

**Mystic Shores Property Owners Association**  
**Unit 2 DCCR/Supplement and Design Guidelines Requirements**

**Note: This checklist is for the convenience of the Mystic Shores Architectural Control Committee. In the event of any discrepancy between this checklist and the applicable Mystic Shores DCCRs and Architectural and Site Design Guidelines, such DCCRs and Guidelines are controlling.**

	<b>Requirements</b>	<b>Reference<sup>1</sup></b>	<b>Comply / Comments</b>
<b>Square Footage</b>	Square footage of residence not less than 1800 sq ft of living area (excluding porches) and if residence is 1-1/2 or 2 stories, a minimum of 1000 sq ft will be on the ground floor.	SD 3.01 <sup>2</sup>	
<b>Construction Material</b>	Residences must be built of new construction materials and must be on a poured slab foundation, pier foundation or a combination. 50% masonry exterior required – cement fiberboard (“hardiplank”) not to be considered masonry.	SD 3.01	
<b>Home Orientation on Lot</b>	If home is not oriented on lot parallel or substantially parallel to the street the ACC will consider potential adverse effects. Corner lots are considered on case-by-case basis.	DG 6.07	
<b>Single Family Residence</b>	Confirm residence is a single family dwelling. Look for indications of multiple family residence – no interior stairs in two story residence, multiple kitchens, separate living areas, etc.	SD 3.01	
<b>Secondary Dwelling</b>	One secondary dwelling may be built on tracts provided said secondary dwelling contains a minimum of 500 square feet. On tracts 10 acres or smaller, secondary dwellings cannot exceed 1000 square feet of living area. On tracts larger than 10 acres there is no size limit for secondary dwellings. Detached garages, workshops, and barns may be built prior to the main dwelling being built with ACC approval.	SD 3.01	
<b>Garage</b>	Garage door openings must face the side lot lines, Minimum of two-car garage. Detached garage to be built of similar materials as the main dwelling and be at least 50% masonry.	SD 3.01 DG 8.02	
<b>Roofing</b>	Silent		
<b>Setbacks</b>	Front 100 ft Rear 50 ft Sides 50 ft Front setback is measured from where public road pavement ends. If plans show structure will be near a required setback a form survey generally will be required. Any setback waiver must be in writing and be recorded in Comal County deed records.	SD 3.03; DG App A DG 6.01	
<b>Driveway</b>	All driveways to the main residence must be built out of state highway quality road base. Driveways must be built and based upon completion of the main dwelling unit.	SD 3.15 DG 8.01	

<sup>1</sup> MD = Master DCCRs; SD = Supplemental DCCRs; DG = Design Guidelines

<sup>2</sup> SD in this checklist refers to the original unit 2 DCCRs, as amended. Master DCCRs were adopted for unit 2 in Third Amendment dated April 1, 2009.

	<b>Requirements</b>	<b>Reference<sup>1</sup></b>	<b>Comply / Comments</b>
<b>Propane tanks</b>	Propane tanks must not be visible from road. For safety reasons, if an above-ground propane tank is painted, it must be painted a light reflective color as recommended in National Fire Protection Association 58.	SD 3.07 DG 10.03	
<b>Maximum Height Restrictions</b>	Home 35 ft max height in two stories. Accessory building 25 ft max. Heights are determined from the finished floor elevation.	SD 3.03; DG App A	
<b>Exterior Color</b>	Natural or earth tone/ must complement the surrounding landscape. Earth tone is a color scheme that draws from a color palette of browns, tans, warm grays, and greens. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt, moss, trees and rocks.	DG 6.05	
<b>Elevations and Site Plan</b>	Elevations to show finished floor (FF) elevation and ground contour lines with respect to the FF elevation. Site plan to show contour lines of the site; septic tank location and spray fields. Site plan to also show fencing, well location, outbuildings, pool, etc. when applicable.	DG App - Application Forms	
<b>Lighting</b>	See DG 9.02 for exterior lighting requirements. Refer owner to DG Appendix J.	DG 9.02 DG App J MD 9.4(b)(ii)	
<b>Outbuildings<sup>3</sup></b>	Outbuildings include, without limitation, barns, workshops, detached garages, sheds and other structures not connected to the main dwelling. The location and appearance of outbuildings shall be submitted to and approved by the ACC. No portion of the outbuilding may be closer to the front property line than the part of the house that is closest to the rear lot line. The building shall be oriented so that access is indirect and not open on to the street. The ACC may also consider proposed use of outbuildings and other structures to ensure they will be consistent with the single family residential use restrictions in the DCCRs. Accessory buildings must be new construction material and may be built with metal or wood siding (no aluminum, asbestos, plywood, concrete block, or vinyl siding permitted).	SD 3.01 DG 7.01 MD9.4(b)(iv)	

<sup>3</sup> Sometimes referred to in the SDs and MDs as accessory buildings.

	<b>Requirements</b>	<b>Reference<sup>1</sup></b>	<b>Comply / Comments</b>
<b>Fencing</b>	<p>Fence posts shall consist of 2 3/8 inch drill stem pipe. Each fence post shall be spaced ten (10) feet apart. Maximum fence height shall be seventy-two inches (72"). A single top rail consisting of the same pipe size shall be placed on the top line of posts. The area between the posts shall consist of tight lock or solid lock mesh tensile steel Class III galvanized wire or equal. Only pipe fencing is permitted on any property line that fronts a road. All piping must be painted black with panels left in natural color. All gates that front a road must be of a decorative nature and be constructed of steel or wood. Standard aluminum ranch gates are not permitted.</p> <p>Smooth, barbed wire and electrical fencing may be permitted on rear and side property lines and for cross fencing. Regardless of the lot line on which it is used, all piping must be painted black with panels and/or tight lock or solid lock mesh left in natural color.</p> <p>Privacy fencing – see DG 7.03 for fencing requirements inside setbacks.</p>	<p>SD 3.05 (3<sup>rd</sup> Amend)</p> <p>DG 7.03</p>	<i>Does not require Design Consultant review (“No DCR”)</i>
<b>Electric Lines</b>	Underground electric lines are not required. It's recommended that lines be buried from the roadway (1 <sup>st</sup> pole) to the dwelling.	SD 3.01 (3 <sup>rd</sup> Amend)	<i>No DCR</i>
<b>Wells</b>	Must meet DG setback requirements, unless well meets pressure cemented exception Pump house is required and constructed with same material as house masonry or hidden by alternative methods as approved by the ACC. Pump house cannot exceed 5' height. Note that Unit 2 does not have CLWSC access so that a well is required.	DG 7.10	<i>No DCR</i>
<b>Pools</b>	See DG 7.04 for requirements for location and screening.	DG 7.04	<i>No DCR</i>
<b>Flagpoles/ Solar Energy Devices/ Rainwater Harvesting Systems</b>	See DG Appendix I for summary of applicable Texas laws. See DG 7.09 for energy generation devices requirements and DG 7.10 for rainwater storage tank requirements.	DG 7.09, 7.10 & App I	<i>No DCR</i>
<b>Lot Clearing/Site Excavation</b>	Application not required for clearing of ashe junipers (cedars), brush and dead trees. Email notice to management company is required. Site excavation is part of construction process and requires prior ACC approval of construction plans.	DG 5.02	<i>No DCR</i>
<b>Exterior Changes /Improvements/ Remodels</b>	Except as noted in next sentence, prior ACC approval is required for painting of residence, outbuilding or fence; exterior repair of brick/stucco or any exterior; gutter installation; stone fence or retaining walls; and concrete work, paving or staining. Repairs to existing structures with substantially the same materials and quality of construction and repainting of existing structures with the same color as previously approved by the ACC for the existing structure do not require ACC approval.	DG 3.08	<i>No DCR unless adding walls to home</i>
<b>Aesthetic Considerations</b>	Plans submitted for review may be disapproved upon any grounds which are consistent with the purpose and objectives of the ACC, including purely aesthetic considerations.	MD 9.3(b) MD 9.4(b) DG 3.02	

	<b>Requirements</b>	<b>Reference<sup>1</sup></b>	<b>Comply / Comments</b>
<b>Drainage</b>	Natural established drainage patterns of streets, tracts or roadway ditches will not be impaired. No creeks or natural drainage areas may be dammed or water impounded, diverted or used for any purpose. Driveway culverts must be installed and will be of sufficient size to afford proper drainage of ditches without backing up water into ditch or diverting flow. Drainage culvert installation must meet county requirements.	SD 3.12 MD 10.10	
<b>Landscape</b>	Not required. If owner chooses to landscape, plans must be submitted to ACC for prior approval.	DG 9.01	<i>No DCR</i>
<b>Prefabricated Accessory Buildings</b>	Prefabricated Accessory Buildings (“PABs”) such as tool sheds and playhouses, constructed <u>on skids</u> off-site and delivered already assembled to a lot, and similar buildings built on site may be approved by the ACC if the PAB meets the maximum size and other requirements specified in DG 6.02.	DG 6.02	<i>No DCR</i>

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