

**Mystic Shores Property Owners Association**  
**Unit 4 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 (excluding porches) not less than 2000 sq ft of living area and if residence is 1-1/2 or 2 stories, a minimum of 1200 sq ft will be on the ground floor.	SD 3.01 <sup>2</sup>	
<b>Construction Material</b>	Residences (including secondary dwellings) 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; provided the living area is not less than 500 sq ft nor more than 1000 sq ft. The building must be built during or after the primary dwelling.	SD 3.01	
<b>Garage</b>	Garage door openings must face the side or rear lot lines, except on Lots 357-365, 493-499, 505-509, garages must be positioned to where the opening is not visible from Hwy 306 or front property line road frontage. Minimum of two-car garage. Detached garage to be built of similar materials as the main dwelling and be 50% masonry, except garage on lots 357-365, 493-499, 505-509 must be 100% masonry, excluding gables, eaves, windows and doors.	SD 3.01 DG 8.02	
<b>Roofing</b>	Shingle roofs must have at least 30 year life - “limited lifetime warranty” is equivalent. Metal and tile roofs permitted.	SD 3.01	
<b>Setbacks</b>	Front 100 ft Rear 50 ft Sides 25 ft Front setback is measured from the property line fronting any public road. 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	

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

<sup>2</sup> SD in this checklist refers to the original Unit 4 DCCRs, as amended. Master DCCRs were adopted for Unit 4 in First Amendment dated April 1, 2009.

	<b>Requirements</b>	<b>Reference<sup>1</sup></b>	<b>Comply / Comments</b>
<b>Driveway</b>	1 <sup>st</sup> 100 ft of driveway must be surfaced with concrete, concrete pavers, asphalt, 2-course chip and seal, or a combination thereof. Surface finished upon completion of dwelling.	SD 3.15 DG 8.01	
<b>Propane tanks</b>	Propane tanks must not be visible from the road and must be screened with vegetation and/or privacy fencing. 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 built with new construction material and may be built with wood or metal siding (no aluminum, asbestos, plywood, concrete block, or vinyl siding permitted). Pier foundation required. The building may be built prior to the primary dwelling.	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>Pipe fencing shall be used on any property line that fronts a road and no less than 100 feet along any side lot line adjoining road lot line.</p> <p>Fence posts 2 3/8 " drill stem pipe, spaced at 10 ft.</p> <p>A single top rail same pipe size placed on top of line posts.</p> <p>Area between the posts shall consist of tight lock or solid lock mesh tensile steel Class III galvanized wire or equal.</p> <p>72 inches / 6 feet maximum height.</p> <p>Black paint on pipe.</p> <p>Gates that front a road must be of a decorative nature and be constructed of steel. Standard aluminum ranch gates are not permitted.</p> <p>No wood, barbed, single strand smooth, hog, chicken, vinyl, chain link or like fencing material may be constructed, used in the construction of, or maintained on any lot except in connection with tennis and/or sports courts. Tennis and/or sports court fencing must be constructed of green-coated chain link fence material.</p> <p>Privacy fencing allowed within the lot setbacks.</p>	SD 3.05 (1 <sup>st</sup> Amend) DG 7.03	<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 (1 <sup>st</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.	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>

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<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>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 and new landscaping turf must be buffalo, blue grama, zoysia or bermuda. Other types of low-water requirement turf may be considered.	SD 3.16 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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