

APPLICATION REQUIREMENTS AND CHECK LIST

The following Requirements & Information are to be included in the Application & Plans:

1. **Application:** The application must be completed and signed by both the owner and builder/contractor and returned with the above information. **Ownership verification required on new ownership.**
2. **Compliance Fee** and any outstanding maintenance fees must accompany this application and be made payable to: Pirates POA. **The Builder Compliance Deposit must be paid by Builder/Contractor performing work described in application. The Compliance Deposit for improvements:**
 - Improvements Requiring Pilings or Footprint Change - \$2,000.** Deductions: \$300 review fee(s).
 - Improvements (e.g., fences, new & replacement decks, pergolas, pools, gazebos, etc.) - \$1,000.** Deductions: \$200 review fee(s).
 - Environmental Deposit:** An additional \$250 is assessed on all Boat Docks to protect the canals; this Deposit is refundable upon satisfactory completion and approval of PPOA's Architectural Review Committee.
 - Additional Compliance Fee:** In the event of a compliance issue an additional inspection may be required. The cost of an additional inspection is \$50, and this amount will be deducted from the Deposit. The fines assessed by the ARC in connection with all building, construction, and alterations, as provided in this Agreement, shall be deducted from the Application Deposit. If the fines exceed the Application Deposit, the Applicant must submit an additional deposit in the amount of: (1) the fines plus (2) an additional \$500. The additional deposit amount must be received within 5 business days of being notified of the fines(s). If additional deposit funds are not received, a Cease and Desist order will be issued until the additional deposit amount is received.
In the event of a compliance issue an additional inspection may be required. The cost of an additional inspection is \$50, and this amount will be deducted from the Deposit.
3. **A survey of the lot(s)** upon which the improvements are to be constructed showing all adjoining tracts and/or reserves. If an addition to the existing structure is made this survey of the home prior to the construction is required.
4. **Site/Plot Plan:** Drafted at an architectural scale (1/8" = 1'), and showing the current home, driveway, and all other structures. The site plan is to include lot dimensions, distances from all structures to the building setback lines, all easement lines and curb cuts, concrete driveway(s), walks, decks, air conditioning enclosures, and fences. The improvement is to be drawn on the site plan and clearly marked as such.
5. **One set of plans (i.e., existing home & boat dock/pier/pool with the improvements) in hard copy and PDF.** All Windstorm/FEMA requirements must be met. **(Draft architectural scale of 1/4"= 1')**
 - **Elevations** –Elevation of each side required to show exterior materials, floor and slab heights, and roof slopes for additions and boat docks. Include any height dimensions of all levels and roof.
 - **Floor/Slab/Roof Plan(s)** - **(Draft architectural scale of 1/4" = 1')** A floor plan to show the dimensions and location of all rooms, patios, balconies, garages, and structures at each level. Window sizes and electrical, gas, and plumbing fixtures must also be shown.
6. **Bulkhead and Boat Docks (hard copy and PDF):** Elevations with height dimensions shown on ALL structures on boat docks; include dimensions between bulkhead and new structures, if applicable. THE PPOA BULKHEAD GUIDELINES ARE INCORPORATED.
7. **Pilings:** Plans shown with dimensions; an allowance for structural eaves so as to not encroach into building setback lines must be made. **NO** encroachments into building setback lines to include eaves, decks, stairs, and air conditioning units. No round pilings allowed. A piling survey may be required prior to startup of the structure on an addition to the home. Builder may continue construction after the piling survey and 1st inspection have been approved. Verbal approval will be given by CKM.

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2

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Owner Signature _____

8. **Culvert(s):** Size and design, with dimensions and location of overall length; include culvert type of end treatment being proposed; list construction **materials**, e.g., concrete, on the site plan.
9. **County/City Building Permits:** ALL building permits and “original” Green ARC approval cards must be posted on property on the day construction starts and continuously thereafter.
10. **Samples** must be submitted of ALL color selections (house, buildings, fences, etc.).
11. **Specifications:** List all specifications relating to piling design, structural framing, and quality of exterior materials, colors, textures and shape.
12. **Exterior Lighting Plan:** Indicate on the site plan the location, size & type of lighting to be used. Provide picture of lights to be used including light shields. All outdoor lights, including security, safety, utility, decorative and fishing lights, shall be subdued or shielded so as not to constitute an annoyance, nuisance or hazard to neighbors or to those who use the public beach or public parks or navigate affected waters. The owners of lights used for fishing shall shield and direct the lights downward toward the water so that the light source is not visible, directly or by reflection, to neighboring property or to those who use the public beach, public parks or navigate affected waters. Additionally, lighting is governed by the City of Galveston Light Ordinance, Section 7.104 & 105, and is incorporated herein.

ADDITIONAL CONSTRUCTION REQUIREMENTS

1. **Second-floor Catwalks** from the house to the boat dock may be no greater in width than 15' or the width provided for in the applicable section's restrictions, whichever is the lesser width, and in Laffite's Cove 6', as slated in the LC CC&R's.
2. **Stairs attached to the home or to boat docks** may NOT encroach into building setbacks.
3. **One builder sign no larger than 24" X 24" is allowed.** No other types of signs other than the house numbers will be allowed. BUILDER SIGN MUST BE REMOVED AT END OF CONSTRUCTION.
4. **Air Conditioning units** must be screened and shown on the plans. THE PPOA SCREENING GUIDELINES ARE INCORPORATED.
5. **Trees (Palms and/or Oaks)** are required in every section in Pirates Beach, Pirates Cove, Laffite's Cove, and the Enclave according to the CC&R's (tree requirements attached).
6. **Burning and Fires** are not allowed.
7. **Trash bin or dumpster** or DAILY removal of building material is required, if demolition occurs. The contractor is to insure all trash and debris is removed from the site and placed in the dumpster before each weekend. During the week, the site is to be kept clean to prevent trash from going onto other property. The dumpster must be emptied when full.
8. **Construction Fencing** is required on the rear and side lines of the property, and elsewhere if construction is occurring.
9. **Portable Toilet Facilities** are required, or access to a close facility must be available. If applicable, once pilings are installed, portable toilet facilities must be in place. No construction can start without these. Portable toilets must be staked to prevent turning over by high winds.
10. **Streets** are to be kept clean of mud, dirt, rocks, and building material, including nails and screws.
11. **LAFFITE'S COVE:** Construction of boat docks must be according to the Corps of Engineers Permit, with placement according to the ARC's boat dock placement plat. Contact the Architectural Department at PPOAARC@CKM1.com, or call CKM at 281-255-3055, for information.
12. **The County/City building permit and the Green ARC approval sign** must be posted on the lot from start of construction until the construction has been completed.
13. **Inspections:** Builder/Owner are responsible for obtaining all non-ARC inspections.
14. **Surveys:** Builder/Owner are responsible for obtaining and providing surveys when required. Surveys assure the owner, builder, and PPOA that no encroachments have occurred.
15. **No Angle Bracing is allowed.** This requirement is per the CC&R's for all sections.
16. **No Round Pilings are allowed.** This requirement is per the CC&R's for all sections.

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17. **Pool:** The pool must lie within the SIDE building setback lines. Pool equipment must be within the building setback lines and properly screened. THE PPOA SCREENING GUIDELINES ARE INCORPORATED. Pool decking can extend to the rear property line.
18. **Fences:** A separate fence application is required unless this application clearly sets forth all required information from which PPOA ARC can approve a fence. THE PPOA FENCE GUIDELINES ARE INCORPORATED.

OWNER/BUILDER AGREEMENT

1. Owner hereby acknowledges receipt of the Pirates Property Owners' Association (the "Association") Architectural Control Standards and hereby agrees to comply with all terms and conditions contained therein and obtain all applicable surveys and inspections as specified therein prior to occupancy.
2. Owner hereby authorizes the PPOA Architectural Review Committee ("ARC") or its agents to enter upon and inspect the lot and structure thereon during regular business hours for the purpose of ascertaining whether said structure is in compliance with the restrictions, the standards, and the approved plans and specifications. Neither the ARC nor its agents shall be deemed to have committed a trespass by reason of such entry or inspection.
3. Disclaimer of Liability and Warranty. The approval of plans and specifications by the ARC applies only to the style, exterior finishes, appearance, and general location of structures shown in such plans and specifications. Such approval shall NOT be relied upon as an approval or warranty regarding engineering and structural design, building or zoning code compliance, feasibility or marketability for any purpose, or compliance with applicable building ordinances, standards, or regulations, or any errors related thereto. By approval or non-approval of the plans and specifications, neither the ARC, the Association, its Board, the management company, nor any of their officers, agents, or attorneys assumes any liability or responsibility therefor, or for any errors or defects in any structure constructed therefrom, and these persons further specifically exclude from such approval any implied warranty of merchantability or fitness for any purpose. In addition, the Association is not responsible for any accidents, injuries, damages, or losses on any building site. Owners, builders, and contractors shall ensure that the construction site is properly secured and maintained daily.
4. **Any change to the original design and original application requires additional review and approval by the ARC. This includes changes in color and any design or location changes.**
5. If construction is not completed within six months after plans have been approved, or by the date of completion stated in the approved application if later, an extension MUST be obtained.
6. The ARC has 45 days from final, complete submittal of plans and permits to approve the plans and authorize commencement of construction. ARC reviews plans online on an ongoing basis.
7. ANY error in location causing an encroachment will be the direct and sole responsibility of the property owner. The builder/owner must satisfy the ARC that improvements are accurately located in accordance with the approved plans and that encroachments will not occur, without a specific variance having been requested and granted by the ARC. If encroachment occurs without a specific variance having been granted, owner and contractor agree to remove those items and rectify the problem at their expense.
8. Failure to comply with required inspections and surveys (see next page) can result in penalties and legal action being brought to require compliance. If you are penalized, you have the right to a hearing before the ARC. You also have the right to appeal the ARC's findings after the hearing before the Association's Board of Directors.
9. Basis of Approval: Approval of plans and specifications will be based, among other things, on adequacy of site dimensions, design of the structure, conformity and harmony with the neighborhood's character and design, relation of finished grades and elevations to neighboring sites, and conformity to both the specific and general intent of the deed restrictions. All plans will be reviewed in a timely manner, and a letter will be sent to the person identified in the Plan Review Application. It is highly recommended that you review the

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4

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Owner Signature _____

Covenants, Conditions & Restrictions ("deed restrictions" or CCR's) for your lot.

- 10. All exposed wood used in this project will be treated or painted; untreated wood is not permitted.

Inspection and Survey Process and Fines

Inspections & Surveys: The ARC Inspector inspects all active work sites once a week. If any noncompliance issue exists the job site shall be "red tagged" to "STOP CONSTRUCTION," and a phone call shall be made to the Builder. **Although any applicable fine for the noncompliance will be automatically assessed, Builder will be given 24 hours (one business day) to correct the situation and prevent additional fines. If the noncompliance issue is not corrected the owner and builder will be notified by certified mail and given ten days to correct the issues. Notice of noncompliance may include fines and other actions to be taken.** If no change, or adequate change, is noted within the ten days as stated in the letter, the issue will be turned over to the ARC and the Board, which may employ an attorney to enforce these requirements and collect the fines plus costs and fees. There may be at least two required inspections and surveys, the first after the pilings are in and the portable toilet facilities and dumpster have been placed on site, and the second at the time construction has been completed.

Survey Requirements: 1) **Initial** survey of lot, 2) **"Piling"** survey and 3) **"Final"** survey prior to refund, if applicable. Refunds of deposits will be made of all amounts not required to be deducted automatically or not deducted as a result of a penalty for infractions chargeable to the property owner. The initial survey of the original home and structures is required. Other surveys may be required if there is a question concerning potential encroachment. Other permits or approvals may be required from City, County, or other Governmental entities. It is the responsibility of the property owner to obtain all required permits and approvals from these entities.

Independent Inspector: The inspector shall inspect the exterior of the job site for completion of improvements, driveway completion, house numbers, construction and trash cleanup, removal of trash bin and portable toilet, and planting of required trees. The inspector shall review the final project to ascertain if any encroachments or violations have occurred. Correction of encroachments and other violations shall be the sole responsibility of the builder and owner.

Holidays are defined as: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. Work Days and Restricted Hours are 7:00 a.m. - 7:00 p.m., Mon. - Fri., and 8:00 a.m. - 7:00 p.m., Sat.

PIRATES POA ARCHITECTURAL REVIEW COMMITTEE FINES

<u>Violation</u>	<u>Initials</u>	<u>Fine</u>
Start of construction prior to ARC approval	_____	\$1,000
CHANGE in approved construction without approval	_____	\$1,000
Dirty work site, builder trash, site not cleaned by Friday	_____	\$ 200
No Port-a-potty	_____	\$ 500
No Trash bin	_____	\$ 500
Trash bin full or trash overflowing	_____	\$ 500
No construction fence	_____	\$1,000
Construction fence down	_____	\$ 500
Failure to provide "piling" survey	_____	\$ 500
Failure to provide "final" survey	_____	\$ 500
Failure to obtain inspections	_____	\$ 500
Signs - more than one 24 x 24 builder sign	_____	\$ 100
Failure to follow PPOA Outdoor Light Policy if installing outdoor lights	_____	\$ 500
Work on holidays or other prohibited days	_____	\$ 500

Builder/Contractor AND Owner to initial all above items.

Sign (or initial) and return all pages:

Builder/Contractor Signature _____

Owner Signature _____

EVERYTHING CONTAINED IN THIS APPLICATION IS AGREED AS STATED:

OWNER:

BUILDER/CONTRACTOR:

Signature

Signature

Date: _____

Date: _____

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Builder/Contractor Signature _____

Owner Signature _____

Tree Requirements according to the Covenants, Conditions & Restrictions

	PALMS			2-1/2"-3" 30GAL.	10' - 20'
PIRATES BEACH	(2) 5'	(4) 10'	(2) 10'	(2) LIVE OAKS	(2) SABLE PALMS
Section 1	X				
Section 2	X				
Section 3	X				
Section 4	X				
Section 6		X			
Section 7		X			
Section 8		X			
Section 9		X			
Section 10		X			
Section 12		X			
Section 13		X			
PIRATES COVE					
Section 1	X				
Section 2	X				
Section 3	X				
Section 4	X				
Section 5		X			
Sec.7 The Enclave				X*	X*
LAFFITE'S COVE					
Binnacle Way			X		X
Eckert Drive			X		X
Foremast			X		X
Windlass Circle			X		X
Binnacle Court			X	X	
Cove Lane			X	X	
Cutwater Place			X	X	
Jibstay Court			X	X	
Lanyard Place			X	X	
Moyenne			X	X	
Windlass Court			X	X	

* The Enclave requires any combination of Live Oaks and Sable Palms, for a total of four trees

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PPOA SIGNAGE POLICY

Real Estate Signage

- One sign per street frontage of a house site not to exceed six square feet in area. Boat canal home sites will be allowed one additional sign facing the boat canal.
- Sign at front to be set back from street line a minimum of twelve (12) feet. Sign at boat canal must be placed at grade behind bulkhead.
- An Open House sign is permitted on the site only at the time of an open house reception, when a sales representative is present. One Open House directional sign, not to exceed two square feet in size, is permitted at the nearest street intersection to the house. No other directional signs are permitted. City of Galveston signage ordinances do not permit signage in road right-of-ways.
- No banners are permitted.

Rental Signage

- One sign per site not to exceed two square feet attached to home no higher than first floor level.

Construction Company Signage

- One sign per site not to exceed 24" x 24" in size.
- Signage to be set back from street a minimum of twelve feet.
- Sign face to be parallel to front property line.
- Signage can only be present during the construction period. Signage is to be removed upon completion of the construction.
- Violation of signage policy will result in a penalty deducted from the Contractor's Compliance Deposit.

Offsite Commercial Signage

- No signage of any sort is to be permitted along roadways, right-of-ways, on power poles, or at other off-site components. No signs, including directional real estate signs, are permitted at major entrance intersections to the PPOA neighborhoods.

Return, sign and initial all pages:

Builder/Contractor Initials _____

8

Owner Initials _____