



## APPENDIX D

### Mystic Shores Property Owners Association, ACC Design Guidelines Information for Construction Applicants

#### Introduction

The purpose of this document is to provide property owners (Owners) a better understanding of the Construction Application process and the forms that must be completed and documents that must be provided as part of that process.

Owners should be aware that almost all exterior changes and improvements require Architectural Control Committee (ACC) approval before construction activity begins.

#### Background

Mystic Shores is a planned community that includes approximately 7500 acres located on Canyon Lake and the Guadalupe River. Throughout the development of Mystic Shores, protection of the natural features of the Hill Country has been a priority, first for the developer and now for the Property Owners Association (Association).

Construction within Mystic Shores is governed by two documents, the Declaration of Covenants, Conditions and Restrictions, including supplements and amendments (the DCCRs), and the Architectural and Site Design Guidelines (Guidelines). These documents describe the "vision" of the development and provide explicit requirements and guidance on how the vision is to be applied to construction projects. When you purchased your Mystic Shores property, a copy of the documents applicable to your property should have been provided to you by your title company. All DCCRs and the Guidelines are also available from the Mystic Shores Property Owners Association website: [www.mysticshorespoa.com](http://www.mysticshorespoa.com).

The process of approving construction requests and monitoring subsequent construction is the responsibility of the Board of Directors, which has created an Architectural Control Committee (ACC) to review project submissions, act on them and, in certain cases, refer them to the Board for decisions. The ACC review process is a very important part of maintaining the character of our Mystic Shores community and the ACC and Board are comprised solely of volunteer property owners who are giving their time for our community. It is their duty to ensure that our DCCRs and Guidelines are followed in the construction process.

#### Projects that Require Review

The scope of construction and exterior changes that are subject to review are described in the DCCRs, Sections 9 and 10, and in the ACC Guidelines. The scope includes, but is not limited to any construction, staking, clearing, excavation, grading or other site work, land contour changes, storage or other sheds, fencing and landscaping. The scope is extensive, and property owners should consult these documents before beginning any exterior projects to determine if review is necessary and to avoid the possible imposition of fines for unapproved projects.



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### Application Process

Owners should first read the DCCRs, including the DCCRs that apply to their unit, and the Guidelines. **The ACC assumes that all applicants have read and understood these documents and have considered them in designing their project.** We realize that this is a lot of documentation to read; however, for most owners, their home in Mystic Shores will be a significant investment. Your builder and designer should be able to help you understand the DCCRs and Guidelines and an ACC member will be available for questions during your submittal and construction process.

Owners should then read through the appropriate application package to determine the forms, documents, drawings, materials samples and fees and deposits that must be submitted for their project.

The completed package should then be sent to the Association's manager, at the address indicated on the application package.

Upon receipt, the package is reviewed by the manager to determine if it is complete. An incomplete package will be returned to the owner and the review period will not start until a completed package is received.

Complete packages for most projects will be sent concurrently to the Association's architectural consultant and to the ACC for review. A member of the ACC will be assigned to manage the application through the review process and to contact the owner with questions regarding the application. The purpose of the review is to confirm that the project complies with the requirements and guidance of the DCCRs and Guidelines and to identify any changes needed to bring the project into compliance.

At the conclusion of the review process, or within 30 days, whichever occurs first, the owner is informed of the decision:

- In the case of approvals, the ACC will monitor the progress of the project until it is completed.
- In the case of denials, Owners may modify their application to comply with requirements and resubmit it. In these cases, the review process begins again.

### Conclusion

It is the goal of the Board and the ACC to make the application and review process understandable and consistent, to provide prompt and efficient service to owners, and to protect the interests of the Mystic Shores POA and community, while recognizing the constraints of the volunteers who serve on the Board and ACC.

We welcome constructive suggestions on how the process can be improved. These suggestions can be submitted through the Mystic Shores website.



**APPENDIX D: COVER PAGE**

Date Submitted: \_\_\_\_\_

To: Mystic Shores Property Owners Association  
c/o AMS Architectural Department  
1600 N. E. Loop 410, Suite 202  
San Antonio, TX 78209

<b>Type of Application</b>	
<input type="checkbox"/> New Submission	<input type="checkbox"/> Resubmission
<b>Type of Construction or Use</b>	
<input type="checkbox"/> Preliminary Site Plans (New Residence Only)	<input type="checkbox"/> Landscaping or Similar Project (including Pools, Patios, Gazebos, Retaining Walls, Water Features, Fencing, etc)
<input type="checkbox"/> New Residence or Secondary Dwelling Construction or Modifications to Existing Residence	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Outbuilding	

Lot Number:	Unit Number:	Address:
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Property Owner Name:	_____
Mailing Address:	_____
Telephone/Fax:	_____
Email:	_____
Builder Name:	_____
Address:	_____
Telephone/Fax:	_____
Email:	_____
Architect/Designer Name:	_____
Address:	_____
Telephone/Fax:	_____
Email:	_____



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 Application for Outbuilding Approval  
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Your application must contain two sets of the applicable information. Please ensure that you have submitted a complete package of information by checking the boxes and indicating the pages in the submittal that provide the required information. Please be sure your plans meet the requirements for your Unit before submitting them. All documents should indicate the names of the Owner.

<b>Outbuilding Type</b>		
<input type="checkbox"/> Outbuilding that will be constructed on site (Complete Pages 1 & 2 for "Constructed Outbuildings")	<input type="checkbox"/> Prefabricated Accessory Building on Skids (Complete pages 3 & 4 for "Prefabricated Outbuildings")	
Required Documents for Constructed Outbuildings	Page Number	Office Use
<b>Existing conditions</b> , minimum scale 1" = 20', with the following information: <input type="checkbox"/> North Arrow and Scale <input type="checkbox"/> Property lines with dimensions and bearings <input type="checkbox"/> Setback lines <input type="checkbox"/> Easement lines <input type="checkbox"/> Street names <input type="checkbox"/> Outline of exterior walls, decks and driveways on adjacent lots		
<input type="checkbox"/> Color board or samples of existing building's materials (exterior paint and stain samples, roof and masonry samples) -OR- <input type="checkbox"/> Color photo of existing buildings (ACC may subsequently request samples) -OR- <input type="checkbox"/> No existing building on lot		
<b>Site Plan</b> , minimum scale 1" = 20', with the following (may be added to existing conditions diagram) <input type="checkbox"/> Proposed location of building <input type="checkbox"/> Location of residence (indicate if building exists, or will be future construction) <input type="checkbox"/> Driveway location and materials (existing, proposed or none) <input type="checkbox"/> Proposed exterior dimensions of building <input type="checkbox"/> Distance from corner of closest foundation wall or overhang to nearest property line		



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Required Documents for Constructed Outbuildings, continued	Page Number	Office Use
<b>Proposed Construction of Building (materials to be used)</b> <input type="checkbox"/> Foundation <input type="checkbox"/> Walls <input type="checkbox"/> Windows and Doors <input type="checkbox"/> Roof <input type="checkbox"/> Electrical, Plumbing, HVAC <input type="checkbox"/> Exterior Lighting		
<b>Building Elevations</b> <input type="checkbox"/> Exterior finish must be shown for all surfaces <input type="checkbox"/> Existing grades must be projected on all exterior elevations <input type="checkbox"/> Exterior grade differentials must be shown on the foundation in all elevations <input type="checkbox"/> Front, rear and two side elevations, labeled to correspond with site plan		
<input type="checkbox"/> Color board of proposed building (exterior paint and stain samples, roof and masonry samples)		
<b>Describe intended use of outbuilding, including business use, if any, which must comply with the applicable DCCRs:</b>  		
<b>Will outbuilding be used as living quarters at any time by the owners or other persons?</b> (Note that using outbuildings as living quarters is not a permitted use.)	___ Yes ___ No	
<b>Requested Time to Complete Construction</b> <input type="checkbox"/> 90 days <input type="checkbox"/> Other _____ (Explain)		
<b>Plan Review Fee, Outbuilding: \$100 (non-refundable)</b> <b>If more than one non-residential project is requested, and all requested changes are shown on a single site plan, a single, non-refundable Plan Review Fee may be paid with multiple application forms.</b>	Ck #	





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Required Documents for Prefabricated Outbuildings, continued	Page Number	Office Use
<b>Building Foundation</b> <input type="checkbox"/> Pier foundation constructed with concrete and rebar -OR- <input type="checkbox"/> Concrete pavers (Trailer Base) minimum 4x16x16 on 4-foot centers under each skid -OR- <input type="checkbox"/> Concrete slab		
<input type="checkbox"/> Color board of proposed building (exterior paint and stain samples, roof and masonry samples)		
<b>Describe intended use of outbuilding, including business use, if any, which must comply with the applicable DCCRs:</b>		
<b>Will outbuilding be used as living quarters at any time by the owners or other persons?</b> (Note that using outbuildings as living quarters is not a permitted use.)	___ Yes ___ No	
<b>Requested Time to Complete Construction</b> <input type="checkbox"/> 90 days <input type="checkbox"/> Other ____ Explain:		
<b>Plan Review Fee, Outbuilding: \$100 (non-refundable)</b> <b>If more than one non-residential project is requested, and all requested changes are shown on a single site plan, a single, non-refundable Plan Review Fee may be paid with multiple application forms.</b>	Ck #	



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AGREEMENT**

As the property owner and builder, if applicable, of the described construction project, we acknowledge and agree that the improvements will be constructed in accordance with the plans and specifications approved by the Architectural Control Committee.

We further acknowledge that:

1. We have read and understand the Declaration of Covenants, Conditions and Restrictions, including any supplemental covenants, and Design Guidelines applicable to the property, and will follow and obey said Covenants and Guidelines.
2. We are responsible for completing this project as described by the drawings, plans and specifications approved by the ACC. Any change to the approved drawings, plans and specifications will be submitted to the ACC for approval prior to beginning construction for the change.
3. We will maintain a clean construction site at all times and, if required by the ACC, will install a job sign, commercial trash dumpster, job toilet, and construction entrance in conformance with Design Guidelines and Workplace Standards. We understand that if contractors do not comply with standards, we (the property owner/s) is/are subject to fines for any violations at the discretion of the Board.
4. We are responsible for the conduct of all workers and subcontractors performing services on this project at all times while construction is underway on the lot.
5. We understand that the builder and/or property owner is responsible for applying for all utilities (including, but not limited to, electricity, water and propane) in a timely manner. Mystic Shores POA will not be held responsible for construction delays due to the builders/owners failure to apply for utilities in a timely manner or for any other reason. Furthermore, Mystic Shores POA will not be held liable for the failure of any utility to provide their services to the builder/owner in a timely manner.
6. We understand that we are responsible for obtaining all applicable permits from the county (for example, septic and driveway permits), or from any other government agency as required, and providing a copy of said permits to the ACC to demonstrate compliance.

Property Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Builder: \_\_\_\_\_ Date: \_\_\_\_\_





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BUILDER'S ACKNOWLEDGEMENT**

All builders are required to follow these **Workplace Standards** in this Community.

**Mystic Shores is a "Clean Site" Community**

All builders are required to do the following **prior** to starting construction and **throughout** the construction process, if required by the ACC:

- Place a commercial trash dumpster on the lot
- Place a port-a-john on the lot within the lot setback lines
- Install a construction entrance and driveway (minimum of 3" to 5" diameter rock)
- Install and maintain a builder sign with emergency contact information, maximum size 4' by 4', maximum height 6'

All builders are required to do the following **throughout** the construction process:

- Site must be kept clean at all times – trash must be picked up daily and removed or placed in dumpster
- Keep all paved roads clear of construction site mud or debris
- Prohibit and prevent fires of any size, for any reason; comply with county or other relevant jurisdiction fire prevention requirements

Contractors are required to continuously abide by these **Workplace Standards** while in the Community.

Violations are subject to fines, at the discretion of the Architectural Control Committee, and/or the Board of Directors.

Acknowledged:

Builder: \_\_\_\_\_

Date: \_\_\_\_\_

Owner: \_\_\_\_\_

Date: \_\_\_\_\_