

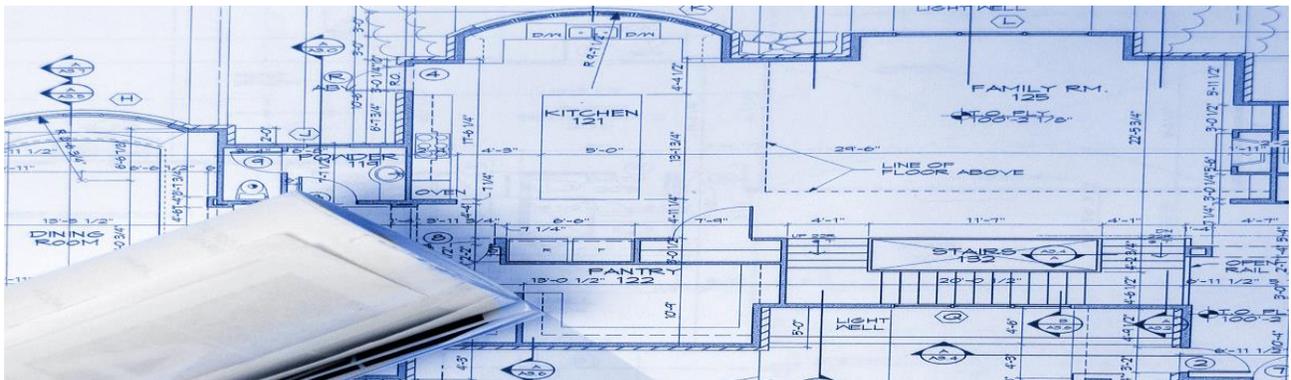
NH-  
ACC:

**GRAND HARBOR  
PROPERTY OWNERS ASSOCIATION  
MONTGOMERY, TEXAS**

**NEW HOME CONSTRUCTION  
APPLICATION**

Managed Under the Cognizance of:

**ARCHITECTURAL CONTROL COMMITTEE**



INSTRUCTIONS, REQUIREMENTS AND FORMS FOR NEW HOME CONSTRUCTION

**December 25, 2017**

Prior Dated Versions are Obsolete

APPLICANT: Submit Only This Cover Page and Signed/Initialed Pages 6 Through Page 13 + Affidavits. Retain All Others.



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**GRAND HARBOR ON LAKE CONROE  
NEW HOME CONSTRUCTION  
OFFICIAL ARCHITECTURAL CONTROL COMMITTEE APPLICATION**

**PART I. NEW HOME CONSTRUCTION - APPLICATION DOCUMENTATION**

All new home construction in the Grand Harbor (GH) subdivision begins with submittal of a Property Owners Association (POA) Architectural Control Committee (ACC) "New Home Construction Application. The completed application puts forth a large collection of construction-related information and data assembled by the Applicant(s) following the instructions in this booklet. This material serves as physical evidence that all essential construction tasks, processes and procedures, once completed, will meet the requirements and satisfy the guidelines promulgated herein by the GH POA ACC. The submitted Application effectively becomes a contract by virtue of the vested parties signing the document and subsequent POA/ACC approval; in essence, the Owner/Builder pledging their finished "As-Built" home will adequately represent the "As-Designed" configuration contained in the approved Application package.

In addition to new homes, this application document shall also be used for construction of significant outbuildings (larger than 400 Sq. Ft.) or for major modification/addition to an existing home when the construction must match the outside facade. In each case, the size and complexity of the construction's plan will determine the applicant information and data that must be supplied. Contact the GH POA for assistance in ensuring this Application document is correct for the intended construction.

It is important that Applicants know certain Grand Harbor requirements imposed on new homes construction originate in other document. To make this Application manual more effective, each cited document will either have pertinent information lifted and incorporated from the source document or the source material will be a whole document callout, with the document available by request to: [acc@grandharborpoa.com](mailto:acc@grandharborpoa.com) or directly available at <http://www.grandharborpoa.com/3/miscellaneous6.htm>.

**PART II. APPLICATION PREPARATION AND ACC INCREMENTAL REVIEWS**

In accordance with GH Deed Restrictions, the ACC must process and disposition an Application within sixty (60) calendar days of its submittal and acceptance. Incomplete Application submittals will invariably delay eventual construction start dates because the 60-day processing interval resets after each deficiency is corrected.

The following is a recap of the typical sequence of events in the New Home Construction life-cycle from the POA/ACC perspective:

**a) Application Preparation and Submittal**

The Property Owner and/or the Builder generate the Application according to ACC Instructions, complete the document checklist and sign and date the Signature sheet and initial all others where indicated.

**b) Initial Application Screening**

After formal submittal, the GH POA/ACC Staff screens the received Application and supplemental documents (e.g., Site/Plot Plan) to ensure the Applicant has provided all Submittal Checklist elements. Builder's qualifications are examined at this time. This Initial screening will be within a seven (7) calendar day window, after which the Applicant is notified of the Application status. Partial/Incomplete Applications are not accepted for any reason.



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**c) Pre-Construction Review**

With successful content screening, the sixty (60) day clock start; the ACC then reviews the complete application package in detail to determine if all proposed project work is within subdivision "Deed Restriction" and architectural control "Construction Requirements," as well as determining if additional explanatory documents are required.

**d) Pre-Construction Committee Disposition**

At the end of the Pre-Construction Review, the Application is declared adequate or not by Committee members with written notification given to the Applicant, either allowing construction to proceed or rejection for cause. In most cases, ACC rejection allows for revision and resubmittal into the review cycle. Rejection ends the approval cycle and any correction or modification restarts the 60 day review clock.

**Refer to PART III, Special Note f), if any disagreement on the Application reaches a serious Applicant-to-ACC impasse.**

**e) Soils Report and Foundation Plan Review**

If not accompanying the Application, no later than 10 days after Application submittal, a Site-specific Soil Report and Engineered Foundation Plan must be delivered to the ACC. Failure to do so will cause a Stop-Work Order to be issued.

**f) Drainage Plan Review**

The delivered Drainage Plan will be thoroughly examined during the Initial Review. The requirements for effective lot drainage that must be addressed are contained in the later requirements PART XII. The committee will either approve or disapprove the plan and may, at their discretion, employ the services of a Civil Engineer, licensed in the State of Texas, to review the drainage plan and advise them on its acceptability. The Builder will be notified of this pending action so that the cost of engineering services will be acknowledged as the property owner's responsibility before it is incurred.

**g) Form Survey Approval**

Early within the construction interval, applicants must provide a form survey (*prepared by a registered surveyor*) for review, depicting foundation forms on the lot at least three (3) business days PRIOR TO POURING any foundation material. Failure to supply the Form Survey for ACC review/acceptance will cause a Stop Work Order (SWO) to be issued. Preceding either without the Form Survey's submittal/approval step or ignoring the SWO shall result in up-to-complete deposit forfeiture and possible short-to-lengthy suspension of future new home constructions.

**h) Final Review**

Prior to the issuance of an Occupancy Certification Certificate, the Architectural Control Committee will review all aspects of the property and its suitability for Occupancy. Verification that the project is within the Deed Restrictions and Construction Guideline & Requirements will be made. Recordkeeping will be examined to ensure a permanent record of the full application and construction will remain in POA files.

**i) Occupancy Certification**

At the completion of the Final Review, a certificate will be issued attesting to the completeness and adequacy of the construction, solely for the GH POA purposes, i.e., from the ACC perspective, the completed home is ready for occupancy. The Certificate does not provide any guarantees about the constructed facility's ability to attain or provide its intended habitation purposes.



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**j) Refund Request**

Once the Certificate has been issued, the Applicant’s Refund Request can be submitted for prompt payment. Refund Request Form available on-line or by request.

**PART III. SPECIAL NOTES**

a) The GH POA and ACC have no obligation and are not legally liable in approving any improvement or modification to any improvement, from the standpoint of inhabitant safety, adequacy of intended function whether structural or otherwise, or overall improvement conformance to established building codes or other governmental laws or regulations.

b) Applicants are strongly encouraged to engage the services of professional tradesmen or qualified inspectors to validate the design & actual fabrication of the improvement (*or its functional parts*) during the course of construction and at completion. A qualified Inspector is an independent third-party Licensed Architect, minimal Registered Structural Engineer, or Building Inspector certified by the “International Conference of Building Officials” or the “Southern Building Code Congress International.”

c) **The constructed home should not be occupied before to the issuance of the Occupancy Certificate.** When a home is sold prior to this certification being granted, the Buyer will be notified of the deficiency before closing, not to stop the sale, but to fully inform the Buyer that the property is not complete and possibly not meeting GH POA standards and requirements.

d) Applicants should be aware that the Builder of record must be credentialed by the ACC. For those Builders working in Grand Harbor for the first time, credentials and references will be examined during the Initial Review period, in accordance with the GH “Builder Qualification Policy” available on-line or by request.

e) **The Construction Requirements in this Application are derived from various Sections in the Grand Harbor Conditions, Covenants and Restrictions (CCR) document. The Applicant(s) are urged to carefully study the contents of the CCRs cited here by Article, Section and Title to ensure Applicant compliance with the purpose/objective of each CCR, Stipulation, Construction Requirement and ancillary Document in this booklet.**

**TABLE 1: DECLARATION OF CONDITIONS, COVENANTS & RESTRICTIONS OF GH Articles II, III & IV**

CCR II Section 6. Easements	CCR II Section 7. Utility Easements
CCR III Section 3. Architectural Control	CCR III Section 15. Views to and from Lake Conroe
CCR III Section 4. Dwelling Size	CCR III Section 16. Walls, Fences and Hedges
CCR III Section 5. Type: Construct’n, Materials, Landscaping	CCR III Section 17. Mailboxes
CCR III Section 6. Building Location	CCR III Section 18. Utilities
CCR III Section 7. Slab Requirements	CCR III Section 20. Lot/Yard Maintenance
CCR III Section 8. Special Restrictions For Interior Lots	CCR III Section 24. Solar Panels
CCR III Section 10. Temporary Structure	CCR III Section 26. Drainage
CCR III Section 13. Storage, Disposal of Garbage and Refuse	CCR III Section 27. Curb/Driveway Maintenance
CCR III Section 14. Electric Distribution System	CCR III Section 28. Driveways
CCR IV Section 4. Minimum Construction Standards	

“Grand Harbor Conditions, Covenants and Restrictions” available on-line or by request.

f) If an Application is “Rejected with Prejudice” (i.e., for irreconcilable circumstances) by the ACC, the cause for disapproval can be appealed to the Grand Harbor Board of Directors. In finding for or against the Applicant/Complainant, decisions by the GHPOA Board of Directors are indisputably final. The appeal process can be used only once for any issue.



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g) Email or other Applicant-chosen form of communication will be used over the course of construction for speed and convenience. However, official POA/ACC approvals, POA Board appeal process and results or waiver/deviation granted to the implementation of this Application are official ONLY when conveyed via POA letter signed and dated by either ACC Chairman, POA Manager or President, GH POA.

h) For waterfront construction sites, the rearward location of the house should not compromise the water view of immediate adjacent properties. Location of the building pad will be determined by the ACC and further verified through a "Constructed Rear Build-line" procedure that takes into account how the site pad's location may affect adjacent neighbors' views.

i) One Builder's Business Sign, in compliance with the GH Sign Policy/Procedure, will be allowed. Subcontractor signs will be removed without notice and held for Owner/Builder retrieval.

j) Within the Occupancy Certification is the need for minimal landscaping. The POA "Landscape Plan and Installation Policy" should be utilized in the later phase of construction for completing the task. It is available on-line or by request.

k) The scope of the ACC, in covering construction/repair/modification affairs of the GH POA, is very wide-ranging. As such, the following ACC Applications/Instructions documents are available to more closely match the construction being contemplated by the GH Property Owners and Builders.

- NEW HOME CONSTRUCTION APPLICATION
- BOAT DOCK & BULKHEADING CONSTRUCTION APPLICATION (Includes the essential area of Boat Canopy Construction & Installation)
- OTHER CONSTRUCTION APPLICATION (Includes everything not in NHC or BD&B)

The three Applications along with the applicable/reference documents specifically called out in this Application are available by request to: [acc@grandharborpoa.com](mailto:acc@grandharborpoa.com) or directly available at: <http://www.grandharborpoa.com/3/miscellaneous6.htm>.

**APPLICANT: Please Submit Only the Cover Page and Signed/Initialed Pages 6 Through Page 13 + Completed Affidavits. Retain All Other Application Pages for Reference. Don't forget the Plans and other material called for in Part VII, "Contents Checklist."**



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**PART IV. APPLICANT  
GRAND HARBOR NEW HOME CONSTRUCTION**

Property Owner Information		
<b>Property Owner:</b>	<i>For ACC</i>	<i>Application #</i> <b>NH-</b>
<b>Construction Address:</b>		<i>Legal ID Section: Block: Lot:</i>
<b>Billing Address:</b>		
<b>Owners Phone #(s):</b>		
<b>Owner's Email:</b>		
<p><i>The ACC Committee and POA Staff will use email for application status and general communications. Indicate if you prefer another method of communication    NO <input type="checkbox"/> YES <input type="checkbox"/> How?</i></p>		

Contractor/Builder Information
<b>Builder Name:</b>
<b>Builder Address:</b>
<b>Builder/Construction Manager Business &amp; Cell Phones Fax:</b>
<b>Builder's Email:</b>
<p><i>The ACC Committee and POA Staff will use email for application status and general communications. Indicate if you prefer another method of communication    NO <input type="checkbox"/> YES <input type="checkbox"/> How?</i></p>

To avoid miscommunication, the Owner(s) and/or Builder (hereafter referred together as "Applicants" and identified above) shall be the sole points-of-contact to the ACC in all official matters pertaining to the construction. ACC points-of-contact shall be ACC Chairperson and One (1) Designee; written or verbal correspondence with all other ACC Committee affiliates is unofficial.

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\_\_\_\_\_  
Owner #1

\_\_\_\_\_  
Owner #2

\_\_\_\_\_  
Builder



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NH-

**PART V. APPLICATION SUBMITTAL**

*“The undersigned Owner(s) and/or Builder hereby request Grand Harbor Architectural Control Committee’s (ACC) approval to construct a new home, as well as any other ancillary improvement, in accordance with the Plans, Drawings, Specifications and Miscellaneous Documents submitted with this Application.”*

Property Owner #1	Date
Property Owner #2	Date
Builder	Date

*The Grand Harbor Community Welcomes You*

**PART VI. APPLICANT CONSTRUCTION STIPULATIONS**

**Applicants agree to the following stipulations without reservations or deviation:**

- a) Applicants have read and understand all specific PART III, TABLE 1 referenced GH “Declaration of Covenants, Conditions and Restrictions of Grand Harbor” (CCR - also commonly referred to as “the Deed Restrictions”) and the herein attached “Construction Requirements” (CR) applicable to the above described property and state that the improvements will be made in compliance with such CCR and CR.
- b) Applicants understand and agree that, after ACC approval of this Application as it is presented, if the agreements or representations contained therein are not correct and complied with, the Applicant’s authorization to construct the improvements is subject to suspension or revocation, along with full or partial forfeiture of monetary deposits.
- c) Applicants shall provide a copy of a Montgomery County Building Permit and a copy of the permit from the San Jacinto River Authority (SJRA) authorizing the design of the aerobic system to be installed.
- d) Applicants shall not begin clearing the building site or start any construction other than culvert installation until ACC Pre-construction Review is completed and official notification via approval letter is received. Culvert installation shall be in compliance with the ACC culvert requirements in a later PART

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Owner #2

Builder



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e) Applicants shall ensure all Subcontractors, Architects, Engineers, Special-purpose Staff, etc., have had access to the PART III, Table 1 CCR callouts, along with attached Regulations, Specifications & Standards prior to the initiation of construction. Applicants understand the POA/ACC will NOT approve any variance due to owner, builder or subcontractor neglect or mistakes, architect design, or survey mistakes, or inattention to the details associated with invoked CCRs and Requirements.

f) Applicants (Owners) represent that, to the best of their knowledge, they are GH POA members in good standing at the time of application submittal, i.e., they are not in arrears in the payment of annual maintenance dues, and currently do not have open or unresolved CCR violation action(s) against any Grand Harbor property to which they hold title or have significant vested interests. If there are any charges, fees, or fines outstanding, they shall be paid in full prior to the ACC completing the Application review process.

g) Applicants acknowledge responsibility for any damage to the roadway immediate to the construction site when caused by construction activities. Failure by the Builder to adequately repair a damaged local roadway will result in forfeiture of deposits listed in this application to the level of GH POA estimated repair costs. Pre-construction roadway photos will be on file for reference.

h) Applicants understand construction of a residence shall conform to the version of the International Residential Code (IRC) that is applicable in the City of Conroe. As of August 1, 2014, the applicable code is **IRC 2009**.

i) Applicant use of the "Neighbor Affidavit" (attached) shall be considered whenever any detail of the construction process could become a contentious or augmentative point with immediate neighbors. The use of the form is self-explanatory.

J) Once POA/ACC approval of the Application is given, the Builder shall complete all construction activity within twelve (12) months, including minimal post-construction landscaping. Timely completion is necessary for preparation of the GH POA/ACC Occupancy Certificate and to avoid the visual blight of stagnant construction.

**When overall construction time exceeds one full year, a fine will be assessed and invoiced that quickly increases with each extra month. Beginning at five hundred dollars (\$500) for the first full month delay, i.e., 13<sup>th</sup> month, the fine total then rises. The following table provides fine totals for their respective construction over-runs.**

End of Month	Monthly Schedule	Total Fine withheld from Builder's Refund
12	\$0	\$0
13	\$500	\$500
14	\$750	\$1,250
15	\$1,000	\$2,250
16	\$1,250	\$3,500
17	\$1,500	\$5,000

k) First time Builders shall furnish proof that they can financially see the construction to conclusion by providing either a "Bond for Construction Completion" or a letter from the Applicant's mortgage company validating the available loan amount.

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Owner #1

\_\_\_\_\_  
Owner #2

\_\_\_\_\_  
Builder



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## ART VII. NEW HOME CONSTRUCTION APPLICATION: CONTENTS CHECKLIST

Applicant Include Not Inc.	Owner	ACC Acceptable			
	Property Address	YES	NO		
<input type="checkbox"/>	<input type="checkbox"/>	<b>APPLICATION</b> (All Signatures & Initials Included & No Outstanding Dues/Fees)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>COMPLETE HOME PLANS</b> (Including Mailbox Drawing or Photo)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>SITE/PLOT PLAN</b> (At least 18X24 Certified Site/Plot plan to scale (will accept a unsigned site plan when submitted with a signed survey) Structures Location & dimensions with build lines and utility/drainage easements.		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>MINIMUM FINISHED Sq Ft:</b> 1st Floor _____ 2nd Floor _____ Total _____		<input type="checkbox"/>	<input type="checkbox"/>
		<i>GH Section 1-8 &amp; HS</i> One Story: 2,000 Sq. Ft. Two Story: 2,150 Sq. Ft. (1st Floor =>1450 Sq. Ft.)	<i>GH Section 9 &amp; Up</i> One Story: 2,500 Two Story: 2,750 (1st Floor =>1,750 Sq. Ft.)	<i>GH Section 13</i> One Story: 2,800 Two Story: 3,000 (1st Floor =>1,900 Sq. Ft.)	<i>(All Calculations are Section specific)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<b>SAMPLES</b> (Paint color, samples of stone, brick & roof shingles - Provide Pictures)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>CALCULATED MASONRY:</b> _____ %		<input type="checkbox"/>	<input type="checkbox"/>
		Calculate % of masonry (brick, stone, stucco) VS non-masonry (wood, hardy plank) Section 13=100% masonry & tile roof; section 15=90%; all others 80%.			
<input type="checkbox"/>	<input type="checkbox"/>	<b>LANDSCAPING PLAN</b> (Front & Side Yards – Use Policy for guidance)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>SEPTIC PLAN &amp; PERMIT</b>		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>DRAINAGE PLAN</b>		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>CULVERTS</b> Size: _____ inch dia. x 16ft L (Safety Slopes Req'd in Sec 2-4 & HS) (ACC Sized and Located?)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>REPORTS and SURVEYS</b> as called out in PART XI. Surveys and Reports, Item h.		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>ENGINEERED FOUNDATION PLAN</b> (Signed)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>BUILDING PERMIT</b> (Building Permit from Montgomery County (or City of Conroe, if applicable)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>BUILDER INFORMATION</b> (Insurance Certificate-Minimum \$1Mil, Resume and Subcontractor List; Use Policy)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>FEES &amp; REFUNDABLE DEPOSITS</b> (Checks will NOT be cashed until Application is Approved)		<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<b>CONSTRUCTION SITE ROADBED PHOTOGRAPHS</b>		<input type="checkbox"/>	<input type="checkbox"/>
<b>NON-REFUNDABLE FEES</b>			<b>REFUNDABLE DEPOSITS</b>		
Processing Fee	\$ 600	Form Survey Deposit	\$500		
Community Reserve Fee \$1 x Total Sq. Ft.	\$ _____	Clean Up/ Compliance Deposit	\$5,000		
TOTAL NON-REFUNDABLE FEES:		TOTAL REFUNDABLE DEPOSITS		\$5,500	
Check #		Check #			
Payer:		Payer:			
<i>Total Sq Ft = Total Foundation Sq Ft + 2nd Floor Air Conditioned Space</i>			<i>Total Foundation Sq Ft = Living Area + Porches/Patios + Garage</i>		

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Owner #1

Owner #2

Builder



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### CONSTRUCTION REQUIREMENTS

The large numbers of Requirements contained in the various sections of this Application PART VIII, "General Construction Site Requirements" cover essential aspects of the new home's construction. When the requirements are met during the construction cycle, ACC expectation will be satisfied such that the eventual Occupancy Certificate can be issued. Because of their importance to the GH POA and ACC, the builder's cognizance of these requirements should not be treated casually.

#### PART VIII. GENERAL CONSTRUCTION SITE REQUIREMENTS

a) A temporary plastic construction fence shall be installed along each side, front, and rear property lines before construction begin and maintained throughout the construction interval. All lots adjacent to the building site shall be kept free of any trees, underbrush, trash or other building materials. Damaged fencing must be repaired within one workday after discovery or notification given to on-site personnel.

b) Contractor personnel shall not enter or exit on any lot adjacent to the building site during or after construction. If ingress/egress is temporarily required on an adjacent lot, approval from the lot owner must be obtained through a written release (Neighbor Affidavit) filed with the application or obtained within one week prior to needed access.

c) All tree stumps, trees, limbs, underbrush & any other debris, removed from the lot for construction of the residence, shall be hauled out of the subdivision prior to starting construction. Burning is not allowed in the subdivision.

d) No fill, including foundation fill, shall be placed or maintained on any lot nearer to the front, rear, side or street side lot building setback line as shown on recorded Plats for each section unless a waiver is requested and approved by the ACC.

e) A soil runoff/erosion prevention fence shall be installed at the rear and two side build lines for the duration of construction. Temporary fence removal is allowed but must not be reinstalled within three (3) days after completion of the task for which it was removed.

f) Grading subcontractors shall remove all dirt & debris in the street immediately upon completion. The grading subcontractor must broom clean the street after rough & final grade and also immediately and properly reinstall all silt and vegetation fencing after rough grade.

g) All building sites shall be kept clean and materials stored in an orderly manner. A four-sided trash receptacle shall be maintained for construction lumber scrap/debris, paper, drink container, etc., and the builder or his construction manager shall be responsible for assuring that it is so used.

h) No trash, build materials, excess dirt, or fill inadvertently spilled outside of the construction fences is allowed to remain on the street or in the ditches; these materials shall be removed on a daily basis providing for a "broom-clean" condition.

i) All subcontractors washing equipment & discharging waste concrete must perform this activity at a location designated by the Builder. The discharge site must be on the construction site or property owned by the Builder, at least 30 feet distant from the roadbed centerline (well away from the ditch easement)...

j) Port-a-can facilities shall be provided at the job sites when site clearing starts and maintained in place until construction is completed. Port-a-can must be placed on the lot, not in the street or ditches.

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Owner #2

Builder



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k) All vehicles belonging to work crew shall be parked on the lot where the construction is occurring. No vehicle can block a driveway, view of oncoming traffic or be parked on a neighbor's driveway without obtaining permission of the affected property owner prior to construction.

l) Approved construction times are 7:00 am to 7:00 pm Monday through Saturday. Construction is PROHIBITED on Sundays and Holidays.

m) Consumption of alcohol and the playing of loud music (audible to the neighbors) on the worksite is forbidden during any phase of construction.

### PART IX. DRIVEWAY REQUIREMENTS

a) Driveway path/concrete shall not be located over a side building line without ACC approval.

b) Driveways shall be a minimum width of 10 feet (12 feet preferred)

c) Drainage sloping down to a driveway shall not extend past the front building line if driveway extends to the roadbed asphalt.

d) Driveways shall be devised to prevent water from flowing into garage structure by utilizing gutter drains when the driveway slope approaches 5 degrees.

### PART X. CULVERTS REQUIREMENTS

a) Culverts shall be located only under driveways and walkways. The drainage ditch adjacent to a roadbed shall not be replaced with a culvert without prior ACC approval

b) Culvert and Safety Slopes for driveway shall be installed prior to starting construction with precautions taken to ensure the culvert is not crushed or deformed by traffic before driveway concrete is installed

c) Safety Slopes are required in Sections 2, 3, & 4 of Grand Harbor, & along Harbor Side Blvd & Grand Harbor Blvd. Culvert sizes and need for slopes will be defined for the Applicant by the ACC.

d) Builder/Owner is responsible to maintain ditch flow. The Builder shall notify the ACC 48 hours prior to driveway concrete pour. The culvert will be inspected to ensure it remains at the correct elevation and has been maintained through the construction process.

### PART XI. FOUNDATION CONSTRUCTION, SURVEY AND REPORT REQUIREMENTS

Residence Construction shall conform to the version of the International Residential Code (IRC) that is applicable in the City of Conroe. As of August 1, 2014, the applicable code is the IRC 2009.

#### FOUNDATION REQUIRED DOCUMENTS

a) Site-specific Soil Report: The builder shall submit a Soil Report, written by a Professional Engineer licensed in the State of Texas, for the specific lot on which the new home will be constructed. The Soil Report shall include the legal description and/or street address for the lot on which the soil test borings were made. The soil report shall bear the stamp and signature of the professional engineer performing the soils tests and calculations.

b) Engineered Foundation Plan: All Foundation plans submitted to the ACC shall be engineered by a Professional Engineer licensed in the State of Texas. The foundation plan shall bear the stamp and signature of the Professional Engineer of Record. The foundation plan shall reference the site-specific soil report (see above) used for the foundation calculations, including the name of the testing laboratory, report number and date.

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Owner #1

\_\_\_\_\_  
Owner #2

\_\_\_\_\_  
Builder



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**INSPECTIONS, SURVEYS AND REPORTS:**

The following Inspections, surveys and reports shall be performed during construction of the foundation pad and the foundation and provided to the POA/ACC:

c) Soil Compaction Report: If the Engineered Foundation Plan or the Soil Report requires that the foundation pad be compacted to a standard, such as ASTM D698, the builder shall have the pad tested by a qualified testing company in accordance with the cited standard. The builder shall request a written report of the testing results. The builder shall not proceed with construction of the foundation until the compaction standard has been met.

d) Form Survey: After the foundation forms have been set, the builder shall contact a registered surveyor to perform a form survey. If the foundation form is found to be outside the building lines, all work shall cease until the form is correctly placed and re-surveyed.

e) Inspection of Drilled Piers: If the foundation design requires that piers be drilled, the Engineer of Record, or his designated representative, shall inspect the pier borings and steel installation to ensure they meet his requirements before the concrete is placed. The engineer shall provide a written inspection report.

f) Foundation Inspection: The Engineer of Record, or his designated representative, shall inspect the foundation and steel placement to ensure that it meets his requirements before concrete is placed. The engineer may, at his discretion, attend the placement of concrete. The engineer shall provide a written inspection report.

g) Engineer’s Affidavit: The Engineer of Record shall review all the reports and inspections to verify that the foundation was constructed according to his design and specifications. If the foundation was constructed according to the foundation plan, the Engineer shall provide an affidavit, bearing his stamp and signature, which states that the foundation was constructed according to his design and specifications. The builder shall not commence framing the structure until the engineer’s affidavit has been delivered to and accepted by the Grand Harbor ACC.

**h) Reports and Surveys: The POA/ACC will maintain a record of all inspections, surveys and reports. The builder shall submit copies of the following documents to the Grand Harbor POA according to the following schedule:**

- **Soil Report** – Submitted with the construction application.
- **Foundation Plan, Engineered**– Submitted with the construction application
- **Soil Compaction Report** (if required) – Submitted before foundation steel is placed.
- **Form Survey** – Submitted prior to placing concrete.
- **Foundation/Pier Inspection** – Submitted prior to placing concrete.

**PART XII. DRAINAGE REQUIREMENTS**

a) A comprehensive Site Drainage Plan shall be prepared and submitted to the POA/ACC including, as a minimum, the following structural information:

- An accurate site drawing showing all property lines, the location of the road and, on waterfront lots, the location of the lake relative to the lot.
- Evidence that the foundation height referenced to the existing grade meets both the deed restriction requirements and IRC 2009 slope requirements.
- The placement of the residence and all other structures on the lot.

INITIAL HERE: Page Contents  
Are Understood and Accepted

\_\_\_\_\_  
Owner #1

\_\_\_\_\_  
Owner #2

\_\_\_\_\_  
Builder



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- The location of the driveway and any other hardscape.
- The location/diameter of the culvert(s). (*Culvert diameter requirements shall be provided by The ACC*)
- The location and height of any retaining walls.

b) In addition to the structural improvements, the Site Drainage Plan shall include, as a minimum, the following information on direction or redirection of surface water flow:

- A simple elevation survey of the lot to confirm the direction of planned drainage. Either contour lines or arrows showing the direction of water flow across the lot.
- If swales or berms are used to redirect surface water flow, the width and the depth/height of the swale/berm. For example, a swale would be described as being "3 feet wide and 4" deep at the center." The swale/berm shall also have an arrow showing the direction of surface water flow.
- If a subsurface drainage system is used to redirect water flow, the location and size of all catch basins shall be cited on the drainage plan drawing. The location and diameter of all related pipe systems shall also be cited on the drainage plan.
- If gutters and/or French drains are used to redirect water flow, the size and location of all piping and drains shall be cited on the plan's site drawing.

c) Construction debris and sediment must be removed and the road side ditch reshaped to conform with drainage standards allowing water to flow unimpeded during and after construction.

INITIAL HERE: Page Contents  
Are Understood and Accepted

\_\_\_\_\_  
Owner #1

\_\_\_\_\_  
Owner #2

\_\_\_\_\_  
Builder



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IMPROVEMENT CONSTRUCTION & PLACEMENT  
"NEIGHBOR" AFFIDAVIT

Application Number: \_\_\_\_\_

Improvement Site: \_\_\_\_\_

To Whom It May Concern:

Be advised that I /we, as the current owner(s) of record for the following address:

\_\_\_\_\_ have had ample opportunity to review all furnished material (ACC Application, Plans, Drawings, etc.) and do not hold any objection to the construction/permanent placement of this improvement(s) \_\_\_\_\_

as more fully described and proposed by my neighbor \_\_\_\_\_ at \_\_\_\_\_,

I/we sign this Neighbor Affidavit, for this single purpose and instance only, with full understanding of and without any qualification or reservation about this proposed property improvement.

\_\_\_\_\_  
Owner (Printed)

\_\_\_\_\_  
Owner (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner (Printed)

\_\_\_\_\_  
Owner (Signature)

\_\_\_\_\_  
Date

About This Document: Implementation of various requested property improvements can require the GHPOA ACC to grant a specific CCR waiver, or other exemption from GHPOA architectural control requirements. When the waiver or exemption affects the property-owner's adjacent neighbors, it is then imperative these neighbors be made aware of the waiver/exemption, best indicated by use of this informal affidavit form. While both neighbor's concurrences on a specific request is absolutely essential to the ACC granting said waiver/exemption, and thus approving the overarching improvement, the very same neighbors' concurrences DO NOT always guarantee ACC approval. However, the ACC will always take note of the affidavits in their deliberations.



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## OCCUPANCY CERTIFICATION

Because new home construction activity is so diverse, each scheduled task needs to occur at its appointed time within a lengthy schedule. It is essential then that Committee staff systemically inspect the progress from time-to-time to ensure the agreed-to application tasks are indeed being satisfied. **Once the “As-Built” home has been repeatedly scrutinized during the construction cycle and all discovered discrepancies have been remedied by the Owners and/or Builders, the process ends with the issuance of a GH ACC “Occupancy Certification” (OC).** While the Certification is noteworthy on its own, it also enables the refundable deposits to be returned without delay to the Applicant once refunds are requested.

### CCRs, REQUIREMENT AND STIPULATIONS: OCCUPANCY CERTIFICATION ITEMS AND DISCLAIMER

Numerous citations put forth in this Application, and then used in construction site visits, are enabled through the CCRs listed in Table 1 of this Application’s PART III, Item e. In order to obtain final ACC agreement that a constructed new home is complete and ready for occupancy, **a large list of construction products/items require individual judgments on the adequacy of observed construction satisfying the cited CCRs along with the Requirements and Stipulations given in this Application.** That judgment list, while fairly broad, yet has limits on what is necessary to cover the POA’s interests and responsibilities. It is apparent in what CCR Article IV Section 5, titled “Disclaimer” states:

*“No approval of plans and specifications and no publication or designation or architectural standards shall ever be construed as representing or implying that such plans, specifications, or standards will result in a properly designed structure or satisfy any legal requirements.”*

While the ACC needs to ensure any final New Home Construction meets specifications important to the general population in the Grand Harbor subdivision, that coverage is not always all inclusive. This point is reinforced by CCR Article IV, Section 6, titled “Non-liability for Committee Action:”

*“In reviewing any matter, the Committee shall not be responsible for reviewing, nor shall its approval of any improvement or modification to any improvement on a Lot be deemed approval of the improvement or modification of improvement from the standpoint of safety, whether structural or otherwise, or conformance of building codes or other governmental laws or regulations.”*

The essence of Article IV, Sec 5 and 6 is that the ACC will see to the adequacy of the construction meeting its community standards. However, the Applicant should see to independent support/opinions on those portions of new home construction important to the Applicant when clearly outside the ACC’s Occupancy Interests and Responsibility.



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## OCCUPANCY CERTIFICATION CHECKLIST

NH-

Property: \_\_\_\_\_

	QCCUPANCY ELEMENT STATUS	AUTHORIZATION SOURCE	VERIFY	DATE	ACCEPT
1	<b>Application Documentation/House Drawings:</b> Delivered and Adequate	CCR Art. III, Sec. 3, Application Part VI.			
2	<b>Application Fees:</b> Paid/ Applicants in Good Standing	Application Part VII.			
3	<b>Builder:</b> Builder Credentials/Insurance Adequate	Application Part III.			
4	<b>Site/Plot:</b> Adequate Plan and Execution	CCR Art. II, Sec. 6, 7.; CCR Art III, Sec. 6			
5	<b>Dwelling Size:</b> Minimum Sq.Ft. Calculated and Achieved	CCR Art. III, Sec. 4			
6a.	<b>Build Pad:</b> Location Within Lot Build Lines	CCR Art. III, Sec. 6			
6b.	<b>Build Pad:</b> Waterfront – View to Lake	CCR Art. III, Sec. 15, 19			
7	<b>Materials/Paints/Brick:</b> Samples Delivered & Adequate	CCR Art. III, Sec. 5			
8	<b>Soils Survey:</b> Implemented in Foundation Analysis	Application Part XI.			
9	<b>80% Masonry:</b> Exterior Elevation Meets Requirement	CCR Art. III, Sec. 5			
10	<b>Solar Panels:</b> Properly Positioned	CCR Art. III, Sec. 24			
11	<b>Forms Survey</b> Properly Executed	Application Part XI			
12	<b>Mailbox:</b> Same Architecture , Materials as House	CCR Art. III, Sec. 17			
13	<b>Foundation:</b> Plan Provided;; Adequate Installation	CCR Art. III, Sec. 7			
14	<b>Construction Permit:</b> Conroe: Acquired	Application Part VI(c)			
15	<b>Septic:</b> SJRA Permit Provided; Installation Adequate	Application Part VI(c)			
16	<b>Drainage:</b> Plan Implemented/ Adequate Performance	CCR Art. III, Sec. 26			
17	<b>Culverts:</b> Adequately installed to Support Site Drainage	CCR Art. III, Sec. 26			
18	<b>Driveway:</b> Minimum Width; Adequate Concrete	CCR Art. III, Sec. 27, 28			
19	<b>Driveway:</b> Post-Construction Asphalt Damage Repaired	Application Part IV(g)			
20	<b>Fencing:</b> Construction & Sediment Fencing Maintained	Application Part VIII(1)			
21	<b>Cleanup:</b> Site Maintenance Adequate – Trash Contained	CCR Art. III, Sec. 13			
22	<b>Signage:</b> Correct Number and Location	CCR Art. III, Sec. 11			
23	<b>Landscaping:</b> Plan OK/ Minimum for Initial Occupancy	CCR Art. III, Sec. 5(e), 16, 20			
24	<b>Construction Completed:</b> _____	Application Part VI (j)			
	<b>CONSTRUCTION: Construction Completed; Meets All ACC Expectations</b>	<b>CCR Art. III, Sec. 3.;</b> <b>CCR Art. IV, Sec. 4.;</b> <b>Application Part VI.</b>			

**Notes:**

1. Verification of Occupancy Elements is by ACC members. Oversight Acceptance is by ACC Chairman or designee.
2. Date is the day and month of each individual Occupancy Element’s Verification.



**HAVING SATISFACTORILY COMPLETED  
ALL REQUIREMENTS IN THE  
ARCHITECTURAL CONTROL COMMITTEE APPLICATION**

**ID # NH-\_\_\_\_\_**,

**THE NEW HOME CONSTRUCTION AT:**

\_\_\_\_\_

**IS HEREBY DECLARED**

**CERTIFIED FOR OCCUPANCY**

\_\_\_\_\_  
Chairman, Architectural Control Committee

\_\_\_\_\_  
Date

\_\_\_\_\_  
President, Grand Harbor Property Owners Association

\_\_\_\_\_  
Date

