminary Plans
- iii. Neighborhood Notification
- iv. Final Plans
- v. Material Specification Sheet including all exterior samples and placement of samples.
- vi. Building Permit

5. PRE-DESIGN

The Owner should supply the Architect or Design/Build Team with the Declaration, these Guidelines and all other governing documents of the Association prior to any design for preliminary plans. If there are questions, the ACC strongly encourages the Owner and Architect/Designer to ask questions for the ACC prior to preparing the preliminary plans to prevent excessive changes or costs if such preliminary plans are not in accordance with the Declaration, these Guidelines or other governing documents of the Association.

6. PRELIMINARY PLANS

- A. Access the Hidden Springs Community page at ciaservices.com. Go to your Community Documents/Forms. Fill out a New Home Application and submit the information requested for a Preliminary Plan Review to the address shown on the application or to CustomerCareSA@ciaservices.com.

- i. Site Plan (1" = 20' thru 1" = 50' scale depending on the size of planned property and Lot) Showing the complete lot area, all buildings, driveway, and parking.
- ii. Residence - footprint on-site plan showing closest distances to Lot boundaries and set back lines.
- iii. Building Plans and Elevations (3/16" - 1/4" - 1' scale minimum) which are concise and understandable.
- iv. Exterior Color/Material Selections/ Specification Sheet showing materials and type of construction. Must turn in samples of exterior materials as well as paint color samples.
- v. Pool, courtyard, walls, or major features.
- vi. Garage, other buildings, or amenities.
- vii. Fencing, if any; unless such fencing shall be postponed in the landscaping plan, which shall be subject to separate ACC approval at the appropriate time.
- viii. Water Storage Tank, if any.

The ACC will provide a written response to the Owner within 30 days of receiving the complete package of information described above and any other information the ACC may request. Article VIII, Section 5 of the Declaration shall be applicable.

7. NEIGHBORHOOD NOTIFICATION

As a courtesy to adjacent property owners, upon receipt of the preliminary plans, the ACC may inform the adjacent neighbors. However, such notification in no way restricts or binds the ACC in the exercise of its authority to approve a Building Permit, in its sole and absolute discretion, in accordance with the Declaration.

8. FINAL PLANS

Access the Hidden Springs Community page at ciaservices.com. Go to your Community Documents/Forms. Fill out a New Home Application and submit the information requested for a Final Plan Review to the address shown on the application or to CustomerCareSA@ciaservices.com.

- A. Site Plan 1" = 20' thru 1" = 50' scale depending on the size of planned property and lot.
- i. Property lines, utility routing, drainage and easements, and building setback lines.
 - ii. Topographical Survey, if required by the ACC, showing vertical intervals in 2ft increments to within 50 ft of house/garage footprint. This survey may be required for Lots where the building site is not relatively flat or where there will be relatively extensive site work necessary to prepare the building site.
 - iii. Cut and Fill dimensions and location showing how the builder will retain cuts.
 - iv. Entrance - The need for culverts, if required, (with appropriately sized corrugated pipe, sloped headwalls, and rip rap), will be decided in accordance with Article X, Section 1, Part (b) of the Declaration before the conclusion of construction.
 - v. Driveways and visitor parking including material and any retaining walls and drainage treatment, such as additional culverts and offset to neighboring driveways.
 - vi. Residence footprint with dimensions from corners to setback lines, which must be staked by the builder before construction begins.
 - vii. Retaining walls, courtyards, and fences (if not included in Landscape Plans) showing dimensions and materials. If fencing is desired, approval depends on minimum visibility and impact of adjacent to and common areas. All fencing must be approved by the ACC.
 - viii. Site placement and routing for electric, water well, water storage tank, septic system, propane tank, and location of A/C units, transformers, electric, and water meters, etc. A permanent propane tank intended to feed the entire house must be buried in the Hidden Springs subdivision. Portable tanks, of twenty pounds or less, are exempt from this requirement.
 - ix. Location of dumpster and Port-a-Potty.
 - x. Exterior lighting location and type that complies with the "ACC Guidelines for Exterior Lighting". All exterior lighting should be night sky compliant and comport - no exposed bulb or wraparound lens yard light shall be permitted. Exterior lights on buildings shall have housings that can shield or directly focus the light source. The objective and intent of this restriction shall be to minimize light pollution of the night sky and minimize the visibility of light

sources from any other part of the subdivision. All landscape and security lighting shall be subject to the review and approval of the ACC.

- xi. Landscape Plans showing landscaped and/or hard-scape areas and any elevation changes that will result, including sprinkler system should be submitted no later than 3 months after occupancy and be approved by the ACC before Landscaping starts. Any proposed fencing not approved as part of the Final Plan, (including dimensions and materials), must be included in such plans. See **Requirements for Property Owners and Builders** regarding Landscaping Plans.

B. Building Plans, Elevations, Sections and Specifications (3/16" - 1/4" - 1' Scale)

- i. The Materials Specification Sheet must identify and locate all materials and their dimensions, colors, and the placement of outside equipment visible from the street.
- ii. Floor plans will include room sizes, electrical, and plumbing.
- iii. Roof with chimney details.
- iv. Exterior elevations showing features, materials, colors, textures, and patterns.
- v. Sections showing elevations of existing and finished grades to 10' outside exterior walls.
- vi. Details all improvements (current or planned) as shown on site plans.
- vii. After a Builder has been selected and engineered foundation plans are prepared, the owner shall send a copy of the plans to the ACC to complete its files.

The ACC will provide a written response to the Owner within 30 days of receiving the complete package of information described above and any other information the ACC may request. Article VIII, Section 5 of the Declaration shall be applicable.

C. Materials/Specifications Sheet (see ACC documents)

All fields must be completed. You must include samples of exterior materials and paint samples. These may be digital photographs.

9. BUILDING PERMIT

- A. The ACC must issue a building permit prior to the start of any construction.**

- i. The Building Permit will indicate 12 months for residential construction plus 90 days landscaping, subject to negotiated extensions. Article VIII, Section 4 of the Declaration indicates that acceptance of a building permit assumes that construction of the approved building will be completed within 12 months, but experience has indicated that several factors beyond the control of the builder, homeowner, or ACC may contribute to a completion period longer than 12 months. Weather delay, Acts of God, and market conditions causing a lack of availability of material or labor could contribute to such a delay. It is the intent of the Declaration and ACC that once construction has begun, the progress in such construction is more or less continuous in nature subject to uncontrollable delays noted above. If it appears that construction will be longer than 12 months, the property Owner should contact the ACC as soon as this is known, and inform the ACC of the approximate extended time of construction and an estimated completion date. **There is no time limit to commence building on your property.**
- ii. The Building Contractor entry code for the gate will be on the permit.
- iii. The ACC must approve exterior revisions to the site or building or any additional improvements requested to the approved plans and specifications prior to making the revision.
- iv. **The Owner will return the attached "Architectural Control Committee and Building Guidelines" signed by both Owner and Building Contractor to the ACC before construction begins.**
- v. **A Building Deposit of \$5,000.00 with \$1,000.00 being non-refundable is due upon issuance of the Hidden Springs Building Permit. The Building Contractor is responsible for the activity of all Subcontractors while at Hidden Springs. The cost of any damage caused by the Builder or Subcontractors to any common areas may be deducted from the Building Deposit (i.e. roadway damage and cleanup will be deducted from the Building Deposit). Providing there is no measurable damage after construction, the deposit shall be returned after final ACC inspection.**
- vi. It is in the best interest of all parties to work together to complete the project on time in accordance with the Guidelines and Declaration, and to contact the ACC as soon as it is apparent that any extension or variance is going to be required.

[Signature Page Follows]

I hereby certify that I am the duly elected, qualified and acting President of the Association and that the foregoing instrument was approved by not less than a majority vote of the Board and the ACC as set forth above and now appears in the books and records of the Association, to be effective upon recording in the Official Public Records of Gillespie, Kendall and Kerr County, Texas.

TO CERTIFY which witness my hand this the 18th day of September, 2023.

HIDDEN SPRINGS HOMEOWNERS' ASSOCIATION, INC.

By: [Signature]
Printed: Brian Schroder

Its: President

THE STATE OF TEXAS §
COUNTY OF Candera §

BEFORE ME, the undersigned notary public, on this 18th day of September, 2023, personally appeared Brian K. Schroder, President of Hidden Springs Homeowners' Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and in the capacity therein expressed.

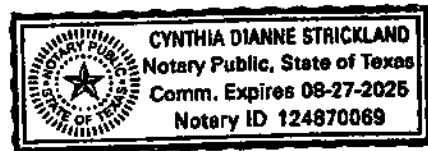
[Signature]
Notary Public in and for the State of Texas

APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE:

[Signature]

Name Printed: Lisa Thoreson

Committee Chair
Architectural Control Committee



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GRANTOR HIDDEN SPRINGS HOMEOWNERS
ASSOCIATION INC

GRANTEE HIDDEN SPRINGS SUBD

Returned To: C.I.A. Services Inc
8811 FM 1960 Bypass Rd W Ste 200
Humble, TX 77338-3952

I hereby certify that this instrument was FILED on the date and times stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Kerr County, Texas.



A handwritten signature in black ink that reads "Jackie Dowdy". The signature is written in a cursive style and is positioned above a horizontal line.

Jackie Dowdy, Clerk

Kerr County, Texas

By: DIANE RODRIGUEZ DEPUTY CLERK

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