

AFTER RECORDING RETURN TO:

Joshua D. Bernstein, Esq.  
GreenbergTraurig  
301 West 6<sup>th</sup> Street, Suite 2050  
Austin, Texas 78701

**THE**  
**PENINSULA**  
AT ROUGH HOLLOW  
LAKESIDE LIVING ABOVE ALL ELSE

**ROUGH HOLLOW SOUTH SHORE II**  
[LAKEWAY HIGHLANDS PHASE 1, SECTION 8A, 8B, 8C & 8D]

**AMENDED AND RESTATED DESIGN GUIDELINES**

**Adopted By:**

**ROUGH HOLLOW DEVELOPMENT, LTD., a Texas limited partnership**

By **JHLV GP, INC., a Texas corporation, its general partner**

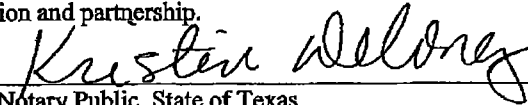
By:   
**Haythem S. Dawlett, Vice President**

Date: 10 / 18 / 16

*Travis County, Texas*

This instrument was acknowledged before me on the 18<sup>th</sup> day of October, 2016 by Haythem S. Dawlett, Vice President of JHLV GP, Inc., a Texas corporation, general partner of Rough Hollow Development, LTD., a Texas limited partnership, on behalf of said corporation and partnership.



  
Notary Public, State of Texas

Adopted by ~~Rough Hollow Development, Ltd., a Texas limited partnership~~, in accordance with Section 6.06(b) of Rough Hollow South Shore II Master Covenant, recorded as Document No. 2009056508, Official Public Records of Travis County, Texas, as amended (the "Master Covenant"). In accordance with Section 6.06(b) of the Master Covenant, these Design Guidelines may be amended from time to time by the Architectural Reviewer.

*Copyright © 2016. All rights reserved. These Design Guidelines may be used only in connection with the Master Planned Community known as Rough Hollow South Shore II in Travis County, Texas and the operation of Rough Hollow South Shore II Master Community, Inc.*

THE  
**PENINSULA**  
AT ROUGH HOLLOW  
LAKESIDE LIVING ABOVE ALL ELSE

**Amended and Restated Design Guidelines**

---

Version 3.0

October 2016

LAKEWAY HIGHLANDS PHASE 1  
SECTIONS 8A, 8B, 8C AND 8D

## PREFACE

These Design Guidelines are intended to provide guidance for all new homes, additions, site work and landscaping so as to eventually coalesce into one.

The Architectural Control Committee (*the "ACC"*), whose board members are appointed by the Declarant as the Architectural Reviewer, reviews all design submittals to ensure the design philosophy of The Peninsula is followed. It is the intent of the ACC to closely direct the designs of all improvements in order to achieve a pattern of quality and outstanding architectural character with regards to aesthetic considerations, their relationships with the neighboring homes and the natural setting of The Peninsula.

## COMMUNITY OVERVIEW

Rough Hollow South Shore II is a master planned community located in Travis County, Texas (the "Community"). The Community consists of various "Development Areas," as defined in, and subject to, the terms and provisions of Rough Hollow South Shore II Master Covenant, recorded in the Official Public Records of Travis County, Texas, as amended (the "Master Covenant"). ROUGH HOLLOW DEVELOPMENT, LTD., a Texas limited partnership, is currently the "Declarant" under the Master Covenant.

The Master Covenant provides that the Declarant currently serves as the Community's "ACC", and that no improvement may be constructed within the Community without the advance written approval of the Declarant, in its capacity as the ACC. The Master Covenant further provides that the ACC may adopt one or more sets of Design Guidelines applicable to the Development Areas. The various sets of Design Guidelines are intended to set forth the standards for design, construction, landscaping, and exterior items within the Community



***Figure 1- Master Plan (Rough Hollow South Shore 1 and Rough Hollow South Shore 2) \****

***\*For illustration purposes only, final Master Plan subject to change without notice.***

## THE NEIGHBORHOOD – THE PENINSULA AT ROUGH HOLLOW

The Declarant has adopted these Design Guidelines to apply to the following portions of the Community, known as The Peninsula at Rough Hollow, together with such additions and subtractions as may be made from time to time in accordance with the terms of the Master Covenant and these Design Guidelines:

Lakeway Highlands, Phase 1, Section 8A, a subdivision of record in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201400310 in the Official Public Records of Travis County, Texas; and

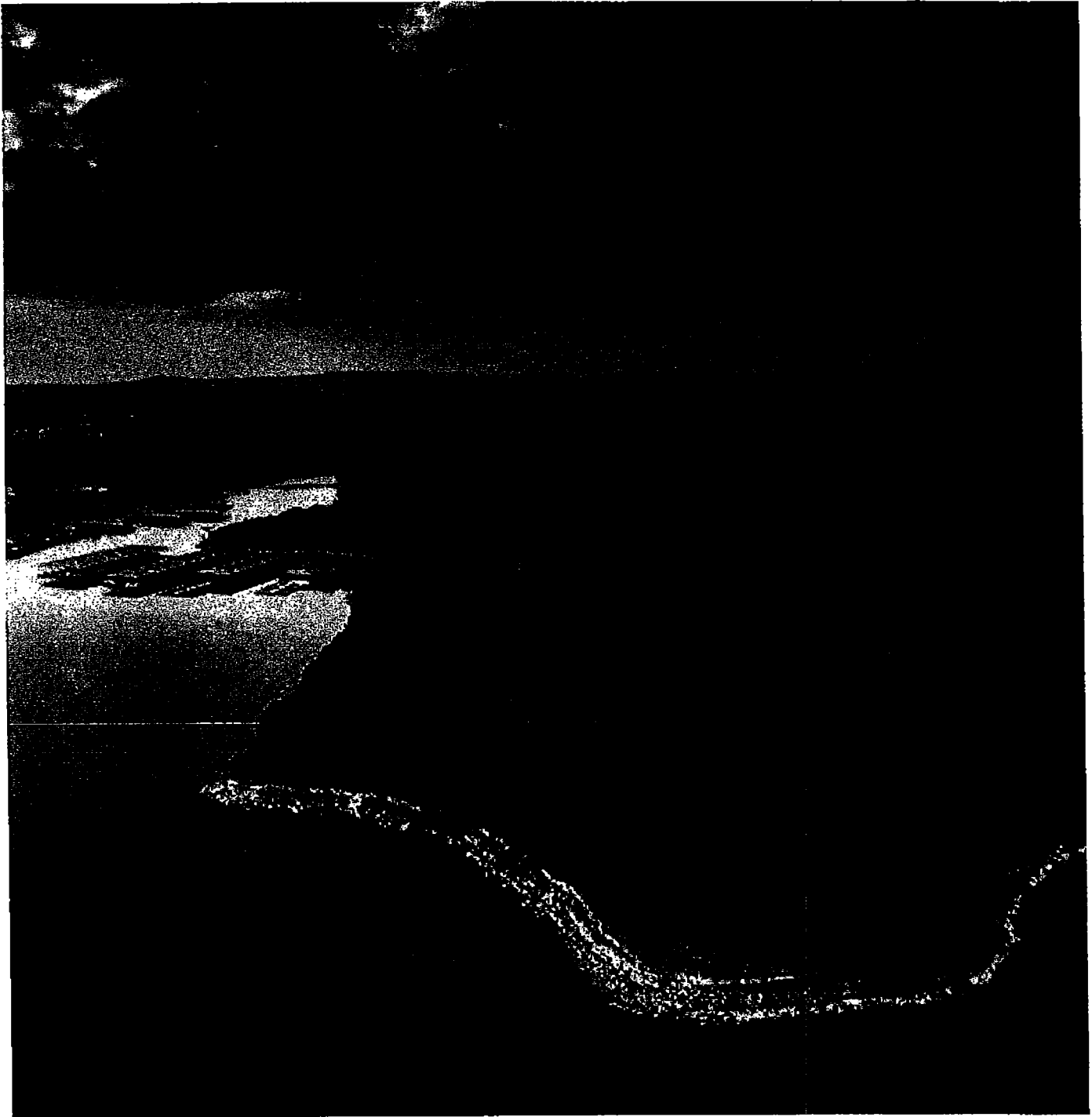
Lakeway Highlands, Phase 1, Section 8B, a subdivision of record in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201600022 in the Official Public Records of Travis County, Texas, and as amended in recorded Document No. 201600261 in the Official Public Records of Travis County, Texas; and

Lakeway Highlands, Phase 1, Section 8C, a subdivision of record in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201600262 in the Official Public Records of Travis County, Texas; and

Lakeway Highlands, Phase 1, Section 8D, a subdivision of record in Travis County, Texas, according to the map or plat thereof recorded in Document No. 201600263 in the Official Public Records of Travis County, Texas.



*Example for illustrative purposes only.*



# TABLE OF CONTENTS

---

Preface  
Community Overview  
The Neighborhood

- 1 THE PENINSULA AT ROUGH HOLLOW DESIGN PHILOSOPHY
  - 1.1 Design Objectives
  - 1.2 The Peninsula Neighborhood Plan
- 2 SITE AND LANDSCAPE DESIGN GUIDELINES
  - 2.1 Lot Diagrams
    - 2.1.1 Building Envelope
    - 2.1.2 Transition Area
    - 2.1.3 The Natural Area
  - 2.2 Combining Lots
  - 2.3 Grading and Drainage
    - 2.3.1 Drainage Guidelines
    - 2.3.2 Retaining Wall Guidelines
  - 2.4 Driveways and Auto Court
    - 2.4.1 Shared Driveways
  - 2.5 Garages and Parking
  - 2.6 Paths, Outdoor Stairs, Courtyards and Terraces
  - 2.7 Walls, Fences & Gates
  - 2.8 Landscape Structures
    - 2.8.1 Tree Removal, Thinning, Pruning and Brush Clearing
  - 2.9 Landscaping
    - 2.9.1 General Planting Guidelines
    - 2.9.2 Building Envelope Planting Guidelines
    - 2.9.3 The Transition Area Planting Guidelines
    - 2.9.4 The Natural Area Planting Guidelines
    - 2.9.5 Existing Streetscape and Landscape on Lots
  - 2.10 Irrigation
  - 2.11 Pools and Water Features
  - 2.12 Lighting
  - 2.13 Exterior Service Areas

- 2.14 Miscellaneous Site Elements
  - 2.14.1 Patio and Outdoor Furniture
  - 2.14.2 Sculptures and Artwork
  - 2.14.3 Barbeques, Heat Lamps and Misting Systems
  - 2.14.4 Flagpoles, Antennae and Satellite Dishes
  - 2.14.5 Address Markers
  - 2.14.6 Outdoor Storage and Accessory Structures
  - 2.14.7 Tennis Courts, Exterior Recreation or Play Equipment
  - 2.14.8 Basketball Goals
  - 2.14.9 Boat Docks
  - 2.14.10 Holiday Decorations
  - 2.14.11 Exterior Surveillance Systems

**3 ARCHITECTURAL GUIDELINES**

- 3.1 Architectural Design Objectives
  - 3.1.1 Architectural Traditions, Design Heritage and Quality
- 3.2 Authenticity of Design
  - 3.2.1 Site Context and Integration
  - 3.2.2 Scale
  - 3.2.3 Proportion
  - 3.2.4 Color
  - 3.2.5 Shade / Shadow
  - 3.2.6 Appropriateness
  - 3.2.7 Material Authenticity
- 3.3 Size Constraints (Minimum Square Footages)
- 3.4 Building Height Restrictions
- 3.5 Building Materials
- 3.6 Building Massing
- 3.7 Roofs
  - 3.7.1 Roof Forms
  - 3.7.2 Roof Pitches
  - 3.7.3 Acceptable Roof Materials
  - 3.7.4 Unacceptable Roof Materials
  - 3.7.5 Gutters and Downspouts
- 3.8 Colors
  - 3.8.1 Preliminary Design and Plan Review Submittal
  - 3.8.2 Final Design and Plan Review Submittal
- 3.9 Windows and Doors
- 3.10 Building Projections and Accessory Structures
  - 3.10.1 Pergolas, Trellises, Arbors, Colonnades, Porches and Loggias
  - 3.10.2 Entry and / or Side Porches
  - 3.10.3 Railings
  - 3.10.4 Mechanical Equipment, HVAC, Vents and Flues and Other Structures
    - Solar Collectors
    - Chimneys

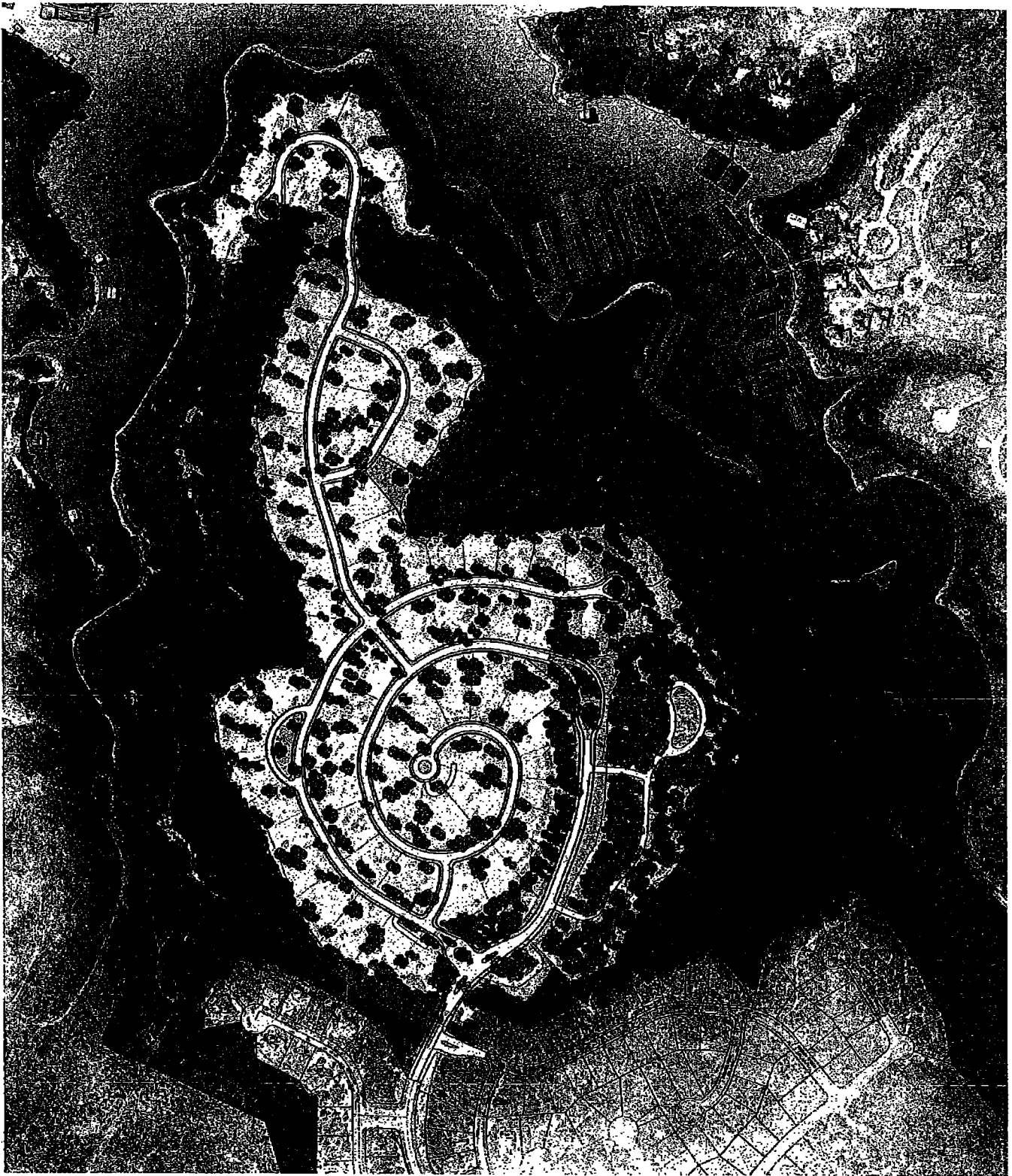
- 3.11 Architectural Styles
  - 3.11.1 Approved Architectural Styles
  - 3.11.2 Non-approved Architectural Styles
- 3.12 Resource Conservation Measures
  - 3.12.1 Solar Equipment
  - 3.12.2 Rainwater Harvesting and Storage

#### 4 ARCHITECTURAL DESIGN REVIEW

- 4.1 Overview of Design and Approval Process
  - 4.1.1 Location for Notice and Submittal
  - 4.1.2 Timing of Review Process and Duration of Approvals
  - 4.1.3 Approvals
  - 4.1.4 Resubmittals
  - 4.1.5 Modifications
  - 4.1.6 Variances
  - 4.1.7 Enforcement
- 4.2 Architectural Design Submittal and Approval Process
  - 4.2.1 Review Process
  - 4.2.2 Design Professional and Builder Approvals
  - 4.2.3 Pre-Design Site Meeting-Optional
  - 4.2.4 Schematic Design Review-Optional
  - 4.2.5 Preliminary Design and Plan Review Submittal
  - 4.2.6 Final Design and Plan Review Submittal
  - 4.2.7 Pre-Construction Site Observation - Optional
  - 4.2.8 Mock Up Panel Observation
  - 4.2.9 Landscape Design and Plan Review
  - 4.2.10 Final Construction Observation
  - 4.2.11 Construction Compliance
  - 4.2.12 Construction Compliance Deposit
  - 4.2.13 Decisions by the ACC
  - 4.2.14 Variances

**APPENDICES**

- A - Governance, Additional Restrictions and Authority**
- B - Governing Municipality Information – City of Lakeway**
- C - Waivers, Warranty and Liabilities**
- D - Construction Guidelines**
- E - Approved Plant List**
- F - Prohibited Plant List**
- G - Schedule of Fees**
- H - Height Restriction Exhibit**
- I - Definitions**
- J - Design Review Application Forms**



*Figure 1- The Peninsula (Lakeway Highlands Phase 1 Section 8) Rendered Illustrative Neighborhood Plan. \**

*\*For illustrative purposes only, final plan may change without notice.*

# 1 THE PENINSULA AT ROUGH HOLLOW DESIGN PHILOSOPHY

---

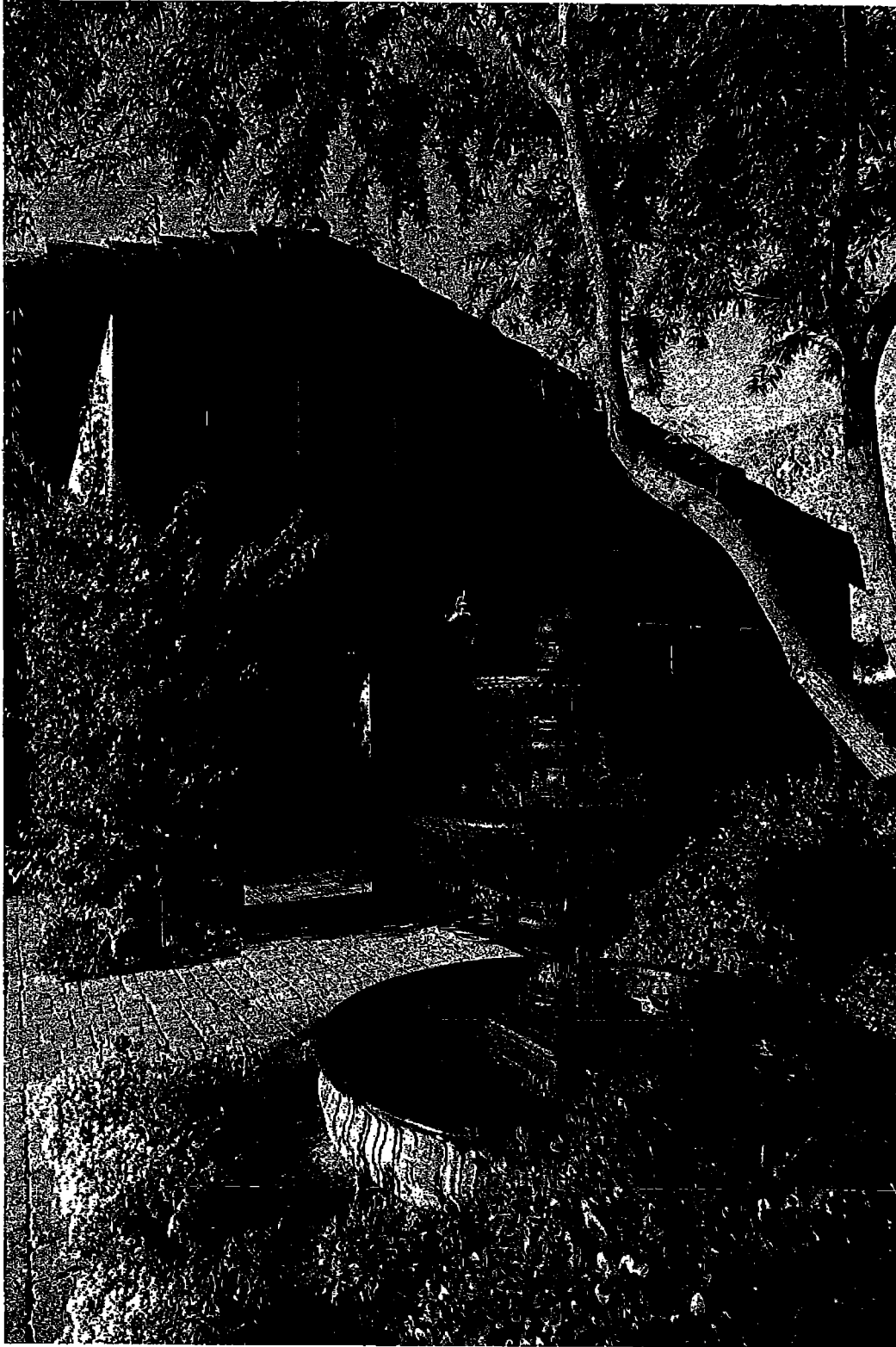
## 1.1 DESIGN OBJECTIVES

Located high above Lake Travis atop limestone bluffs in the Texas Hill Country, The Peninsula at Rough Hollow provides a departure from the ordinary. It has been carefully planned as a private and exemplary lakeside community – one in which an active family lifestyle fits seamlessly with the unique natural setting of the Lake Travis region. Detailed studies to understand views, lake access, topography, water ways, wildlife and other natural features were undertaken as the basis for protecting natural resources, ensuring that large areas of open space are maintained and that individual Lot development is compatible with the overall environment. The Peninsula Land Plan has been crafted to protect and enhance the fragile Lake Travis shores. By limiting the number of Homesites and carefully planning amenities, the natural landscape will continue to dominate.

## 1.2 THE PENINSULA NEIGHBORHOOD PLAN

With stewardship of the environment as a guiding principle, the Developer of The Peninsula at Rough Hollow (*"The Peninsula"*) has sought to create a high-end lake lifestyle experience, within a gated neighborhood offering a high level of privacy, unique architecture and amenities not offered in other neighborhoods within the Community. These Design Guidelines have been crafted to encourage each resident to build to their personal vision for their home while still complementing the neighborhood, views and terrain around them. Homesites within The Peninsula will be designed with living environments that respond to the climate, preserve and enhance the landscape setting, and to promote casual Lake Travis outdoor living. Maximizing Hill Country and Lake views from Homesites and throughout the The Peninsula as a whole is a primary goal of The Peninsula Neighborhood Plan. Special provisions within these Design Guidelines were established to maximize the protection of these views while promoting a unique and modern lake style living. The Peninsula at Rough Hollow Design Guidelines supports the following objectives:

- Minimum disturbance during the course of construction to ensure integration with the natural terrain while maintaining the commanding views of Lake Travis and the Hill Country.
- Preservation, protection and enhancement of significant open space areas to protect drainage and maintain the character of the natural Lake Travis environment.
- Professionally designed buildings that are derived from regional architectural traditions, while promoting individual styles consistent with the objectives outlined in these Design Guidelines.
- Dramatic Lake and Hill Country Views form the signature visual image of The Peninsula. Whenever possible, Homesites have been oriented to take full advantage of these views. Residents are encouraged to design their homes to accommodate and accentuate these spectacular views.
- Creation of casual outdoor living environments that respond to the climate and enhance the landscape setting.





## 2 SITE AND LANDSCAPE DESIGN GUIDELINES

---

The following site design guidelines were established to provide objectives and standards for all site work including grading, planting, siting of improvements, design of outdoor living spaces, and to protect and ensure the preservation of the view corridors and surrounding landscapes within The Peninsula.

### 2.1 LOT DIAGRAMS

Lot Diagrams have been prepared for each Lot which describe the attributes of that Lot and indicates specific design parameters such as Building Envelope areas, easement areas, preferred driveway locations and any special restrictions that may apply.

Lot Diagrams are designated in The Peninsula at Rough Hollow Community Plan and are available at the Rough Hollow Welcome Center. These are offered as a convenience to Owners and their design-team and are not a substitute for a certified survey. Building Envelope locations were determined based on the specific characteristics of each Lot, and in the overall planning objectives for The Peninsula. Great consideration to minimize site disturbance, maximize privacy, maximize and protect views, preserve the dominance of the natural landscape and, finally, enhance and protect economic values.

Each Lot Diagram consists of the following:

**2.1.1 BUILDING ENVELOPE**

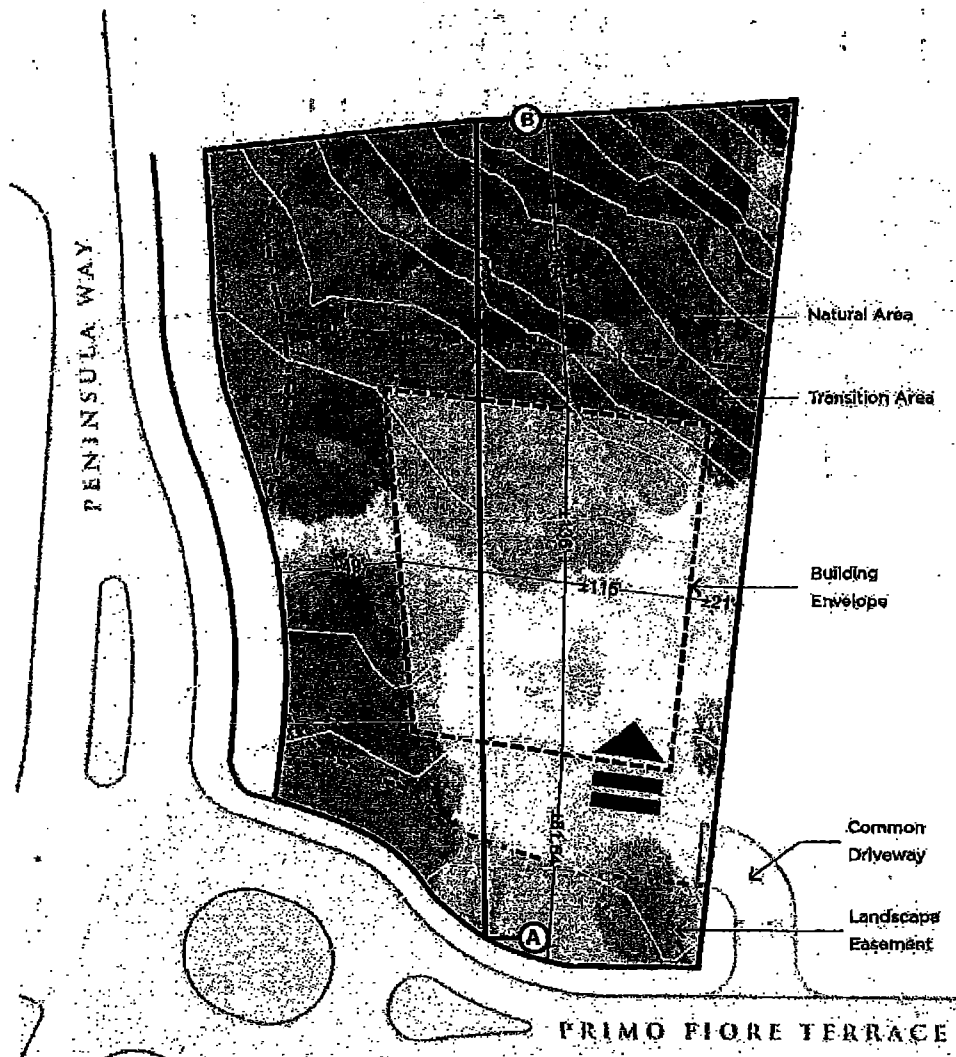
The Building Envelope is defined as the portion of the Lot where most man-made Improvements must take place. The buildings within the Building Envelope must conform to the maximum building height and square footage requirements and number of stories as set in these Design Guidelines. The hardscape in this area must not be visible from neighboring Lots or Common Areas, it should be screened by privacy walls, buildings and/ or other landscape elements. Within this area, Owners are encouraged to create a more ornamental and personal landscape.

**2.1.2 TRANSITION AREA**

The Transition Area is that portion of the Lot Diagram outside of the Building Envelope which may be visible from Common Areas, streets and neighboring Homesites. In some instances a Transition Area may be adjacent to the Natural Area. No vertical structures over three (3) feet and plantings that have the potential to block views may be located in the Transition Area. However, hardscape elements in the Transition Area may not take up more than 50% of the total Transition Area, must obey all established setback lines and may not be closer than twenty-five (25) feet of a rear lot line.

**2.1.3 THE NATURAL AREA**

Portions of the Transition Area of some Lots, have been designated as a Natural Area. Natural Areas, which may have been left natural or augmented by the developer, consist of native Hill Country vegetation and terrain, undisturbed by man-made impervious improvements. Man-made improvements, other than three to five foot (3'-5') wide trails and retaining walls that are no more than two feet (2'), shall not be allowed in the Natural Area. Trails must be screened from view of all Common Areas. If additional planting is desired by Homeowner, it must be done in a naturalistic approach, using native plants only. No trees can be removed or pruned from a Natural Area without approval of the ACC.

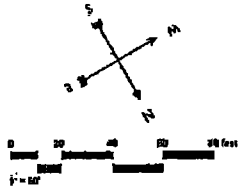


**LEGEND**

- Property Line
- - - Building Envelope
- Right of Way
- Natural Area

- ◀ Driveway Location
- ▭ Landscape Easement

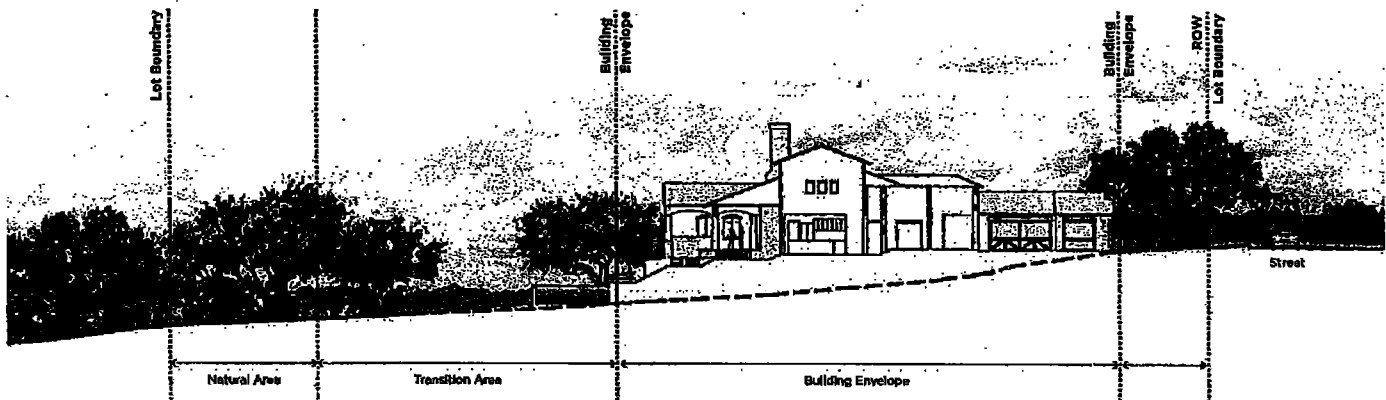
Contours are shown at 2 foot interval.  
Existing conditions shown in the aerial photograph may not be current.



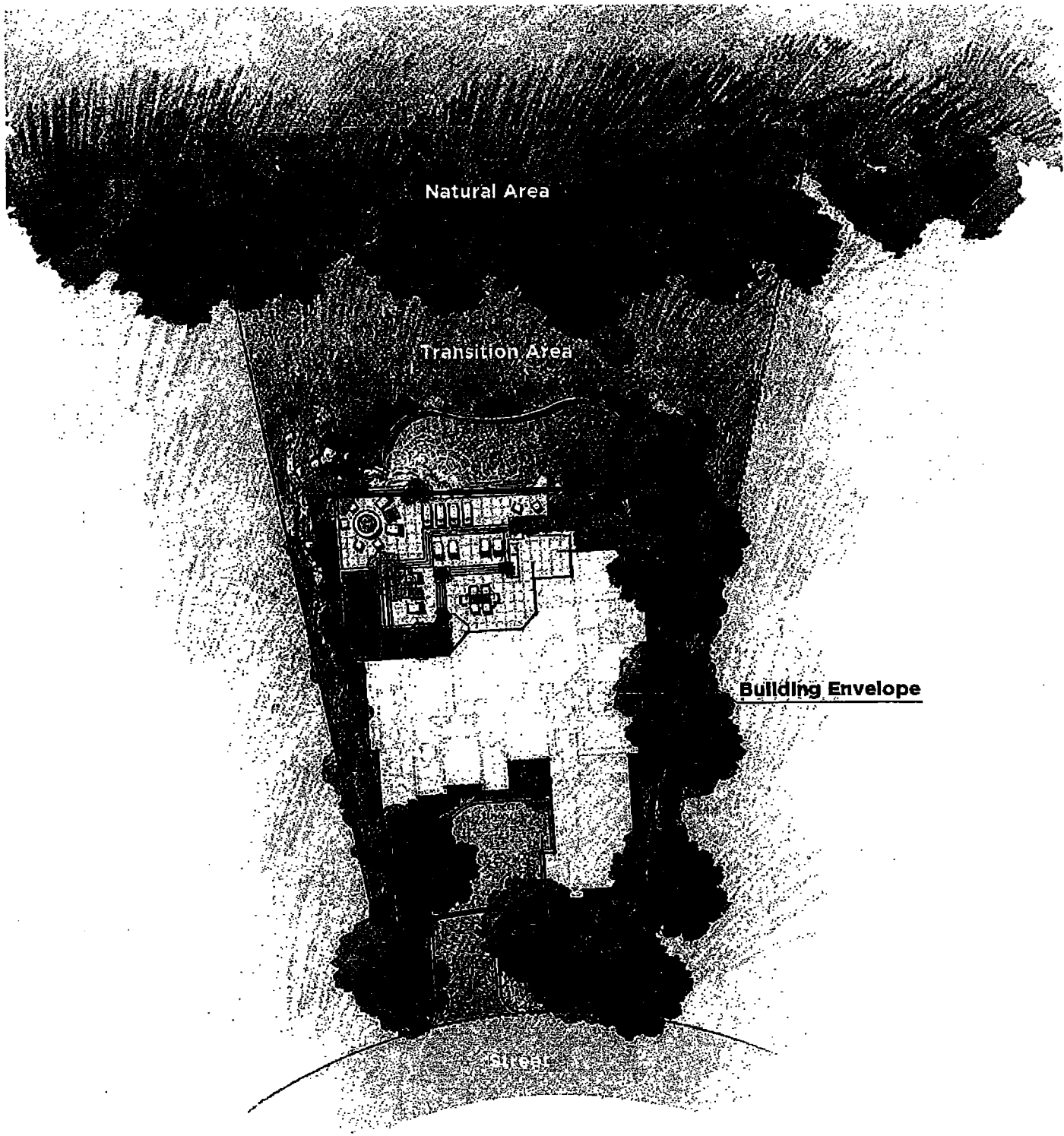
*Figure 2 – Lot Diagram*

## 2.2 COMBINING LOTS

In cases where the Owner owns two or more contiguous Lots and wants to combine two or more contiguous Lots into a single Lot, the Owner must receive written consent of the ACC. Replatting into one Lot is required to be approved by the City of Lakeway. A revised Building Envelope will be prepared by the ACC with input from the Owner and their consultants. The revised Building Envelope shall not exceed the sum of the Building Envelope area of the uncombined Lots. Maximum height restrictions will not be modified as a result of combining Lots. Building coverage shall not exceed 30% of the total Lot area exclusive of driveways, uncovered walks, and decks and second floor areas. The minimum floor area for air conditioned space is 3,300 square feet. The maximum floor area must be in scale to the size of the Lot and not exceed the maximum height restrictions.



*Figure 3 – Section Through Homesite*



*Figure 4—Homesite Site Plan Example*

## 2.3 GRADING AND DRAINAGE

The grading of a Homesite should aim to blend new improvements into the existing Lot while retaining the character of the site's natural topography by minimizing grade disturbance and tree removal. Drainage improvements must be compatible with adjacent Lots and landforms. Drainage slopes are to be designed to appear and function like natural drainage ways. Slopes must not look man-made or abrupt.

### 2.3.1 DRAINAGE GUIDELINES

- No changes shall be made to the natural or existing drainage patterns on any Lot that could cause an adverse effect upon another Owner.
- All cuts, fills and retaining walls must create smooth transitions at top and bottom of slopes and appear to be extensions of natural landforms. In general, finished slopes shall mimic the natural topography. Long, straight landforms shall be avoided, while rounded forms are encouraged.
- It is encouraged that grading should respond to the land, creating stepped buildings that follow the general profile of the terrain.
- Grading at the outer edges of Building Envelopes shall not result in abrupt transitions to adjacent landforms or streets.
- Drainage slopes shall not look "engineered" or abrupt. In all cases, an appropriate landscape treatment shall be used to help blend cuts and fills with the native terrain.
- Cut and fill slopes are to be re-vegetated and restored with approved plant materials to blend them into the surrounding environment, Re-vegetation shall be completed as soon as possible following grading.
- Responsibility for proper site drainage rests with the Owners, their general contractor and their architect. Any alteration of established drainage patterns must adhere to City of Lakeway guidelines and may not be prosecuted without the advance approval of the ACC and the City of Lakeway.



*Figure 5 - Ridge Grading Concepts*

### 2.3.2 RETAINING WALL GUIDELINES

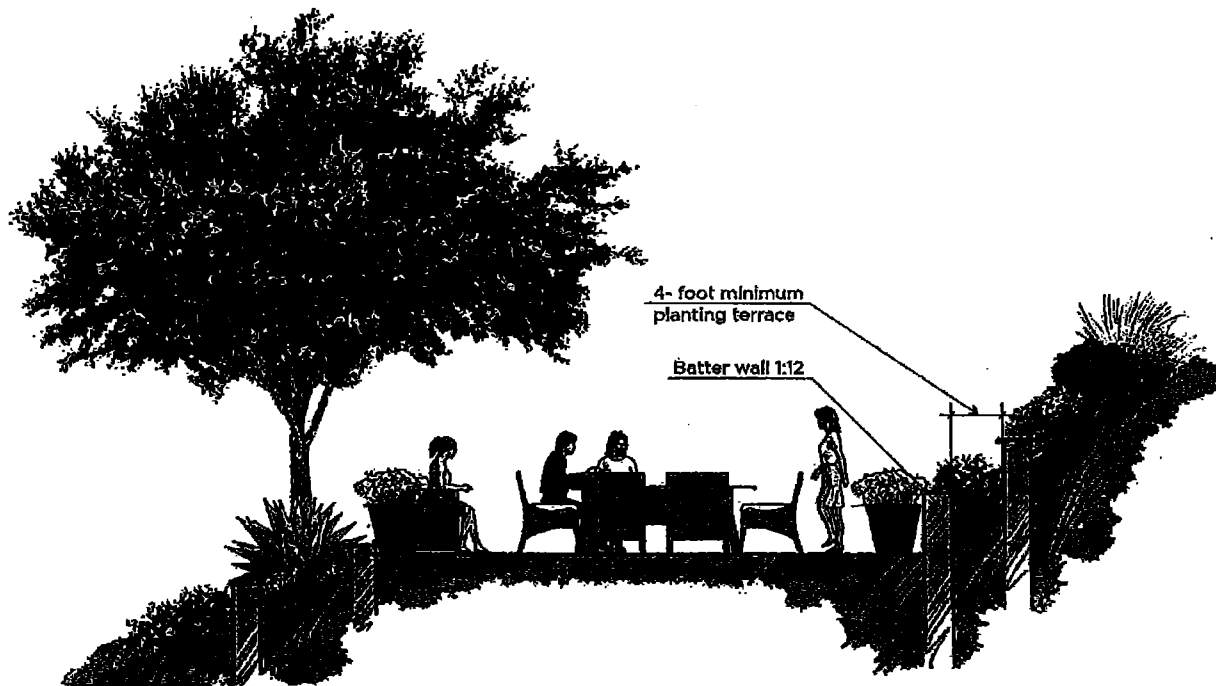
Retaining walls used within The Peninsula at Rough Hollow, in addition to serving their primary retaining purpose, should delineate outdoor living areas and provide privacy. In addition to complying with the City of Lakeway guidelines, all retaining walls must comply with the following:

All walls retaining two feet or more should blend seamlessly with the surrounding landscape and shall be built harmoniously with the existing topography. Walls shall attempt to integrate with the building architecture by connecting to adjacent vertical structures in order to create outdoor spaces that are natural extensions of the indoor spaces. Walls are to utilize multiple vertical and horizontal offsets that step with the site's topography and house design. Where grade changes exceed six (6) feet, stepped back or terraced wall structures with four (4) feet minimum are to be used. Planting terraces are to be used. All walls and wall portions greater than four (4) feet must be entirely within the Building Envelope. Walls may not delineate or parallel Building Envelope boundaries or property lines for long distances.

Wall finish must be complementary to house finish and must be either integral colored stucco or stone. Large, cut limestone blocks will not be acceptable. Stone or stone faced walls are to be designed with 1:12 batter if the overall wall height exceeds three (3) feet. No retaining wall foundation shall be left exposed. Stem wall construction is encouraged but no more than twelve (12) inches of exposed foundation will be permitted.

Stacked natural boulder retaining walls may be approved by the ACC provided they are either:

- "Fitted" stones with ample planting crevices or pockets; or
- Appear as a natural boulder slope with plantings.



*Figure 6 – Retaining Wall Design*

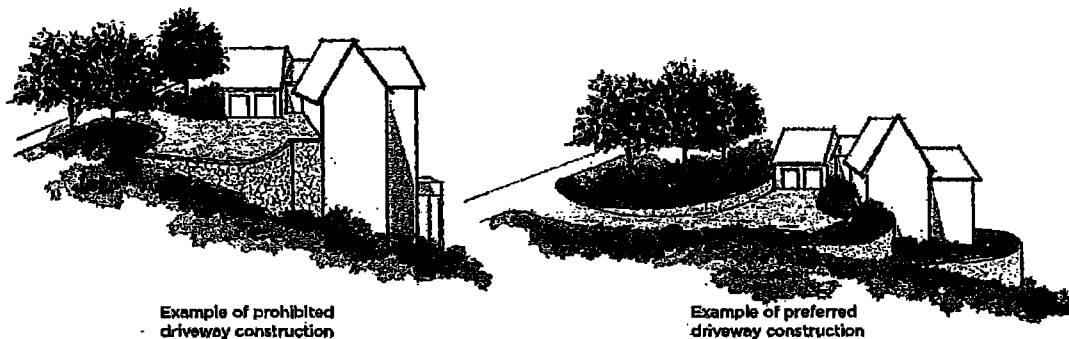
## 2.4 DRIVEWAYS AND AUTO COURTS

The design objectives are:

- To minimize visibility of paved areas from adjacent lots, streets and Common Areas through careful siting, design, use of architectural devices and use of grading and landscape;
- To blend driveways into the natural terrain so that grading and tree removal is minimized;
- To create “auto courts” for parking and garage areas through the use of special paving, architectural devices, plantings, and/or walls, and to minimize the quantity of paved areas in front yards. Auto courts shall not exceed fifty (50) feet in width or length.
- All driveways are to follow alignments that minimize grading or other disruption to the site. The driveway-parking-garage layouts are to minimize the visibility of the garage doors, driveways and off- street parking from the street, Common Areas and adjacent Homesites.
- Approved materials for driveways and auto courts include stabilized decomposed granite with a stone or concrete border, pre cast concrete pavers, stone, colored or textured concrete.
- Colors and finish of paving materials shall compliment proposed buildings and integrate seamlessly with the surrounding earth tone colors.

Driveways shall be a minimum of twelve (12) feet wide to a maximum of fifteen (15) feet wide, except at the driveway apron to garage entrances and/ or where they provide a turnaround in an auto court and/or guest parking area. Driveways must be a minimum of five (5) feet from the property line.

Although circular driveways are discouraged, circular drives are permitted on corner lots and on single frontage lots where the street frontage of the Homesite measured in a straight line between the front corners of the property is greater than one hundred forty (140) feet. Should such driveway be desired by Owner, driveway entrances may not be closer than twenty (20) feet to the property line and must be approved by the ACC. Note: circular drives are by special City of Lakeway approval only. Additional rules, by the City of Lakeway, may apply.



*Figures 7-- Driveways and Autocourts*

### 2.4.1 SHARED DRIVEWAYS

To minimize site disturbance, some Lots will gain access from shared common driveways.



Elegantly proportioned auto courts creat a gracious entry experience.

## 2.5 GARAGES AND PARKING

It is the objective of these Design Guidelines to minimize the visibility of parking areas from Common Areas, streets and adjacent Homesites by utilizing planting, architectural elements, projections and careful siting of garages.

All lots shall include an enclosed garage that can accommodate a minimum of two (2) cars. Garages must be sited and located so that visibility from any street is minimized. In situations when a three (3) or more car garage is desired, garages must be separated into masses of two (2) car garages. Side entry garages are strongly encouraged. Garage doors which face any street or Common Area must be set back an additional five (5) feet from the Building Envelope and be densely planted. In no case shall any garage greater than two (2) car, face any street or Common Area.

All garage doors must be wood or wood-clad and must reflect the architecture of the home. Synthetic or thermally modified wood may be approved by the ACC on a case by case basis. Metal or glass garage doors are not permitted. Garage doors shall be recessed a minimum of twelve (12) inches. Single stall door openings are required, unless otherwise approved by the ACC Reviewer.

Carports may be approved when designed as an integral feature of the overall design of the home and function as guest parking. Carports that appear to be added on and/or constructed with thin column supports and thin banded fascia shall not be approved.

In addition, a minimum two (2) unenclosed guest parking spaces are required per Homesite. Such spaces must utilize a combination of plantings and/or walls lower than five (5) feet to screen cars from view. All garages, carports and guest parking must occur within the Building Envelope.

## 2.6 PATHS, OUTDOOR STAIRS, COURTYARDS AND TERRACES

All paths, outdoor stairs and terraces are to be located within the Building Envelope and Transition Area, where they carefully blend into the Lot as part of a comprehensive garden design plan. No paths, stairs or terraces will be allowed in the Transition Area if they are closer than twenty-five (25) feet to the rear Lot property line.

The use of natural materials such as stone and stone tile is encouraged. Concrete may be used if it is colored and textured to compliment the Residence and/or surroundings.

Extending flooring material from the inside of the Residence to the outdoor space is encouraged.

In portions of the lots designated as Natural Areas, only trails and small terraces will be allowed. These trails and terraces must be constructed of natural materials, such as decomposed granite, stone or mulch with minimum disturbance done to the natural environment. No retaining greater than two (2) feet will be allowed in these areas. In addition, funicular and/or tram systems for Lake access are allowed on Natural Areas of lots P1-P8. ACC, LCRA and City of Lakeway approval will be required.

## 2.7 WALLS, FENCES & GATES

The objective is to design walls, fences and gates that are related to and are natural extensions of the buildings while achieving privacy through berming, low walls and careful building and planting design, thereby minimizing the need for higher privacy walls and fences. Walls and fences shall not impede any drainage way.

Walls within the Building Envelope which enclose side yards and do not extend beyond either the front or rear building facades may be up to six (6) feet high. Service areas no larger than forty-eight (48) square feet may also be enclosed with six (6) foot walls. Any additional privacy walls in the Building Envelope cannot exceed four (4) feet in height.

Absolutely no screening walls are allowed in the designated Natural Area.

Wall ends shall incorporate decorative terminus details and shall not end abruptly.

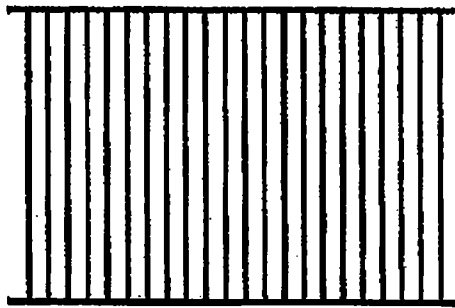
Approved wall materials include plaster or stucco finishes and/or stone. The minimum thickness of walls shall be eight (8) inches. Ornamental iron and/or decorative tiles may be incorporated into wall designs provided they are related to the architecture of the Residence. No wood, vinyl clad or open grid metal fencing will be permitted.

Where fences are desired, view fences are encouraged to preserve the openness of the Community landscape. When using view fencing, the requirements are as follows: a five (5) foot, rackable flattop, single rail, black wrought iron fence. View fencing is allowed to occur in the Transition Area and must not block any designated drainage way. The height must adjust with slope conditions. Steps must be six (6) inches minimum and twelve (12) inches maximum.

Invisible fencing must be at least twenty-five (25) feet from a property line facing a street.

Pool security fencing must meet the requirements of the most recently published edition of the International Building Code, and all applicable state and local ordinances and codes.

All pedestrian gates must reflect the architectural detailing of the home may not exceed six (6) feet in height and five (5) feet in width. Vehicular gates must occur in the Building Envelope and may not exceed four (4) feet in height. All gate designs must be open in appearance and be constructed of stained wood and/or decorative metal painted black.



*Figure 8 – Fencing Example*

## 2.8 LANDSCAPE STRUCTURES

Landscape structures such as arbors, porches, greenhouses and/or decks must be located within the Building Envelope. Structures must be a minimum of six (6) feet wide.

The details, color, materials and style used for outdoor structures are to be the same or similar to the Residence, and appear as extensions of the main residence. Heavy wood timbers must be substantial in dimensions and treated with stain or paint to withstand the effects of climate.

In general, the same Design Guidelines that apply to architecture apply to the design of the landscape structures.

### 2.8.1 TREE REMOVAL, THINNING, PRUNING AND BRUSH CLEARING

An overriding objective of site design for The Peninsula at Rough Hollow is to minimize damage or removal of existing vegetation, providing a serene setting while protecting the shoreline. To this end, clearing, thinning and pruning will be closely monitored by the ACC.

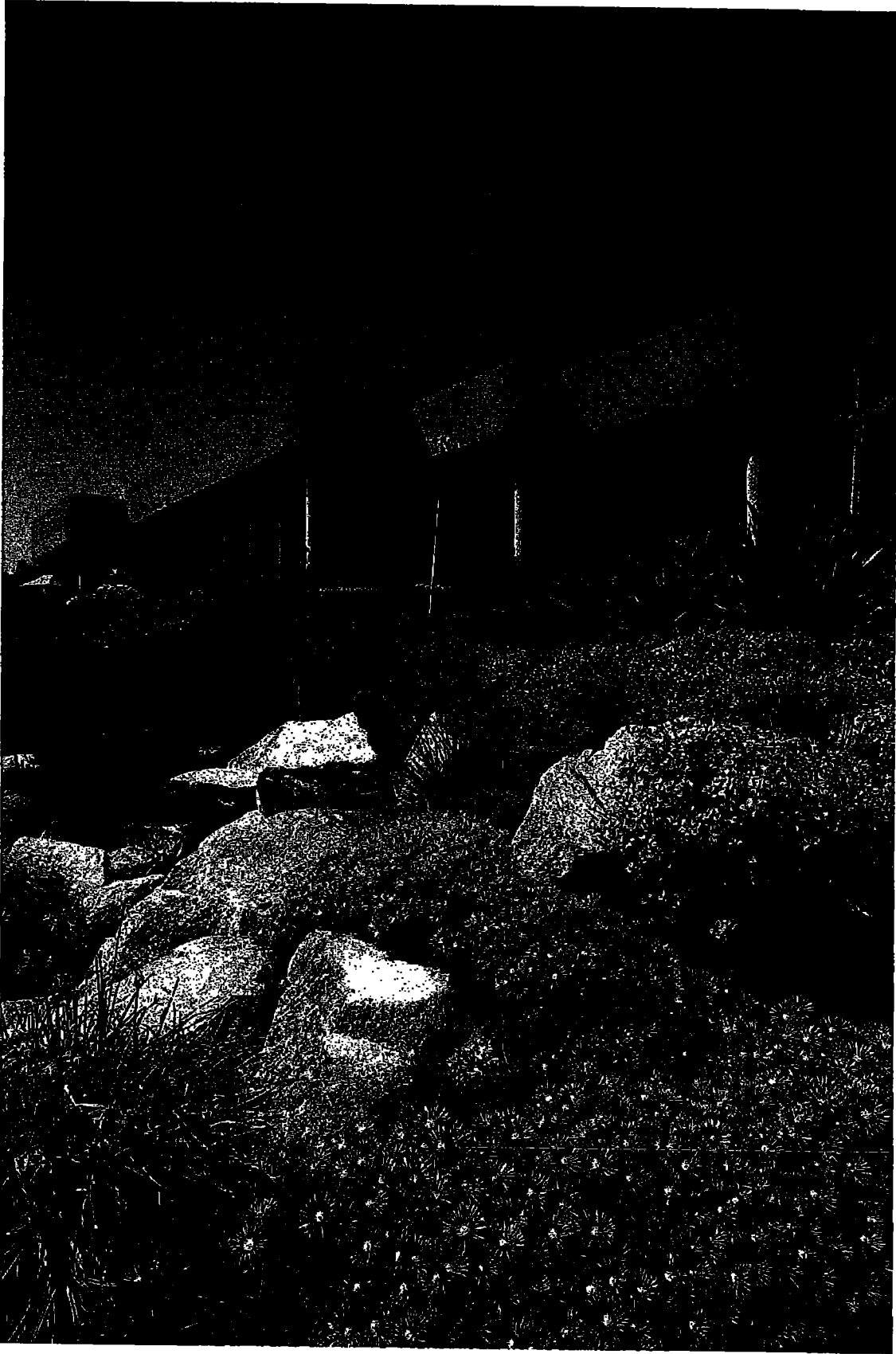
Selective removal and/or pruning of trees outside the Building Envelope to improve views from the Lot may be approved by the ACC. Request for tree removal/pruning outside of the Building Envelope will be evaluated based upon view improvements from home and view impacts from adjacent Lots and Common Areas. Selective clearing shall only occur during the landscaping phase of construction. If Live Oak trees are to be pruned and should the time not coincide with the allowable time for Oak pruning by the City of Lakeway, trimming and pruning shall only be allowed after the home construction has ended. All Homesites must follow City of Lakeway schedule of acceptable Oak pruning time and follow steps to prevent Oak Wilt.

All hardwood trees greater than six (6) caliper inches within the limits of construction must be protected before construction begins.

Prior to any construction activity, all trees to be removed must be identified on the approved Landscape Plan. In addition, hardwoods sixteen (16) caliper inches or greater and Madrones require a City of Lakeway permit for removal.

Tree topping or brush burning is absolutely prohibited.





## 2.9 LANDSCAPING

The objective of the landscape guidelines is to ensure that the developed areas of The Peninsula harmonize and blend with the surrounding natural and native environment. With the use of native and adapted plant material, the Homesite landscape should establish a gradual transition from the more intensive landscape around the residence to the natural Hill Country landscape. Planting composition should define outdoor rooms, frame views, blend buildings with the site and provide landscape focal points.

The landscape design of each Homesite shall gradually transition from the most intense and manicured treatment within the Building Envelope to organized xeric planting compositions in the Transition Area to the native Hill Country landscape of the Natural Area.

Taking its cue from the Texas Hill Country plant palette, plant material shall compliment structures while providing shade, texture and focal points for outdoor rooms. Native plants, although required in the Natural Area, are encouraged to be used in all portions of the Homesite.

### 2.9.1 GENERAL PLANTING GUIDELINES

Landscape plantings proposed for use that are not on the Approved Plant List (see Appendix E) must be identified on all landscape submissions. The ACC reserves the right to disapprove any plant found to be incompatible with the Texas Hill Country environment.

The use of trees is preferred in areas close to the residence to help blend buildings with the site, accentuate entry areas, provide for climate amelioration and help to define outdoor spaces. All areas disturbed during construction must be re-vegetated.

All landscaping should be installed prior to occupancy of the residence. The ACC may approve, at its sole discretion, other time limits requested by the Owner to extend the planting installation.

All trees, shrubs and ground covers must be maintained properly. All dead or dying plants must be removed or replaced promptly.

All landscape plans must be designed and drawn by a Landscape Architect licensed in the State of Texas and be capable of clearly communicating the design intent through the drawing medium. Plans must clearly show the location of all proposed plant material and include a plant legend comprised of plant species, quantities, and sizes at the time of planting. See submittal requirements listed on the Landscape Plan Review Application form in Appendix J.

In addition to the City of Lakeway minimum requirements, Homesites must comply with the following area specific guidelines.

### 2.9.2 BUILDING ENVELOPE PLANTING GUIDELINES

A larger variety of plant material, including non-native species, may be used in the Building Envelope. A minimum of two (2) shade trees (six (6) caliper inch minimum) and six (6) ornamental trees six (6) to eight (8) feet tall (1.5" caliper minimum) are required per 10,000 square feet of Building Envelope Area. Credit for existing trees kept and properly protected within the Building Envelope of the Homesite will be given towards the minimum planting requirements of these Design Guidelines. Credit for saving existing trees will be given on a basis of one (1) saved caliper to one (1) required caliper.

A minimum of ten (10) shrubs (5 gallon minimum) per five hundred (500) square feet of building coverage.

Outdoor spaces, such as patios and motor courts, when not surrounded by short walls, should be defined with the use of evergreen shrubs.

Driveways, equipment storage, exposed foundations and play equipment within the Building Envelope, in addition to walls when required, must be entirely shielded from adjacent properties, any streets and Common Areas with the use of evergreen shrubs.

Turf areas shall be confined to areas enclosed within walls and/or building masses, hardscape surfaces such as patio and driveway, or contained by metal, stone or colored concrete borders in conjunction with evergreen shrubs.

Groundcovers and perennials shall be planted in a size and density to create full coverage after two growing seasons.

Non-native plant material, including Palm Trees, Italian Cypress and Will Fleming Yaupons, and excluding those listed in the Prohibited Plants List (See Appendix F), shall only be planted in the Building Envelope portion of the Lot.

### 2.9.3 THE TRANSITION AREA PLANTING GUIDELINES

The Transition Area must be planted with a xeric palette of native and adapted plant material. Planting must slowly transition from the more intensively landscaped areas of the Building Envelope to the native Texas Hill Country landscape of the Natural Area. In addition, plant material used in this area must be deer resistant.

A minimum of five (5) multi trunk shade trees (6 inch caliper minimum) shall be required between the Right Of Way and the Building Envelope at the front of the home. Credit for existing trees kept, including trees less than six inch (6") caliper, and properly protected within the Transition Area of the Homesite will be given towards the minimum planting requirements of these Design Guidelines. Credit for saving existing trees will be given on a basis of one (1) saved caliper to one (1) required caliper. Placement and groupings of trees, shrubs or ground cover must be naturalistic and random.

It is mandatory that no more than 50% of the Transition Area be re-vegetated with sod/turf. Turf in the Transition Area may not be defined by visible metal, stone or concrete borders.

All planting beds in the Transition Area must be mulched.

If natural boulders are used in areas facing any streets, Common Areas or adjacent property, the boulders must be incorporated into flower beds and must be buried at least six (6) inches into the ground.

Should raised planters be used, planters must relate to the architecture of the home and/or be extensions of retaining and screening walls.

Above ground utility connections visible from any street, Common Area or adjacent property must be properly screened with evergreen vegetation integrated in harmony with the landscape design of the Homesite.

The predominant use of bare hardwood mulch or bare rock as ground cover is strictly prohibited.

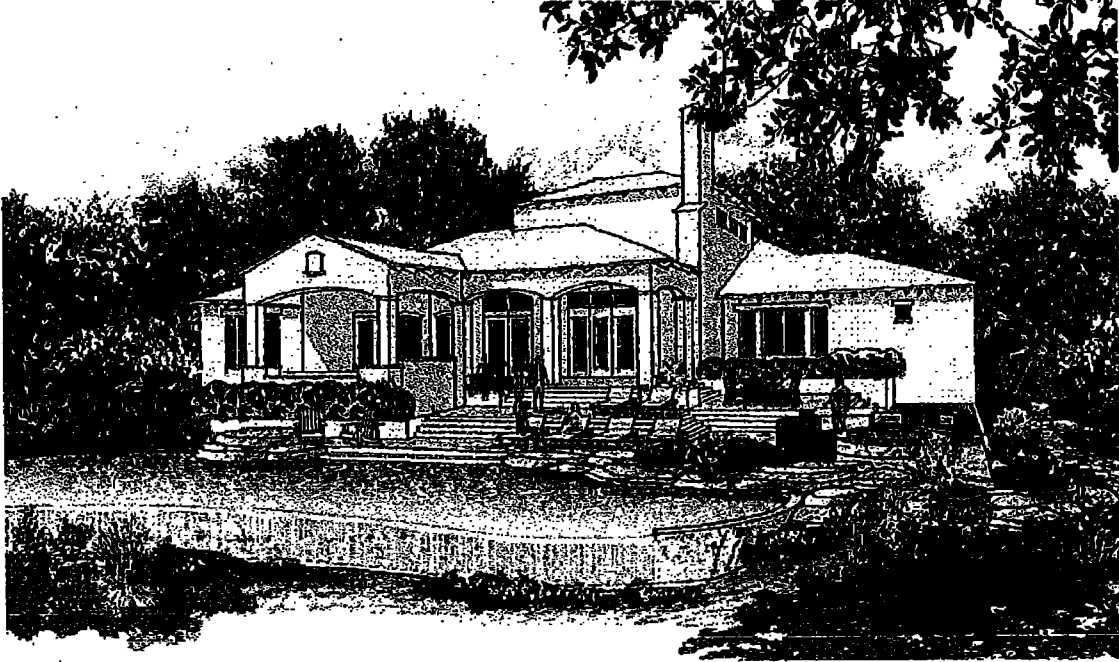
No plantings may encroach onto or over public sidewalks

### 2.9.4 THE NATURAL AREA PLANTING GUIDELINES

The best way to maintain a beautiful and vibrant Natural Area is to protect the existing landscape during construction. If these areas are disturbed, the Natural Area must be restored by planting native grasses, wildflowers, specimen multi trunk hardwoods and native ornamental trees, placed in naturalistic and random groupings. No formal hedge or straight lines will be allowed in a Natural Area.

## 2.9.5 EXISTING STREETScape AND LANDSCAPE ON LOTS

The Developer has installed landscaping along streets, drainage ways and slopes. In some cases, this landscape is within the Lots. All plantings must be protected throughout the construction process. This vegetation shall not be removed, except for driveways, utility connections, and minor grade tie-ins, and shall be incorporated into the overall design of the Lot. Owners are responsible for the replacement of any damaged plantings.



## **2.10 IRRIGATION**

Automatic, underground irrigation systems in the Building Envelope and Transition Areas are required and must be maintained to ensure survivability of plant material. No private water wells will be permitted.

All irrigation systems must utilize an automatic, programmable controller and a rain and/or weather gauge to maximize efficiency. Sprinkler heads should be pressure regulated check valves. The use of drip tubing is highly recommended. Drip tubing shall not be visible from any streets, Common Areas or adjacent properties.

Temporary above ground irrigation may be installed in the Natural Area only until plants are established and/ or for a maximum of one (1) year. No above ground irrigation shall be visible from any streets, Common Areas or adjacent properties. After one (1) year, all above ground irrigation system shall be removed and the ground-plane shall be restored to its natural character.

The irrigation system must be designed and installed to preclude over spray or offsite runoff.

Irrigation plans must be prepared and properly zoned by an irrigator licensed in the State of Texas. The irrigation plan must be approved with the Final Landscape Plan. This plan must show all areas disturbed during construction as areas to be irrigated. Irrigation areas must be clearly shown as permanent or temporary irrigation and include a note stating:

“An automatic irrigation system with separate zones for turf, trees and bedding areas shall be installed for all proposed landscape areas and for the street buffer prior to occupancy of the Residence. An automatic timer and rain sensor/ cutoff shall be provided.”

## **2.11 POOLS AND WATER FEATURES**

Pools, spas, ponds and any artificial water features must be built within the Building Envelope or Transition Area.

Swimming pools shall be in-ground, or a balanced cut and fill, and shall be designed to be compatible with the site and dwelling. Pool plans must be a part of the submitted site plan, or, when being installed after completion of a home, must be drawn on a copy of a previously approved site plan.

At a minimum, pool plans must indicate on a Site Plan: all site improvements, all structures, all property lines, the streets, the Transition Area, pool equipment, screening and the proposed construction access.

In general, pools and water features are to be designed to be integral parts of the outdoor rooms and visually blend with the landscape.

Swimming pool and spa areas must be screened with low landscape walls and/ or plantings to minimize their visibility from any streets, Common Areas or adjacent property. Swimming pools and spas, and the doors and gates leading to them must be constructed in accordance with the regulations of the current International Building Code, including fence and enclosure heights. No fencing may occur on or within the Natural Area or a Building Setback line.

Mechanical equipment must be located next to the home, must not be visible from the Common Areas, adjacent Lots or any street and must be enclosed by walls and other effective screening methods approved by the City of Lakeway. Solid noise absorbing covers may be required after installation if the equipment is disturbing adjacent properties.

The exposed edges of infinity or “negative” edge pools must utilize an approved natural stone or shall be a color to compliment the house. Exposed pool walls or surfaces that are visible from off-site must be screened with shrubs, vines and/or ground cover plantings.

## 2.12 LIGHTING

Exterior building lighting, either attached to or as part of the building, must be the minimum needed to provide for general illumination, safety, and security of entries, patios, outdoor stairs and other outdoor spaces and associated landscape structures. No pole mounted lighting is permitted. The location of all exterior building and landscape lighting must be submitted for ACC approval.

Lighting of plant material shall be achieved with hidden light sources.

To preserve dark sky, only low-voltage (maximum of 25 watts), shielded, white or color corrected high intensity lamps shall be allowed. Sodium, mercury vapor, or bare HID yard lights are prohibited. Gas lanterns may be used.

With the exception of low-level driveway lights and the required City of Lakeway yard light, all lighting must occur within the Building Envelope. Subtle lighting of the driveway entry and/or address numbers is allowed, but the light fixtures may not line the driveway edges. Path lighting fixtures must not exceed eighteen (18) inches in height.

Light fixtures shall be located and designed to avoid spillover onto adjacent Lots. No architectural wall up lighting or down lighting is allowed.

Owners are encouraged to install underwater pool, spa and water feature lights with dimmers or rheostats so that they may be easily dimmed if it is determined that spillover light from these sources is a nuisance to adjacent Lots or Common Areas, or is adversely affecting the nighttime dark sky

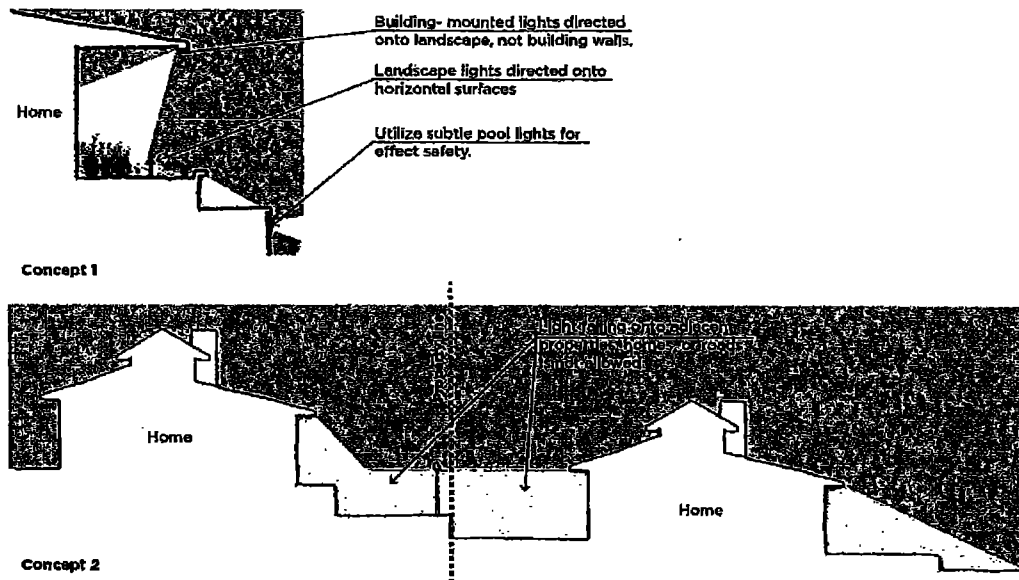


Figure 10 – Lighting Concepts

## **2.13 EXTERIOR SERVICE AREAS**

Trash disposal areas, outdoor work areas, mechanical equipment and outside equipment are to be completely screened from off-site views by the use of architectural features and plant materials. These areas are to be integrated into the main buildings. Walls may not exceed six (6) feet in height. Service areas may not exceed forty-eight (48) square feet.

Trash container storage areas must be located in the Building Envelope. They must be easily accessible to service personnel and odors must be contained.

Pool, spa equipment and air conditioning units shall be located next to the home, behind screen walls or in underground vaults and heavily screened with landscape to contain noise. Solid noise absorbing covers for equipment may be required after installation if it is discovered that the equipment is unacceptably audible from adjacent properties or Common Areas.

## **2.14 MISCELLANEOUS SITE ELEMENTS**

### **2.14.1 PATIO AND OUTDOOR FURNITURE**

Exterior storage of patio and outdoor furniture must occur within the Building Envelope.

If stored uncovered, the furniture may be visible from the street, adjacent property and other Common Areas.

If stored with covers, it may only occur within areas that are not visible from streets or Common Areas, and the covers must be made from non-reflective material with dark, earth tone colors.

Patio furniture and umbrella colors are to utilize conservative and neutral colors when their location is visible from any street, adjacent property or Common Areas.

The ACC reserves the right to reject any such items if it is deemed they are not consistent with the intent of these Design Guidelines and the Community's aesthetic objectives.

### **2.14.2 SCULPTURES AND ARTWORK**

It is required that all sculptures and artwork be located within the Building Envelope of the Homesite. Sculpture and/or artwork of non-reflective or bright colors and visible from any streets, adjacent property or Common Areas must be approved by the ACC prior to installation. Such sculpture and/or artwork must be submitted to the ACC and include detailed information on size, location, materials, colors, mounting, lighting and a picture or sketch of said sculpture/ artwork.

### **2.14.3 BARBEQUES, HEAT LAMPS AND MISTING SYSTEMS**

It is encouraged that BBQ's, heat lamps and misting systems be built into walls and/or overhead structures and be architecturally consistent with the Residence. All equipment that is visible from any streets, adjacent property or Common Areas must be non-reflective and have muted coloration.

Freestanding BBQ grills are permitted only if they are stored and used in a location that is not visible from any streets, adjacent property or Common Areas.

### **2.14.4 FLAGPOLES, ANTENNAE AND SATELLITE DISHES**

Antennae and satellite dishes are subject to special review by the ACC and must comply with all of the City of Lakeway regulations. Flag poles are discouraged and must be specifically approved by the ACC and located within the Building Envelope. Only one (1) flagpole will be allowed per Lot. A freestanding pole may not exceed twenty (20) feet in height and a flagpole attached to the home may not exceed six (6) feet in length. The only flag that may be displayed is the USA flag, the State of Texas flag or a flag of any branch of the US armed forces. Any flag displayed on a flagpole attached to the home must not exceed three (3) feet by five (5) feet.

#### 2.14.5 ADDRESS MARKERS

Address markers must be mounted on a building or screening wall and visible from the street at all times. Individual numbers shall be non-reflective, have muted coloration and the height must not exceed eight (8) inches.

#### 2.14.6 OUTDOOR STORAGE AND ACCESSORY STRUCTURES

Outdoor storage buildings, unless designed by an architect and submitted as part of the Final Design review, will not be permitted. Other accessory structures, such as, but not limited to guest houses, servant's quarters, in-law apartments are permissible and shall be submitted as per these Design Guidelines and approved by the ACC and the City of Lakeway prior to construction. Accessory structures must not exceed 1,000 square feet and must occur entirely within the Building Envelope. Accessory structure's color, materials and style must be the same as the residence.

#### 2.14.7 TENNIS COURTS, EXTERIOR RECREATION OR PLAY EQUIPMENT

All exterior recreational or play equipment, such as swing sets, slides, play structures, jungle gyms and similar equipment, must be within the Building Envelope. Play equipment may not exceed twelve (12) feet in height. In addition, the equipment must be neutral and conservative in color and must meet the intent and requirements of all sections of these Design Guidelines while also complying with all City of Lakeway requirements. No tree houses will be permitted.

Tennis Courts and Sports Courts may not be lighted, must be heavily screened and must be built within the Building Envelope.

Plans for recreational facilities must be drawn on a copy of the approved Site Plan and must include the proposed masonry and/or vegetative screening. All plans must be approved by the ACC. The plans should indicate the total impervious cover for the property upon installation of the facilities.

#### 2.14.8 BASKETBALL GOALS

Basketball goals and/or stands, both permanent and portable, are only allowed when they are erected well within the side or rear of the Building Envelope and screened from view of any streets, adjacent property or Common Areas. Only one (1) basketball goal per Lot is allowed. No lighting is allowed. The location must be submitted on a Site Plan for ACC approval.

#### 2.14.9 BOAT DOCKS

Individual boat docks are only permitted on Lot 25 and Lots 27 - 32, Block A, Lakeway Highlands Phase 1 Section 8C, and must comply with all applicable laws, ordinances, rules and regulations of all governmental bodies and agencies having jurisdiction over boat docks, including the Lower Colorado River Authority (LCRA) and the City of Lakeway.

All boat dock contractors, plans, including location, materials, colors and method for construction, for all boat docks, dock lockers, patios, boat lifts and trams must be submitted in advance to the Rough Hollow ACC Reviewer, for review and approval,

All boat dock roofs must be fern green 26-gauge metal, hip roofs, including a second ornamental hip roof for ventilation release. All decking materials are to be ipe' wood or composite.

Foam encapsulated floats are permitted and must be black in color. Only galvanized metal or non-shiny aluminum may be used for the supporting structures of all boat docks. All boat dock eaves must be a minimum of nine feet (9') in height from the deck surface.

#### 2.14.10 HOLIDAY DECORATIONS

Holiday decorations shall be subtle and tasteful. Decoration displays shall not have a commercial appearance and shall not be "overdone" in brightness, size or visibility from any streets, adjacent property or Common Areas. The ACC reserves the right to prohibit any holiday decorations it deems inappropriate for the image of The Peninsula at Rough Hollow.

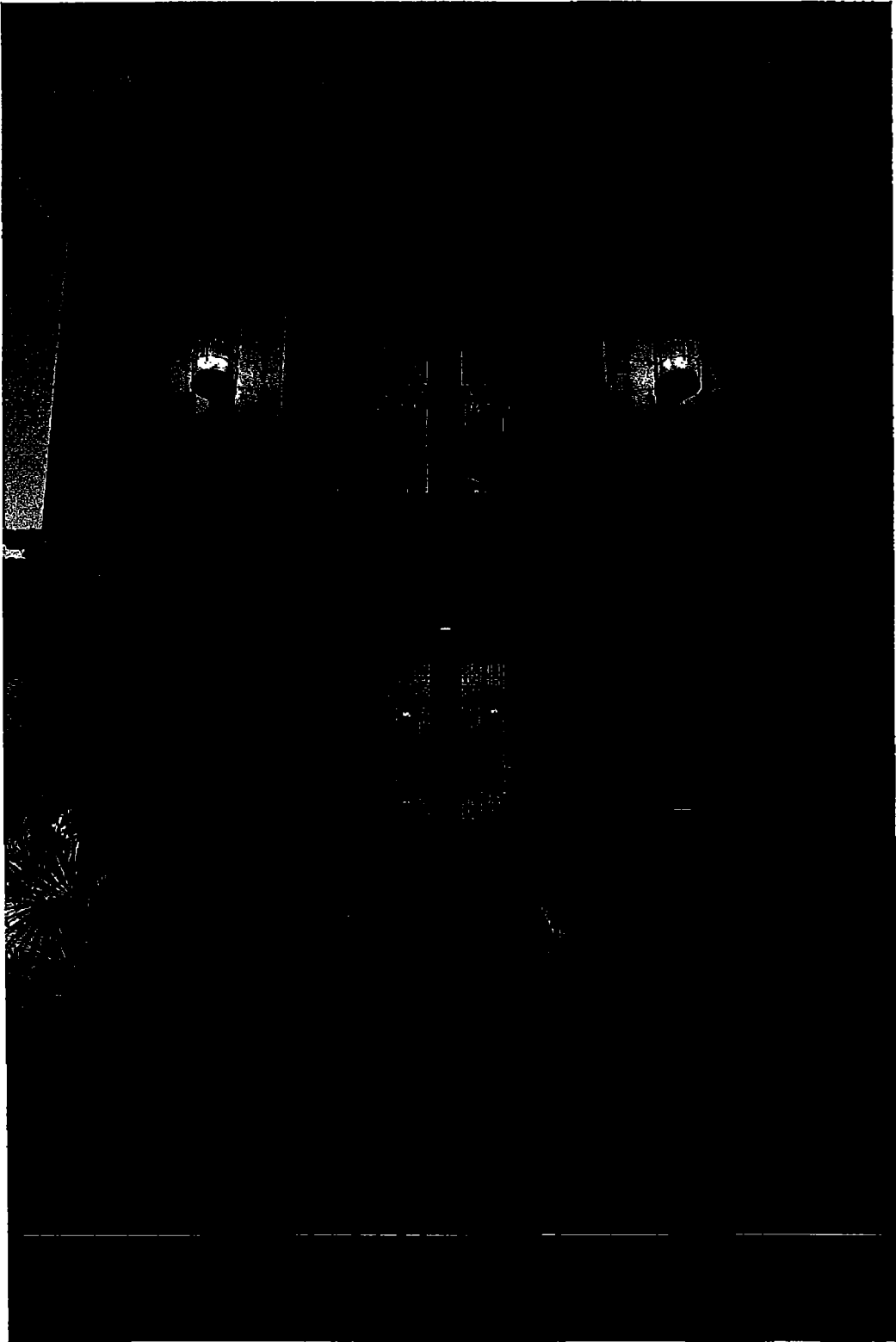
No 'lawn ornament' type holiday decorations or plastic sculptures may be displayed on the exterior of the Residence. Decorations will not be allowed to be mounted on roofs or located outside of the site walls or Building Envelopes.

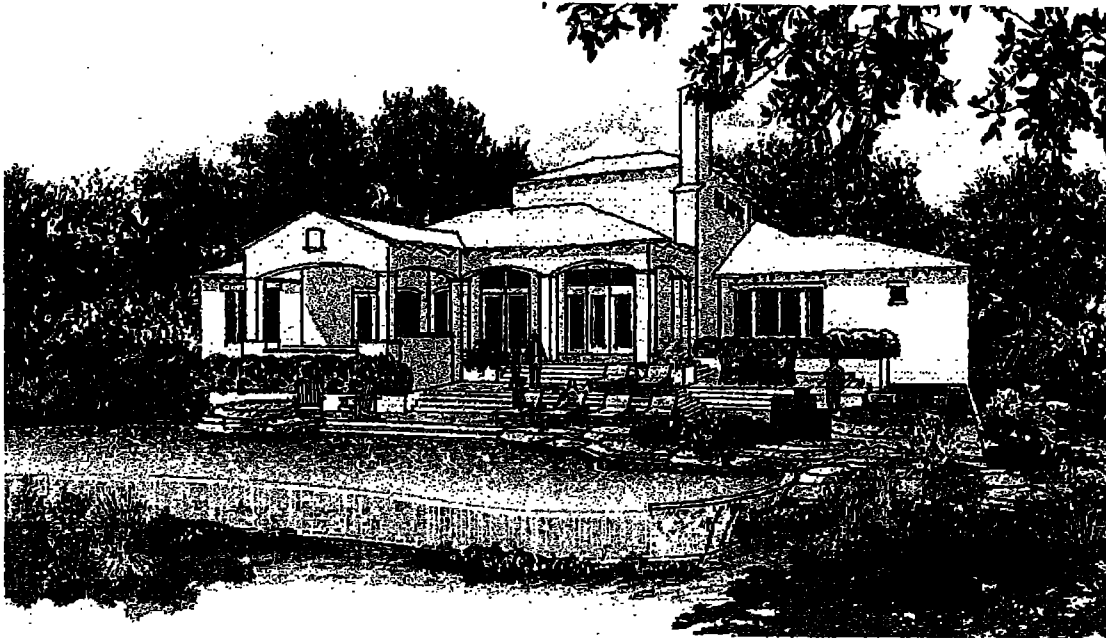
Although holiday lights are allowed, no chasing, twinkling or blinking lights will be allowed. Lights will not be allowed to outline an entire Residence or to be located on ridges or gables of pitched roofs. Paper luminaries with candles are not allowed due to potential fire danger. Exterior holiday music is not allowed except for personal and social enjoyments within the Homesite's outdoor living spaces, provided it does not disturb other Owners and is in compliance with all other provisions of the Master Covenant and Development Area Declaration.

Holiday decorations will be allowed only between Thanksgiving and January 10<sup>th</sup>. Decorations for other holidays may be installed no more than two (2) weeks prior to the holiday and must be removed within one week after the holiday.

#### 2.14.11 EXTERIOR SURVEILLANCE SYSTEMS

Private exterior surveillance systems will only be allowed if hardwired and mounted, using a stationary mount, to the home or its accessory buildings, no higher than nine (9) feet above grade. Cameras must be non-reflective, and have muted coloration that blends with the building materials. All wiring must be concealed. No cameras shall be visible from any streets, adjacent property or Common Areas. Cameras must be positioned to point towards or view into the interior of the Lot and must not be able to move or pan to view any adjacent property. No more than six (6) exterior surveillance cameras may be installed per Lot. All camera locations and installation details must be submitted to the ACC.





### **3 ARCHITECTURAL GUIDELINES**

---

#### **3.1 ARCHITECTURAL DESIGN OBJECTIVES**

- To create a community with a sense of quality, timeless tradition and prestige;
- To provide a framework that will promote a community of continuing value and pride;
- To create buildings that have an orderly and low scale presence;
- Designs which needlessly demand attention with intensive massing will not be allowed;
- All architectural plans must be prepared by an architect licensed in the State of Texas or Certified Professional Building Designer.

##### **3.1.1 ARCHITECTURAL TRADITIONS, DESIGN HERITAGE AND QUALITY**

- To create timeless buildings appropriate for a casual, outdoor lifestyle;
- To create buildings that blend seamlessly with the natural setting of The Peninsula;
- To thoughtfully design buildings that appear to grow out of the site by responding to climate, landforms, and native landscape;
- To craft homes that blur the distinction between the indoors and outdoors;
- To encourage the use of outdoor spaces while providing protection from the Texas sun;
- To create buildings that convey a sense of timelessness, permanence, and quality through their design, massing, and materials.

## 3.2 AUTHENTICITY OF DESIGN

Although these guidelines are not intended to dictate specific architectural styles for The Peninsula, they are focused on promoting outstanding architectural solutions that are innovative, of the highest quality and appropriate to the surrounding Hill Country and Lakeside environments, as well as the Community context. Visual authenticity will be required and all elements, from the hardware to the building form, must be derived from that style. Approved and non-approved architectural styles are listed in Section 3.11 of these Design Guidelines. The overall vision of authenticity, quality and architectural integrity expresses itself through the following design concepts:

- Utilizing natural materials in accordance with their natural, physical and structural capabilities.
- Utilizing materials and construction techniques that convey a sense of permanence and durability (stone for example).
- Improvements that are respectful of site context and the Community as a whole.

To achieve buildings that possess architectural integrity, the ACC evaluates submissions based upon the following qualitative criteria as well as other specific requirements described in these Design Guidelines:

### 3.2.1 SITE CONTEXT AND INTEGRATION

Homes within The Peninsula are to be quiet and understated expressions of the Owner's personality. Proper building location within the Building Envelope, sensitive exterior finish material selection and appropriate landscape that extends and compliments the existing Community landscape all combine to achieve this goal.

### 3.2.2 SCALE

A building's scale is critical in how one perceives its place within the Community. The ACC will review a building's scale relative to the size of the Lot and Building Envelope, including vertical massing and proportion of one-story to two-story elements. Building masses that are primarily room-sized volumes are strongly encouraged. Multiple, haphazard or arbitrary wall and roof offsets will not be permitted.

### 3.2.3 PROPORTION

Each design element of the home has an inherent proportional relationship to each other and to the overall design, creating a balanced composition. Exaggerated or overly stylized elements should be avoided. Excessive wall plate heights that create ill proportioned massing will not be allowed.

### 3.2.4 COLOR

The bright Texas sun renders color an important design component. Homes utilizing a design approach that includes consideration of color at an early stage are able to employ more sophisticated compositions than those that view color as an application at the end of the design process. Reference Section 3.8-Color, for additional requirements.

### 3.2.5 SHADE/SHADOW

Large scale texturing of a building may also be achieved by shade and shadow. A series of transitional spaces, such as trellises, loggias, balconies, deeply recessed doors and windows, courtyards and/or outdoor rooms, help create visually rich compositions, provide weather and sun protection and establish strong indoor/outdoor relationships throughout the home.

### 3.2.6 APPROPRIATENESS

The degree of individual design expression shall be measured relative to the home's context and the overall aesthetic goals for The Peninsula. A design deemed inappropriate may not be a reflection of the quality of the design but may be considered too individualistic or object oriented and therefore inappropriate. In essence, homes should not strive to "make a statement" or dominate a site.

### 3.2.7 MATERIAL AUTHENTICITY

Building materials should be used as honest expressions of their function, structural capabilities or regional context. Utilizing local building materials is encouraged. Generally, this means utilizing natural "hand crafted" materials over "manufactured" and monochromatic quality.



### 3.3 SIZE CONSTRAINTS (MINIMUM SQUARE FOOTAGES)

The ACC favors designs that seek to establish a positive connection between indoor spaces, designed outdoor spaces, and the landscape beyond. Such design must allow for the reduction of the gross massing of houses in general by the generous use of exterior spaces. The use of covered and uncovered structured outdoor spaces such as patios, terraces and porte-cocheres are highly recommended.

The minimum square footage within The Peninsula is 3,500 square feet of heated / air-conditioned space.

Size and location of guest homes will be subject to City of Lakeway approval.

### 3.4 BUILDING HEIGHT RESTRICTIONS

#### Design Objective

To minimize the visual impact of all buildings and to ensure that they are subordinate to and blend with the surrounding Hill Country landscape:

- To implement architectural strategies that minimizes the visual presence of roofs.

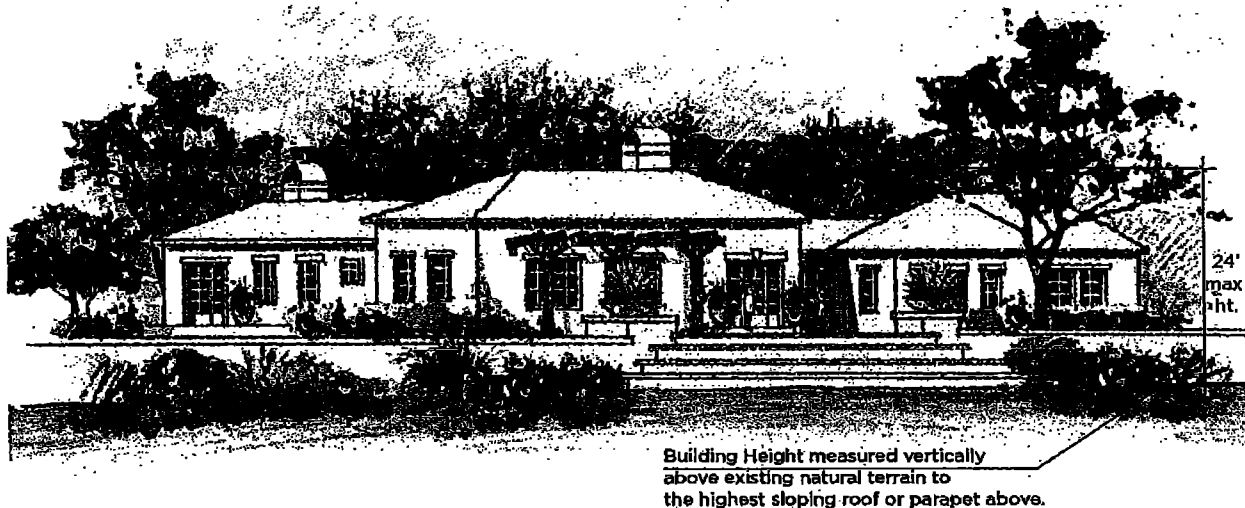
#### Guideline

For single story structures, the maximum building height shall be no more than twenty-four (24) feet measured from the existing natural grade at a point directly beneath the highest point of the roof

The maximum building height shall be no more than thirty-two (32) feet measured from the existing natural grade at the location directly beneath the highest point of the roof.

In an effort to maximize Hill Country and Lake views from Homesites in The Peninsula, some lots have the maximum building height further restricted to be less than thirty-two (32) feet. In these cases, the maximum height has been established at the front of each Building Envelope at natural grade, as described on each individual Lot Diagram Exhibit attached to each lot Purchase and Sale Agreement. Refer to Appendix H for Lot specific maximum height information for those lots within Lakeway Highlands Phase 1 Section 8A only. Building ridgelines must not exceed forty (40) feet in length without a change in roof alignment, offset or broken by an architectural element like a chimney.

Chimneys, small copulas, attic ventilators and plumbing vent stacks, may exceed the maximum building height established for each lot with ACC approval.



*Figure 11 .1—Building Height and One-Story Diagram*

### 3.5 BUILDING MATERIALS

#### Design Objectives

- The choice of materials and method of construction employed should act as a major factor in determining the form of the building;
- To utilize materials that are compatible with the general color and texture of the surrounding landscape;
- To ensure that quality materials are used with integrity and within their structural capacity.

#### Guidelines

- Homes shall be constructed primarily of stone or stucco. Brick, wood, concrete and metal can be used as accent materials. Changes of materials shall be at interior corners of building masses. Vinyl siding is prohibited. Authentic, smooth-sawn wood plank siding, such as Cypress or Eastern Red Cedar, may be used in limited quantities, subject to the written approval of the ACC;
- Materials and construction techniques are to be high quality, durable and proven to be successful in similar Hill Country applications;
- Concrete and metals, including structural elements, are to be either hidden or given the shapes, textures, colors, and detailing of wood and stone; large, smooth surfaces and severe straight lines are to be avoided;
- Hot-dipped galvanized steel elements, whether structural or decorative, or a shading device (such as a trellis), may be considered subject to the written approval of the ACC;
- Metals, such as bronze and wrought iron, may be used in typical forms complementary to the architecture for fastenings and decorative purposes;
- Materials are to receive "rough" or handcrafted finish rather than smooth finishes, and have an appearance closer to their natural state rather than manufactured and monochromatic appearance.

### 3.6 BUILDING MASSING

#### Design Objective

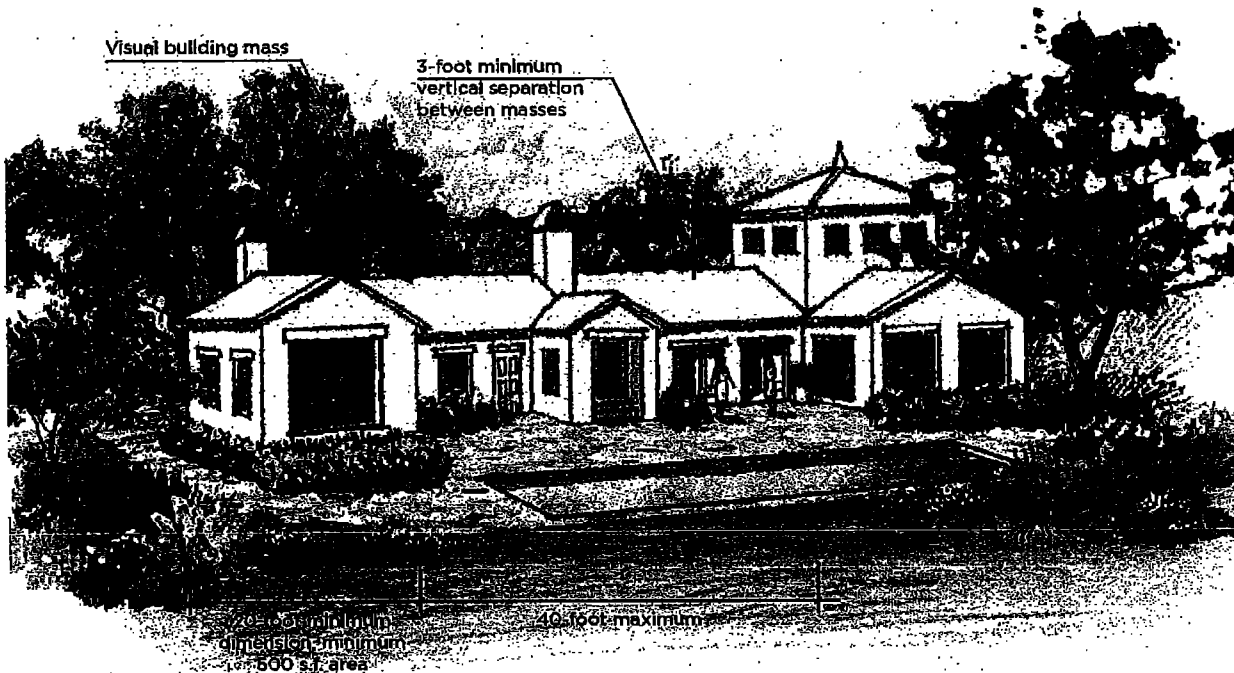
- To ensure buildings whose overall scale, image and appearance are compatible with that of the natural landscape and to protect the mutual and reciprocal privacy of neighboring residences;
- To provide consistent "four-sided" architecture on all sides of the building, with authentic consistent detailing throughout. Avoiding non-detailed side elevations when the front and rear elevations are appropriately detailed must be avoided.

#### Guidelines

- In general, buildings shall be simple volumes, asymmetrical, one (1) to two (2) story masses that respond to the site's topography and significant vegetation;
- Generally, the second floor living area of the residence shall not exceed 50% of the air conditioned, enclosed first floor area. Excessive use of second floor balconies is strongly discouraged.
- Building massing shall respond to topography with stepped foundations. Foundation walls should merge with the ground plane and generally should be expressed as structural stone walls. It is recommended that walls are battered or banked into the site's natural topography or linked to natural rock outcrops. No more than twelve (12) inches of exposed foundation is permitted.
- The play of light and shadow between building masses shall be carefully formulated to articulate masses, accentuate entries and/or building levels and to create texture.
- Buildings must be designed to be viewed from all sides. Screening and/or designing service areas as integral parts of the overall architectural composition will be required.
- Detached garages which incorporate colonnades or trellises to connect to the main Residence are encouraged

to avoid large bulky forms.

- Massing shall reflect room size volumes or groups of rooms rather than one dominant mass.
- Each building shall be constructed in at least three (3) Visual Building Masses. To be defined as a Visual Building Mass, the mass shall have a minimum depth and width of at least twenty (20) feet, be a minimum of five-hundred (500) square feet in area, and be offset by at least two (2) feet horizontally and three (3) feet vertically from another mass. See Figure 12.



*Figure 12—Building Forms and Massing*

## 3.7 ROOFS

### 3.7.1 ROOF FORMS

Low pitched roof forms may include gable, hip and/or shed roofs used only for minor building elements. Low pitched roofs are required to reinforce the traditional forms and scale of the landscape. Excessively pitched roofs, mansard, gambrel or chalet roofs, or roofs that are too steep or too shallow for the style of the home are expressly prohibited. Flat roofs must be minimized. Eave depths must be consistent with the style of the home. Eaves must have enhanced design detailing and the detailing must be used throughout the home.

### 3.7.2 ROOF PITCHES

Roof designs shall incorporate offsets and/or multi-level designs to avoid the appearance of wide, unbroken roof planes as viewed from above or off-site. In general, the maximum allowable roof pitch is 6:12.

### 3.7.3 ACCEPTABLE ROOF MATERIALS

Preferred materials for roofs are to be concrete or clay barrel tiles, flat clay tiles, natural slate and non-reflective metal. Metal materials that weather are allowed (i.e. copper, zinc, paint-grip), but they cannot be reflective and must be left unsealed so that they may weather. All roof materials must be non-combustible. Random "boosting" of clay barrel tiles will be reviewed on a case by case basis

### 3.7.4 UNACCEPTABLE ROOF MATERIALS

Any reflective roof finishes, any metal material that may cause excessive glare, concrete tiles, synthetic slate, asphalt or wood shingles are not acceptable.

### 3.7.5 GUTTERS AND DOWNSPOUTS

Gutters, in general, shall be incorporated into the overall design of the house and shall not appear as if they were added or "tacked" on. Gutters must be six (6) inches and half round shape. Downspouts must be round. Integral gutters with concealed downspouts and drains are encouraged at long overhangs. Exposed downspouts are to be located to avoid long return sections from the eaves to the wall. On metal standing seam roofs, gutting may be metal to match roof. Limited use of rain chains will be allowed.

## 3.8 COLORS

The color of exterior materials must be subdued to compliment and blend with the natural landscape. Locally found, muted Hill Country tones are recommended, although occasional accent colors, used judiciously and with restraint, may be permitted. In dealing with color, the ACC will consider the entire Community, as well as, the individual residence for submission. The ACC will review and approve colors and textures in a three step process.

### 3.8.1 PRELIMINARY DESIGN AND PLAN REVIEW SUBMITTAL

The Applicant may describe the color palette and indicate these colors on the exterior elevation renderings.

### 3.8.2 FINAL DESIGN AND PLAN REVIEW SUBMITTAL

The Applicant must submit actual color and material samples. Based upon these, the Applicant will, as the third step during the construction phase, be required to install a material Mock Up Panel (See Appendix D, Figure 16 for more Panel detail) on site, of the intended colors, materials, and textures of the major building elements for final approval. No finishes will be permitted until the Mock Up Panel is approved.

Stains or paints may be used to protect wood from weathering, to give it a more refined texture, or to achieve a darker hue. A shiny appearance is not permitted.

Building elements shall have the following general color ranges.

**Roofs** - Medium to dark terra cottas, browns, greens and grays.

**Walls** - Natural and earth tone browns. Large areas of monochromatic surfaces must be minimized. Wall surfaces shall utilize texture and/or multi-layered application of color where possible to achieve subtle color variation on walls. The use of brilliant white will not be permitted.

**Trim and Accent Colors** - Dark, rich earth tones that come from stains, woods, and/or paint.



### 3.9 WINDOW AND DOORS

#### Design Objectives

The central architectural role of windows in The Peninsula is to generously link inside and outside spaces, frame and accentuate views, introduce natural light and reinforce architectural integrity and style.

#### Guidelines

- In general, on the front elevation and lake front elevation, all windows and doors shall be recessed a minimum of four (4) inches to create pattern, texture and lend a sense of thickness to the walls. A cast stone or other architectural surround on stucco homes must be integral to the wall plane. An applied application projecting out from the wall will not be permitted.
- No oversized or two-story entries such as triumphant arches or enormous front door assemblies are allowed.
- Windows must be primarily vertical in form, utilizing casement and/or double hung construction.
- Windows may utilize Roman arched, elliptical arched, rectangular, square or vertical shaped forms as appropriate to the style.
- Glass may be coated to control heat gain but a reflective, mirrored appearance is not permitted.
- Single or double door units, paneled, naturally stained wood, metal and/or multi-paned glass are acceptable.
- Door designs should be consistent with each other, utilizing similar jamb, head and panel designs around the entire exterior of the house.

- Sliding or pocket doors with large glazed openings may be used provided they are protected by a trellis or overhang providing deep shade over the glazed area.
- All windows and exterior doors shall be of wood or steel construction. Aluminum clad wood windows and doors are allowed. No aluminum or vinyl windows are allowed. Vinyl clad wood windows are not permitted. Aluminum or snap-in, removable window grids are prohibited. Limited use of glass blocks will be permitted if not visible from any street, adjacent property or Common Area.
- Solar screens will not be permitted.

### 3.10 BUILDING PROJECTIONS AND ACCESSORY STRUCTURES

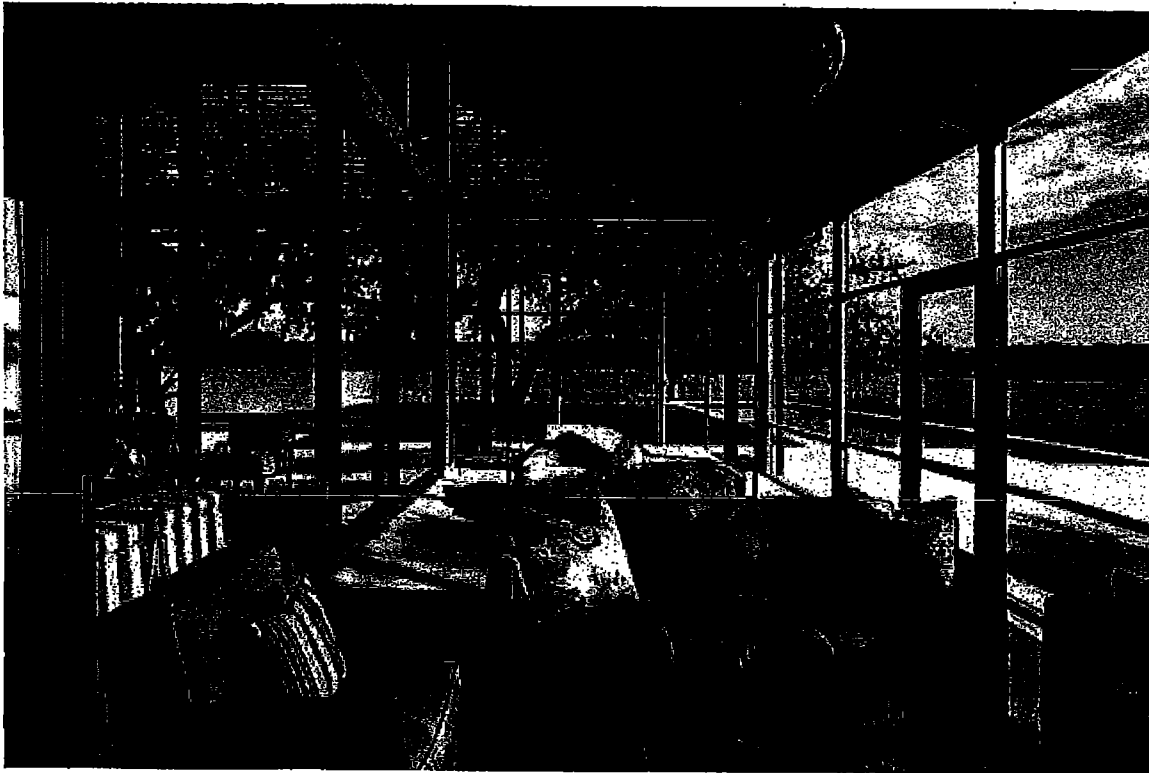
The use of architectural extensions to provide shade and shadow, protect buildings from the intense Texas sun, and create a strong indoor/outdoor relationship, are summarized below. The style and details of these architectural elements, such as column and eave treatments, should borrow from regional vernacular building traditions or other approved styles and be consistent with the architectural design of the main Residence.

#### 3.10.1 PERGOLAS, TRELLISES, ARBORS, COLONNADES, PORCHES, AND LOGGIAS

Covered areas that connect separate Building Masses, extend the roofline, provide shelter from the Texas sun, accentuate entry areas and/or are freestanding are strongly encouraged and are to be a minimum of six (6) feet wide. Freestanding landscape structures must be located in the rear or side yard of the Building Envelope and be designed to maintain the architectural integrity and aesthetic continuity of the Residence. For additional requirements refer to Section 2.14 - Landscape Structures.

#### 3.10.2 ENTRY AND/ OR SIDE PORCHES

Porches that provide shelter from the sun and accentuate entry areas are to be a minimum of six (6) feet in depth. Flooring materials are to be natural stone, tile, textured and colored concrete and/or colored concrete with stone and/or tile bands. In general, the flooring shall be an extension of or a natural complement to the flooring used in the interior of the building.





### 3.10.3 RAILINGS

Decorative iron or wood-carved railing details shall reflect the appropriate vernacular building traditions and be consistent with the architectural style chosen.

### 3.10.4 MECHANICAL EQUIPMENT, HVAC, VENTS AND FLUES AND OTHER STRUCTURES

#### Design Objectives

- To screen service areas from off-site views;
- To ensure any noise or odors from trash or equipment are contained within the service area.
- For additional requirements refer to Section 2.13 - Exterior Service Areas.

#### Guidelines

- Trash disposal areas, outdoor work areas, mechanical equipment and outside equipment are to be completely screened from off-site views by the use of architectural features or plant materials. Where feasible, these areas are to be integrated into the main buildings.
- Trash container storage areas must be located so that they are easily accessible to service personnel and odors are contained.
- Pool, spa equipment, and air conditioning units shall be located behind masonry walls five (5) feet maximum height, or in underground vaults, or heavily screened with landscape to contain noise. Solid noise absorbing covers for equipment may be required after installation if it is discovered that the equipment is unacceptably audible from adjacent properties.
- Vents and flues must be placed on roof planes other than those of the fronting street and blend with adjacent building material. Vents and flues greater than four (4) inches in diameter must be concealed within architectural structures (i.e. chimneys). Small vents or flues must be painted to match roof color.

## SOLAR COLLECTORS

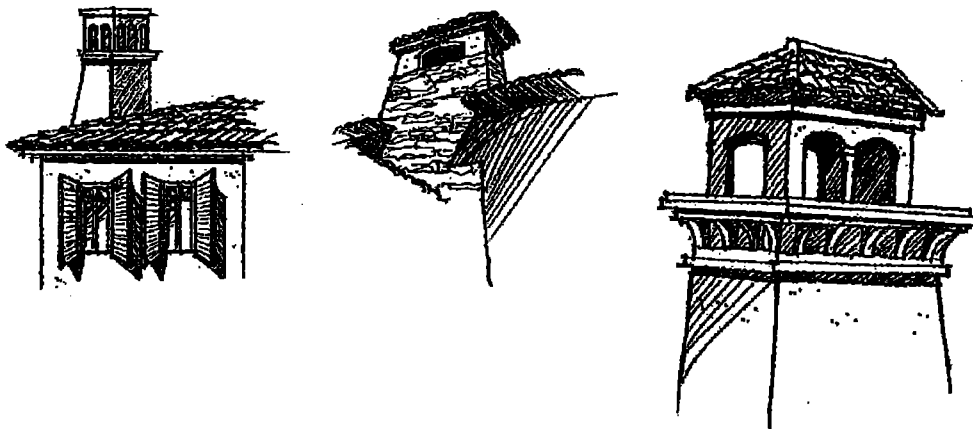
Solar Collectors, if used, must be integrated into the building design and constructed of materials that minimize their visual impact. If located on the roof of the home, Solar Collectors shall not be located on the roof facing the street unless the Owner demonstrates that the location proposed by the Owner increases the estimated annual energy production of the Solar Collector by more than ten (10) percent above the energy production of the Solar Collector if located in an area on the roof requested by the ACC. This will be determined by using a publicly available modeling tool provided by the National Renewable Energy Laboratory. If located on the roof, the Solar Collectors must:

- Not extend higher than or beyond the roof ridgeline;
  - Conform to the slope of the roof;
  - Have a top edge that is parallel to the roofline; and
  - Have a frame, support bracket, visible piping or wiring that is silver, black or dark bronze and the collectors blend with the color of the roof to the greatest extent possible.
- 
- Solar Collectors which become non-functioning or inoperable must be removed by the Owner. See Section 202.10 of the Texas Property Code.
  - All solar equipment must be located in the Building Envelope.
  - All solar equipment must be submitted for approval to the ACC.

## CHIMNEYS

Fireplaces and chimneys can be dominant elements of an architectural composition. They must be masonry, correctly proportioned and consistently detailed with the overall design.

- Fireplaces must be equipped with an approved spark arrestor that is concealed.
- All chimneys must extend to the ground.



*Figure 13 – Vents and Flues*

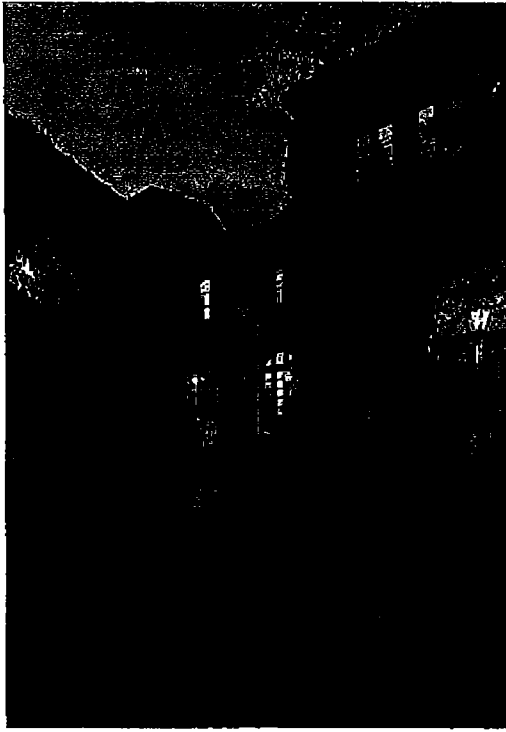
### 3.11 ARCHITECTURAL STYLES

Although these Design Guidelines are not intended to dictate specific architectural styles for The Peninsula, they are crafted to promote architectural solutions that are innovative, of the highest quality and appropriate to the surrounding Hill Country, Lake Environment and the Community context.

Architectural styles inappropriate to the Texas Hill Country, will not be allowed. In addition, styles deemed to be poorly executed by the ACC, in particular Tuscan French and Mediterranean vernaculars will not be approved. Visual authenticity for any style is required. All elements of a style must be consistent with the vocabulary from the style, from the primary building forms and materials, to secondary elements, and tertiary design elements including hardware, hardscape and plant materials. Such consistency results in buildings that are more authentic and convincing expressions of their particular architectural style.

While the conceptual designs depicted in the images and diagrams may conform to the intent of the Design Guidelines, specific designs may be considered non-compatible due to site specific restrictions, adjacent home designs, or the context of the individual project. Please discuss the desired style directions for your individual project with the ACC in advance of the design phase. The approved styles outlined in this document may not be all inclusive. Other proposed styles may be approved on a case by case basis by the ACC depending on the specific site, context and materials if consistent with the design intent of the Community.





### 3.11.1 APPROVED ARCHITECTURAL STYLES

- Texas Hill Country Ranch Vernacular
- Spanish Hacienda
- Rustic Italian
- Informal Mediterranean
- Soft Contemporary Interpretations of above styles

### 3.11.2 NON-APPROVED ARCHITECTURAL STYLES

- Classic Colonial
- Craftsmen Bungalow
- Victorian
- Desert Pueblo
- Prairie
- Shingle
- Cape Cod
- Gothic
- French Chateau
- Contemporary Interpretations of above styles

### 3.12 RESOURCE CONSERVATION MEASURES

*Site and Building design along with construction techniques which utilize the latest advances in energy and resource conservation and home technology are encouraged. New Building technologies, innovative Building materials, thoughtful site planning and creative construction systems can be used to create more energy-efficient, durable, and better quality homes.*

*The following measures are strongly recommended in the planning and design of a home at The Peninsula.*

#### 3.12.1 SOLAR EQUIPMENT

Solar power generating equipment is encouraged but should integrate with the architectural design of the roof structure (house, arbors, porte-cochere, etc.) Solar panels may not be visible from adjacent properties, Common Areas or the street. All solar designs must be reviewed and approved by the ACC. All Solar equipment must be housed within the Building Envelope.

#### 3.12.2 RAINWATER HARVESTING AND STORAGE

Rainwater Harvesting systems are encouraged at the Peninsula, and should be integrated with the architectural design of the house. Cistern storage may occur under a pool deck, and must be screened from view using walls and vegetation. All storage tanks must occur within the Building Envelope. Storage tanks may not be left exposed. Exposed concrete and plastic cisterns are strictly prohibited.





## 4 ARCHITECTURAL DESIGN REVIEW

### 4.1 OVERVIEW OF DESIGN AND APPROVAL PROCESS

#### Objective

*The objective of the review process is to promote aesthetic harmony throughout Rough Hollow as a whole and within each individual neighborhood, by providing for compatibility of specific designs with surrounding buildings, the environment and the topography. The review process strives to maintain objectivity and sensitivity to the individual aspects of design.*

#### Improvements Requiring Design Review and Approval

Improvement plans for The Peninsula will be carefully reviewed by the ACC to ensure that the proposed design is compatible with the design intent within The Peninsula. This process is mandatory for the following types of improvements:

- Construction of all new buildings;
- Renovation, expansion or refinishing of the exterior of an existing building;
- Any major site and or landscape improvement (including pools, driveways and or culverts);
- Construction of, or additions to, fences or enclosure structures.

Requests for approval of proposed construction, landscaping, or exterior modifications must be made by submitting an application to the Architectural Control Committee (*the "ACC"*) (See Application Forms in Section J of these Design Guidelines) and adhering to the design and review process as discussed in Section 4.2 of these Design Guidelines.

In the event of a conflict between these Design Guidelines and any local, state or federal building or zoning code or project approval documents, the local, state or federal building or zoning code or project approval document shall govern.

#### 4.1.1 LOCATION FOR NOTICES AND SUBMITTALS

Any notice or information required to be submitted to the ACC under these Design Guidelines will be submitted to: Rough Hollow South Shore II, ACC, 2101 Lakeway Blvd., Suite 100, Lakeway, Texas 78734, Phone: (512) 306-1444, Fax: (512) 306-1620 or to an alternate location stated on an Application Form (See Section J of these Design Guidelines for forms).

#### 4.1.2 TIMING OF REVIEW PROCESS AND DURATION OF APPROVALS

The timing of review of applications and submittals and the duration of each approval shall be in accordance with Article VI of the Master Declaration and the Design Review Application as shown in Section J of these Design Guidelines.

#### 4.1.3 APPROVALS

The ACC will issue a Final Design Approval or Rejection Notice after the Final Design and Review meeting. A Rejection Notice will include the reason (s) for rejection to give guidance in redesigning any elements of the design required to obtain an approval.

#### 4.1.4 RESUBMITTALS

If a submittal has not been approved, the same process followed for the original submittal will apply to the resubmittal. Please see Schedule of Fees in Section I of these Design Guidelines for additional review fees for resubmittal of any plans.

#### 4.1.5 MODIFICATIONS

If any modifications are made to Approved Final Design or Site Plans, for any approved improvement or landscaping, the documentation for the proposed modifications must be submitted to the ACC for review and approval before any modifications are made.

#### 4.1.6 VARIANCES

All variance requests are reviewed and approved on a case by case basis. A variance approval is not a blanket approval, it only applies to the home and Homesite that was the subject of the variance request and does not set a precedent for other Homeowners to apply to their homes. Any variances to these Design Guidelines must be submitted in writing and discussed at the schematic or preliminary design review meeting. All approvals must be in writing. No verbal approvals or representations made by any member of the ACC, sales or developer representatives, or anyone associated with the community, will be valid or enforceable unless it has been submitted, approved and documented in writing.

#### 4.1.7 ENFORCEMENT

The ACC will ensure the exterior of the home is in compliance with approved Final Design documents through Construction Progress Observances. If it is determined that any changes or deviations from the approved plans have been made, the ACC will issue a Notice to Comply.

## 4.2 ARCHITECTURAL DESIGN SUBMITTAL AND APPROVAL PROCESS

### 4.2.1 REVIEW PROCESS:

- Design Professional and Builder Approvals (if needed)
- Pre-Design Site Meeting (Optional)
- Schematic Design Review Meeting (Optional but recommended)
- Preliminary Design and Plan Review Submittal
- Final Design and Plan Review Submittal
- Preconstruction Site Observation (Optional)
- Construction Progress Observation
- Landscape Plan and Review Submittal
- Final Construction Observation
- Issuance of Completion Certificate

# DESIGN REVIEW & APPROVAL PROCESS FLOW CHART

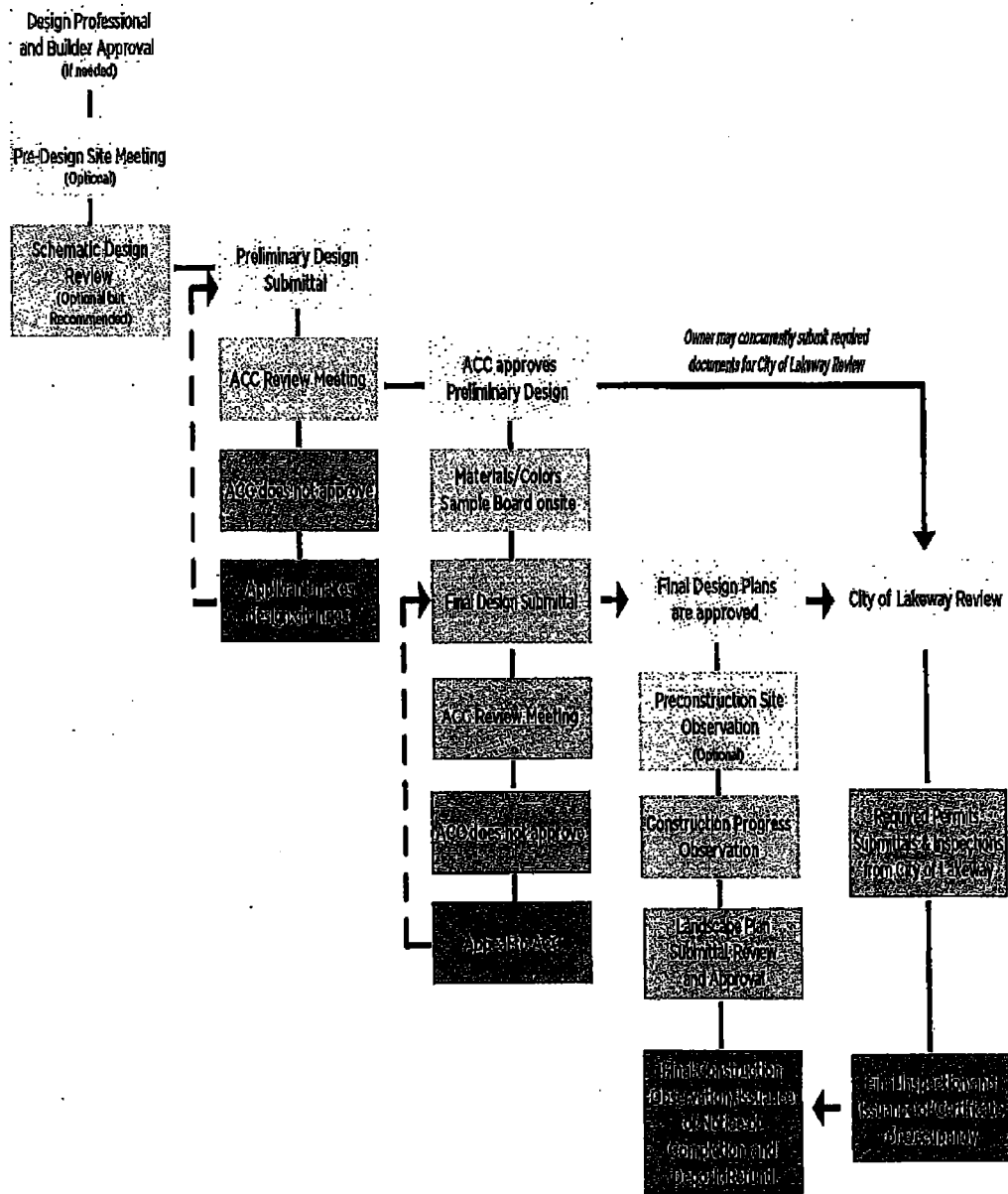


Figure 14– Architectural Design and Plan Review Process Flow Chart

#### 4.2.2 DESIGN PROFESSIONAL and BUILDER APPROVALS

If your Builder is not already approved for the Peninsula at Rough Hollow (an approved builder in other areas of Rough Hollow is not an automatic approval to build in the Peninsula), a Builder / Design Professional Verification Application will have to be submitted to the ACC, processed and approved before the builder is engaged. Builder approval is at the discretion of the Developer. (See Example Application Forms in Appendix J of these Design Guidelines).

##### Licensed Professionals

The Developer and ACC require that the Homeowner engage professional assistance from a Licensed Architect or Certified Professional Building Designer, Civil Engineer, Landscape Architect or approved Landscape Designer, Soils Engineer and a licensed and bonded Contractor, as part of your design and build team.

#### 4.2.3 PRE-DESIGN SITE MEETING – OPTIONAL (MAY REQUIRE ADDITIONAL FEE)

All Owners, together with their Architect, are encouraged to meet with the ACC before commencing any design work. All work must be performed by an Architect licensed in the State of Texas or a Certified Professional Building Designer. Discussions at this meeting will include conceptual ideas for the home and review any issues regarding orientation, adjacent home sites, and any site issues that might influence the design of the home. This conference will include a review of the Lot Diagram, Building Envelope, Transition Area and Natural Area.

#### 4.2.4 SCHEMATIC DESIGN REVIEW - OPTIONAL (MAY REQUIRE ADDITIONAL FEE)

It is recommended that a Schematic Design sketch or drawing be submitted to the ACC to review prior to investing a lot of time and expense into your preliminary plan set. This submittal is meant to be an informal review of the initial design and placement of the home, to ensure that your design is moving in the right direction and is in line with the spirit of the vision for the Peninsula. Once your architect has drawn an exterior sketch or rendering and a site plan (showing general locations of landscaping, any pools, cabanas or guest houses) that illustrates the vision for your home, you may submit the drawings for ACC review or request a meeting to review and discuss your plans

#### 4.2.5 PRELIMINARY DESIGN AND PLAN REVIEW SUBMITTAL

All required drawings must be a minimum of 1/8" = 1' and drawn on a maximum sheet size of 24" x 36" and are to be provided to the ACC with 1 full size hard copy and a PDF scanned at full size. The Owner must submit two (2) complete sets of the following for ACC review and approval:

Application Form - located in Appendix J of these Design Guidelines

Property Survey (minimum scale 1" = 20') – prepared and sealed by a licensed Surveyor indicating all property lines, easements, setbacks, significant trees, improvements and existing grades at one (1) foot intervals.

Site Plan – showing the building footprint and finished floor elevation, site improvements, easements, setbacks, property lines, streets, equipment, driveway, sidewalks, walks, fencing, retaining walls, significant trees, topography and proposed contours. All grading plans must be prepared by a civil engineer licensed in the State of Texas. The ACC is not responsible for drainage.

Floor Plans – black and white set of floor plans, does not have to include dimensions, room heights, etc. Colored Renderings – renderings of two (2) major views of the exterior elevations indicating material colors and textures. Staking – the proposed plan may be required to be staked to locate the corners of the floor plan and the stringing of major roof ridgelines.

Incomplete submittals will not be reviewed. A second Preliminary Design Review Submittal may be required to review any revisions that were required by the ACC at the previous review.

#### 4.2.6 FINAL DESIGN AND PLAN REVIEW SUBMITTAL

Within one (1) year of the approval of the Preliminary Design and Plan Review Submittal, the Owner must initiate the Final Design and Plan Review Submittal. After one (1) year the Owner must begin the approval process again. All required drawings must be a minimum scale of  $\frac{1}{4}'' = 1'0''$  and drawn on a maximum of 24" x 36" and also be provided in PDF form scanned size being 24" x 26". The Owner must submit two (2) complete sets of the following for ACC review and approval. All architectural plans must be prepared by a Licensed Architect or a Certified Professional Building Designer, licensed and or certified in the State of Texas.

**Application Form** - located in Appendix J of these Design Guidelines

**Site and Grading Plan** – can be drawn at a minimum scale of  $\frac{1}{8}'' = 1'0''$ . Show the dimensioned footprint and finish floor elevation of all proposed structures and all site improvements. All accessory and landscape structures must be included. Label all building setbacks, easements, utility and equipment locations, gates, retaining walls, fencing, and significant trees being removed/retained. Include twenty (20) feet beyond all property lines to adequately describe adjacent relationships. Indicate the limits of the Building Envelope, the Transition Area and the Natural Area. Show the existing grades and the proposed contours including any drainage systems. All grading plans must be prepared by a civil engineer licensed in the State of Texas. The ACC is not responsible for drainage.

**Floor and Roof Plans** – showing square footages, all roof pitches, dormers, chimneys, skylights, features and all required gutters and downspouts. **Exterior Elevations** – must show all finished floor lines and plate heights, roof pitches, roof heights, existing and proposed grades, all exterior materials and details, and location of all exterior lighting. All views of the home and any accessory structures must adequately convey the architectural style and associative detailing being proposed. Enhanced eave detailing is required throughout the home.

**Site Sections** – two (2) site sections showing the property lines, finish floor lines, and plate heights, roof heights, retaining walls, existing and proposed grades and all information to describe the relationship of the home to the site and adjoining properties.

**Exterior Color / Materials Selection Form** – located in Appendix J of these Design Guidelines.

A second Final Design and Plan Review submittal may be required to review any revisions that were required by the ACC at the previous review. Incomplete submittals will not be reviewed.

#### 4.2.7 PRE-CONSTRUCTION SITE OBSERVATION - OPTIONAL

A pre-construction site observation may be scheduled by the Builder with the ACC prior to commencing construction. If a pre-construction observation is being requested, the Builder should provide a minimum of seven (7) days prior notice to schedule the meeting. The Construction Compliance Deposit should have been paid with the Preliminary Plan and Design Review Submittal, and a copy of the Building Permit and Construction Schedule should be available to review at this time as well.

#### 4.2.8 MOCK UP PANEL OBSERVATION

Must be scheduled by the builder with the ACC and approval received prior to placing exterior finish materials or colors on the home. The Mock Up Panel (as illustrated in Figure 16 in Appendix D) must be a minimum of four (4) feet wide and eight (8) feet high, and constructed to show all exterior materials, finishes details and color selections. The Mock Up Panel must be enclosed on three (3) sides with the portable toilet being accessible from the open side. The builder must provide a minimum of seven (7) days prior notice to schedule the required Mock Up Panel Observation.

#### 4.2.9 LANDSCAPE DESIGN AND PLAN REVIEW SUBMITTAL

The Landscape Plan and Review Submittal, including the Irrigation Plan, must be submitted to the ACC for review and approval sixty (60) days prior to installation. All landscape plans must be prepared by a landscape architect and irrigator licensed in the State of Texas. The Landscape Plan must show all areas of planting. The Plan must indicated the footprint of all structures, site improvements, retaining wall, proposed grades, all remaining significant trees, all property lines, easements, the limits of the Building Envelope, Transition Area and Natural Area. Clearly locate all new plantings including the common name, size and spacing. Clearly identify all hardscaping including any borders or edging. Show all proposed fences, walls and screening materials. Indicate all exterior lighting including location, lamp type, shielding and

specifications. Provide the number of plantings required and the number of plantings provided. See Section 2.9 of the Site and Landscape Standards for additional provisions.

#### 4.2.10 FINAL CONSTRUCTION OBSERVATION

The Final Construction Observation must be scheduled by the builder with the ACC prior to allowing occupancy of the home. The builder must provide a minimum of seven (7) days' notice prior to scheduling the Final Construction Observation. All construction must be complete and all landscaping installed. The ACC will conduct a Final Construction Observation to determine if all improvements have been completed in accordance with the approved Final Design and Plan Review Submittal, these Design Guidelines and the Master Covenants. A Completion Certificate will be issued by the ACC upon approval of the Final Construction Observation. If the ACC determines that the construction was not performed in compliance with the approved Final Design and Plan Review Submittal, a Notice to Comply will be issued.

#### 4.2.11 CONSTRUCTION COMPLIANCE

Upon approval of the Final Construction Observation and all construction has been deemed to be in compliance, a Completion Certificate will be issued and the remaining Construction Compliance Deposit balance will be released.

#### 4.2.12 CONSTRUCTION COMPLIANCE DEPOSIT

A construction compliance deposit of \$5,000.00 is required of all new construction. A deposit of \$1,000.00 is required for additions or exterior renovations. Should damages occur, the deposit will be drawn down to repair the damage and an additional deposit to restore the Construction Compliance Deposit to its original amount will be required. The Construction Compliance Deposit must be paid no later than the Preliminary Design and Plan Review Submittal.

#### 4.2.13 DECISIONS OF THE ACC

The ACC has the authority to approve any deviations from these Design Guidelines. The ACC will not be liable to any party for any action or failure to act with respect to any matter, if such action or failure to act was in good faith and without malice.

#### 4.2.14 VARIANCES

The ACC has the authority to approve deviations from these Design Guidelines. Any request for a variation will be evaluated by the ACC. Only creative solutions to unique situations which demonstrate that it is consistent with the overall design objectives of The Peninsula will be considered. The solution must not adversely affect any adjoining properties or The Peninsula as a whole. Approval of any variation will not set a precedent for other applications for a similar variation. The ACC also reserves the right to waive any procedural steps outlined in these Design Guidelines.

## APPENDIX A

### GOVERNANCE, ADDITIONAL RESTRICTIONS AND AUTHORITY

As the ACC, the Declarant also has the authority under the Master Covenant to amend and modify these Design Guidelines, as well as the authority to impress alternate Design Guidelines on one or more Development Areas. All amendments to these Design Guidelines will be effective upon recordation in the Official Public Records of Travis County, Texas. Amendments shall not apply retroactively so as to require modification or removal of work already approved and completed or in progress. It is the responsibility of each Owner to ensure that he has the most current edition of the Design Guidelines and every amendment thereto.

In addition to the terms of the Master Covenant and applicable Design Guidelines, the Declarant may subject each Development Area to a "Development Area Declaration" which sets forth additional use and construction restrictions applicable to the Development Area. Each Development Area will also be subject to applicable rules and regulations adopted by the Community's property owners association, the Rough Hollow South Shore II Master Community, Inc. (the "Association"). The Master Covenant, together with the applicable Design Guidelines, Development Area Declaration and rules and regulations of the Association, are sometimes referred to herein as the "Master Restrictions." In the event of any conflict between these Design Guidelines, the Master Covenant or any Development Area Declaration, the Master Covenant and/or the applicable Development Area Declaration (in that order) shall control. Capitalized terms used in these Design Guidelines and not otherwise defined herein shall have the same meaning as set forth in the Master Covenant or any applicable Development Area Declaration.

### AMENDMENTS TO THE DESIGN GUIDELINES

The ACC may amend these Design Guidelines. All amendments shall become effective upon recordation in the Official Public Records of Travis County, Texas. Amendments shall not apply retroactively so as to require modification or removal of work already approved and completed or approved and in progress. It is the responsibility of each Owner to ensure that they have the most current edition of the Design Guidelines and every amendment thereto.

### INTERPRETATION

In the event of any conflict between these Design Guidelines and the Development Area Declaration, the Development Area Declaration shall control. Capitalized terms used in these Design Guidelines and not otherwise defined in this document shall have the same meaning as set forth in the Development Area Declaration.

### RESPONSIBILITY FOR COMPLIANCE

An applicant is responsible for ensuring that all of the applicant's representatives, including the applicant's architect, engineer, contractors, subcontractors, and their agents and employees, are aware of these Design Guidelines and all requirements imposed by the ACC as a condition of approval.

## APPENDIX B

---

### GOVERNING MUNICIPALITY INFORMATION—CITY OF LAKEWAY AND OTHER AGENCIES

The Owner shall apply for all applicable building permits from the City of Lakeway and any other applicable governing agencies after receiving Final Design approval from the ACC. The Owner may elect to submit plans to the required agencies prior to receiving final ACC approval, but the ACC will not be responsible for any revisions that may be required to City submitted plans as result of their review and approval. Any adjustments required by the City of Lakeway or other governing agencies to ACC-approved plans must be resubmitted to the ACC for review and approval prior to commencing construction. The issuance of any approvals by the ACC implies no corresponding compliance with the legally required demands of other agencies.

Ordinances and requirements imposed by the City of Lakeway are applicable to all Lots and Condominium Units within Rough Hollow South Shore II. It is the responsibility of each Owner to obtain all necessary permits and inspections. Compliance with these Design Guidelines is not a substitute for compliance with the City's ordinances and regulations. Please be advised that these Design Guidelines do not list or describe each requirement which may be applicable to a Lot within the community. Each Owner is advised to review all encumbrances affecting the use and improvement of their lot prior to submitting plans to the ACC for approval. Furthermore, approval by the ACC should not be construed by the Owner that any Improvement complies with the terms and provisions of all encumbrances which may affect the Owner's Lot. Certain encumbrances may benefit parties whose interests are not addressed by the ACC. Each Owner is further advised that as of the date of these Design Guidelines, the City of Lakeway requires that the Owner make application to the ACC for approval of all Improvements proposed to be located on a Lot prior to submitting plans for the Improvements to the City for approval. Each Owner is further advised that any approval granted by the ACC, or any notation on the plans signifying the ACC's approval, is conditional and no Improvements may be constructed on the Lot until the Owner has submitted to the ACC a copy of the plans and specifications approved by the City of Lakeway for such Improvements and the ACC has issued to the owner a "Notice to Proceed." In the event of a conflict between the plans and specifications approved by the ACC and the plans and specifications approved by the City, the ACC may require the Owner to resubmit the plans and specifications for re-approval by the ACC, may withdraw the approval previously granted to the Owner, or may require that the Owner apply to the ACC for a variance. Each Owner acknowledges that the City of Lakeway does not have the authority to modify the terms and provisions of these Design Guidelines. The City of Lakeway may change or modify the requirements and procedures applicable to the City's approval of plans and specifications for the construction of Improvements, and each Owner is advised to contact the City to obtain a current version of such requirements and procedures.

The ACC shall bear no responsibility for ensuring plans submitted to the ACC comply with any applicable building codes, zoning regulation and other government requirements.

## **APPENDIX C**

---

### **WAIVERS, WARRANTY AND LIABILITY**

The ACC recognizes that each Parcel has its own characteristics and that each Owner has their own individual needs and desires. For this reason, the ACC has the authority to approve deviations from any of the Design Guidelines or Regulations contained within this document. It should be understood, however, that any request to deviate from these Design Guidelines shall be evaluated at the sole discretion of the ACC, and that the approval of deviations will be limited to only the most creative design solutions to unique situations. Prior to the ACC approving any deviation from a Design Guideline, it must be demonstrated that the proposal is consistent with the overall objectives of these Design Guidelines and that the deviation shall not adversely affect adjoining Parcels or the Community of The Peninsula as a whole. Approval of any deviation from the Design Guidelines shall not set a precedent for other applicants to seek a similar deviation. The ACC also reserves the right to waive any of the procedural steps outlined in this Design Guideline document provided that the Owner demonstrates to the satisfaction of the ACC that there is good cause.

Neither the ACC, nor any member, employee nor agent shall be liable to any party for any action, or failure to act with respect to any matter if such action or failure to act was in good faith and without malice.

## APPENDIX D

### CONSTRUCTION GUIDELINES

These Construction Guidelines are intended to ensure that the natural environment is not damaged and that neighboring residents are not unduly disturbed during the construction process. The Owner and the Builder shall be bound by these guidelines.

#### COMPLIANCE DEPOSITS

The ACC will require Owners and Builders to sign a Compliance Deposit Agreement and make a \$5,000.00 deposit (to be held in non-interest bearing account) as security against any damages caused to the Association's Common Areas, streets or adjacent properties. The ACC may issue fines from this deposit for non-compliance to these guidelines and rules set forth within the Master Declaration and Development Area Declaration

Upon completion of the home as per the approved plans and specifications, (including landscape installation), a final site observation will be performed by the ACC. Provided that no damage to the Common Areas, curbs, streets or adjacent properties remain un-remedied, and that the home has been built in compliance with the Guidelines, the Compliance Deposit or any balance thereof will be returned to the Owner, and a Certificate of Compliance will be issued.

#### DURATION OF CONSTRUCTION

A residence shall be complete and available for occupancy on or before twenty-four (24) months after the start of construction. A time extension may be requested, however, the ACC reserves the right to deny such extensions.

#### CONSTRUCTION AREA

As a general rule, the Construction Area, must be located solely within the lot where the Homesite is being constructed, unless written approval is given by a neighboring lot Owner. Under no circumstance should the Construction Area (CA) encroach on the Natural Area of a Homesite. All construction activity is expected to stay within the CA and off of subdivision right-of-ways. The CA shall be shown on the Final Site Plan to be approved in the design review process.

A designated material storage area shall be indicated within the CA on the approved final plans. Material storage must occur within the Construction Area. All construction materials and equipment shall be neatly stacked, properly covered and secured. Any storage of materials or equipment shall be the owner's or Builder's responsibility and at their risk.

Owners and Builders may not disturb damage or trespass on other lots or adjacent property.

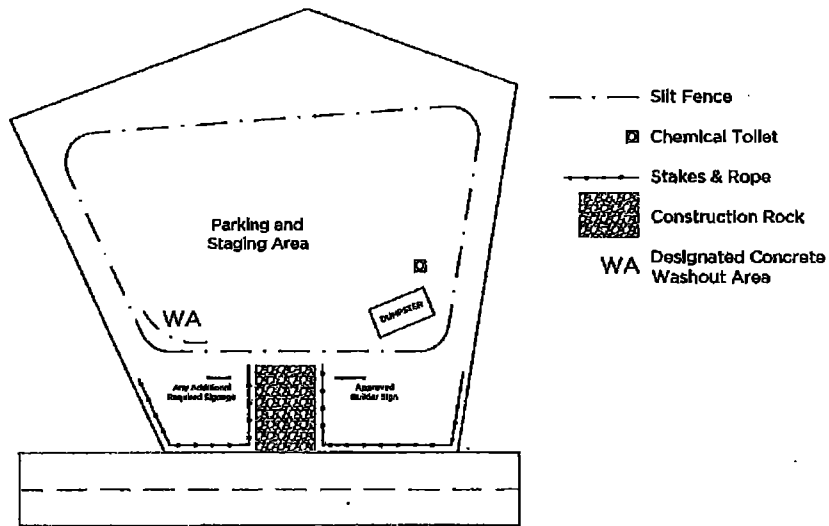


Figure 15–Construction Area

## ENVIRONMENTAL REQUIREMENTS

It is the responsibility of the Builder to install erosion control measures prior to the start of construction and to maintain them throughout the entire construction process.

Silt fencing installed to City of Lakeway standards is required to be properly installed and maintained to protect the low sides of all disturbed areas, where storm water will flow during construction. The purpose of the silt fence is to capture the sediment from the runoff and to permit filtered, clean water to exit the site. The Builder should anticipate that built-up sediment will need to be removed from the silt fence after heavy or successive rains, and that any breach in the fencing will need to be repaired or replaced immediately.

If for any reason the silt fence is to be temporarily removed, please contact a representative of the ACC prior to the removal.

## MOCK UP PANEL

The ACC requires all Builders to erect a sample board to be placed in the front of their Homesite displaying the exterior materials to be used on the home. The sample board will show the roof material, fascia, windows and masonry. The board must be erected prior to framing and will be reviewed by the ACC for final material approval. The sample board may only be removed at the end of the home construction, just before landscape installation. Sample Boards must be 3/4" thick, 4x8 plywood sheet and follow Figure 16 – Mock Up Panel.

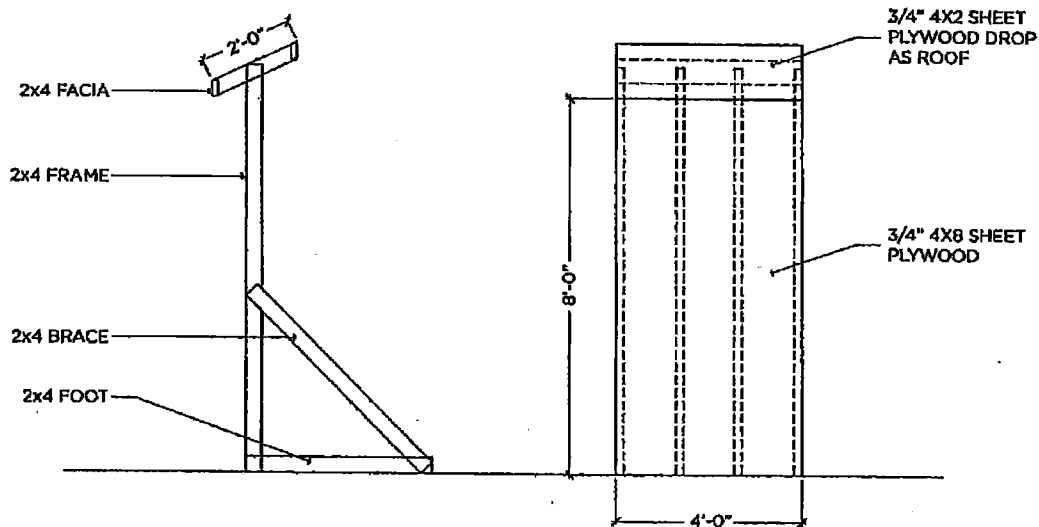


Figure 16 – Mock Up Panel Specs

## WORKING HOURS

Construction may take place only during the following hours: Monday through Friday from 7:30 A.M. until 6:00 P.M., and on Saturdays from 9:00 A.M. until 5:00 P.M.

There shall be no construction on Sundays or the following holidays: New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, or Christmas Day.

## SANITARY FACILITIES

A temporary sanitary facility (chemical toilet) shall be provided and maintained by the Builder at each residence for the use of the construction workers in accordance with applicable City of Lakeway requirements. These facilities shall be located only within the approved CA. No temporary sanitary facility door shall face the street or an adjoining Homesite.

## VEHICLE AND PARKING AREAS

Each construction site shall have one designated stone construction entry marked as required by the City of Lakeway. The purpose of the stone is to clean the tires of vehicles exiting the site, in order to limit the amount of mud and sediment that is brought on the street. The entry must be installed prior to any clearing or commencement of construction. The Builder should anticipate that heavy construction vehicles will crush and embed the stone during construction and that additional stone will be required in order to protect the integrity of the entry. It is recommended that water, or other methods, such as mulch, may be used to minimize dust outside the driveway and Construction Area.

## DEBRIS AND TRASH REMOVAL

During the construction period, each construction site shall be kept neat and shall be properly policed to prevent it from becoming an eyesore.

Owners and Builders shall provide a container for debris and shall clean up all trash and debris on the construction site on a daily basis. Trash and debris shall be removed from each construction site on a timely basis. Dust control shall be the responsibility of the Builder, including the vegetation as necessary, and the watering of disturbed areas to control dust.

Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site.

The dumping, burying or burning of trash is not permitted anywhere within the community.

It is imperative that, when moving heavy equipment around, precautions be taken to prevent damage to pavement, curbs, and vegetation. Any damage to such structures will be assessed against the Compliance Deposit paid by the Builder. Crawler tractors are not to be operated on paved or concrete surfaces.

Mud, dirt and other construction debris that is tracked off site shall be cleaned on a daily basis.

## NOISE AND GENERAL NUISANCES

The use of any portable music player (i.e. radio, CD player, MP3 player) must be restrained so as not to be heard on an adjoining lot or street.

Contractors and subcontractors may not bring dogs or other animals to construction sites.

Blasting is not allowed.

## INSURANCE

Builders shall furnish satisfactory proof of Builder's Risk Insurance to the ACC, along with general liability insurance that list Rough Hollow South Shore II Master Community, Inc., Rough Hollow Development, Ltd. as additional insured. Required proofs of insurance must be submitted prior to construction start. In addition, all construction related vehicles, including deliveries, must have valid insurance and be driven by a licensed motorist.

## SECURITY

The Builder is responsible for the security of the Construction Site at all times. Although security measures monitoring access to the Peninsula at Rough Hollow have been implemented, neither the ACC, the Association, nor Rough Hollow Development, Ltd. shall be responsible for the security of job sites during construction. If theft or vandalism occurs, the Builder should first contact the City of Lakeway Police Department and then notify a representative of the ACC.

## CONSTRUCTION SIGNAGE

All construction signage must follow the City of Lakeway requirements and must be located within the CA.

## SCHEDULE OF FINES

Periodic inspections by a representative of the ACC may take place in order to identify non-complying construction activities. A Compliance Deposit Agreement executed by the Builder, and payment by the Builder of the corresponding Compliance Deposit, must have been submitted prior to the time the Final Plan Review Application is submitted. If items identified as not complying with the regulations are not remedied in a timely manner (generally by the close of the second business day after the notification of the violation has been delivered), fines will be levied and deducted from the Compliance Deposit. In the event that fines exceed the Compliance Deposit, and fines remain unpaid by the Builder or Owner, the ACC reserves the right to file a lien against the subject property.

Listed below is the schedule of fines which may be assessed.

### SCHEDULE OF FINES

Premature Clearing	\$500
Construction Without Architectural Reviewer Approval	\$500
Inadequate Construction Entry	\$250
Inadequate/Removed Silt Fence	\$250
Inadequate/Removed Construction Fence	\$250
Excessive Mud/Debris on Street	\$250 plus \$50/day
Excessive Construction Debris	\$250 plus \$50/day
No Dumpster Provided	\$150 plus \$50/day
No Chemical Toilet Provided	\$150 plus \$25/day
Encroachment on Buffers	\$500 plus tree replacement
Encroachment on Adjacent Properties	\$500 plus cost of repair
Damage to Streets, Curbs, Infrastructure	\$500 minimum
Miscellaneous Violation of Construction Rules	To be determined

## APPENDIX E

### APPROVED PLANT LIST

The following list of plants is composed of selected native and adaptive plant material suitable for plant material in the community. This list is recommended but is not all-inclusive. All plants selected for installation must be approved by the Architectural Reviewer.

#### CANOPY TREES

<u>Scientific Name:</u>	<u>Common Name:</u>
<i>Acer grandidentatum</i>	Bigtooth Maple
<i>Carya illinoensis</i>	Pecan
<i>Fraxinus texensis</i>	Texas Ash
<i>Juglans microcarpa</i>	Texas Black Walnut
<i>Platanus occidentalis glabrata</i>	Sycamore, Mexican
<i>Quercus muhlenbergii</i>	Oak, Chinquapin
<i>Quercus laceyi</i>	Lacey Oak
<i>Quercus shumardii</i>	Shumard Oak
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus crassifolia</i>	Cedar Elm

#### ORNAMENTAL TREES

<u>Scientific Name:</u>	<u>Common Name:</u>
<i>Aesculus pavia</i>	Red Buckeye
<i>Cercis canadensis texana</i>	Texas Redbud
<i>Chilopsis linearis</i>	Desert Willow
<i>Diospyros texana</i>	Texas Persimmon
<i>Ilex decidua</i>	Possumhaw Holly
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Parkinsonia aculeata</i>	Palo Verde
<i>Prunus mexicana</i>	Mexican Plum
<i>Prunus caroliniana</i>	Carolina Laurel Cherry
<i>Rhamnus Caroliniana</i>	Carolina Buckthorn
<i>Sophora secundiflora</i>	Texas Mountain Laurel
<i>Ungnadia speciosa</i>	Mexican Buckeye
<i>Vitex agnus-castus</i>	Lilac Chaste Tree

#### SHRUBS

<u>Scientific Name:</u>	<u>Common Name:</u>
<i>Abelia grandiflora</i>	Glossy Abelia
<i>Agave americana</i>	Agave/Century Plant
<i>Anisacanthus wrightii</i>	Flame Acanthus

<i>Callicarpa americana</i>	American Beauty Berry
<i>Cotoneaster horizontalis</i>	Cotoneaster
<i>Dasyilirion texanum</i>	Texas Sotol
<i>Eysenhardtia texana</i>	Texas Kidneywood
<i>Forestiera pubescens</i>	Texas Elbow Bush
<i>Garrya ovata</i>	Silk Tassel, Mexican
<i>Hesperaloe parviflora</i>	Red Yucca
<i>Ilex vomitoria</i>	Yaupon Holly
<i>Ilex vomitoria</i> "Nana"	Dwarf Yaupon
<i>Lantana horrida</i>	Texas Lantana
<i>Leucophyllum frutescens</i>	Texas Sage
<i>Mahonia trifoliolata</i>	Agarita
<i>Myrica cerifera</i>	Wax Myrtle
<i>Rhus aromatica</i>	Fragrant Sumac
<i>Rhus virens</i>	Evergreen Sumac
<i>Rosmarinus officinalis</i>	Rosemary
<i>Sabal texana</i>	Texas Sabal Palm
<i>Sophora affinis</i>	Eve's Necklace
<i>Symphoricarpos</i>	Coralberry
<i>Orbiculatus</i>	Rusty Blackhaw
<i>Viburnum rufidulum</i>	Viburnum
<i>Yucca pallida</i>	Pale Leaf Yucca

#### GROUNDCOVERS

##### Scientific Name:

*Achillea millefolium*  
*Aquilegia canadensis*  
*Liriope muscari*  
*Lonicera sempervirens*  
*Nolina texana*  
*Ophiopogon japonicus*  
*Pavonia lasiopetala*  
*Poliomentha longiflora*  
*Rosmarinus officinalis* "prostratus"  
*Salvia farinacea*  
*Salvia greggii*  
*Salvia romeriana*  
*Santolina chamaecyparissus*  
*Tradescantia* spp.

##### Common Name:

Yarrow  
 Columbine, Red  
 Liripoe  
 Coral Honeysuckle  
 Bear grass or Basket Grass  
 Monkey Grass  
 Pavonia  
 Mexican Oregano  
 Trailing Rosemary  
 Blue Sage  
 Cherry Sage  
 Cedar Sage  
 Santolina Lavender Cotton  
 Spiderwort

#### GRASSES

##### Scientific Name:

*Andropogon gerardii*  
*Andropogon Scoparius*  
*Buchloe dactyloides*  
*Cynodon* spp.  
*Muhlenbergia lindheimeri*  
*Panicum virgatum*  
*Stenotaphrum secundatum*  
*Zoysia* spp.

##### Common Name:

Big Bluestem  
 Little Bluestem  
 Buffalo Grass  
 Bermuda Grass  
 Big Muhly  
 Switchgrass  
 St. Augustine Grass  
 Zoysia Grass

## VINES

### Scientific Name:

Bignonia capreolata  
Campsis radicans  
Gelsemium Sempervirens  
Lonicera sepervirens  
Parthenocissus quinquefolia

### Common Name:

Crossvine  
Trumpet Creeper  
Carolina Yellow Jasmine  
Coral Honeysuckle  
Virginia Creeper

## APPENDIX F

---

### PROHIBITED PLANTS

Scientific Name:

Common Name:

Photonia glabra  
Nerium Oleander  
Melia azedarach  
Nandina Domesitca  
Ligustrum japonicum  
Lonicera japonica  
Ailanthus altissima

Red Tip Photinia  
Oleander  
Chinaberry  
Nandina  
Ligustrum  
Japanese Honeysuckle  
Tree of Heaven  
Invasive Bamboo  
Japanese Yew

## APPENDIX G

### SCHEDULE OF REVIEW FEES AND DEPOSITS

#### DESIGN & PLAN REVIEW

Compliance Deposit	\$ \$5,000.00	Refundable
Plan Review Fee <i>(includes 1 meeting; each additional meeting, if needed, will be \$500.00)</i>	\$2,500.00	Non-refundable
Road Use Fee	\$500.00	Non-refundable

#### LANDSCAPE PLAN REVIEW

Compliance Deposit	\$1,000.00	Refundable
Plan Review Fee	\$100.00	Non-refundable

#### POOL PLAN

Compliance Deposit	\$1,000.00	Refundable
Review Fee	\$100.00	Non-refundable
Road Use Fee	\$500.00	Non-Refundable

#### MINOR MODIFICATION PLAN

*(IF OVER \$10,000 VALUE)*

Compliance Deposit	\$1,000.00	Refundable
Review Fee	\$100.00	Non-refundable
Road Use Fee	\$500.00	

#### FENCE PLAN

Compliance Deposit	\$1,000.00	Refundable
Review Fee	\$100.00	Non-refundable

\*Please note that the Compliance Deposit is to insure complete compliance with those plans approved by the ACC. All Compliance Deposits will be refunded upon Final Review by the ACC.

\*\*Each fee or deposit should be made payable to Rough Hollow HOA. Deposit and fee should be issued on separate checks. Please attach checks with your application and deliver to the Association office at the following address:

Rough Hollow HOA  
c/o First Service Residential  
7 Lakeway Centre Ct., Suite 200  
Lakeway, TX 78734  
512.266.6771 office  
512.266.6791 fax  
[Mary.Martinez@fsresidential.com](mailto:Mary.Martinez@fsresidential.com)

## APPENDIX H

### HEIGHT RESTRICTION EXHIBIT

#### LAKEWAY HIGHLANDS PHASE 1 SECTION 8A

Homesite	Legal Description	Max. Front Building Height (Feet)
1	Lot 1, Block A	32
2	Lot 2, Block A	± 26
3	Lot 50, Block B	32
4	Lot 51, Block C	32
5	Lot 52, Block C	± 24
6	Lot 53, Block C	± 24
7	Lot 54, Block C	± 26
8	Lot 55, Block C	± 27
9	Lot 56, Block C	± 27
10	Lot 57, Block C	32
11	Lot 58, Block C	± 32
12	Lot 59, Block C	± 29
13	Lot 60, Block C	± 29
14	Lot 61, Block C	32
15	Lot 62, Block C	32
16	Lot 63, Block C	32
17	Lot 64, Block C	32
18	Lot 65, Block C	32
19	Lot 66, Block C	32
20	Lot 67, Block C	32

## APPENDIX I

---

### DEFINITIONS

***Accessory Structure***

Any structure detached from the main Residence a minimum of ten (10') feet.

***Architect***

A person licensed or certified to practice architecture in the State of Texas.

***Association***

See definition contained in the CC&R's.

***Board***

See definition contained in the CC&R's.

***Builder***

A person or entity engaged by an Owner for the purpose of constructing any Improvement. The Builder and Owner may be the same person or entity. However, if the Owner elects to act as Builder, a superintendent must be designated who will be on the job site and accessible at all times during construction.

***Building Coverage***

The total area of a Lot covered by building(s). Measured from outside of all exterior walls at ground level, it includes all exterior stairways, covered parking, covered terraces, "outdoor rooms" and walkway areas. It does not include roof overhangs, uncovered walkways, terrace or pool/spa areas or above-grade decks.

***Building Envelope***

The Building Envelope is defined as the portion of the Lot where most man-made Improvements must take place.

***Common Areas***

See definition contained in the CC&R's.

***Community***

All the property, and anything else that is part of the specific areas owned by private Lot Owners, Homeowners Association, and Common Areas within the boundary of The Peninsula at Rough Hollow.

***Compliance Deposit***

The cash deposit that is required to be delivered to the ACC prior to commencing Construction Activity. This deposit must be accompanied by a signed Compliance Deposit Agreement.

***Construction Activity***

Any site disturbance, clearing, construction, addition, alteration of any building, landscaping or any other Improvement on any Construction Site.

***Construction Area***

The Construction Area (CA) refers to the temporary, physical improvements to the lot required during construction including construction fencing, silt fencing, stabilized construction entrance roll-off dumpster and chemical toilet.

***Construction Site***

A site upon which Construction Activity takes place.

***Construction Vehicle***

Any car, truck, tractor, trailer or other vehicle used to perform any part of a Construction Activity or to transport equipment, supplies or workers to a Construction Site.

***Declarant***

See definition contained in the CC&R's.

***Architectural Control Committee (ACC)***

The ACC appointed by the Declarant as provided in the CC&R's to review and either approve or disapprove proposals and / or plans and specifications for the construction, exterior additions, landscaping, or changes and alterations to structures or landscape elements within the Peninsula at Rough Hollow.

***Design Guidelines***

The architectural, design and construction regulations, restrictions and review procedures adopted and enforced by the ACC as set forth in this document and as amended from time to time by the ACC.

***Excavation***

Any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation), including any trenching that results in the removal of earth, rock or other substance from a depth of more than twelve (12") inches below the existing surface of the land or any grading of the surface.

***Fill***

Any addition of earth, rock or other materials to the surface of the land, which increases the existing elevation of such surface.

***Final Plat***

The recorded final Subdivision map or Parcel map for any portion of the Peninsula at Rough Hollow.

***Floor Area***

The sum of all heated and air conditioned spaces of a building defined by the horizontal surfaces (floors) measured from the outside of all exterior or structural walls as defined by the current building code.

***Homeowner***

See definition for Owner.

***Improvements***

See Definition contained in the CC&R's.

***Landscape Architect***

A person licensed to practice landscape architecture in the State of Texas.

***Lot***

See definition contained in the CC&R's.

***Lot Diagram***

The term Lot Diagram shall refer to the individual site plan for each Homesite provided to the Owner by the ACC at the commencement of the Design Review Process. Each Homesite's Lot Diagram specifies setbacks, Building Height and any special restrictions pertinent to the Homesite development, together with any additional factors that the ACC may consider to be pertinent.

***Natural Area***

The Natural Area is that portion of the Lot defined in an individual Lot Diagram within the Transition Area. It consist of native Hill Country vegetation and terrain, undisturbed by man-made impervious improvements. Not all lots contain a Natural Area. No lawns of any kind will be allowed in a Natural Area. No trees can be removed or pruned from a Natural Area without approval of the ACC

***Neighborhood***

All of the property, and anything else that is part of the specific areas owned by private Lot Owners, Homeowners Association, and Common Areas.

***Owner***

See definition contained in the CC&R's.

***Residence***

See definition contained in the CC&R's.

***Story***

That portion of any building (including garage) included between the surface of any floor and the surface of the floor above it, or if there is no floor above, then the space between the floor and the ceiling directly above it. Any portion of a Story exceeding twenty (24') feet in height shall be considered as an additional Story for each eighteen (18') feet or fraction thereof. If the finished floor level directly above a basement or cellar is more than six (6') feet above grade, such basement or cellar shall be considered a Story.

***Transition Area***

The Transition Area is that portion of the Lot Diagram outside of the Building Envelope.

## **APPENDIX J**

---

### **DESIGN REVIEW APPLICATION FORMS**

- J-1 BUILDER / DESIGN PROFESSIONAL VERIFICATION FORM
- J-2 PRE-DESIGN SITE MEETING – REQUEST FORM
- J-2A PRE-DESIGN SITE MEETING – PROJECT SCOPE FORM
- J-3 SCHEMATIC DESIGN REVIEW MEETING – APPLICATION
- J-4 PRELIMINARY DESIGN & PLAN REVIEW SUBMITTAL FORM
- J-5 FINAL DESIGN & PLAN REVIEW SUBMITTAL FORM
- J-6 LANDSCAPE DESIGN & PLAN REVIEW FORM
- J-7 COMPLIANCE DEPOSIT AGREEMENT



**BUILDER / DESIGN PROFESSIONAL VERIFICATION**

Company Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Application Completed by (name): \_\_\_\_\_  
 Corporation: \_\_\_\_\_ Partnership: \_\_\_\_\_ Sole Proprietorship: \_\_\_\_\_  
 Principal(s): \_\_\_\_\_

Number of years the company has been in business: \_\_\_\_\_  
 Number of years the company has conducted business in Austin: \_\_\_\_\_  
 Number of full-time staff: \_\_\_\_\_  
 We construct homes in the range of (sq. ft.): \_\_\_\_\_  
 We construct homes in the range of (value): \_\_\_\_\_

Please complete the following table to indicate the number of houses started by the company that were speculative versus custom for the timeframe shown below.

Year	Number of Speculative Homes	Number of Custom Homes	Total Homes
YTD			

We have built/are building in the following greater Austin area neighborhoods:

Neighborhood	Developer	Contact Person	Phone #

Do you work in other markets (i.e., outside Austin)? No: \_\_\_\_\_ Yes (please list): \_\_\_\_\_

Market	Neighborhood	Developer	Contact Person	Phone #

Please check all applicable sources of design for the homes the company would construct at The Peninsula:

- In-house architect/designer.
- Local area architect/designer.
- In-state architect/designer.
- Custom design provided by homebuyer.
- Stock plans provided by homebuyer.
- Stock plans selected in-house, modified by architect/designer.
- Plans built previously in other communities.

Please describe the primary architectural styles of homes you have been constructing in the last 2-3 years:

---



---



---

**Marketing:**

Please attach a current company brochure, information on your website and other appropriate marketing collateral relating to the company.

**References:**

We are seeking references relating to the company's performance from customers, financial institutions, major material suppliers and real estate professionals with whom you have conducted business. You may attach additional references if you wish to do so, for example, a letter from a custom or Realtor.

PROFESSIONAL REFERENCES				
Category	Company Name	Contact Person	Phone Number	
Financial Institution				
Real Estate Broker				
Suppliers/Subs:				
Concrete				
HVAC				
Electrical				
Plumbing				
Lumber/Bldg. Materials				
Construction Engineer				
Construction Engineer				
Construction Attorney				
CUSTOMER REFERENCES / LAST 3				
Address	Name	Year Built	Approx. Sq. Ft.	Phone Number

# THE PENINSULA

## PRE-DESIGN SITE MEETING REQUEST FORM

<b>Submittal Date:</b> _____	<b>Date Received:</b> _____
<b>Legal Description:</b> _____	<b>Applicant:</b> _____
<b>Home site Address:</b> _____	<b>Scheduled Date &amp; Time:</b> _____

<b>Homeowner Name:</b> _____	<b>Architect:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>Phone (home):</b> _____	<b>Phone (office):</b> _____
<b>Phone (cell):</b> _____	<b>Phone (cell):</b> _____
<b>Email Address:</b> _____	<b>Email Address:</b> _____

<b>Builder Name:</b> _____	<b>Landscaper Architect Name:</b> _____
<b>Address:</b> _____	<b>Address:</b> _____
<b>Phone (office):</b> _____	<b>Phone (office):</b> _____
<b>Phone (cell):</b> _____	<b>Phone (cell):</b> _____
<b>Email Address:</b> _____	<b>Email Address:</b> _____

This informal meeting is intended to offer guidance and education prior to the often expensive design process. The owner and architect should discuss any questions about these Design Guidelines and discuss or present ideas about the proposed residence. Pictures or drawings of a house that is similar in character to the proposed residence would be helpful, but will not be required.

The Owner and their design team should review the most current edition of the Design Guidelines, and CC&R's for Rough Hollow South Shore II and The Peninsula (Lakeway Highlands Phase 1, Section 8), and the individual Home site / Lot Diagram prior to this Pre-Design Conference. The project team should prepare for an informal discussion regarding the project components, Owner's intentions, and initial project concept and style.

The purpose of this Pre-Design Conference is for the ACC to answer any questions the Owners and their design team may have and to offer guidance on the following:

- Site specific characteristics and restrictions shown on the Lot Diagram;
- Optimal locations for buildings and site improvements as illustrated on the Lot Diagram;
- Additional survey information requirements;
- Preliminary building and site development program concepts and requirements;
- The requirements, fees and schedule of the Design Review Process.

**Applicant's Signature:** \_\_\_\_\_

*Disclaimer: The ACC makes no claims, guarantees, or warranties related to the health, safety and welfare of the public or any occupant or inhabitant of any private dwelling or other built structure. It is the owner's responsibility to verify all requirements related to compliance with any local jurisdictional code requirements. Neither the Rough Hollow South Shore II or The Peninsula ACC, nor the Developer or its parent company, or any of their directors, officers, committee members, owners, employees or agents bear any responsibility for ensuring: (i) the structural integrity or soundness of any construction; (ii) the compliance with building codes or other governmental requirements; or (iii) that any structure is fit for its intended purpose. The content of this report is understood to be an expression of professional opinion by the ACC, as such, it consists of neither a guarantee nor a warranty expressed or implied.*

v 1.0



# THE PENINSULA

## SCHEMATIC DESIGN REVIEW MEETING - APPLICATION

Date: \_\_\_\_\_ Homeowner: \_\_\_\_\_  
 Block / Lot: \_\_\_\_\_ Builder: \_\_\_\_\_  
 Homesite #: \_\_\_\_\_ Architect: \_\_\_\_\_  
 Landscape Architect: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_

In addition to a sketch example of desired home design, the following must be included with this request form:

**Site Analysis Plan (Required)**

<u>Yes</u>	<u>No</u>	<u>N/A</u>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$2,500 Design Review Fee (Payable to Rough Hollow HOA)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tree and Topographic Survey
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Orientation of proposed residence
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Desirable view corridors
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Significant vegetation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rock outcroppings
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utility, drainage and water quality easements
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Setbacks
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	North Arrow
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location of adjacent residences (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Special topographic features (such as knolls, drainage ways or slopes exceeding 15%)

v.1.0

THE PENINSULA  
AT ROUGH HOLLOW  
LAKESIDE LIVING ABOVE ALL ELSE

**PRELIMINARY DESIGN & PLAN REVIEW SUBMITTAL FORM**

**DELIVER TO:**

ROUGH HOLLOW SOUTH SHORE II ARCHITECTURAL REVIEWER FOR THE PENINSULA  
C/O SOUTHWEST MANAGEMENT SERVICES  
7 LAKEWAY CENTRE COURT, SUITE 200  
LAKWAY, TX 78734  
ACC@SOUTHWESTMANAGEMENT.NET  
(O) 512.266.6771

**LAKWAY HIGHLANDS, PHASE 1, SECTION 8**

SUBMITTAL DATE	_____
LEGAL DESCRIPTION	BLOCK _____ LOT _____
HOMESITE NO.	_____
STREET ADDRESS	_____
HOMEOWNER	_____
HOMEBUILDER	_____
ARCHITECT	_____

**NOTES:**

1. SUBMITTED PLANS WILL NOT BE REVIEWED WITHOUT THE REQUIRED APPLICATION FEE OF \$2,500.00. *(If not already paid with schematic design submittal)*
2. INCOMPLETE SUBMITTALS AND PLANS WILL BE RETURNED FOR COMPLETION PRIOR TO INCLUSION ON THE ACC AGENDA. PLEASE FULLY COMPLETE THIS FORM PRIOR TO SUBMITTING TO ENSURE YOUR PLAN AND SUBMITTAL PACKAGE IS COMPLETE.

*I have read and will comply with The Peninsula Design Guidelines and the Rough Hollow South Shore II Master Covenants concerning construction activities.*

\_\_\_\_\_  
Signature and Printed Name of Signatory

\_\_\_\_\_  
Date

THE PRELIMINARY DESIGN AND PLAN REVIEW SUBMITTAL MUST INCLUDE THE FOLLOWING ITEMS AND INFORMATION:

**DESIGN AND PLAN REVIEW FEE**

DESIGN AND PLAN REVIEW FEE OF \$2,500.00; PAYABLE TO ROUGH HOLLOW HOA.

THIS FEE COVERS THE PRE-DESIGN SITE MEETING, SCHEMATIC DESIGN REVIEW SUBMITTAL, PRELIMINARY & FINAL DESIGN & PLAN REVIEWS, AND THE LANDSCAPE DESIGN AND PLAN REVIEW SUBMITTAL. IF ADDITIONAL REVIEWS ARE NEEDED, ADDITIONAL FEES MAY BE CHARGED.

**FLOOR AREA RATIO:**

Lot area: \_\_\_\_\_ sf      Envelope area: \_\_\_\_\_ sf

Roof pitch: \_\_\_\_\_

(Per the Design Guidelines, the total square footage of the second floor of any residence shall not exceed 50% of the heated/air conditioned space of the first floor.)

_____	Heated/Air Conditioned area of first floor
_____	Attached Non heated/air conditioned area of first floor
_____	<b>Total 1<sup>st</sup> floor area</b>
_____	Heated/Air Conditioned area of second floor
_____	Attached Non heated/air conditioned area of second floor
_____	<b>Total 2<sup>nd</sup> floor area</b>
_____	Total Heated/Air Conditioned area all levels
_____	Total Attached Non Heated/Air Conditioned area all levels
_____	<b>Total floor area (all levels)</b>

Number of enclosed parking spaces: \_\_\_\_\_

Number of guest parking spaces: \_\_\_\_\_

Total parking spaces: \_\_\_\_\_

Maximum slope of driveway %: \_\_\_\_\_

Height of tallest proposed building: \_\_\_\_\_

Building coverage %: \_\_\_\_\_

Amount of proposed irrigated area %: \_\_\_\_\_

<b>BUILDING MATERIALS</b>	<b>TYPE OF MATERIAL</b>	<b>SPECIFICATION, COLOR, DESCRIPTION</b>	<b>SAMPLE IMAGE</b>
Main Roof Pitch:			<input type="checkbox"/>
Secondary Roof Pitch:			<input type="checkbox"/>
Primary Wall Material:			<input type="checkbox"/>
Retaining Wall Material:			<input type="checkbox"/>
Other Wall Material:			<input type="checkbox"/>
Fascia, Eave:			<input type="checkbox"/>
Gutters and Downspouts:			<input type="checkbox"/>
Window Exterior:			<input type="checkbox"/>
Window Trim:			<input type="checkbox"/>
Exterior Doors:			<input type="checkbox"/>
Garage Doors:			<input type="checkbox"/>
Door Trim:			<input type="checkbox"/>
Hand Rails or Guard Rails:			<input type="checkbox"/>
Chimney Caps:			<input type="checkbox"/>
Paving Materials for Driveways:			<input type="checkbox"/>
Paving Materials for Walkways:			<input type="checkbox"/>
Paving Materials for Patios:			<input type="checkbox"/>

**RETAINING WALLS & UNDERPINNING**

Please specify height, materials and general design (batter, pattern of stone, etc.). Provide material specification and color for underpinning. Include a Retaining Wall detail at Final Design Review.

---



---



---



---

**Cut & Fill Quantities**

- > Cubic Yards of Cut: \_\_\_\_\_
- > Cubic Yards of Fill: \_\_\_\_\_

**PRELIMINARY PLAN AND DESIGN REVIEW APPLICATION CHECKLIST:**

	SUBMITTED	COMPLETE	INCOMPLETE
1. DESIGN REVIEW APPLICATION FORM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. LOCATION MAP ✓ Show location of lot within The Peninsula	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. PARCEL SURVEY (SCALE 1" = 20' MINIMUM) ✓ Prepared by a licensed surveyor illustrating property boundaries, area of the property, all easements of record, utilities, 100 year flood plain, one-foot contours, North arrow, and any significant natural features such as existing trees, rock outcroppings, or any significant drainage areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. PRELIMINARY SITE PLAN (SCALE 1"=20' MINIMUM): ✓ Show existing topography and proposed grading and drainage (one-foot contour interval), existing off-site elements (buildings, walls, etc.) within twenty feet of the property boundary, building footprint with finished floor grades, setbacks, view corridors, Building Envelope and other zones as indicated on the Lot Diagram, existing trees to be retained and/or removed, driveway, parking area, turnarounds, drainage, fences/walls, roofs, patios, decks, pools and any other site amenities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. PRELIMINARY FLOOR AND ROOF PLANS (SCALE 1/8" = 1' MIN.) ✓ Show all proposed uses and spaces, proposed walls, doors and window locations, equipment locations, and location of mechanical and electrical systems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. PRELIMINARY ELEVATIONS (SCALE: 1/8"=1'0" MINIMUM): ✓ Show roof heights, existing and finish grades, building heights and notation of exterior materials. Two sets of elevations, one set should be rendered in color.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. SITE SECTIONS (SCALE: 1"=20' MINIMUM) ✓ Show proposed buildings, building heights, elevations and existing and finished grades in relation to surrounding site, including adjacent Residences and Roads as may be required by the ACC.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	SUBMITTED	COMPLETE	INCOMPLETE
<p>8. CONCEPTUAL LANDSCAPE PLAN (SCALE: 1"=20' MINIMUM):</p> <ul style="list-style-type: none"> <li>✓ Show irrigated areas, areas of planting, turf areas, preliminary plant list, Building Envelope and other zones as indicated on the Lot Diagram, existing trees to be retained and/or removed, water features, pools, patios, decks, and any other significant design elements. This may be combined with the Site Plan.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>9. GRADING, DRAINAGE &amp; EROSION CONTROL PLANS (SCALE 1"=20' MINIMUM):</p> <ul style="list-style-type: none"> <li>✓ Show existing and proposed grading at one (1') foot contour intervals, drainage elements and erosion control methods including silt fencing and driveway base rock. Include twenty (20') feet beyond Homeowner's property line.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>10. TREE PROTECTION AND REMOVAL PLAN (SCALE: 1"=20' MINIMUM)</p> <ul style="list-style-type: none"> <li>✓ Show species identification, trunk center point for each tree over six (6") inches when measured forty-eight (48") inches above the natural grade, the outline of drip-lines for each tree over six (6") inches when measured forty-eight (48") inches above the natural grade, existing and known proposed utilities, retaining walls and grade changes, barriers of either a temporary or permanent nature, surface and subsurface drainage systems, access points for construction traffic, proposed locations of tree protection fencing, and identification of trees proposed for removal.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>11. MATERIAL SAMPLE BOARD (8 1/2 X 11 OR 11 X 17 BOARD):</p> <ul style="list-style-type: none"> <li>✓ Roof material and color</li> <li>✓ Wall material and color</li> <li>✓ Exterior trim materials and color</li> <li>✓ Stone / rock materials</li> <li>✓ Window / Door materials and color</li> <li>✓ Fence / wall materials and color</li> <li>✓ Paving materials and color</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



THE  
**PENINSULA**  
AT ROUGH HOLLOW  
LAKESIDE LIVING ABOVE ALL ELSE

**FINAL DESIGN & PLAN REVIEW SUBMITTAL FORM**

**DELIVER TO:**

ROUGH HOLLOW SOUTH SHORE II ARCHITECTURAL REVIEWER FOR THE PENINSULA  
C/O SOUTHWEST MANAGEMENT SERVICES  
7 LAKEWAY CENTRE COURT, SUITE 200  
LAKWAY, TX 78734  
ACC@SOUTHWESTMANAGEMENT.NET  
(O) 512.266.6771

**LAKWAY HIGHLANDS, PHASE 1, SECTION 8**

SUBMITTAL DATE	_____
LEGAL DESCRIPTION	BLOCK _____ LOT _____
HOMESITE NO.	_____
STREET ADDRESS	_____
HOMEOWNER	_____
HOMEBUILDER	_____
ARCHITECT	_____

**NOTES:**

1. SUBMITTED PLANS WILL NOT BE REVIEWED WITHOUT THE REQUIRED APPLICATION FEE OF \$2,500.00. *(If not already paid with schematic design submittal)*
2. INCOMPLETE SUBMITTALS AND PLANS WILL BE RETURNED FOR COMPLETION PRIOR TO INCLUSION ON THE ACC AGENDA. PLEASE FULLY COMPLETE THIS FORM PRIOR TO SUBMITTING TO ENSURE YOUR PLAN AND SUBMITTAL PACKAGE IS COMPLETE.

*I have read and will comply with The Peninsula Design Guidelines and the Rough Hollow South Shore II Master Covenants concerning construction activities.*

\_\_\_\_\_  
Signature and Printed Name of Signatory

\_\_\_\_\_  
Date

THE PRELIMINARY DESIGN AND PLAN REVIEW SUBMITTAL MUST INCLUDE THE FOLLOWING ITEMS AND INFORMATION:

**DESIGN AND PLAN REVIEW FEE**

- DESIGN AND PLAN REVIEW FEE OF \$2,500.00; PAYABLE TO ROUGH HOLLOW HOA

THIS FEE COVERS THE PRE-DESIGN SITE CONFERENCE, SCHEMATIC DESIGN REVIEW SUBMITTAL, PRELIMINARY & FINAL DESIGN & PLAN REVIEWS, AND THE LANDSCAPE DESIGN AND PLAN REVIEW SUBMITTAL. IF ADDITIONAL REVIEWS ARE NEEDED, ADDITIONAL FEES MAY BE CHARGED.

**FLOOR AREA RATIO:**

Lot area: \_\_\_\_\_ sf

Envelope area: \_\_\_\_\_ sf

Roof pitch: \_\_\_\_\_

(Per the Design Guidelines, the total square footage of the second floor of any residence shall not exceed 50% of the heated/air conditioned space of the first floor.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Heated/Air Conditioned area of first floor  
Attached Non heated/air conditioned area of first floor  
**Total 1<sup>st</sup> floor area**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Heated/Air Conditioned area of second floor  
Attached Non heated/air conditioned area of second floor  
**Total 2<sup>nd</sup> floor area**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Heated/Air Conditioned area all levels  
Total Attached Non Heated/Air Conditioned area all levels  
**Total floor area (all levels)**

Number of enclosed parking spaces:

Number of guest parking spaces:

Total parking spaces:

Maximum slope of driveway %:

Height of tallest proposed building:

Building coverage %:

Amount of proposed irrigated area %:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BUILDING MATERIALS	TYPE OF MATERIAL	SPECIFICATION, COLOR, DESCRIPTION	SAMPLE IMAGE
Main Roof Pitch:			<input type="checkbox"/>
Secondary Roof Pitch:			<input type="checkbox"/>
Primary Wall Material:			<input type="checkbox"/>
Retaining Wall Material:			<input type="checkbox"/>
Other Wall Material:			<input type="checkbox"/>
Fascia, Eave:			<input type="checkbox"/>
Gutters and Downspouts:			<input type="checkbox"/>
Window Exterior:			<input type="checkbox"/>
Window Trim:			<input type="checkbox"/>
Interior Doors:			<input type="checkbox"/>
Garage Doors:			<input type="checkbox"/>
Door Trim:			<input type="checkbox"/>
Hand Rails or Guard Rails:			<input type="checkbox"/>
Vents and Flues:			<input type="checkbox"/>
Flashing Material (s)			<input type="checkbox"/>
Chimney Cap Enclosures:			<input type="checkbox"/>
Trash Enclosures:			<input type="checkbox"/>
Sky Lights:			<input type="checkbox"/>
Shutters:			<input type="checkbox"/>
Driveway Finish:			<input type="checkbox"/>
Hardscape Material (s)			<input type="checkbox"/>

**SCHEMATIC LANDSCAPE PLAN**

Please describe the Planting Concept for your project. (Add additional pages if necessary.)

---



---



---



---



---

## FINAL DESIGN AND PLAN REVIEW APPLICATION CHECKLIST:

	SUBMITTED	COMPLETE	INCOMPLETE
1. FINAL DESIGN REVIEW APPLICATION FORM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. SITE PLAN (SCALE 1"=20' MINIMUM):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
✓ Show existing topography and proposed grading and drainage (one-foot contour interval), existing off-site elements (buildings, walls, etc.) within twenty feet of the property boundary, building footprint with finished floor grades, Building Envelope and other zones as indicated on the Lot Diagram, existing trees to be retained and/or removed, driveway, parking area, turnarounds, drainage, fences/walls, roofs, patios, decks, utility connections and pad locations, pools and any other site amenities. Site plan should include twenty (20) feet beyond Homeowner's property line in order to depict relationship to adjacent Lots and Common Areas.			
3. GRADING, DRAINAGE & EROSION CONTROL PLANS (SCALE 1"=20' MINIMUM):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
✓ Show existing and proposed grading at one (1') foot contour intervals, drainage elements and erosion control methods including silt fencing and driveway base rock. Include twenty (20') feet beyond Homeowner's property line in order to depict relationship to adjacent Lots and Common Areas.			
4. FLOOR AND ROOF PLAN (SCALE 1/4"=1'0" MINIMUM)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
✓ Indicate all room dimensions, door and window locations and sizes, location of mechanical and electrical systems and fire sprinkler and monitoring systems. Indicate the location and type of all exterior lighting fixtures, proposed fireplaces, and kitchen appliances. Provide floor plans of all Accessory Structures.			

	SUBMITTED	COMPLETE	INCOMPLETE
<b>5. ELEVATIONS</b> ✓ Illustrate the exterior appearance of all views labeled in accordance with the site plan. Indicate the highest ridge of the roof, the elevation of each floor, and existing and finished grades for each elevation. Describe all exterior materials, colors and finishes (walls, roof, trims, vents, windows, doors, exterior hardware schedule, etc.) and locate all exterior lighting fixtures, and provide an exterior lighting schedule with cut sheets. Indicate proposed Building Height. Provide one set of colored elevations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6. SECTIONS (SCALE: 1"=20' MINIMUM)</b> ✓ Indicate building walls, floors, interior relationships, finished exterior grades and any other information to clearly describe the interior / exterior relationships of the building, the exterior details of the house, and the building's relationship to the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>7. LANDSCAPE PLANS (SCALE: 1/8"= 1'0" MINIMUM)</b> ✓ Include a planting plan, existing trees to be retained and/or removed, layout plan, irrigation plan, lighting plan, lighting schedule and cut sheets, and any site details including retaining wall, landscape structures, pools, patios, fences and/or gates. Call out all hardscape materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>8. MATERIAL SAMPLE BOARD (11" X 17" BOARDS):</b> ✓ Roof material and color ✓ Wall materials and colors ✓ Exterior trim material and color ✓ Window material and color ✓ Exterior door material and color ✓ Stone / rock materials ✓ Window / Door materials and color ✓ Fence / wall materials and color ✓ Exterior rails and paving materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. CONSTRUCTION SCHEDULE</b> ✓ Include start and completion dates for both building and landscape construction. All construction shall be started within one year of Final Design approval and shall be completed within 18 months from start of construction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



THE PENINSULA

LANDSCAPE DESIGN & PLAN REVIEW APPLICATION

Date:	_____
Homeowner's Name:	_____
Homebuilder:	_____
Architect:	_____
Landscape Architect:	_____
Applicant's Signature:	_____

Plans must be prepared on a copy of the previously approved site plan. The ACC will require one (1) plan for review.

SITE PLAN:

- | <b>Yes</b>               | <b>No</b>                |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1" = 10' Scale   |
| <input type="checkbox"/> | <input type="checkbox"/> | Site dimensions  |
| <input type="checkbox"/> | <input type="checkbox"/> | Existing contours  |
| <input type="checkbox"/> | <input type="checkbox"/> | Trees to remain  |
| <input type="checkbox"/> | <input type="checkbox"/> | Trees to be removed and location of replacement trees, if required |
| <input type="checkbox"/> | <input type="checkbox"/> | Fence or wall location, materials, height and color                |
| <input type="checkbox"/> | <input type="checkbox"/> | Easements  |
| <input type="checkbox"/> | <input type="checkbox"/> | House and accessory structures                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | Drives, parking area and walks                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | Location of HVAC units, structural screening and landscaping       |
| <input type="checkbox"/> | <input type="checkbox"/> | Screening of utility boxes / transformers                          |
| <input type="checkbox"/> | <input type="checkbox"/> | Location of pool equipment, structural screening and landscaping   |
| <input type="checkbox"/> | <input type="checkbox"/> | Types of trees noted   |
| <input type="checkbox"/> | <input type="checkbox"/> | Locations of all proposed plantings                                |
| <input type="checkbox"/> | <input type="checkbox"/> | Plant legend indicating species, quantities and sizes              |

v1.0

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <b>Yes</b>               | <b>No</b>                |  |
| <input type="checkbox"/> | <input type="checkbox"/> | Lighting plan  |
| <input type="checkbox"/> | <input type="checkbox"/> | Sculpture and/or foundation locations and elevations |

**FOR ARCHITECTURAL CONTROL COMMITTEE USE ONLY:**

<input type="checkbox"/> Approved as submitted <input type="checkbox"/> Returned for additional information <input type="checkbox"/> Approved with comments <input type="checkbox"/> Denied
Comments: _____
Review Date: _____ Approval Date: _____

	Botanical Name	Common Name	Quantity	Size
1. Proposed Trees				
2. Proposed Shrubs				

v.1.0

	Botanical Name	Common Name	Quantity	Size
3. Proposed Groundcovers				
4. Proposed Sod				
5. Proposed Seed				
6. Proposed Edging				
7. Proposed Irrigation				
Amount of Irrigated Area:				
Type of Irrigation:				
8. Erosion Control Measures:				

v1.0

	Botanical Name	Common Name	Quantity	Size
9. Other Landscape Features (Specify height, materials, colores, etc. Include additional pages if necessary):				
	Gates:			
	Fences:			
	Pools / Ponds / Water Features:			
	Other:			

10. Retaining Walls (Specify height, materials, and design (batter, stone pattern, etc.) Include Retaining Wall detail in Final Design Review Submittal package.

---



---

11. Paving Materials:

Driveway: \_\_\_\_\_

Walkways: \_\_\_\_\_

Pattios: \_\_\_\_\_

12. Cut & Fill:

Cubic Yards of Cut: \_\_\_\_\_

Cubic Yards of Fill: \_\_\_\_\_

13. Exterior Signage (Submit details and specifications if applicable)

---



---

14. Site Lighting (Note lighting locations on lighting plan and submit specifications if applicable)

---



---

**THE**  
**PENINSULA**  
 AT ROUGH HOLLOW  
LAKEVIEW LIVING ABOVE ALL ELSE

**COMPLIANCE DEPOSIT AGREEMENT**

In compliance with the rules adopted by the Rough Hollow South Shore II Master Community, Inc. (the "Association") and the Rough Hollow South Shore II Architectural Reviewer (the "Architectural Reviewer"), \_\_\_\_\_ (the "Builder") does hereby deposit with **ROUGH HOLLOW DEVELOPMENT, LTD.**, a Texas limited partnership ("Declarant"), the sum of \$5,000.00 (hereinafter called the "Compliance Deposit") and agrees to the following terms and conditions.

1. The Compliance Deposit shall be held as security against
  - violation of erosion control or construction rules;
  - unapproved clearing of buffers; or
  - any damage caused to the Association's Common Areas, streets, or any Owners' Lots, and all improvements, structures, landscaping and personal property attached hereto or located thereon; which damage is caused by the acts and/or omissions of the Builder, his general contractor and/or any employee, agent or subcontractor of the Builder or general contractor in connection with the construction of improvements on each Lot for which the Builder is engaged.
  
2. Upon the occurrence of any such damage, the Declarant from time to time, and without prejudice to any other remedy, may use the Compliance Deposit to the extent necessary to repair such damage or pay to the injured party the cost of such damage. It is expressly understood that the use of any or all of the Compliance Deposit shall not be considered a measure of the damage nor release the Builder from paying additional amount if the total damage exceeds \$5,000.00.
  
3. If the Declarant uses any portion of the Compliance Deposit as described above, written notification will be mailed to Builder at the address indicated below. Withdrawal of money from the Compliance Deposit shall occur no sooner than ten (10) days after written notification has been provided to the Builder.
  
4. The Declarant shall not be liable to the Builder or to any other person for any loss, damage, or injury arising out of the payment or nonpayment of the Compliance Deposit funds unless such loss, damage, or injury is due to the willful misconduct or bad faith of the Declarant.
  
5. During construction, it is the responsibility of builders and owners to carry the necessary hazard and liability insurance. Builder must provide a Certificate of Liability Insurance naming

Rough Hollow Development, Ltd. and Rough Hollow South Shore II Master Community, Inc. as additional insureds.

6. Upon completion of the construction of all homesites for which the Builder has been engaged as per the approved plans and specification for each such homesite, and a final inspection by the Architectural Reviewer of each such homesite satisfactorily indicating that no damage as set forth in paragraph 1 above remains unremedied, the Compliance Deposit or any balance upon the Compliance Deposit shall be returned to the Builder.

7. No interest shall be payable upon the Compliance Deposit.

8. By signature below, the Declarant acknowledges receipt of the \$5,000.00 Compliance Deposit.

Executed on the \_\_\_\_ Day of \_\_\_\_\_, 20\_\_

**BUILDER:**

Homesite Address: \_\_\_\_\_

Section: Lakeway Highlands Phase 1 Section 8 Lot \_\_\_\_\_ Block \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**DECLARANT:**

**ROUGH HOLLOW DEVELOPMENT, LTD.,**  
a Texas limited partnership

By: JHLV GP, Inc., a Texas corporation,  
its general partner

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





**FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS**

*Dana DeBeauvoir*

**DANA DEBEAUVOIR, COUNTY CLERK  
TRAVIS COUNTY, TEXAS**

**October 19 2016 07:58 AM**

**FEE: \$ 418.00 2016174466**



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS



*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

Aug 09, 2021 01:00 PM Fee: \$38.00

2021176445

\*Electronically Recorded\*

AFTER RECORDING RETURN TO:

JAE Law Group, PLLC  
1717 West 6<sup>th</sup> Street  
Suite 262  
Austin, Texas 78703

**SECOND OMNIBUS AMENDMENT TO DESIGN GUIDELINES  
FOR  
ROUGH HOLLOW SOUTH SHORE II**

03-OTS4 CB/BK

Cross reference to that certain Rough Hollow South Shore II Master Covenant, recorded as Document No. 2009056508, Official Public Records of Travis County, Texas, as amended; and the Design Guidelines, as defined below.

----- Page -----

**SECOND OMNIBUS AMENDMENT TO DESIGN GUIDELINES  
FOR ROUGH HOLLOW SOUTH SHORE II**

This Second Omnibus Amendment to Design Guidelines for Rough Hollow South Shore II (this "Omnibus Amendment") is made by RH Lakeway Development, Ltd., a Texas limited partnership ("Declarant"), acting in its capacity as the Architectural Reviewer, and is as follows:

**RECITALS:**

**A.** Declarant's predecessor-in-interest previously executed that certain Rough Hollow South Shore II Master Covenant, recorded as Document No. 2009056508, Official Public Records of Travis County, Texas, as amended (collectively, the "Master Covenant").

**B.** Declarant, acting in its capacity as the Architectural Reviewer pursuant to *Section 6.06(b)* of the Master Covenant, previously adopted the following, all as recorded in the Official Public Records of Travis County, Texas and collectively, as amended, referred to as the "Design Guidelines": (i) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Sections 1 and 2], Amended and Restated Design Guidelines, recorded as Document No. 2010154511; (ii) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Section 3], Design Guidelines, recorded as Document No. 2011114534; (iii) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Section 4], Design Guidelines, recorded as Document No. 2011112123; (iv) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Section 5], Design Guidelines, recorded as Document No. 2013030300; (v) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Section 6], Design Guidelines, recorded as Document No. 2013030902; (vi) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Sections 7A & 7B], Design Guidelines, recorded as Document No. 2013030904; (vii) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Sections 8A, 8B, 8C & 8D], Amended and Restated Design Guidelines, recorded as Document No. 2016174466; (viii) Rough Hollow South Shore II [Lakeway Highlands Phase 1, Sections 8A, 8B, 8C & 8D], First Amendment to Amended and Restated Design Guidelines, recorded as Document No. 2017153514; (ix) Rough Hollow South Shore II [Supplement to Amended and Restated Design Guidelines for Westside Landing at Rough Hollow, a Condominium], recorded as Document No. 2018033511; (x) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 1A & 1B], Design Guidelines, recorded as Document No. 2014086918; (xi) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 2A], Design Guidelines, recorded as Document No. 2014087218; (xii) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 2B], Design Guidelines, recorded as Document No. 2014085491; (xiii) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 3], Design Guidelines, recorded as Document No. 2014086902; (xiv) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 4], Design Guidelines, recorded as Document No. 2015195740; (xv) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 4], First Amendment to Design Guidelines, recorded as Document No. 2019090110; (xvi) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 5], Design Guidelines, recorded as Document No. 2019011084; (xvii) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 5], First Amendment to Design Guidelines, recorded as Document No. 2019090111; (xviii) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 6], Design Guidelines, recorded as

Document No. 2018189062; (xix) Rough Hollow South Shore II [Lakeway Highlands Phase 2, Sections 6], First Amendment to Design Guidelines, recorded as Document No. 2019090112; (xx) Rough Hollow South Shore II [Lakeway Highlands Phase 3, Sections 1], Design Guidelines, recorded as Document No. 2019089752; (xxi) Rough Hollow South Shore II [Lakeway Highlands Phase 3, Sections 2], Design Guidelines, recorded as Document No. 2016188249; (xxii) Rough Hollow South Shore II [Lakeway Highlands Phase 3, Sections 3], Design Guidelines, recorded as Document No. 2019169127; (xxiii) Rough Hollow South Shore II [Lakeway Highlands Phase 3, Sections 4], Design Guidelines, recorded as Document No. 2020082992; (xxiv) Rough Hollow South Shore II [Lakeway Highlands Phase 3, Sections 5 and 6A], Design Guidelines, recorded as Document No. 2021077457; (xxv) Rough Hollow South Shore II [Lakeway Highlands Phase 3, Section 6B], Design Guidelines, recorded as Document No. 2020234830; and (xxvi) Omnibus Amendment to Design Guidelines for Rough Hollow South Shore II, recorded as Document No. 2020234600.

C. Pursuant to *Section 6.06(b)* of the Master Covenant, the Architectural Reviewer has the power, from time to time, to adopt, amend, modify, or supplement the Design Guidelines.

D. Pursuant to *Section 6.03(a)* of the Master Covenant, Declarant or its designee shall serve as the Architectural Reviewer during the Development Period. The Development Period is still in effect.

E. Declarant, acting as the Architectural Reviewer, now desires to amend the Design Guidelines as set forth herein.

**NOW, THEREFORE**, the Design Guidelines are hereby amended as follows:

1. **Metal Chimney Caps.** Notwithstanding any provision in the Design Guidelines to the contrary, including but not limited to any provision prohibiting metal chimney caps or restricting the permitted materials for chimneys, metal chimney caps shall be permitted.

2. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Master Covenant. Unless expressly amended by this Omnibus Amendment, all other terms and provisions of the Design Guidelines remain in full force and effect as written and are hereby ratified and confirmed.

**[SIGNATURE PAGE FOLLOWS]**

Executed on this 16<sup>th</sup> day of August, 2021.

**DECLARANT:**

**RH LAKEWAY DEVELOPMENT, LTD.,**  
a Texas limited partnership

By: **RH Lakeway Development GP, LLC,**  
a Texas limited liability company,  
General Partner

By: WAL  
William Hayes, Assistant Vice President

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

This instrument was acknowledged before me on the 16<sup>th</sup> day of August, 2021, by William Hayes, Assistant Vice President of RH Lakeway Development GP, LLC, a Texas limited liability company, general partner of RH Lakeway Development, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

[seal]

Kristin Deloney  
Notary Public, State of Texas

