

WESTSIDE AT BUTTERCUP CREEK HOA, INC.

MODIFICATION COMMITTEE ("MC")

APPROVAL APPLICATION

SUBMIT COMPLETED APPLICATIONS TO:

Jim Smitherman c/o Goodwin Management, Inc. – 512-502-2114

Westside at Buttercup Creek HOA, Modification Committee

11149 Research Blvd., #100, Austin, TX 78759

Or

Send them via FAX (512-346-4873) c/o Jim Smitherman, or e-mail (Jim.Smitherman@goodwintx.com)

You will be notified of approval by email. If you do not have email, then approval will be sent via mail.

Please allow 30 calendar days for the processing of this application (with the exception. NOTE: Incomplete applications may be denied requiring re-submission.) Pay close attention to the required information listed in section 5. Please be thorough.

Applicant Name:		Home Ph:	
Address:		Office Ph:	
Email:		Cell Ph:	

Replacement and Repair

- Check the appropriate box and fill out sections 1 and 2 only

The following may be replaced or repaired with the exact materials and colors previously used. Approval is automatic with submission of this form and a color picture of your home unless otherwise noted. This is an HOA approval, but may still require building permits.

<input type="checkbox"/>	Fence Replacement (Exact)	<input type="checkbox"/>	Irrigation (requires diagram)	<input type="checkbox"/>	Satellite Dish (must be located behind fence line)
<input type="checkbox"/>	Paint (Exact match)	<input type="checkbox"/>	Roof and Trim (Exact Repl.)	<input type="checkbox"/>	Siding and Brick (Exact Repl.)
<input type="checkbox"/>	Landscaping	<input type="checkbox"/>	Cement (driveway or walkway)	<input type="checkbox"/>	Other (provide details below)

New Construction, Home and Lot Modification

- Check the appropriate box and complete sections 1, 2 and include additional relevant documents as required by the checklist in section 3.

Please review checklist for required submission documents)

<input type="checkbox"/>	Fence - NEW	<input type="checkbox"/>	Landscaping, Walkways	<input type="checkbox"/>	Room/Garage Addition
<input type="checkbox"/>	Deck or Patio and/or Cover	<input type="checkbox"/>	Pool/Spa/Water Feature	<input type="checkbox"/>	Playscape/Play Equipment
Note: Portable and/or metal sheds and outbuildings are not permitted				<input type="checkbox"/>	Other (Describe Below)

Section 1. Please Describe Project - Attach additional pages, if necessary

Estimated Time to Complete/Timetable: _____

Contractor: _____ Off Phone: _____

Email: _____ Cell: _____

Other Contractor Info: _____

Section 2 - CONSTRUCTION AGREEMENT

This agreement is by and between the Property Owner tendering the construction deposit and the Westside at Buttercup Creek Homeowners' Association, Inc.

The Property Owner intends to undertake construction described in the MODIFICATION COMMITTEE ("MC") APPROVAL APPLICATION which is incorporated herein by reference.

The Property Owner hereby agrees that:

1. All work will be performed in a good and workmanlike manner.
2. All work will be performed so as to minimize inconvenience to the neighbors and the neighborhood.
3. Work, once commenced, will be continued with diligence until final completion.
4. Materials will be stored exclusively on the Property Owner's lot(s).
5. Excess materials will be removed promptly following construction.
6. Trash and debris (including, but not limited to, discarded construction materials, cans, bottles, paper/plastic/cardboard wrappers, packing materials, etc.) shall be placed in trash containers.
7. Trash containers shall be regularly picked up and dumped.
8. Any damage to adjoining private property, association common area, sidewalks, curbs, public rights of way, and/or easements shall be immediately repaired by the Property Owner.
9. The authority of the MC is derived from the Declaration of Covenants, Conditions and Restrictions ("CCRs"). No work should be commenced until written approval is received from the MC.
10. Applicant acknowledges that all improvements must be construction in accordance with the design guidelines contained in the CCRs in addition to any guidelines or rules adopted by the Association or MC from time to time. All improvements must be constructed in accordance with the laws, rules, regulations, and building codes of governmental authorities having jurisdiction. Approval of this application does not constitute approval by any governmental authority, nor does it constitute a building permit.
11. Approval of this application does not give Applicant the right to enter upon the property of any other owner or the common area in order to perform the construction contemplated by this application.
12. The MC cannot, and does not, grant approval for modifications in violation of the CCRs. Thus, any modification in violation of the CCRs, even if it has approval from the MC, is still in violation and subject to enforcement. Only a variance granted by the Board of Directors in written form for a specific instance may allow deviations from this requirement.
13. The MC and/or the Board of Directors cannot, and does not, authorize encroachment on any easement or property outside the boundaries of the applicant's property boundary lines.
14. Applicant certifies that the information contained herein is true and correct to the best knowledge and belief of Applicant.
15. Application certifies and acknowledges deposit shall be applied from processing and final inspection of property to insure all improvements are constructed in accordance with the laws, rules, and regulations, and building codes.

In the event Property Owner violates the aforementioned agreements, the Property Owner acknowledges that they may be subject to fines in accordance to the Westside at Buttercup Creek Homeowners Association's Fine and Enforcement Policy.

Upon completion of construction, the Property Owner shall notify the property manager that construction is complete and, if applicable, that any curative remedial work required under this agreement is complete.

PROPERTY OWNER

Print Name

Signature

Section 3 - Required information *(new construction, home and lot modification projects only):*

<input type="checkbox"/>	A plat map showing the lot boundaries, house location, driveway and sidewalk location, fence location, and all applicable building setbacks and easements (required). You should have received one of these with your closing documents.
<input type="checkbox"/>	Outline of proposed modification on plot plan showing location of proposed modification (illustrating no modification within setbacks and easements) and distance of modifications from fences and improvements. Plot plan must show location of trees in the area of modification that may be affected by construction and proposed access location (required).
<input type="checkbox"/>	Drawing, photo, and/or sketch of structural design, exterior elevations, and floor plan of modification with major dimensions (required).
<input type="checkbox"/>	Description, photos, and/or and samples of exterior materials (framing, siding, roofing, masonry) to be used including colors and textures (paint/ stain) with verification that colors and textures will match to trim color of house. Description should include all accessories, attachments, and/or equipment to be installed (required).
<input type="checkbox"/>	Details on aspects related to construction such as lot access, tree removal, heavy machinery use, construction timetable, and any special dispensation that may be required (if applicable).
<input type="checkbox"/>	Description of visibility of modification from street and neighboring lots. Photos of proposed location for the modification (including trees or other items that may be affected); photos of home showing brick, siding, trim, and shingle styles and colors; photos showing the visibility of the proposed modification location from streets and neighboring lots (required)
<input type="checkbox"/>	Show existing and finished grades of lot. (required)
<input type="checkbox"/>	All exterior illumination including location and method of illumination - No "wash over" of lighting to adjoining property or common areas is permitted (if applicable)
<input type="checkbox"/>	Provision for drainage with cut and fill detail if change in lot contour is involved. Modifications should not adversely impact any neighboring property (if applicable).

ADDITIONAL DECK CONSTRUCTION REQUIREMENTS

<input type="checkbox"/>	Show location of deck in relation to home. Note all easements and set backs. Show all dimensions to deck from rear and side property lines.
<input type="checkbox"/>	Show elevation drawing illustrating highest point of deck. Area of deck exceeding 4' in height must be screened with lattice, per MC guidelines.
<input type="checkbox"/>	Show elevation drawing of any proposed covered areas, including trellis areas
<input type="checkbox"/>	Include description of Decking Material, Stain Color and Covered Area Materials

ADDITIONAL POOL CONSTRUCTION REQUIREMENTS

<input type="checkbox"/>	Show location of pool and related decking/patios/water features in relation to home. Note all easements and set backs. Show all dimensions to deck from rear and side property lines.
<input type="checkbox"/>	Show elevation drawing of all water features noting height, i.e., waterfalls, walls, fountains, raised spa, etc
<input type="checkbox"/>	Show fence plan with existing fence lines and new fence lines.
<input type="checkbox"/>	Show areas of exposed foundation. Any area of exposed foundation exceeding 8" is required by MC guidelines to be screened with landscaping. Show how exposed foundation will be screened.
<input type="checkbox"/>	Show location of pool equipment and sound attenuation features to prevent disturbance of neighbors.
<input type="checkbox"/>	Include description of coping material and tile color
<input type="checkbox"/>	Include description of deck material and deck stain color (wood decks only).

ADDITIONAL FENCE CONSTRUCTION REQUIREMENTS

<input type="checkbox"/>	The default fence for all lots is a solid wood privacy fence made of 6' long, nominal 1" x 4" double notched (45 degree top corners) cedar pickets tight fit to form a solid visual barrier. All fences external to the lot (i.e., those exposed to public view) shall be constructed with their "smooth side" facing out to the public view.
<input type="checkbox"/>	Fences along the perimeter of the neighborhoods (i.e., along Lakeline Blvd, Buttercup Creek, and Austin Community College) shall be solid wood privacy fence panels made of 6' long, nominal 1" x 6" double notched cedar pickets, smooth side out, with steel poles for support. White stone pillars of a common design shall be placed at periodic intervals along these fences. These fences shall be stained with a matching cedar colored stain. Gates and driveways are not allowed along these fences.
<input type="checkbox"/>	Wood fence materials, other than those described above, may be left un-treated, sealed with a clear sealant, or stained and sealed with a cedar colored stain matching the fences along Lakeline Boulevard. Fences must be maintained in harmony with respect to color, to those of neighboring lots.
<input type="checkbox"/>	Wrought iron fences are only allowed for the back fence for those lots backing up to a greenbelt. They must be painted black in color. The style and appearance must be approved by the MC. The first two lots along either side of any greenbelt intersecting with a public road must maintain the identical modification.
<input type="checkbox"/>	Certain sections of Westside Preserve will have wrought iron fences standard along preserve areas. MC approval should be sought for fences along preserve areas.
<input type="checkbox"/>	Fences may not be moved forward on a lot to more than 3/4 of the depth of the house.
<input type="checkbox"/>	No fence may be placed such that it creates a hazardous or dangerous situation, i.e., obstructing the view at an intersection. City ordinances may further restrict the location or modification of fences.
<input type="checkbox"/>	Fences internal to the lot, such as those used for safety fencing around pools, may be wood picket or wrought iron, consistent with the requirements set forth herein. These fences should be 6' or less in height and should not be visible from outside the perimeter privacy fence.
<input type="checkbox"/>	No wire fencing is allowed.

ADDITIONAL PLAYGROUND EQUIPMENT REQUIREMENTS

<input type="checkbox"/>	This covers all playground equipment including forts, playscapes, swing sets, tree houses, play houses, etc.
<input type="checkbox"/>	Building material must be weatherproof wood (pressure treated pine, redwood, cedar, etc.). Plastic, vinyl, and metal are not allowed except for minor accessories (slides, swing seats, etc.). All wood must be sealed and stained with a cedar or redwood colored stain, or sealed with a clear sealant.
<input type="checkbox"/>	Play structures must have minimal visibility from the street. Trees or bushes may be required to provide sight screening. Trees should be native with a 2" caliper measured 3' above the ground. The preferred tree is a native hardwood, such as live oak.
<input type="checkbox"/>	No playground equipment may be placed on the front or side yards that are on the street side of the privacy fence.
<input type="checkbox"/>	Accessories such as tarps, covers, slides, etc. shall be a solid dark color.
<input type="checkbox"/>	Playground equipment may not be located within the building setbacks or in easements.
<input type="checkbox"/>	Playground equipment shall not exceed 10' in height, however, the MC will consider granting variances of up to 12' on a case by case basis. When the height exceeds 10', the MC will require an additional 5' set back for each additional 1' in height.
<input type="checkbox"/>	Trees may not be cut down to make room for play equipment.
<input type="checkbox"/>	Permits are required by the City of Cedar Park for certain play equipment. It is the owners sole responsibility to obtain necessary permits.
<input type="checkbox"/>	No tree houses are allowed.

Important: Applications not meeting the criteria in this section **may be denied** on the basis of being incomplete and will be subject to re-submission. Any approvals granted based on an incomplete or inaccurate application may be deemed invalid and rescinded.