



Property Owners' Association

GENERAL GUIDELINES

For Submitting Your Application and Building Your New Home at The Summit at Cypress Mill

Congratulations! You have most likely been dreaming about and planning this new home for quite a while. While this journey may have its ups and downs, with careful advance planning on your part and help from design or design/build professionals, your dream home will soon be a reality. As you are aware, this process must start with the set of your plans and specifications approved by the Architectural Control Committee (ACC). In order to facilitate the successful and timely approval of your plans for new construction, we have put together these general guidelines. We encourage you to share them with your architect and/or builder throughout the design and construction process.

1. Application, fees, professionally drawn architectural plans and specifications, site plan showing all set back lines and location of all improvements, landscaping sketch*, and color/material samples should be submitted to our ACC. (See the complete checklist on the "New Construction Design Review Application" form.) Application and supporting documentation should be submitted by email to **The Summit at Cypress Mill POA, SummitatCypressMill@gmail.com**. PDF files are preferred. Architectural drawings/site plans must be submitted as PDF files. No large format drawings/plans will be accepted. *Landscaping may be deferred until after occupancy as discussed in item 12 below.

2. Please note that the ACC cannot begin reviewing your submission until all items on the "New Construction Design Review Application" form are first received. Your plans will then be uploaded into software for the ACC to access. The ACC has up to 30 calendar days to review your plans and either 'Approve' as submitted or, to 'Reject' because of violations or omissions. If plans are rejected, you must re-submit again, and the 30 day timeline re-starts upon the subsequent receipt by the ACC.

3. Communication and correspondence from the ACC will always be with you, the property owner, not with your builder, architect, or any of your other contractor(s). We do that to respect your privacy and confidentiality. It is therefore the property owner's sole responsibility to relay directives or information from the ACC to their builder/architect/contractor(s). If you feel that your builder/architect/contractor has questions or needs clarifications, a conference call can be arranged between you, your builder/architect/contractor(s), and a member of the ACC.

4. It is also the responsibility of the property owner to insure that their architect/builder/contractor is aware of, and abides by, The Summit at Cypress Mill Covenants, Conditions and Restrictions (CC&R's).

5. Three inspections will be required during the construction process:

- Inspection #1: To be conducted when your foundation is framed, but not yet poured.
- Inspection #2: To be conducted when your home framing is complete.
- Inspection #3: To be conducted when your home is complete and ready for move in.

In addition, you may request an optional Pre-construction meeting with a member of the ACC at any time during the beginning planning phase of your home to insure that you understand the building requirements and to ask any questions you may have.

It is the owner's responsibility to contact a member of the ACC to schedule these inspections. The construction deposit will be refunded after passing Inspection #3.

Construction Site Guidelines:

- a) The approved plans and specifications should be available from the builder/contractor at the jobsite at all times.
- b) All construction sites shall have sufficient portable restroom facilities (located in as inconspicuous a place as possible), silt fencing (if needed), and a dumpster.
- c) The sites shall be kept neat and clean at all times, insuring that all refuse and building rubble is put into the dumpster to keep it from blowing onto adjacent properties.



Property Owners' Association

Construction Site Guidelines (cont'd):

- d) The approved plans and specifications should be available from the builder/contractor at the jobsite at all times.
- e) All construction sites shall have sufficient portable restroom facilities (located in as inconspicuous a place as possible), silt fencing (if needed), and a dumpster.
- f) The sites shall be kept neat and clean at all times, insuring that all refuse and building rubble is put into the dumpster to keep it from blowing onto adjacent properties.
- g) No building related activity, including but not limited to the unloading of building materials, may encroach onto adjacent properties.
- h) No concrete, mortar or any such materials should be mixed or prepared on any of the roadways. Contractors should remove any sand, gravel, cement or rubble that may have washed or blown onto the road or adjacent properties during the building process.
- i) All workers should act in a professional manner, remain on the job site and not loiter after the workday has been completed.
- j) Workers should be considerate of adjacent properties and refrain from disruptive behavior or playing loud music.
- k) Builder/contractor burn piles are not allowed.
- l) All property lines should remain clearly marked before and during construction.

Property Access and Exit:

- a) Contractors/builders will have gate access to the property. They must sign the Contractor Gate Code Request Form, which you will submit with your application and plans. Upon approval by the ACC of your application, you will be notified of the temporary Contractor keypad gate code, which you will give to your contractor to use for entrance into the development during the building process. We ask that the general contractor/prime builder please use discretion in granting this temporary code to their subcontractors and delivery trucks or other providers of building services. This temporary access code will be deleted after the completion of their work on your home.
- b) The property owner shall be responsible for any damage caused to the roads, utility boxes, gates, etc., by construction equipment or trucks making deliveries to/from their lot.

6. We suggest you take the time to read the CC&R's very carefully. The ACC will strictly enforce these provisions to protect all other property owner's interests. Please feel free to contact an ACC member at any time during your design or construction process if you have any questions.

Some highlights in the CC&R's (by paragraph noted):

- 1. (3.02) Homes must be a minimum of 1,800 square feet of (conditioned) living area.
- 2. (3.03) Homes must have at least a two car attached or detached garage in which the garage doors must face the side or rear tract line, be constructed out of the same material used on the main dwelling and, be at least 51% masonry (3.17) .
- 3. (3.05) Barns, Workshops & Storage Buildings are allowed to be constructed before the main dwelling, but MUST be submitted to the ACC for approval first, including the site plan drawing showing the approximate future placement of the house. The size of the barn, workshop, or storage building will dictate whether or not the construction deposit and road assessment fee will be required.
- 4. (3.06) Barns containing guest quarters built prior to construction of the main home will require the same application and approval process as a main residence, including but not limited to, the submission of a site plan with setback lines showing location of barn and any other improvements being constructed at that time AND showing the approximate future placement of the house, professionally drawn plans and specifications including building materials and colors to be used, and both the \$1,000 refundable construction deposit and the \$500 non- refundable road assessment fee.
- 5. (3.14) Construction must be with new materials and built in place on the tract. No aluminum or vinyl siding shall be allowed.



Property Owners' Association

6. (3.17) Homes, guest quarters and garages must use at least 51% masonry on the exterior walls of each structure excluding windows and doors.
7. (Amendment of Rules, 9/28/2017 Water Storage Tanks & Associated Equipment and CC&R para. 3.18) All above ground tanks, pumps, vent pipes and other equipment (propane tanks, water well pressure tanks as well as rainwater harvesting tanks and equipment) must be concealed or attractively screened. Their placement and concealment method must be approved by the ACC. Painted tanks must use one of the approved colors.
8. (Amendment of Rules, 1/7/14-Solar Energy Devices) Solar energy devices must be located on the roof of the home or another structure on the owner's lot OR in a fenced yard or patio. If on the roof, it must extend no higher than or beyond the roofline, be located only on the back of the home and comply with all other aspects of this amendment.
9. (3.20) The construction setback lines that will be recognized are those on the recorded plat of The Summit at Cypress Mill (please contact the ACC if you have any questions or require clarifications).
10. (3.25) The first 50 ft. of any driveway which is connected to any road must be of concrete or asphalt.
11. A short form (Exterior Tank Short Form) is required for **each** exterior water storage tank to be installed. Exterior water tanks may be approved along with the New Home Construction package or as separate projects.
12. (3.35) "Landscaping" is defined in the following recorded amendment rule:
 1. *The front of the home (the yard area that can be viewed from the street) must be enhanced by adding plants, trees, flowers and/or shrubs in the area adjacent to the foundation of the front of the home and spanning at least 25% of the front building line of the home. There are no specific requirements as to type, size, or number of plants, trees, flowers, and/or shrubs so long as the 25% requirement is met.*
 2. *All landscaping must be maintained in good condition and repair and in conformity with the general character and quality of properties and the immediate area.*
 3. *Landscaping Plans must be submitted with the Plans and Specifications for new residences to the Architectural Control Committee for approval prior to installation. Accordingly, landscaping of new construction is considered part of the construction process for the purposes of the construction deposit required by Article 4.07 of the Declaration. As such, the construction deposit may be held until all landscaping meets these requirements. The Landscaping Plans must contain at a minimum a hand drawn sketch showing the general location of planned landscaping on a copy of the site plan*

Note: Homeowner may elect to submit form "Summit at Cypress Mill Request to Occupy Prior to Landscaping" for landscaping deferment. If approved, homeowner must submit landscaping plans along with the "ACC Improvement Request Short Form" for approval by the ACC prior to installation. Landscaping of the area around the home as described in "12.1." above is required within 120 days of occupancy.

13. Dark Skies Lighting (3.37 Added by Amendment 11-08-2019) - Exterior Lighting. All exterior light fixtures installed in the Subdivision shall be Dark Skies compliant. Any style of light fixture may be used, so long as the light source is shielded so that light shines down, not up or out at a 90 degree angle. Mercury vapor lights are prohibited. This provision applies to all new construction and any remodel or replacement of fixtures on existing Improvements. Specifications of exterior light fixtures must be submitted to the Architectural Control Committee for approval. If desired, the ACC will consult with property owners to help identify Dark Skies compliant light fixtures. Please visit <http://mcdonaldobservatory.org/darkskies> or www.darkskies.org more information.

This list by no means is intended to cover all restrictions, but is provided as a helpful summary of a few key items of clarification. Please don't hesitate to contact the ACC if you have any questions about the application process or any detail or provisions in question on the CC&R's. We look forward to helping you make your dream home a reality while also protecting the aesthetic beauty and property values at The Summit at Cypress Mill.

Sincerely,

The Architectural Control Committee (2021-2022)

Sandy Moredock – swmoredock@comcast.net (Chairperson)

Karl Petter - khpett@swbell.net

James Goodwin - ali2578@sbcglobal.net

Jill Goff - jegoff@goffcp.com

Ann Franklin - amf328@aol.com



**NEW CONSTRUCTION DESIGN REVIEW APPLICATION
FOR
THE SUMMIT AT CYPRESS MILL PROPERTY OWNERS' ASSOCIATION, INC.**

The Summit's Covenants, Conditions and Restrictions (CC&R's) is the Recorded compliance document for maintaining the overall aesthetic of the development and, for retaining homeowner values of all properties at The Summit at Cypress Mill (2.01). The Architectural Control Committee (ACC) is solely responsible for reviewing your complete set of plans and specifications (1.18 and 4.01), site plan and all improvements (1.14), but is *not* responsible for the notice of, or ensuring compliance with, any building codes, structural details, local, state or federal law, or any regulatory or environmental agency compliance or, for any design errors and omissions found in your plans and specifications or, for the performance of your finished improvements on your property site, including any unforeseen site drainage/damage issues caused by the creation of your improvements that could or may negatively impact any other property within the development.

Consider appropriate professional design assistance to protect your investment.

The ACC has up to 30 days to approve or to reject your full submission (4.03). Incomplete submittals received by the ACC will be rejected and you will be notified within 5 business days at which time you will need to re-submit and to correct those missing items before your submission will be conveyed to the ACC.

Lot # _____ Owner(s): _____

Street Address of New Construction: _____

Current Mailing Address: _____ City, State Zip: _____

Phone Number(s): _____ Email: _____

Estimated construction start date: _____ Estimated completion date: _____

Architect / Designer: _____	Builder: _____
Address: _____	Address: _____
City, St, Zip _____	City St, Zip _____
Phone: _____	Phone: _____
Email: _____	Email: _____

Plans and Specifications Submittal Checklist

A complete application package for submittal contains this application, two checks, electronic PDFs of your Site and Architectural Plans, Material Samples, "Contractor Gate Code Request Form," and a 2nd copy of the Site Plan showing location of proposed landscaping as specified below. Additionally your package may include the "Summit at Cypress Mill Request to Occupy Prior to Landscaping" form. If landscaping deferral after move-in is requested, the 2nd copy of the Site Plan showing landscaping would be submitted later as indicated on the form.

I. Fees: Two separate checks must be submitted, each payable to The Summit at Cypress Mill Property Owners Association, Inc. by mail to Sandy Moredock, 322 Cypress View Drive, Johnson City, TX 78636

- _____ \$1,000 Construction Deposit (4.07) - is refundable, less any obligations incurred as a result of any uncured violation of the CC&R's.
- _____ \$500 Road Maintenance Assessment (4.06) - is non-refundable, used to offset wear and tear on roads by construction equipment and construction traffic.

II. Site Plan- in electronic PDF format, scaled at 1" = 20'

- _____ All property lines, easements, building setback lines and encroachments.
- _____ Dimensions from proposed structure to property lines.
- _____ Utility locations and proposed trench lines.
- _____ Drainage plan – indicate post development drainage patterns on the site plan or show the intended drainage path(s) on a scaled topographical survey plan. Note: any site excavation or pond construction requires prior ACC approval.
- _____ Proposed drives, walks, and any other flatwork/hardscape or related improvements, showing materials to be used. (The first 50 linear feet of any driveway must be concrete or asphalt.)
- _____ Location of water well and/or tank(s). Note: If you wish to request approval of a proposed exterior water tank along with your New Home Construction, you must provide an "Exterior Water Tank Short Form" for **each** tank in your package.
- _____ Exposed HVAC unit location(s).
- _____ Location of utility boxes and meters.
- _____ A 2nd copy of the Site Plan showing planned location of landscaping. May be hand-sketched, but must show minimum of plantings adjacent to the foundation of the front of the home and spanning at least 25% of the front building line of the home. NOTE: Minimum landscaping must be completed within 120 days after move-in **IF** the "Request to Occupy Prior to Landscaping" form has been submitted. Otherwise, landscaping must be completed before move-in.
- _____ Location of septic system.
- _____ Location of propane tank (if applies), preferably buried.

III. Architectural Plans- in electronic PDF format, scaled at 1/4" = 1' 0"

- _____ Driveway, sidewalks, patios, covered porches, decks.
- _____ Square footage calculations of conditioned area on each level and sum total.

- _____ Minimum four elevations (front, rear, left, right) with final grades shown.
- _____ Clearly marked exterior materials/finishes, and calculation of masonry % statement of exterior materials.
- _____ Fencing and walls (design and color included).
- _____ Roof design/material (color included).
- _____ Building height measurements of all improvements subject to CC&R 3.13 limitations – may not exceed 35 feet in height or 2-1/2 stories.

IV. Material Samples – Sample File packaged securely in separate envelope or, complete set of photographs of all sent by electronic .pdf file via email to ACC

- _____ Exterior paint – color samples (chips) – no larger than 4”x4”.
- _____ All exterior colors of trim, accents, and stucco walls must be designated on all plans and elevations. Sample paint chips must be no larger than 4”x4”.
- _____ Brick or stone – small sample or representative samples if multi-color, no larger than 4”x4” or, photographs with description.
- _____ Roofing material and color, including the specifications relating to weight and warranty, and include a copy of the manufacturer’s brochure.

V. All other site improvements initially constructed with the house such as a pool, fountains, spas, decks, gazebos, pergolas, outdoor BBQ/pizza oven, fences and gates, playscapes, etc. not on original plans must also be submitted with complete details for approval by the ACC.

Send application form(s), site plan, material samples, and associated documentation to:

The Summit at Cypress Mill POA
Email: SummitatCypressMill@gmail.com

I, (property owner, please print) _____ certify that I have a copy of the DECLARATIONS OF COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&R’s) for The Summit at Cypress Mill Property Owners’ Association (POA), have provided my builder/architect/designer with a copy, and that I have read and familiarized myself with those documents. Further, I certify that the house and site design has been developed with the full knowledge of and adherence to the CC&R’s and that construction and jobsite conduct will proceed accordingly.

I authorize the designated agent of the POA and/or Architectural Control Committee (ACC) to inspect the above described property and improvements. I indemnify and hold harmless the POA and ACC and their designees against any and all claims or loss except that of willful misdeed or gross negligence. In the event that any item of construction does not satisfy the requirements of the CC&R’s and/or the latest plans & specifications approved by the ACC (see addendum, below), all repair(s), replacement(s) and/or augmentation of those item(s) will be performed at the property owner’s expense until those item(s) satisfy the CC&R’s and/or the approved Addendum requirements as solely determined by the ACC.

*I certify all information, data, and supplemental materials submitted in this application are complete, true and correct. **I understand and agree no work may be performed prior to receipt of written ACC approval.** I further understand that no deviation shall be allowed from the terms and conditions of the original ACC approval without an Addendum submission and a dated Addendum approval provided, in writing, from the ACC (there are no additional fees for an Addendum).*

I also understand that the home, including the minimum required landscaping, must be completed within (12) months of the construction commencement date (3.12).

Applicant Signature: _____ Date: _____

Summit at Cypress Mill Request to Occupy Prior to Landscaping

Para. 3.35 of the CC&R's states:

"...Each Owner shall be required to landscape the area around his home. Occupancy prior to completion of landscaping shall require the written approval of the ACC, shall be for good cause only, and shall be no earlier than 120 days prior to completion of landscaping." In an effort to clarify the term "landscape" in the above paragraph, the ACC has adopted the following rule, aka the "Landscaping Rule":

Maintenance and Landscaping of Lots

Article 3.35 of the Declaration is interpreted to mean that, at a minimum:

- 1. The front of the home (the yard area that can be viewed from the street) must be enhanced by adding plants, trees, flowers and/or shrubs in the area adjacent to the foundation of the front of the home and spanning at least 25% of the front building line of the home. There are no specific requirements as to type, size, or number of plants, trees, flowers, and/or shrubs so long as the 25% requirement is met.*
- 2. All landscaping must be maintained in good condition and repair and in conformity with the general character and quality of properties and the immediate area.*
- 3. Landscaping Plans must be submitted with the Plans and Specifications for new residences to the Architectural Control Committee for approval prior to installation. Accordingly, landscaping of new construction is considered part of the construction process for the purposes of the construction deposit required by Article 4.07 of the Declaration. As such, the construction deposit may be held until all landscaping meets these requirements. The Landscaping Plans must contain at a minimum a hand drawn sketch showing the general location of planned landscaping on a copy of the site plan.*

The ACC understands that completing landscaping before move-in is difficult for most. If you wish to request written approval to take occupancy of your new home prior to completion of landscaping, please complete and sign the following:

I am requesting approval from the ACC to take occupancy of my new home prior to completing landscaping for the following reason: _____

I have read and understand the landscaping requirements contained in the CC&R's and the rule stated above. I agree to submit my landscape plans prior to installation, and agree to complete at least the minimum required landscaping no later than 120 days after occupancy.

Owner's Name Printed: _____ Date: _____

Signature: _____ Lot #: _____