

ARCHITECTURAL COMMITTEE POLICY
Additional Fence, Screening Wall, and Retaining Wall Requirements
LBV PROPERTY OWNERS' ASSOCIATION, INC
Effective September 1, 2024

This Policy was approved by the Architectural Committee of the La Buena Vida Property Owners Association, Inc. on the 20th day of August 2024.

Regarding what limitations should be placed on construction of fences and screening walls, pertinent Articles in the Declaration of Covenants, Conditions and Restrictions (CCR's) for La Buena Vida are as follows:

- Article 1.16 defines improvements as every structure and all appurtenances thereto of every kind and type (including fences and screening walls) ... used in connection with or placed on the property.
- Article 3.1 states that no improvements shall be constructed upon any Lot without prior written approval of the Architectural Committee.
- Article 3.5 allows the Architectural Committee to prevent construction of any improvement which would unreasonably obstruct the view, or unreasonably interfere with the privacy of an adjoining Lot Owner.
- Article 3.6 provides approved fence materials, the approved height at the building line and from the building line to the adjacent Beach or Channel, and it states that no fence shall be constructed on any portion of Beach adjacent to an Owner's Lot. In addition, it states that additional fence requirements may be established by the Architectural Committee.
- Article 5.4 allows the Architectural Committee to adopt rules and guidelines as it may deem necessary and desirable, and each Owner shall comply with said rules and guidelines as amended from time to time.
- Article 2.16 states that no fence, wall, hedge or shrub may obstruct sightlines at the corners of a lot, at intersections of streets, or driveways.
- August 2017 Architectural Committee Policy adopts additional requirements regarding locations and heights of fences and screening walls.

In consideration of the above, to establish consistency regarding fencing, screening walls, and retaining walls while protecting views and allowing for privacy, the Architectural Committee of the LBV Property Owners' Association hereby adopts this Additional Fence, Screening Wall, and Retaining Wall Policy for La Buena Vida:

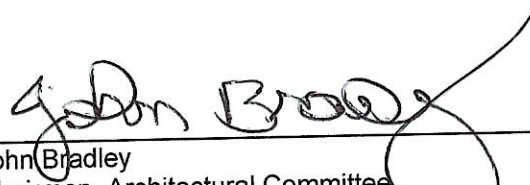
- The height of all walls, fences, and structures of any kind, including foundations, must be measured from natural grade (elevation of the property before site preparation begins) and must not exceed height limitations at any point.
- A **screening wall** is defined as any structure, not exceeding 6 feet, that is being used as a privacy fence, rather than a structure to retain fill.
- A **retaining wall** is defined as any structure utilized to retain fill above natural grade.
 - Retaining walls under 4 feet should be of sound engineering design and construction. Property owner or contractor drawings are acceptable.
 - Retaining walls over 4 feet require additional design consideration and must be stamped by a Professional Engineer registered in the State of Texas. Retaining walls

over 4 feet will require drainage and that drainage cannot be directed onto the neighboring properties.

- Any structures beyond the 60-foot building line must meet the specified height requirements, including pools (such as those with an infinity edge) and patios.
- Due to safety concerns, a back fence parallel to the bulkhead is allowed for Lots 1-14 in Phase 1 and Lots 1-3 in Phase 3, provided the fence is constructed of see-through material with pickets spaced a minimum of 4" apart. This eliminates the prior requirement of a 25' setback on the referenced lots for see-through fencing only. This does not eliminate the 25' setback requirement for a screening wall or retaining wall.

CERTIFICATION

"I, the undersigned, being the Chairman of the Architectural Committee of LBV Property Owners Association, Inc. hereby certify that the foregoing Resolution was adopted by at least a majority of the Members of the LBV Property Owners Association Architectural Committee."

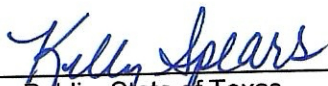


John Bradley
Chairman, Architectural Committee
LBV Property Owners' Association, Inc.

THE STATE OF TEXAS §
 §
COUNTY OF ARANSAS §

This instrument was acknowledged before me on the 30th day of August, 2024, by John Bradley of LBV Property Owners' Association, Inc., on behalf of said Association.




Notary Public, State of Texas
My Commission expires: 09/30/2026

AFTER FILING, RETURN TO:
LBVPOA
c/o Johnson and Creekmore
2611 Hwy 35 N
Rockport, Texas 78382

THE STATE OF TEXAS
COUNTY OF ARANSAS

I hereby certify that this instrument was FILED on the
date and the time stamped hereon by me and was duly
RECORDED in the Records of Aransas County, Texas.

406741 HOA Total Pages: 3
08/30/2024 03:19:01 PM Total Fees: \$29.00



Misty Kimbrough

Misty Kimbrough, County Clerk
Aransas County, Texas