

# Park at Blackhawk and Lakeside Homeowner Association

## Accessory (Storage) Buildings Guidelines

For the purpose of protecting our property values (as they are directly related to the appearance of our neighborhood), strict rules governing accessory buildings and enforcement of those rules are critical.

**Note:** The following referenced paragraphs refer to sections in the Park at Blackhawk and Lakeside HOA By-Laws, Covenants, Conditions, and Restrictions (Deed Restrictions) and apply to improvements that are visible from the Park at Blackhawk and Lakeside streets and/or the first floor of another residence (Par. 3.8).

1. **Approval:** In accordance with (IWA) the Park at Blackhawk and Lakeside HOA Deed Restrictions (paragraph 3.8 and 6.1), **Architectural Review Committee (ARC) approval must be obtained PRIOR to any Improvements** (as defined in paragraph 1.13). The ARC review shall be based on the established guidelines set forth in (but not limited to) the following paragraphs:
  - A. Metal, plastic and/or like material buildings that are visible from the Park at Blackhawk and Lakeside streets and/or the first floor of another residence are strictly prohibited (Par. 3.8).
  - B. Review of Plans and Specification (IAW par. 1.23)
  - C. Set Back Requirements (IAW par. 3.1 and 4.2)
  - D. Material (IAW par. 3.5, 3.11, and 6.10)
  - E. Adoption of Rules (IAW par. 6.7)
  
2. **Adoption of Rules:** The Park at Blackhawk and Lakeside HOA Architectural committee has established the following standardized "Accessory Buildings" rules in accordance with Declaration paragraph 6.7.
  - A. **Building Location/Placement:** The location/placement of building shall meet the specified "Set Back" requirements of par. 3.1. **NOTE:** Corner lot set back requirements are more restrictive.
  - B. **Construction:** All buildings must be skillfully and competently constructed. Home owner construction is required to meet or exceed the same strict guidelines as professional manufactures/builders.  
**NOTE:** Final ARC inspection is required; preliminary and interim inspections may be conducted.
  - C. **Sidewalls:** The building sidewall heights shall be 6 ft with studs at a maximum of 24 in. on center.
  - D. **Foundation/Flooring:** Foundations (max 24 in. on center) shall be supported by masonry blocks to prevent contact with the ground. Flooring material (plywood/decking) shall be at least ¾ inch thick.
  - E. **Wall Material:** Walls shall be constructed using lapped fiber-reinforced horizontal planks (i.e. James Hardie product) with the architectural style compatible with the (non-bricked) wall(s) of PBH residences.
  - F. **Trim:** Material (same as par. 2E) shall be 3 ½ to 4 inches wide at doors, windows, corners, and roof line.
  - G. **Roof Design and Shingles:** All building roof designs must be of Gable style (not barn style) with a standard pitch between 4:12 and 6:12. The required architectural/dimensional shingles shall be constant with the residence design, style, color, and be of high grade and quality with a minimum of a 25 year rating (par. 3.5).  
**NOTE:** Standard/Classic roofing shingles typically do not meet the specified design requirements.
  - H. **Height:** The overall building height (ground to peak) shall be 8 foot, plus or minus 6 inches.
  - I. **Building Width and Length:** Minimum 8 ft by 8 ft and Maximum 8 ft by 10 ft (8'x8' or 8'x10').
  - J. **Building Orientation:** Sidewall direction shall be the same as the side of residence.
  - K. **Door orientation:** Door(s) shall be hung on the peak wall.
  - L. **Accessories:** Windows and Ridge Vents are permitted (if desired); however, Turbine Vents are not permitted.
  - M. **Paint:** Building paint shall match residence (color and scheme) sides and trim.
  - N. **Quantity:** Only one accessory building (as defined above) shall be permitted per residence.
  
3. **Repair of Buildings:** All improvements upon any of the property shall at all times be kept in good condition and repair and adequately painted or otherwise maintained by the owner thereof (par. 3.17).

If there are any questions pertaining to accessory buildings please contact your Park at Blackhawk and Lakeside Homeowner Association Architectural Review Committee. See the Park at Blackhawk and Lakeside website at <http://www.blackhawkhoa.org/parkandlakes.htm> for contact information.

STATE OF TEXAS

COUNTY OF TRAVIS

**PARK AT BLACKHAWK  
AND LAKESIDE AT BLACKHAWK RULES AND REGULATIONS**

Whereas the Park at Blackhawk and Lakeside at Blackhawk Master Declaration of Covenants, Conditions and Restrictions ("Declaration") was recorded in Document # 2002010202 of the Official Public Records of Travis County, Texas; and

Whereas Section 5.4 of the Declaration gives the Board of Directors of The Park at Blackhawk and Lakeside Homeowners Association, Inc. (the "Association") the authority to adopt rules and regulations governing the Property, the following rules have been adopted and are hereby filed of record, and shall supplement any additional rules, architectural rules/guidelines, bylaws, and any other governing document:

Section 1. **Suspension of Privileges/Fines.** In the event of a violation of the Declaration, Bylaws, or any rules and regulations of the Association, the Board of Directors, acting on behalf of the Association, in addition to any other remedies provided by the Declaration, Bylaws, or rules and regulations and remedies available pursuant to State statute or other law, may

- (1) suspend or condition the right of an Owner and any tenants, occupants, or guests to use of facilities (including all or part of any common areas) owned, operated, or managed by the Association;
- (2) suspend an Owner's voting privileges in the Association as a Owner, as further provided in the Declaration and Bylaws;
- (3) record a notice of non-compliance encumbering the Lot;
- (4) levy a damage assessment against a Lot for damages caused by Owners' actions (or those of occupants, tenants, guests or invitees) in violation of the Declaration, Bylaws, or Rules;
- (5) levy late fees, collection costs and/or deed restriction enforcement costs (including attorneys fees) against a Lot, and
- (6) assess a fine against the Lot Owner and Lot for the violation of Owner, his tenants, occupants, or guests in an amount to be determined by the Board of Directors.

The Association must comply with any notice requirements of state law. Owners are responsible for all violations of their occupants, tenants, guests, agents and invitees.

Any amounts charged to an Owner under these procedures may be collected in the same manner as regular assessments under the Declaration, including lien and foreclosure rights to the extent permitted by law.

**It is the owners' responsibility to notify the association, in writing, when a violation has been cured so as to stop any fines from being assessed. Fines may continue to be assessed until the association receives this notice from the owner.**

Section 2. **Attorneys' Fees.** The Association may assess reasonable attorneys' fees to an Owner's account for nonpayment of amounts due or other violations of the Declaration, Bylaws, or rules.

Section 3. **Non Waiver.** The failure of the Association to enforce any provisions of the Declaration, Bylaws, rules, or procedures shall not constitute a waiver of the right to enforce the same thereafter. All remedies in the Declaration, Bylaws, and rules are cumulative and not exclusive.

Section 4. **Application of Payments.** The Association in its discretion and without notice to the Owner may apply amounts received from Owners to non-assessment items or other amounts due and owing the association regardless of Owners' notations on checks or otherwise.

Section 6. **Prior approval before construction.** No improvement/construction or alteration of any kind may be undertaken without prior approval from the Architectural Review Committee (ARC). (See Declaration, including Sections 3.8 and 3.18, and Article VI, and see also Accessory (Storage) Building Guidelines.)

Section 7. **Parking and Unsightly Articles.** No articles that are considered unsightly by the ARC are permitted to remain on a lot (See also Declaration section 3.24.) Boats, campers, RVs, motorcycles, scooters may not be kept on the property except for in approved enclosed structures. Vehicles may only be parked in the garage or driveway serving the Lot, or in other paved areas approved by the Board. No more than 2 occupant vehicles may be parked outside of the garage serving the Lot. (See also Declaration, including section 3.25). No vehicles may be parked overnight on the street. Garages may not be used in a manner that prevents the parking of the number of cars the garage was designed to contain.

Section 8. **Landscaping / Yard maintenance.** The landscaping on each lot must be kept cultivated, pruned, mowed, watered, and free of trash and other unsightly material. (See Declaration, including Section 3.30).

Section 9. **Pets.** Only domestic household pets are allowed on the Property. Except for when on an owner's lot, all animals must have a leash and be under control of the person holding the leash. No animal is allowed to make an unreasonable amount of noise or otherwise be a nuisance or safety threat to others. Animals must be kept in enclosed, screened, areas approved by the ARC, and these areas must be kept in a clean and sanitary manner, and must be adequate to contain the animal. All pet owners must pick up after their animals when the animal has defecated in a placed other than the owner's Lot. (See Declaration, including Section 3.27.)

Section 10. **Rubbish and Debris.** No rubbish or debris of any kind shall be placed or permitted to accumulate on a lot, and no odors are permitted to arise from a lot, so as to render the lot or any portion of the Property unsanitary, unsightly, offensive or detrimental to any other lot or portion of the Property or to its occupants. Refuse, garbage and trash must be kept at all times in covered containers and these containers must be kept within an enclosed structure or appropriately screened from view.

Executed and effective this 18<sup>th</sup> day of March, 2006.

Association: **The Park at Blackhawk and Lakeside Homeowners Association, Inc.**

By: [Signature]  
Signature

Robert M. Tiemann  
Printed name

President  
Title

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 18<sup>th</sup> day of March, 2006, by Robert M. Tiemann in the capacity stated above.

[Signature]  
Notary Public, State of Texas

After recording, please return to:  
Niemann & Niemann, L.L.P.  
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