

Bridlewood Ranches Architectural Control Committee  
Architectural Control Summary  
December 18, 2014

## Overview

- The Bridlewood Ranches (“BWR”) Property Owners Association (“POA”) adopted Covenants, Conditions and Restrictions (“CC&Rs”), as amended, to, in part, establish architectural control requirements and restrictions.
- Article V of the CC&Rs created Architectural Control Committee (“ACC” or “Committee”) and vested in the ACC the responsibility to approve or disallow improvement projects according to the CC&Rs. Article V also empowers the ACC, at its sole discretion, to grant variances to the architectural control provisions of the CC&Rs.
- In this context, Article V refers to improvements as:
  - new construction/erection;
  - additions or exterior alterations to existing improvements; or
  - voluntary demolition of existing improvements.
- All improvement projects must be approved by the Committee in writing **prior to initiation**.
- The ACC has up to 30 days from receipt of complete documentation to respond to an approval application. Take this timing consideration into account in planning your project.
- Please read:
  - Article V, Architectural Control Committee, to fully understand the community’s expectations of the ACC and
  - Article III to fully understand the architectural control requirements and restrictions related to residential lots.

## Guidelines

These guidelines highlight some elements of architectural control requirements and restrictions in the CC&Rs. The following provides only a summary and is not a complete list. In all cases Article III of the CC&Rs, as amended, take precedence.

- Size requirements:
  - Main residence
    - One story minimum: 2,000 sq. ft.
    - Two story minimum: 2,500 sp. ft. (1,250 sq. ft. on 1<sup>st</sup> level)
  - Guest house
    - Minimum: 500 sq. ft.
    - Maximum: 1,800 sp. ft.
- Garages:
  - All main residences must have a garage.
  - Detached garages shall be of same general construction as main residence.

- Detached garages shall be suitable for not less than 2 automobiles.
- All garages must face side or rear lot line.
- No carports
- Location of improvements:
  - No building or permanent structure nearer than 100' to any property line.
- Septic systems
  - All dwellings must be equipped with Class I Aeobic Septic System that meets all applicable laws, rules, standards and specifications.
- Roof surfaces shall be of metal, slate, stone or of composition shingles with 25-year warranty.
- All improvements must be constructed using new materials and constructed in place.
- Color:
  - All exterior colors on any structure must be approved by the ACC prior to use.
- Masonry:
  - Each exterior wall of a main residence shall be no less than 75% masonry material.
- Walls & fences:
  - Walls and fences must be constructed of wood, metal, pipe, barbed wire, or ranch fencing with t-posts.
  - Chain link fences only in very limited situations.
  - All wooden fences must be painted or stained.
- Mailboxes must be of masonry construction
- Driveways & culverts:
  - Driveway culverts must be installed and of sufficient size to afford proper drainage.
  - Drainage culvert installation subject to Hays County requirements

### **ACC documentation requirements**

- Provide a letter or email application requesting approval. Include a project description, your address, phone number(s) and email information.
- Please make very clear in your application the specific improvements for which you seek approval. This is important: sometimes we receive requests from owners but cannot easily determine exactly what the owners want us to approve.
- Provide two sets of plans in paper form and also provide electronic copy, if possible.
- Please provide two copies in paper form of a survey/plot plan showing the proposed location of improvements; also provide electronic copy, if possible. Include a clear statement as to the proposed location(s) relative to the setback line.
- Send electronic documents to the ACC via the ACC email address: [accbridlewood@gmail.com](mailto:accbridlewood@gmail.com).
- Contact the ACC chair or any member to arrange delivery of paper copies, when necessary.

## **ACC application review process**

- Once all documents received, ACC will promptly review and make a decision.
- ACC has up to 30 days from receipt of complete documentation to respond to an approval application. Take this into account in planning your project. Please remember: the CC&Rs specifically require ACC approval prior to beginning any project.
- When a decision is made, the ACC will communicate via email and follow up with a letter.
- In case of approval, the Committee will return one signed, approved copy of plans, specifications, and survey/plot plan along with the letter.
- In the case of a denial,
  - we may contact you by phone to confirm we have all the facts and discuss our conclusion,
  - and/or communicate our reason(s) via email,
  - and follow up with a letter.
- If the ACC does not approve your request, you may:
  - Request a meeting with the Committee to review the decision(s) and/or
  - Make written application for a variance.
- The ACC asks owners to acknowledge receipt of the approval/denial documents. This helps us know you received the results of our decision-making process. This acknowledgement is voluntary and does not indicate either agreement or disagreement with the Committee's decision.

## **Architectural Control Variances**

- The CC&Rs establish the process for architectural control variances.
- The ACC in its sole discretion makes the decision regarding a variance request.
- A variance request from an owner shall be in writing and it must contain a detailed explanation of reason(s) for variance request.
- The CC&Rs compel the ACC to cause all variances to 3.03 be filed with Hays County. The ACC may require other variances to also be filed with Hays County.
- The owner(s) requesting a variance must bear all costs associated with preparation, review and filing of variances. Payment of those costs to be coordinated with the POA Treasurer.
- Once the ACC learns payment has been made to POA, ACC members will sign variance document

## **Additional Comments**

We offer the following additional specific guidelines regarding a few of the architectural control standards.

- 100' setback rule & application: currently, this seems to be the most difficult and controversial restriction in Article III because of the current wording and our interpretation.
  - In the early years of our subdivision's development, the ACC strictly applied this restriction to only "buildings". Over the years the interpretation broadened to include certain other improvements.

- Currently, the ACC applies a broad interpretation and construes 3.03 to prohibit construction in the setback area:
    - Of all buildings and other permanent structures visible from an adjacent lot.
    - So, in practical terms, what does this mean?
      - We do not favor locating any buildings, water cisterns, swimming pools, decks, fire pits, and other significant permanent improvements closer than 100' to any property line.
    - We do not apply this setback limitation to:
      - Fences, driveways, culverts, mailboxes, garden structures, wells, power infrastructure, or minor improvements.
  - Of course, if an owner has a compelling reason to locate a building or other permanent improvement in the setback, the ACC will carefully consider a variance request should an owner ask for one.
- Masonry requirement: Section 3.11 describes the masonry requirement. The ACC believes 75% masonry rule is in the best interest of BWR. We do not consider Hardi-plank to be masonry material and do not favor its use on a main residence.
  - Wooden fences: Section 3.12 requires wooden fences to be painted or stained. The ACC has granted variances to those owners who requested a variance as relates to such a fence around some portion of the interior of their lot, such as around the house and pool area.
  - Mailboxes and masonry mail box enclosures. Section 3.12 also deals with this issue. The CC&Rs encourage us all to put up masonry mailbox enclosures but this seems to contradict Hays County ordinance. The County Engineer has told us as long as the posted speed limit is 30 mph or lower the county is fine with the masonry approach. Bottom line: the ACC strongly supports the masonry requirement and finds the look much more in keeping with the neighborhood, but will also approve the post and box approach.

## **Compliance**

- The ACC currently has no formal inspection process and no compliance enforcement authority or capability.
- Only the POA Board has compliance enforcement authority and capability.
- From time to time the ACC may become aware of potential compliance matters with respect to the architectural control requirements of the CC&Rs.
- A Committee member may contact the lot owner(s), to discuss the matter and seek resolution.
- If the compliance matter cannot be resolved, the Committee may refer the matter to the POA Board.

## **ACC contact information**

- Email via: [accbridlewood@gmail.com](mailto:accbridlewood@gmail.com)
- Mail address: 1000 Bridlewood Ranches Drive San Marcos, TX 78666