

Oasis Architectural Review Committee (ARC) Submittal and Review Process

Step 1: Owner submits request for ARC Review of proposed Improvement* to Association Manager (cavery@patton-nb.com) using "Application For Owner Lot Improvement" form to include:

- a) General description of improvement(s) with measurements along with sample photos, drawings or formal plans.
- b) List of exterior materials to be used (may be listed on formal plans or within general description).
- c) Color (if applicable) scheme (may be listed on formal plans or within general description).
- d) Plat (site map) of the lot showing size and location of proposed improvement.

Step 2: Association Manager verifies required info is included in Owner application before forwarding.

Step 3: Association Manager emails completed Owner application to all ARC members.

Step 4: ARC Chair, in consultation with ARC Members, determines if an in-person meeting is needed with the ARC and/or Owner and schedules accordingly.

Step 5: ARC Members review and: (1) approve, or (2) approve subject to changes, or (3) disapprove, and send decision back to ARC Chair with explanation if desired.

Step 6: ARC Chair emails decision to Association Manager.

Step 7: Association Manager emails decision and Owner Application to BOD for final approval.

Step 8: BOD makes concluding decision and emails decision to Association Manager.

Step 9: Association Manager emails decision to Owner.

Step 10: The Owner may appeal decision to the BOD following procedure outlined in Oasis Rules.

**Improvement" shall mean every structure and all appurtenances thereto of every type and kind, including but not limited to buildings, outbuildings, storage sheds, patios, tennis courts, swimming pools, garages, storage buildings, fences, mailboxes, screening walls, retaining walls, stairs, decks, front yard landscaping, driveways, rain water collection system components, poles, signs, exterior air conditioning, water softener fixtures or equipment, and poles, pumps, wells, tanks, reservoirs, pipes, lines, meters, antennas, towers, dish-type antennas, solar energy devices, and other facilities used in connection with water, sewer, gas, electric, telephone, regular or cable television, or other utilities.*

The Oasis at Lake Dunlap Homeowners Association

The Oasis at lake Dunlap HOA
304 River Park Dr.
New Braunfels, TX 78130

www.oasisatlakedunlap.org
830-358-8917

APPLICATION FOR OWNER LOT IMPROVEMENT(S)

Please prepare the following information and email to **lakedunlapoasis@gmail.com** OR mail to:

The Oasis at Lake Dunlap Homeowners Association
304 River Park Dr.
New Braunfels, TX 78130

Street Address for proposed lot Improvement: _____

Name(s) and Description of proposed improvement(s):

Enclosed with this application (all are required except "Other"):

- General description of improvement(s) with measurements along with sample photos, drawings or formal plans.
- List of exterior materials to be used (may be listed on formal plans or within general description).
- Exterior Color scheme (may be listed on formal plans or within general description).
- Plat (site map) of the lot showing size and location of proposed improvement(s).
- Other – specify (optional)

*Please note that applications that lack required information may be returned without approval.

Owner Name (print please):

Owner Phone (H) _____ (Cell) _____ (Work) _____

Owner Mailing Address: _____

Owner Signature: _____ Date: _____

APPLICATION FOR OWNER IMPROVEMENTS UPON LOT LOCATED
IN THE OASIS AT LAKE DUNLAP

Action of ARC Committee

Requested Improvement is:

Committee Member #1	Date	Approved	Disapproved
Committee Member #2	Date	Approved	Disapproved
Committee Member #3	Date	Approved	Disapproved

If disapproved, reasons for disapproval:

Member #1: _____

Member #2: _____

Member #3: _____

OR

Recommended changes before re-submission for approval:

Member #1: _____

Member #2: _____

Member #3: _____

Oasis Architectural Review Committee CCR's, Bylaws and Rules

CCR's 7.07 Review of Proposed Construction. Whenever in this Declaration or in any Supplemental Declaration the approval of the Architectural Committee is required, it shall have the right to consider all of the Plans and Specifications for the Improvement or proposal in question and all other facts which, in its sole discretion, are relevant. Except as provided in Sections 9.06 and 9.07 below, prior to commencement of any construction of any Improvement on the Property or any portion thereof, the Plans and Specifications therefor shall be submitted to the Architectural Committee, and construction thereof may not commence unless and until the Committee has approved such Plans and Specifications in writing. The Committee shall consider and act upon any and all Plans and Specifications submitted for its approval pursuant to this Declaration, and perform such other duties assigned to it by this Declaration or as from time to time shall be assigned to it by the Board, including the inspection of construction in progress to assure its conformance with Plans and Specifications approved by the Committee. The Committee shall review Plans and Specifications submitted for its review and such other information as it deems proper, including any information it may require relating to the question whether any proposed Improvement upon a Lot would unreasonably obstruct the view from other portions of the Property. Until receipt by the Committee, it may postpone review of any Plans and Specifications submitted for approval. No improvement shall be allowed upon any Lot which would unreasonably obstruct the view from any other portion of the Property and no Improvement shall be allowed on any Lot which is of such size or architectural design or involves the use of such landscaping, color schemes, exterior finishes and materials and similar features as to be incompatible with the established architecture of the neighborhood as approved by the Architectural Committee. The Committee shall have the authority to disapprove any proposed Improvement based upon the restrictions set forth in the preceding sentence and the decision of the Committee shall be final and binding so long as it is made in good faith. The Committee shall not be responsible for reviewing any proposed Improvement, nor shall its approval of any Plans or Specifications be deemed approval thereof from the standpoint of structural safety, engineering soundness, or conformance with building or other codes.

7.09 No Waiver of Future Approvals. The approval or consent of the Committee to any Plans, Specifications or Improvements for any work done or proposed or in connection with any other matter requiring the approval or consent of the Committee shall not be deemed to constitute a waiver of any right to withhold approval or consent as to any Plans, Specifications or Improvements, or other matter whatsoever, subsequently or additionally submitted for approval or consent by the same or a different person.

7.12 Address. Plans and Specifications for Improvements shall be submitted to the Association Manager. In the absence of the Association Manager, Plans and Specifications for Improvements shall be submitted to the Board President.

CCR's Definitions: 1.12 Improvement. "Improvement" shall mean every structure and all appurtenances thereto of every type and kind, including but not limited to buildings, outbuildings, storage sheds, patios, tennis courts, swimming pools, garages, storage buildings, fences, mailboxes, screening walls, retaining walls, stairs, decks, front yard landscaping, driveways, rain water collection system components, poles, signs, exterior air conditioning, water softener fixtures or equipment, and poles, pumps, wells, tanks, reservoirs, pipes, lines, meters, antennas, towers, dish-type antennas, solar energy devices, and other facilities used in connection with water, sewer, gas, electric, telephone, regular or cable television, or other utilities. Any protrusions from the structure cannot be visible from the street immediately in front of the structure without specific exception by the Architectural Committee.

1.12.1 Landscape. "Landscape" shall mean a combination of planted trees, shrubs, vines, ground cover, flowers and lawns. Landscaping may also include xeriscaping. In addition, the combination or design may include rock and such structural features as fountains and benches. Landscape will be designed to prevent soil erosion and take into account the effect on drainage from resident property to adjacent properties. The selected combination of objects for landscaping purposes shall be arranged in a harmonious manner.

CCR's 3.06 Construction of Improvements. No improvements shall hereafter be constructed upon any of the Property without the prior written approval of the Architectural Committee. Once the Architectural Committee approves an improvement, it must proceed diligently and be completed within 1 year from the approval date.

3.10 Hazardous Activities. No activities shall be conducted on the Property and no improvements constructed on the Property which are or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms or fireworks shall be discharged upon the Property, no open fires shall be lighted or permitted accept in a contained unit and continuously attended.

3.11 Temporary Structures. No tent, shack, or other temporary building, improvement or prefabricated structure shall be placed upon the Property for more than 3 days each month without the prior written approval of the Architectural Committee. Temporary structures necessary for storage of tools and equipment and for office space for architects, builders and foremen during actual construction may be maintained with the proper approval of the Architectural Committee. Such approval is to include the nature, size, duration, and location of such structure.

3.12 Mining and Drilling. No portion of the Property shall be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing oil, gas, or other hydrocarbons, minerals of any kind, rocks, stones, sand, gravel, aggregate, or earth. Water wells will be for domestic purposes only.

3.15 Fences. The construction of fences shall be restricted, and no fence shall be constructed on the Property without the prior written consent of the Architectural Committee. The architectural Committee may, in its discretion, prohibit the construction of any proposed fence, or specify the materials of which any proposed fence must be constructed, or require that any proposed fence be screened by vegetation or otherwise so as not to let be visible from other portions of the Property. No wire fence(s) may be erected within a lot perimeter or boundary line unless it is appropriately screened from view and approved by Architectural Committee.

4.01 Residential Use. All Lots shall be improved and used solely for single family residential use inclusive of a garage, fencing and such other improvements as are necessary or customarily incident to residential use. No Improvement may be constructed on any Lot which would unreasonably obstruct the view from other portions of the Property, and the positioning of all Improvements upon Lots within the Property is hereby expressly made subject to Architectural Committee review. The Architectural Committee may, but shall not be required to, prevent or allow the construction of a proposed Improvement based upon the effect it will have upon the view from any particular Lot. Rather, the Committee may consider the effect the Improvement will have on the Community as a whole, it being expressly understood that neither the Architectural Committee nor the members thereof shall be liable to any Owner, in monetary damages or otherwise, due to the construction of any Improvement within the Property or the creating thereby of an obstruction to the view from such Owner's Lot or Lots.

4.02 Building Height. No Improvement greater than twenty-eight (28) feet in height may be constructed on any Lot without the prior written approval of the Architectural Committee. For purposes of this paragraph, height shall be measured from the highest point on the Lot to the ridge line of the roof of the proposed Improvement.

4.03 Building Materials; Dwelling Size. All single family dwellings shall be of recognized standard construction quality, and shall be constructed of at least seventy-five percent (75%) masonry (excluding windows and doors) or other materials specifically approved in writing by the Architectural Committee. All single family dwellings shall contain not less than 2,000 square feet of enclosed living space, exclusive of porches (open or covered), decks, garages and carports; provided, however, that the Architectural Committee may reduce this requirement for particular Lots to not less than 1,800 square feet based upon the quality of construction and design of a proposed Improvement. Any such request for a reduction in the minimum square footage requirement below or less than 2,000 square feet shall be in writing and shall state the specific reasons therefor.

4.04 Garages. All dwellings constructed on the Property shall be built with an attached or detached garage sufficient to park not less than two (2) vehicles. No Owner may alter or maintain any alteration in his garage in any manner that will prevent the parking of two vehicles therein.

4.05 Construction in Place. All dwellings constructed on the Property shall be built in place on the Lot and the use of prefabricated materials shall be allowed only with the prior written approval of the Architectural Committee.

4.06 Set-Back Requirements. No improvement shall be located or erected nearer to any Lot line bordering a street right-of-way as indicated by the building set-back line shown on the plat except as permitted by the Architectural Committee, or as shown on any plat filed and recorded. Minimum side yards will be established to maintain a minimum of ten (10) feet to any interior Lot line, and minimum rear yards will be established to maintain a minimum distance of twenty-five (25) feet from any rear Lot line. For the purposes of this Section 4.06, eaves, steps, open porches, driveways, fences or landscaping shall not be considered as part of any Improvement; provided, however, that this shall not be construed to allow any such structure to encroach upon another Lot. With respect to corner Lots, the Architectural Committee shall determine the facing direction of all structures, including garages and accessory buildings, and its decision upon such matters shall be final.

4.07 Maintenance Easement. A five (5) foot easement of necessity shall exist as to each Lot in the Property for the purpose of maintenance and repair of the adjoining Lots and structures by their respective owners. By acceptance of a deed to one or more of the above Lots, the Owner thereof covenants to grant a five (5) foot easement of necessity to the owner of each adjoining Lot whereby access shall be provided to the Owners of said adjoining Lots, their servants, agents or independent contractors for the purpose of maintaining, repairing or improving the property of said adjoining Lot Owners. The Owner utilizing such maintenance easement shall restore the area thereof to its previous condition and shall be responsible for all clean-up made necessary by such use.

4.09 Landscaping Requirements. All lots will have front and side yards landscaped within 6 months after occupancy. Back yards will be landscaped within 1 year of occupancy if no fence is constructed within that time. Delays due to weather must be submitted in writing justifying delay(s) to the Architectural Committee for approval per section 7.12 herein.

Bylaws 9.01 Architectural Review Committee (ARC): The HOA provides an ARC as stated in the CCRs. The BOD will appoint three (3) Owners to serve on the committee, designating one Owner as the chairperson. The ARC will:

- (A) Follow and enforce directives listed in the CCR
- (B) (B) Ensure all improvements are recorded/filed with Association Manager
- (C) Establish ARC Committee rules and submit to BOD for final review.
- (D) Ensure all improvement requests are received from the Association Manager before any review action is taken.
- (E) Contact Association manager if any additional supporting documents are needed.
- (F) Provide Association Manager with review results.

Rules 6.01 Committee members. Committee members will be volunteer-Owners appointed by the BOD. One member will be appointed as Chairperson by the BOD. A Committee member cannot vote on an improvement for their property. In this case, the BOD will appoint another Owner to act as a temporary Committee member.

6.02 Improvements and Renovations to Property. Improvements and Renovations are listed in the CCR. Prior to making any exterior changes to your property, it must be approved by the ARC and BOD. It is highly encouraged you meet with the ARC and explain the renovation further to remove all questions that may arise from the written request. If there is any change whatsoever made to the improvement/renovation after the ARC approval, these changes must be resubmitted prior to commencing with the improvement/renovation. All improvements and renovations must be maintained in good condition.

6.03 Actions for Improvements/Renovations Started/Completed without Approval. Any Improvements Started/Completed without Approval from the ARC and BOD are subject to the Violation Notices and Procedures listed in Article III.

6.04 Improvement/ Renovation Process.

(A) Owner submits request to Association Manager on a standard form provided by Association Manager along with a plat of the lot showing location of the improvement. This allows ARC to confirm setbacks or easements. Application form will ask for colors and materials for use by ARC. For fences, the plat helps ARC determine if the fence will interfere with safe driving sight lines and to assure the improvement will be on the Owner's property. (B) Association Manager reviews the application to see if the required info is provided (application form, plat, special info such as colors or materials, etc.) and forwards a package to ARC Chairperson.

(C) ARC Chairperson then sends to Committee member for review. Chairperson will make determination if meeting is required with Committee and/or submitting Owner.

(D) Committee members review and: (1) approve, (2) approve subject to changes, (3) disapprove, and send decision back to Chairperson.

(E) Chairperson sends results to Association Manager.

(F) Association Manager circulates to BOD for final approval.

(G) BOD makes decision and communicates to Association Manager. A BOD member cannot be a part of decisions on improvement/renovations in which he/she is an Owner. In this case, the ARC Committee Chairperson will make decisions in his/her place.

(H) Association Manager sends decision to Applicant

(I) If an applicant appeals, reconsideration shall be in writing. It shall be addressed to the BOD, and delivered to the Association Manager's Agent. This request must be received by the Association's Managing Agent not more than 30 days following delivery to the Owner, of the ARC's notice of disapproval. Association Manager coordinates the appeal with BOD.

(J) The Board shall render its decision on the request for reconsideration within 45 days following the Association's Managing Agent's receipt of the Owner's written request, and the Board shall then transmit its decision to the Owner within 15 days after its decision. If no written decision is provided to the Owner within 15 days after the hearing, then the request for reconsideration shall be deemed denied, and the ARC's decision shall be deemed affirmed.