

Pirates Property Owner's Plan Review Application

PIRATES BEACH, PIRATES BEACH WEST, PIRATES COVE, & LAFFITES COVE, ENCLAVE
All site or building construction or alterations or additions, thereto, require approval in writing from the Architectural Review Committee (ARC) prior to construction.

Review all Covenants, Restrictions and attached Architectural Control Standards for more detail.

Please fill out the attached application form and submit one (1) set of complete plans and specifications in accordance with attached Architectural Control Standards together with application fee to:

Pirates' Property Owners' Association
 Attention: CKM - Architectural Review Committee
 701 Clarence, Tomball, Texas 77375 OR
 P.O. Box 160, Tomball, TX 77377-0160

Please call or email ACC Department with questions
ACC@CKM1.com
 281-255-3055 (Off) 281-255-3056 (Fax)
 1-888-CKM-1514

STARTING CONSTRUCTION BEFORE APPROVAL AND NON-COMPLIANCE WILL BE SUBJECT TO FINES

(Print or type)	PLEASE COMPLETE			January thru December 2008
OWNER:	PHONE:	DATE:		
MAILING ADDRESS	CITY	STATE/ZIP:		
BUILDER/CONTRACTOR:				
OFFICE PHONE:	CELL/PAGER:			
E-MAIL ADDRESS:	FAX			
BUILDER ADDRESS:	CITY:	STATE/ZIP:		
SUBDIVISION: (Circle One) Beach, Cove, Laffitte's Cove, Enclave	SECTION	BLOCK	LOT	
PROPERTY PHYSICAL ADDRESS:				
Description of Improvements: Please select items on application:				
HOUSE (Living SQ. FT.)	BOAT DOCK (SQ. FT.):			
DECK:	ADDITION:	PAINT HOUSE:		
FENCE:	BULKHEAD:	OUTDOOR LIGHTING:		
POOL:	OTHER			
EXTERIOR MATERIALS:	EXTERIOR COLORS: (Siding / trim)			
ROOF MATERIALS: (Colors)				
TYPE OF TREES:	NUMBER PLANTED: (see page 5)			
CULVERT; (confirm size)	(Min. requirement 18-inch reinforced concrete on proposed driveways per Galveston County MUD #29)			
START DATE:	PROJECTED COMPLETION DATE			
COMMENTS:				

Additional information:

APPLICATION FEES: The Filing Fees as follows must be attached to this application:

Checks payable to PPOA

NEW HOME CONSTRUCTION: \$2,000 (portion is refundable less required fees and any fines or violations)

EXTERIOR MODELS & IMPROVEMENTS: \$1,000 / FENCING & PAINTING – NO FEE

Improvement refund: \$900 (\$100 Administrative fee) less any fines or violations and if inspections are not required.

Structural construction requiring installation of pilings for decks or piers will require one or two inspections.

DETAIL OF DEDUCTIONS:

REVIEW FEE: \$450

INSPECTIONS: Two (2) inspections at \$50/ each (required for home construction; docks (1) inspection deducted from deposit.

ENVIRONMENTAL IMPACT FEE: \$250 (deducted on all canal lots)

Return, sign and initial all pages:

Builder/Contractor Signature _____

Owner Signature _____

APPLICATION REQUIREMENTS AND CHECK LIST

STARTING CONSTRUCTION BEFORE APPROVAL AND NON-COMPLIANCE WILL BE SUBJECT TO FINES

All homes must be designed by a registered architect, by a member of the Texas or American Institute of Building Design or by a builder or designer certified by the Architectural Review Committee ("ARC").

THE FOLLOWING REQUIREMENTS ARE TO BE INCLUDED IN THE PLANS:

1. **A survey of the lot(s)** upon which the improvements are to be constructed showing all adjoining tracts and/or reserves. A current survey is required for all exterior improvements applications.
2. **One set of plans to include all four elevations of structure** (i.e., home, boat dock, pier, addition, etc.), **foundation, and floor plan.** For new home construction **include copy of Elevation Certificate.**
 - A) **Elevations - Draft at an architectural scale (1/4" = 1'-0")** Elevation of each side, four (4), required to show exterior materials, floor and slab heights and roof slopes. Include any height dimensions of all levels and roof.
 - B) **Floor Plan(s) - (Draft architectural scale of 1/4" = 1'0")** A floor plan to show the dimensions and location of all rooms, patios, balconies, garages and structures at each level. Window sizes, electrical, gas and plumbing fixtures must also be shown.
3. **SITE PLAN: One (1) showing placement of home and all other structures with building setbacks, easements and distances** of all relevant portions of the structure from building setbacks. **Site Plan and driveway - Draft at an architectural scale (1/8" = 1'0")** A site plan to show the dimensions of lot and distance from all structures to lot on all sides and distances between building setback and all structures **Site plan must show placement of the home, driveway and all other improvements included in this application or previously approved by the ARC.** Indicate all easements, setbacks, slab-elevation, and driveway location including existing and proposed curb cuts, walks, decks, A/C unit extensions and fences. **NO PORTION of any improvements will be allowed to be located outside the building setbacks.**
4. **Specifications** - List all specifications relating to **piling design, structural framing, and quality of exterior materials, colors, textures and shape.**
5. **Exterior Lighting Plan: *Light shields must be used:*** Indicate on the plan location, size & type of lighting to be used. No exterior lighting may be placed to cause a nuisance to a neighboring property. Location and description of exterior and dock lighting must be included with application.
6. **Samples** of all exterior colors **MUST** be attached to the application.
7. **Application fee and any outstanding maintenance fees must accompany this application.**
8. **Completed and signed application with owner & Builder/Contractor signatures on application.**
9. **Builder deposit made payable to: Pirates Property Owners Association or Pirates POA.**
10. **Catwalks** from the house to the boat dock may be **no greater in width than fifteen (15') feet or the width provided for in the applicable Restrictions, whichever is the lesser width and in Laffite's Cove 6' as slated in the CC&R's.**
11. **Stairs attached to the home may not encroach** into the building setbacks. Stairs attached to boathouses **may not encroach** into the building setbacks.
12. **One (1) builder sign with a size of 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*******
13. **Air Conditioning** units should be screened and shown on the plans. Pirates Beach Section 8 - 13 and Laffite's Cove and the Enclave require Air Conditioning unit screening.
14. **Trees (Palms and/or Oaks)** are required in every section in the Pirates Beach, Cove, Laffite's and Enclave areas. Please check your restrictions or contact CKM for the information (tree requirements attached).

Return, sign and initial all pages:

Builder/Contractor Signature _____

Owner Signature _____

OWNER/BUILDER AGREEMENT:

STARTING CONSTRUCTION BEFORE APPROVAL AND NON-COMPLIANCE WILL BE SUBJECT TO FINES

1. Owner hereby acknowledges receipt of 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 Architectural Review Committee 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 Architectural Review Committee nor its agents shall be deemed to have committed a trespass by reason of such entry or inspection.
3. Owner agrees and understands that the approval of plans and specifications by the Architectural Review Committee shall not be relied upon by any person or entity as to sufficiency, suitability, fitness, workmanship or quality of the design or construction of the improvements.
4. The **burning** of brush, trees or construction materials is **not allowed** in the subdivision. Construction dumping is not allowed. **Each work site is to provide an adequate trash bin or dumpster; construction fencing; a portable toilet or access to a facility must also be available. The work site is to be kept clean.** The contractor is to insure all trash and debris is removed from the site and placed in the dumpster before each weekend. Debris must be contained to prevent it from going on other property. **The dumpster MUST be emptied when full.**
5. Contractors are **responsible for keeping mud, dirt, etc., off the roadway.**
6. **All improvements, modifications, and alterations require ARC approval.** This covers new construction as well as, but not limited to, additions, fences, decks/porches, storage buildings, pools, boat docks/boathouses/bulkheads and change in house colors. **Light shields are required for exterior lighting.**
7. **If construction is not completed** after plans have been approved **within six (6) months, an extension MUST be obtained**, if not, construction activity is on going. For larger homes please, indicate estimated length of time for construction, which can be approved at time of application. **Changes to the original design in the original application require approval.** If changes have been made to the original design the Plan Review Application, the Plan Review Application must be resubmitted. **UNAPPROVED IMPROVEMENTS ARE SUBJECT TO FINES.**
8. The **Architectural Review Committee has 30-days** from final submittal of plans and permits **to approve** the plans and authorize commencement of construction. The Committee will make every effort to review plans within fifteen (15) days from final submittal.
9. **All maintenance assessments and any other fees due must be paid in full.**
10. **The owner/builder/contractor will place a portable toilet, construction fence and trash bin** on the property immediately after the pilings have been set and prior to any further construction. Portable toilets must be staked to prevent turning over by high winds. **Construction fence is required on side & rear lot lines.**
11. Owner agrees and understands that approval of plans and specifications by the Architectural Review Committee shall 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.
12. Neither the Architectural Review Committee, Property Owners Association, C.K.M. Property Management, Inc., nor any of their respective members, officers, directors, shareholders, employees, or agents shall be liable because of the approval or non-approval of any improvement.
13. **LAFFITE'S COVE:** Construction of boat docks must be according to the Corp. of Engineers Permit and placement according to the Committees boat dock placement plat. Contact Susan McKirahan-Gonzales or Architectural Department at ACC@CKM1.com at CKM for information.
14. **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.**
15. **Error in location causing an encroachment will be the direct 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 are not to occur, without a specific variance having been requested and granted by the Architectural Review Committee. If encroachment occurs without a specific variance having been granted, owner and contractor agree to remove those items.
16. Failure to comply with the above inspections can result in fines and legal action being brought to require compliance. If you are fined, **you have the right to a hearing before the Committee. You also have the right to appeal the Committees findings after the hearing, before the Board of Directors.**

Return, sign and initial all pages:

Builder/Contractor Signature _____

Owner Signature _____

Basis of Approval and Inspection Process and Fines

Approval of plans and specifications will be based, among other things, on adequacy of site dimensions, design of the structure, conformity and harmony with external design, relation of finished grades and elevations to neighboring sites and conformity to both the specific and general intent of the restrictions. All plans will be reviewed in a timely manner and a letter will be sent to the person's name and address on the Plan Review Application. Review Covenants, Conditions and Restrictions for the lot.

The required inspections are done by Ted Shook with the Galveston County Home Inspection Service. Ted Shook may be contacted at 409-740-0088, Fax 409.744.2219. The deposit is inclusive of the Review fee and the Inspection fees.

It is mandatory to provide three surveys 1) Initial survey of lot, 2) "Piling" survey and 3) "Final" survey prior to refund. Other permits or approvals may be required from City, County, or other Governmental entities. It is the responsibility of the owner to obtain all required approvals.

SURVEYS NOT SUBMITTED & UP CONSTRUCTION BEFORE APPROVED INSPECTIONS WILL BE SUBJECT TO FINES

FIRST INSPECTION: Builder: Upon completion of pilings, the builder shall obtain a "piling" survey from a certified surveyor (surveyor stamp and date must appear on copy). Once the survey is completed, the builder will call the inspector to schedule an inspection. The builder shall provide a copy of the survey to the inspector and the ARC by faxing the survey to CKM and the inspector. **Independent Inspector:** The inspector shall inspect the job site and inform the builder if there are any violations. If there are violations the inspector shall be required to re-inspect once the issues are corrected. CKM shall review the "piling" survey for encroachments.

WEEKLY INSPECTIONS: ARC inspections are performed once a week by the Inspector and/or a staff member of CKM. 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. **Builder shall have 24 hours (business day) to correct the situation.**

CKM Inspection: **If at the next inspection no change or adequate changes, has occurred the builder shall be notified by certified mail and given ten (10) days to correct the issues, that the builder will be fined and the amount of the fine.** If no change, or adequate change, is noted on the 3rd visit, CKM may employ an attorney to enforce these requirements and collect the fine plus costs.

FINAL INSPECTION: Builder: **Upon completion of construction a final survey will be obtained by the builder. Once the survey has been completed, the builder will call inspector for final inspection and fax final survey to inspector and same to CKM Property Management ACC with a written request for refund upon completion of construction.** Upon completion of the final inspection, inspector will forward to CKM a copy of the final inspection; the applicable refund will be processed and paid, less the amounts CKM or the Architectural Review Committee is entitled to withhold and fines and/or violations incurred.

Independent Inspector: The inspector shall inspect the exterior of job site for completion of home, driveway completion, house numbers, construction of trash cleanup, removal of trash bin & port-a-let and planting of 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 responsibility of the builder and owner.

PIRATES POA ARCHITECTURAL REVIEW COMMITTEE FINES

<u>Violation</u>	<u>Initial</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, Friday site not cleaned	_____	\$ 200
No Port-a-potty	_____	\$ 500
No Trash bin	_____	\$ 500
Trash bin full and trash over flowing	_____	\$ 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 provide lighting plan if installing outdoor lights	_____	\$ 500

Return, sign and initial all pages:

Builder/Contractor Signature _____

Owner Signature _____

PIRATES PROPERTY OWNER'S ASSOCIATION TREE REQUIREMENTS					
	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

Return, sign and initial all pages:

Builder/Contractor Initial _____

Owner Initial _____

Updated January 2008

Pirates' Property Owners' Association
Serving the Pirates Community
Beach - West - Cove – Laffite’s - The Enclave Pirates Landing - The Villas
P. O. Box 160, Tomball, Texas 77377
281-255-3055(b) 281-255-3056(f) ckm1@ckm1.com
www.piratespoa.com

Dear Property Owner and Builder:

According to the Covenants, Conditions, and Restrictions, a light plan must be submitted to the Pirates Architectural Review Committee for review and approval prior to installation. In addition, the Association passed an “Outdoor Light Policy.” Please read this carefully and apply for any lighting being installed with the construction of the home. If outdoor lighting is installed after construction please apply for approval prior to installation. Thank you.

PIRATES’ PROPERTY OWNERS’ ASSOCIATION – OUTDOOR LIGHT POLICY

May 30, 2003

Approved by the Board on June 14, 2003.

WHEREAS, outdoor lights can be beneficial for security, safety, utility and decorative purposes and can enhance fishing, while bright lights can be annoying, a nuisance and constitute a hazard to navigation on affected waters; and

WHEREAS, it is the obligation of property owners to comply with the law and restrictions and to be considerate of their neighbors and those who use the public beach and public parks or navigate affected waters.

NOW, THEREFORE, BE IT RESOLVED, that Pirates’ Property Owners’ Association hereby establishes the following policy relating to outdoor lights within Pirates’ Beach, Pirates’ Cove, Pirates’ each West, Laffite’s Cove and Pirates’ Landing Townhomes:

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.

BE IT FURTHER RESOLVED, that C.K.M. Property Management is directed to identify property owners who own or use outdoor lights in violation of this policy, to encourage such owners to comply with this policy and to keep the board currently advised as to the status of compliance with this policy.

BE IT FURTHER RESOLVED, that the Architectural Control Committee is directed to take this policy into account in considering and approving plans for remodeling and construction of new improvements and to make all approvals subject to review and approval of future additions to and changes in outdoor lighting.

#1218220v1 (Houston) PPOA LIGHT POLICY

ACC Application Check List

PLEASE READ THE COVENANTS, CONDITIONS & RESTRICTIONS

NON-COMPLIANCE AND STARTING CONSTRUCTION BEFORE APPROVAL WILL BE SUBJECT TO FINES

- ___ **ACC Application:** Completed with signature of **owner and contractor/builder**; **ALL** pages initialed.
- ___ **Ownership verification:** Provide a copy of Warranty Deed and “Top” portion of Closing Settlement Statement, required if not recorded at CKM at time of review.

- ___ **Constriction Deposit; Required at time of application;**
Maintenance fees should be paid and no open Deed Restriction Violations.

- ___ **Survey:** Current survey of lot(s) **required** on property for applications with exterior construction. For new home construction - **include copy of Elevation Certificate.**

- ___ **Site/Plot Plan** to required scale of **1/8” = 1’** with dimensions of all structures and **all four** setback lines shown; if applicable, include required dimension of “flow easement,” to boat dock, dimensions and measurement from bulkhead to outside of dock.

- ___ **Architectural drawings,** and elevations drawn to scale of **1/4” = 1’**. (drawings neat and legible). *List Square footage* stated on plans and application; include **elevations shown with height dimensions including roofline.** **NO ANGLE BRACING “Footprint”** on the site/plot plan and architectural plan, should show all submitted improvement(s) as residence, garage, outbuilding, driveway, culvert, septic system, pools, fences, monuments, etc. Windstorm requirements met; **Elevation Certificate submitted for structural designs and base level code requirements.**

- ___ **Bulkhead and Boat Docks:** Elevations with height dimensions shown on **ALL** structures of boat docks; include flow easement dimensions to bulkhead, if applicable.

- ___ **Pilings:** plans with dimensions; an allowance for structural eaves and **NO** encroachments on setback lines. **NO ROUND PILINGS**

- ___ **Property line dimensions** (all four) clearly shown on the drawings; dimensions should reflect “RECORDED PLAT” AND “SURVEY” of the property.

- ___ **Building “setback” lines (all four)** and easements clearly shown on site/plot plan; **NO** structural encroachments into building setback lines or any other easements.

- ___ **Culvert** (s) size and design, if applicable, along with dimensions and location of overall length; include culvert type of end treatment being proposed; list construction **materials** i.e. concrete. State on site plan if applicable.

- ___ **Driveway** shown on the site/plot plan; clearly show length, width and centerline located with dimensions from one of the side property lines; **include driveway materials being proposed** (state on site plan)

- ___ **County/City Building Permits;** All building Permits and “original” Green Architectural Committee approval card posted on property on day construction starts. Elevation Certificates if applicable for structures and base level code requirements.

- ___ **Samples** submitted of **ALL** color selections (house, buildings, fences, etc..).

- ___ **All improvements MUST** state “height, all dimensions, and materials used.

COMMENTS:

Pirates' Property Owners' Association
BUILDING SITE INSPECTION

C.K.M. Property Management, Inc. P. O. Box 160 Tomball, Texas 77377-0160
281.255.3055 Fax: 281.255.3056 Email: ACC@ckm1.com

KEEP THIS FORM TO FAX SURVEYS TO INSPECTOR

NEW HOME CONSTRUCTION AND STRUCTURES WITH PILINGS REQUIRING INSPECTIONS

INSPECTOR: TED SHOOK, 409-740-0088, FAX 409-744-2219

Fax surveys to Inspector and copy to CKM Property Management, Inc. at (281) 255-3056

REVIEW ALL DEED RESTRICTIONS AND ARCHITECTURAL GUIDELINES

Infractions and violations during construction will be reported and enforced by inspector.

Property Address: _____

Section __, Block __, Lot __.

Builder: _____ Phone: _____

Owner: _____ Phone: _____

INSPECTION NO. 1

SET UP & PILING INSPECTION

- Pilings:** pilings for home are placed according to the approved site plan (no round pilings are allowed in any section within Pirates Beach, Cove, Beach West or Laffitte's Cove).
- Pilings:** pilings for the boat dock are placed according to the approved site plan.
- Portable Toilet:** has been placed on the lot within the lot boundaries.
- Trash Bin:** has been placed on the lot within the lot boundaries.
- Construction Fence:** has been placed on three (3) sides of the property, (sides and back).
- Green Card:** Green Architectural Control Committee Approval Permit posted.
- Permits:** County/City Building Permit posted.

INSPECTION NO. 2

FINAL INSPECTION

- Encroachments:** No encroachments have occurred into the building setbacks.
- Completion:** Home has been completed.
- Driveway:** Completed
- Portable Toilet:** has been removed.
- Trash Bin:** has been removed.
- Construction Fence:** has been removed and all trash & builder debris has been picked up.
- Yard:** Grass has been planted.
- Landscape:** has been planted.
- Address:** house number has been installed.
- Trees requirements:** {two / five foot} {two / ten foot} {four / ten foot} palms
- Tree types:** PALMS AND OR LIVE OAKS (SEE TREE REQUIREMENTS)
- Signs:** All Builder signs removed from property at end of construction.

Laffite's Cove & Pirates Beach Sections {6, 7, 8, 9, 10, 12, and 13} in addition to the above inspection items

- A/C Screening:** The air-conditioning units have been screened.

WATER OR CANAL LOTS

- Boat dock:** construction is as allowed per the Corp. of Engineer Permit.
- Marsh:** No damage has occurred to the "Protected" Marsh area.

Comments: (List any infraction of the plans or known infraction of the Restrictions.)

Inspection dates: 1st Piling: _____ **by:** _____,
2nd Final: _____ **by:** _____