

THE PENINSULA AT MYSTIC SHORES AT CANYON LAKE

ARCHITECTURAL AND SITE DESIGN GUIDELINES

6/1/2012
Version 2.4



Preface: The DCCR’s and Design Review Guidelines of the Peninsula at Mystic Shores are separate sets of requirements from those of Mystic Shores.

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1.0 INTRODUCTION

1.01 Objective of the Guidelines

This document has been prepared for promoting the development of a residential community known as the Peninsula at Mystic Shores. The standards expressed in this document are intended to describe our “vision” of our community through procedures that are clearly outlined and informative. Our intent is to expedite your process of building an exceptionally high quality residence. Throughout the course of the development, we may review and revise these Architectural and Site Design Guidelines as necessary to reflect changing conditions.

1.02 Relationship to Legal Documents

These guidelines are supplementary to the Declaration of Covenants, Conditions, and Restrictions for Mystic Shores and to the Declaration of Covenants, Conditions, and Restrictions for the Peninsula at Mystic Shores which are of record. The criteria are intended to complement the Covenants and should a conflict arise, the Covenants shall prevail. *(DCCR’s for Mystic Shores, Article 9, Section 9.3 (a), page 25; DCCR’s for the Peninsula, Article V, Section 5.02, page 9)*

1.03 Community Master Plan

Mystic Shores is a planned community that includes approximately 7500 acres located on Canyon Lake and the Guadalupe River. The Community includes a 30 acre park on a lakeside peninsula with a junior Olympic swimming pool and other recreational features. Additional amenities include a gated RV storage area and a nature preserve.

The Peninsula at Mystic Shores is an exclusive area with private roads and a gated entry. It has its own property owners association and architectural control committee.

Throughout the future development of the Peninsula at Mystic Shores, it is the intent of the property owners to protect the natural features of the Hill Country. Consequently, these Architectural and Site Design Guidelines will reflect that concern in its approach toward the design, review, and construction of residences within the Peninsula at Mystic Shores.

2.0 ORGANIZATION AND RESPONSIBILITIES OF THE PENINSULA AT MYSTIC SHORES ARCHITECTURAL CONTROL COMMITTEE (ACC)

2.01 Mission and Function

The covenants state that no structure is to be erected in the Peninsula without being approved by the Peninsula ACC. The ACC works with the Architectural and Site Design Guidelines and the Declaration of Covenants, Conditions, and Restrictions to assure an attractive, compatible, and aesthetically pleasing community. The Architectural and Site Design Guidelines are used by the ACC as guidelines for the evaluation of projects submitted to them. The final decision of the ACC may be based on purely aesthetic considerations. It is important to note that these opinions are subjective and may vary as committee members change over time. The Peninsula Property Owners Association Board and the ACC reserve the right to revise and update the Peninsula Architectural and Site Design Guidelines as well as the performance and quality standards to respond to future changes. *(DCCR’s for Mystic Shores, Article 9, page 24; and DCCR’s for the Peninsula, Article V, Section 5.02, page 9)*

2.02 Membership

The ACC is comprised of five members appointed by the Peninsula Property Owners Association Board. A member of the committee will serve as the chairperson. (*DCCR's for Mystic Shores, Article 9, Section 9.2, page 25*)

2.03 Scope of Responsibility

The ACC has the following responsibilities:

1. Evaluating each of the plans submitted by an owner for adherence to the design guidelines and compatibility of the design with the adjoining sites and common spaces.
 2. Approving all new construction.
 3. Monitoring the design and construction process in order to ensure conformance with the covenants and design guidelines.
 4. Enforcing the design guidelines through special assessment or self-help as described in the covenants.
 5. Interpreting the covenants and design guidelines at the request of the owners.
 6. Approving all modifications to existing structures, including but not limited to walls, fences, material replacements, renovations, additions and landscaping.
- (*DCCR's for Mystic Shores, Article 9, page 24; DCCR's for the Peninsula, Article V, Section 5.02, page 9*)

2.04 Enforcement Powers

Any structure that is placed on any home site without ACC approval is considered to be in violation of these guidelines and the covenants. The ACC has the power to request that the non-conforming structure be brought into compliance at the owner's expense. Should the owner fail to comply with the requests of the board, the ACC will act in accordance with Article 9, Section 9.9, page 29 of the Mystic Shores DCCR's to bring the non-conforming item into compliance.

2.05 Limitation of Liability

Approval by the ACC does not constitute a representation of warranty as to the quality, fitness, or suitability of the design or materials specified in the plans. Owners should work with their architect and or contractor to determine whether the design and materials are appropriate for the intended use. In addition, approval by the ACC does not assure approval by any governmental agencies that require permits for construction. Owners are responsible for obtaining or ensuring that their architect or contractor obtains all required permits before commencement of construction. The Peninsula at Mystic Shores Property Owner's Association, Board, any committee, or member of any of the foregoing shall not be held liable for any injury, damages, or loss arising out of the manner or quality of approved construction on or modifications to any home site. In all matters, the committees and their members shall be defended and indemnified by the Association as provided in Article 9, Section 9.8, page 29 of the Mystic Shores DCCR's.

3.0 THE BUILD / DESIGN REVIEW PROCESS

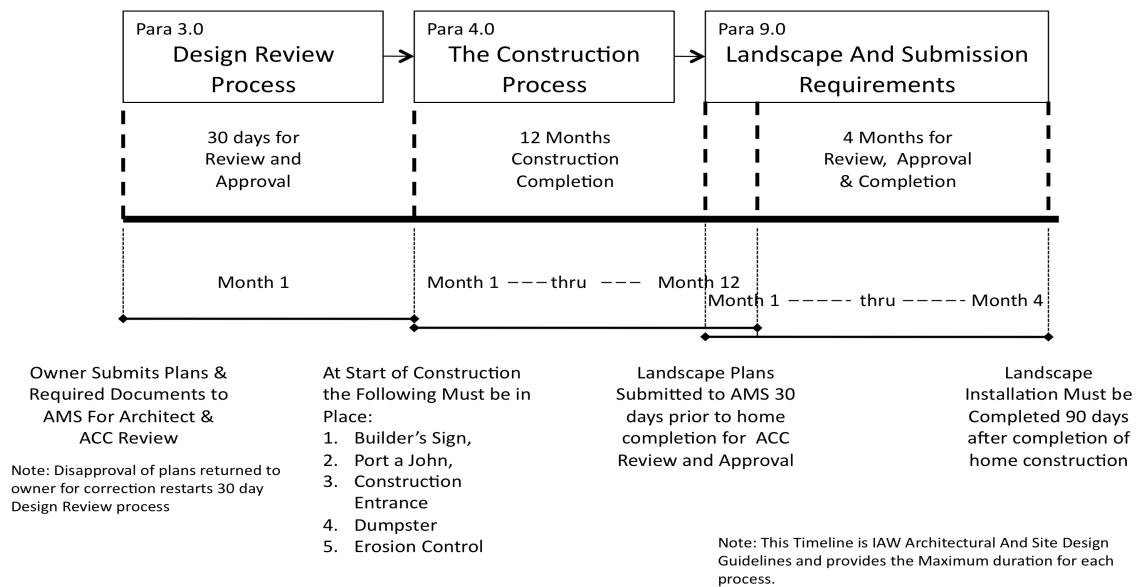
Figure 3-1 Build Process Timeline provides an overview of the three processes 1. Design Review Process, 2. The Construction Process and 3. Landscape and Submission Requirements. This Timeline is IAW Architectural and Site Design Guidelines and provides the Maximum duration for each process

3.01 Review of Plans

The Design Review Process Figure 3-2 provides the steps necessary for a review and approval of plans submitted. Plan submission requirements for design review are listed in Paragraph 5.0 Specific Submission Requirements.

The ACC will review design submissions at scheduled meetings. Plans should be submitted to: Association Management Services, 1600 N.E. Loop 410, Suite 202, San Antonio, TX 78209, (210) 829-7202, fax (210) 829-5207, and email steve@ams-sa.com or DeeDee@ams-sa.com. The submission requirements are outlined in [Article 9, Section 9.3, page 25](#) of the Mystic Shores DCCR's and [Section 5.01](#) of these guidelines.

Figure 3-1 Build Process Timeline



3.02 Conditions of Approval/Rejection of Plans

Approval by the ACC shall in no way relieve the owner of responsibility and liability for the adherence to any applicable ordinances and codes. Plans submitted for review or any portion thereof, may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ACC, including purely aesthetic considerations. If the plans are disapproved, the 30 day period for review and approval restarts when a revised plan is received.

3.03 Architectural and Contractor Requirements

All plans for the construction of dwellings and other buildings or significant structures at the Peninsula at Mystic Shores must be designed and drawn by an architect who is registered and licensed in the State of Texas or a professional, experienced home designer.

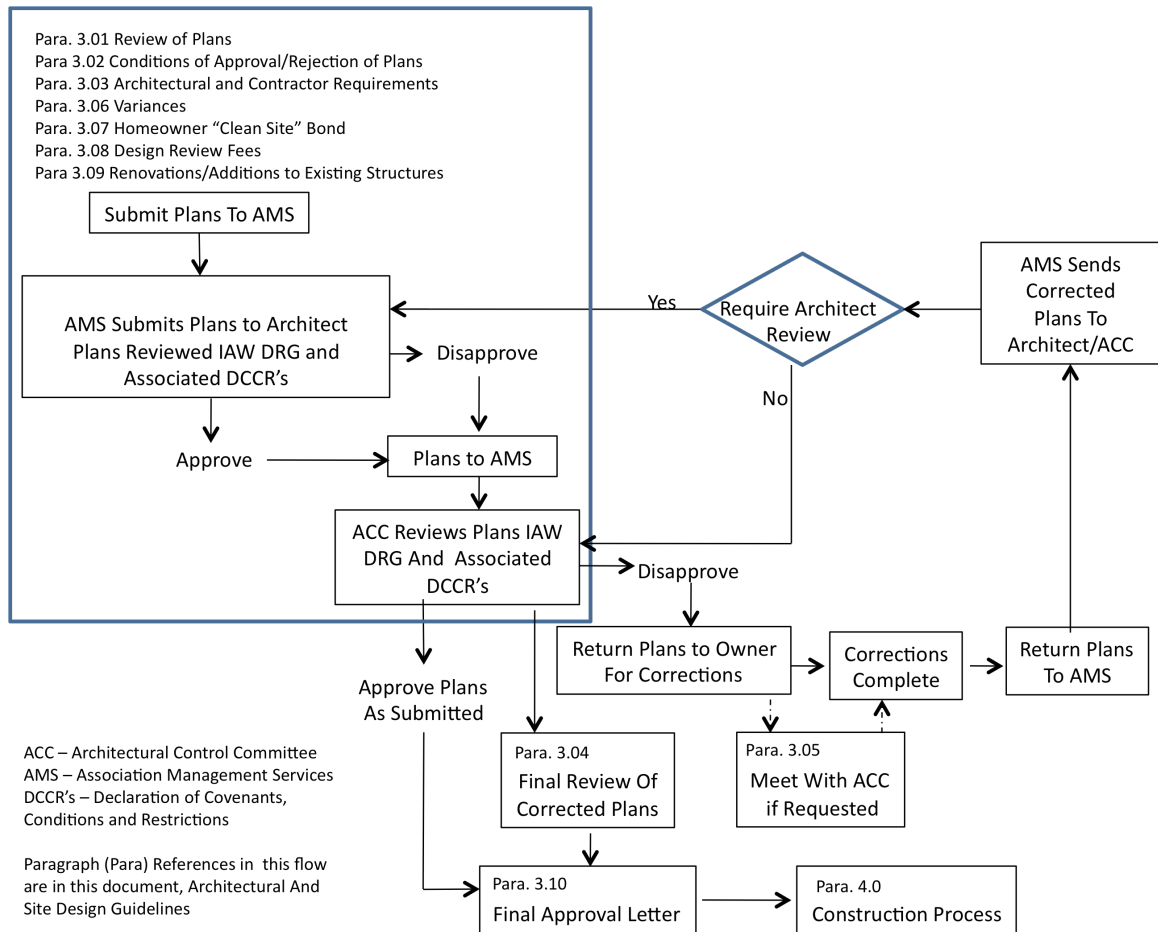
3.04 Final Review

During final review, the property owner submits a final set of construction drawings for the project. These drawings should address all the conditions imposed by the ACC. The ACC will make design comments as necessary during this review.

3.05 Additional Meetings with the ACC

If an application for approval is denied or conditions are unacceptable, the applicant may request a meeting to discuss the issues with the ACC or an ACC representative.

Figure 3-2 Design Review Process



- Note:
1. Application for Construction must be submitted with two (2) complete sets of plans
 2. Plan submission requirements for design review are listed in Para 5.0 Specific Submission Requirements

3.06 Variances

From time to time, the Architectural and Site Design Guidelines or existing site conditions may impose an undue hardship that may inhibit construction on a particular home site. In such case, the applicant may submit a written request for a variance to the ACC thru the AMS. The ACC will review the request and will grant or deny the variance. The ACC response will be in written form thru the AMS. Any variance granted is unique and does not set any precedent for future decisions of the ACC. All previous and future variances must be in writing.

3.07 Homeowner “Clean Site” Bond

Homeowner “Clean Site” bond/deposit amounts can be established and published by the ACC. The ACC reserves the right to change the amount at any time without notice. The purpose of the deposit is to assure compliance to workplace “Clean Site” standards. The “Clean Site” bond must be included with the plan submission. Submissions received without the “Clean Site” bond could be considered incomplete and may be returned to the property owner. The homeowner can be fined for violation of the “Clean Site” standards at the discretion of the Peninsula ACC. Said fines, if any, will be deducted and the balance of the deposit will be refunded to the builder upon completion of home construction.

3.08 Design Review Fees

Design review fees can be established and published by the ACC. The purpose of these is to cover all expenses related to the processing of applications for construction. The Peninsula Property Owners Association Board reserves the right to change or waive these fees from time to time without prior notice. (See *Mystic Shores at Canyon Lake ACC Checklist*)

3.09 Renovations/Additions to Existing Structures

All renovations, additions, or improvements to existing structures require approval by the ACC. The applicant shall submit plans showing the nature of the work to be performed with the review fee, if any.

3.10 Final Approval

The final approval letter is issued after the ACC approves the submitted plans for construction.

4.0 THE CONSTRUCTION PROCESS

4.01 Construction Time Limit / Restrictions

All dwellings and other structures must be completed within one year after the construction of same has commenced, except where such completion is impossible or would result in great hardship to the owner or builder due to strikes, fires, national emergencies, or natural calamities as deemed by the ACC. If an extension is needed, the builder may submit an extension request, including the projected completion date, in writing, thru the AMS to the ACC. Failure to complete the project within the deadline will result in either special assessments, self help measures, or other enforcement rights as set forth in the DCCR's.

It is the responsibility of each owner and occupant to prevent the development of any unclean, unhealthy, unsightly, or unkempt condition on their property. This is to include any noise or other condition that will or might disturb the peace, quiet, safety, comfort, or serenity of the occupant's of surrounding property. Any and all construction is restricted to the hours of 8:00 AM to 6:00 PM. Waivers to this time restriction may be approved by the ACC on a case-by-case basis. (DCCR's for *Mystic Shores*, page 32 para. 10.8 Nuisance)

4.02 Builder's Sign

Builder signs must be installed at the start of clearing and grading. The sign shall remain properly installed throughout construction. All signs should meet the following requirements. Signs should be 4 foot by 4 foot and may consist of all colors. They should be installed with skids or posts no closer than 10 feet from the front property line and 25 feet from each sideline. The sign cannot be higher than 72 inches from the ground to the top of the sign. The builder's sign can remain on the property until 14 days after completion of the dwelling. Subcontractor signs are not allowed on the property. Any additional signage or displays found on a jobsite may be removed at any time without warning. (*Article 9, Section 9.4 (b)(i), page 27 of the Mystic Shores DCCR's; Article 3, Section 3.09 of the Peninsula DCCR's, page 6*)



4.03 Port a John

A portable toilet stall (port a john) is required for each job site. The port a john must be placed rearward of the builder's sign i.e.: further than 10 feet from the front property line.

4.04 Construction Entrance

A construction entrance must be installed prior to the start of any work on the lot. The entrance must be built to eliminate the tracking of mud or debris onto paved roads. Driveway culverts must be installed and will be of sufficient size to afford proper drainage of ditches without backing water up into a ditch or diverting flow. Drainage culvert installation must meet County requirements. *(Peninsula DCCR's, Article 3, Section 3.12, page 7)*

4.05 Erosion Control

Natural established drainage patterns of streets, tracts, or roadway ditches shall not be impaired by any person or persons. No creeks or natural drainage areas may be dammed, or water impounded, diverted or used for any purpose without prior written consent of the ACC. *(Article 3, Section 3.12, page 7, of the Peninsula DCCR's)*

Individual lot owners, prior to starting any construction activity that includes any type of earth disturbing activity, must apply for a Texas Commission on Environmental Quality (TCEQ) permit to discharge storm water and develop a Storm Water Pollution Prevention Plan (SWP3) that is tailored to that construction site. Typically, the SWP3 includes control measures such as rock berms and silt fences that trap sediments and keep them from leaving the construction site. Additionally, the control measures must be inspected every 14 days and after every rainfall event greater than 0.5 inches. After construction is complete, the permit must stay in effect until the site is stabilized or until 70% of the native background vegetative cover has been established. At that point, the permit should be terminated.

If you, the lot owner, hire a building contractor, that contractor should apply for the TCEQ permit, prepare the SWP3, supervise the implementation of the SWP3, perform the inspections, and terminate the permit when the site is stabilized. However, if you perform the general contracting duties yourself, you would be the "operator" and would be responsible for these requirements.

For additional information concerning TCEQ permitting requirements, you can access their web site at <http://tnrcc.state.tx.us>.

If you require assistance in preparing your permit application, SWP3, or inspections, you can also contact any firm specializing in Storm Water Compliance Management.

4.06 Site Management

Only usable construction materials may be stored on a construction site. Discarded construction materials, refuse, and debris must be removed daily from the site, or contained within a trash dumpster. Storage or placement of materials within any right of way or easement is not permitted at any time. If trash is not removed on a regular basis, the ACC will contact the builder and or owner to facilitate site cleanup. No fires are allowed on the construction sites. No petroleum-based products or other potentially hazardous or toxic substances may be disposed of on any lot or any drainage ditch, stream, or lake. Trespassing/driving on adjacent lots or properties is prohibited.

4.07 Right to Enter and Inspect Property for Compliance

The right of entry and inspection is specifically reserved by the ACC, its agents, and representatives to visit all or any portion of the Owner's property for verifying compliance with the requirements of the ACC. A representative of the ACC will make periodic inspections during the entire construction period. The Owner will be notified in writing with a copy to the architect/designer and general contractor of any items and exceptions noted in the inspection report and all such items and exceptions must be completed or resolved to the satisfaction of the ACC.

4.08 Conduct of Workers

No alcohol or drugs are permitted on site at any time. Animals are prohibited. Firearms are prohibited. No harassing or loud behaviors are permitted. Workers shall not be allowed to travel

the property unnecessarily or use the amenities. Additional violations may result in the contractor being denied access to the property.

4.09 Revisions and Changes During Construction

All revisions and changes made during construction shall be submitted in writing to the ACC for approval prior to the implementation of such change. All revised drawings must be submitted along with the revision request. The ACC will grant or disallow the request in writing.

4.10 Alterations/Remodeling/Improvements/Repainting of Approved Structures

Any exterior change to an existing structure requires approval from the ACC before commencing with work. All exterior changes or renovations shall be submitted to the ACC for approval as outlined in Section 9 of the Mystic Shores DCCR's. All construction shall be subject to the construction regulations set forth in Section 4.0 of these guidelines.

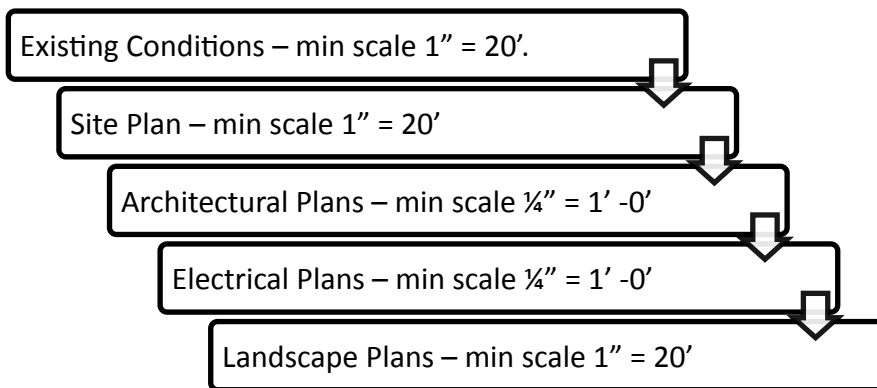
5.0 SPECIFIC SUBMISSION REQUIREMENTS

5.01 Plan Submission Requirement for Design Review

Figure 5-1 represents the typical plans required and Appendix A lists the specific submission requirements that must be met prior to obtaining final approval for construction. Each application made to the ACC shall be accompanied by two (2) sets of plans and specifications for all proposed construction (initial or alteration) to be done on such Tract, including plot plans showing location on the Tract.

(Reference Article V Architectural Control Committee and The Peninsula At Mystic Shores Architectural Control Committee, page 9 Section 5.01 Basic Control.)

Figure 5-1 Typical Plans Required



In addition to the two sets of plans an Application For Construction, application fees and Application for Variance Request if required must be submitted. Failure to submit required documents may result in a delay in obtaining approvals. Forms are contained as attachments to this document.

6.0 ARCHITECTURAL GUIDELINES

6.01 General Standards

Homes must be designed in conformity with the standards; requirements, and guidelines set forth in the Covenants and the Design Guidelines. All footprints and garages must be sighted within the setbacks. Plans submitted for review, or any portion thereof, may be disapproved upon any grounds, which are consistent with the purpose and objectives of the ACC, including purely aesthetic considerations.

6.02 Modular Construction

No modular home or manufactures home shall be placed, erected, constructed, or permitted within the development. “Modular home and manufactured home” shall include any prefabricated or pre-built dwelling which consists of one or more transportable sections or components and shall also be deemed to include manufactured building, manufactured home, modular building, modular home, modular construction, and prefabricated construction as defined by the Texas State Building Code. Prefabricated accessory structures, such as sheds and gazebos, must be reviewed and approved in strict accordance with Section 9 of the Covenants.

6.03 Dwelling Size/Minimum Standards

Refer to your specific Unit Supplemental Declaration of Covenants, Conditions and Restrictions.

DWELLING SIZE/MINIMUM STANDARDS

	1 Story House	1-1/2 to 2 Story House	Garage Spaces
Peninsula Unit 1	3000+ sq ft	3500+ sq ft	3-4 car
Peninsula Unit 2	3000+ sq ft	3500+ sq ft	2-4 car
Peninsula Unit 3	3000+ sq ft	3500+ sq ft	2-4 car
Peninsula Unit 4	3000+ sq ft	3500+ sq ft	2-4 car

6.04 Setback & Building Height Requirements

Refer to the table below for specific Peninsula Unit Supplemental Declaration of Covenants, Conditions and Restrictions.

Very few building sites within the Peninsula are level, and the slope of the terrain presents some challenges when selecting a building site. Setback requirements listed in the following table are relatively easy to achieve. The main challenge is meeting the maximum building height requirements as listed in the following table. The DCCR’s takes this into consideration and provides the following guidance.

“The maximum height shall be two stories, but not to exceed thirty-five (35) feet per dwelling from the first floor elevation, which is the measurement taken from the footprint of the proposed home’s first floor slab at the highest point on virgin soil. Height of any accessory building shall not exceed twenty-five (25) feet.”

In addition, the ACC may waive or alter any such setback or height restriction, if the ACC believes, in the exercise of the ACC sole discretion, such waiver or alteration, is necessary to permit effective utilization of a tract. Any such waiver or alteration must be in writing and recorded in the Deed of Records of Comal County, Texas. *(Peninsula DCCR’s Unit One, page 5, Section 3.03 Location of the Improvements Upon the Tract)*

SETBACK & BUILDING HEIGHT REQUIREMENTS

Unit	Lot#	MAX BUILDING HEIGHT		SET BACKS		
		Home	Access Bldgs	Front	Side	Rear
Peninsula 1	All Lots	35	25	50	10	25
Peninsula 2	All Lots	35	25	50	10	25
Peninsula 2	1312	35	25	50	10	100
Peninsula 2	1313	35	25	50	10	100
Peninsula 3	All Lots	35	25	50	10	25
Peninsula 4	All Lots	35	25	50	10	25

6.05 Exterior Color Guidelines

All exterior colors of any structure must be natural or earth tones and must compliment the surrounding landscape. The ACC may, in its sole discretion, approve other color schemes so long as such colors compliment the Peninsula community.

7.0 SITE REQUIREMENTS: ACCESSORY AND DECORATIVE STRUCTURES

7.01 Outbuildings

Each home site is limited to outbuildings as defined in the specific Unit Supplemental Declaration of Covenants, Conditions, and Restrictions. The location and appearance of outbuildings shall be submitted and approved by the ACC prior to construction. Outbuildings should be architecturally compatible with the home, and similar in color. All outbuildings shall be within the building setback lines. The buildings shall be oriented so that access is indirect and they do not open on the street.

7.02 Arbors and Trellises

Arbors and trellises are permitted. Location, elevations, and finishes must be submitted to the ACC for approval prior to beginning construction.

7.03 Walls and Fences and Gates

Walls, fences, and gates must be approved by the ACC prior to installation or construction and shall be on or within the Lot property line. All fences, walls and gates are to be constructed of: (a) all rock or masonry or; (b) all wrought iron or; (c) any combination of wrought iron and masonry or; (d) any other material that, in the opinion of the ACC is compatible with the style of the main dwelling. The maximum height of the fence/wall shall be six (6) feet, excluding fences surrounding tennis/sports courts, which may be higher. No wood, barbed, smooth, hog, chicken, chain link, or like fencing material may be constructed, used in the construction of, or maintained on any tract except in connection with tennis and/or sports courts. The ACC reserves the right to disapprove any fence that, in the ACC's opinion, may not meet the intended plan for the area.

Gates on all lots must be of a decorative nature and be constructed of metal and or steel. Standard aluminum ranch gates are not permitted.

7.04 Swimming Pools/Hot Tubs

Above ground swimming pools are prohibited. Bubble covers for below ground swimming pools are prohibited. Pools may not be installed in the front or side yard of any residence. All plans for swimming pools must be submitted to the ACC for approval. Swimming pools which are installed in the rear yards of lots that are adjacent to other lots will be subject to additional screening requirements as imposed by the ACC. Pool filtering, heating, and plumbing equipment must be screened from the street.

It is strongly recommended that all pools be within an ACC approved fence and gated area. Reference: Design Review Guidelines, Para 7.03 Walls and Fences and Gates.

Outdoor hot tubs are permissible. Location of hot tubs shall be shown on the site plan. Hot tubs shall not be installed on the front or side yard of any home. Hot tubs installed in the rear of lots adjacent to other lots will be subject to additional screening requirements as imposed by the ACC.

7.05 Clotheslines

There shall be no outdoor clothesline on any home site.

7.06 Tennis Courts

Private tennis courts shall be permitted on tracts that are 3 acres or larger and must meet all set back requirements. They must be placed in the rear yard of the home and must be approved by the ACC.

Portable basketball goals are permitted as long as the equipment is well maintained, not set up near a street or cul-de-sac, and is not a nuisance to neighbors. Permanent basketball courts are permitted on tracts that are 3 acres or larger. If a basketball court/goal is to be a permanent structure, the location and design of basketball goals/court shall be submitted to and approved by the ACC prior to construction.

7.07 Camping

No camping is permitted on any property within any of the units of the Peninsula.

7.08 Flags and Flagpoles

Flagpoles: An Owner may have one flagpole, or one residence-mounted flag mount, but not both. There are three types of flagpole: 1) wall mounting (flag mount), 2) residential telescoping and 3) in-ground. The maximum of one flagpole is permitted. Placement of all flagpoles and flag lighting must be approved by the ACC before being installed. Plans must be submitted to the ACC for each installation, detailing the dimensions, type, location, materials, and style/appearance of the flagpole, flag mount(s), lighting and related installations. The ACC shall have the sole discretion of determining whether such items and installations comply.

In addition to the US Flag, the Texas State Flag and other state flags, the following flags may be flown in accordance with the flag code: Army, Navy, Marine Corps, Air Force, Coast Guard, POW/MIA and Veteran Flags. All other flags must be approved by the ACC and are expected to be in keeping with the integrity of the neighborhood.

The Flag Code describes the flag as a living thing, and it should be treated as such. All torn or damaged US/state flags must be replaced and proper disposal methods used.

Requirements Related to Flags - The following additional requirements shall apply to flags:

1. Flags must be displayed on an approved flag mount or flagpole. Flags may not be displayed in any other manner.
2. No more than one flag at a time may be displayed on a flag mount. No more than two flags at time may be displayed on a flagpole.
3. Flags on flagpoles must be hoisted, flown, and lowered in a respectful manner.
4. Flags must never be flown upside down and must never touch the ground.
5. No mark, sign, insignia, design, or advertising of any kind may be added to a flag.
6. If both the U.S. and Texas flags are displayed on a flagpole, they must be of approximately equal size.
7. If the U.S. and Texas flags are flown on one pole, the U.S. flag must be the highest flag flown and the Texas flag the second highest.
8. Only all-weather flags may be displayed during inclement weather.
9. The flag must be no larger than 3ft x 5ft.
10. Flags may not contain commercial material, advertising, or any symbol or language that may be offensive to the ordinary person.
11. A pennant, banner, plaque, sign or other item that contains a rendition of a flag does not qualify as a flag.

Requirements for Flagpoles - The following additional requirements shall apply to flagpoles installed on Lots:

1. No more than one flagpole may be installed on a Lot;
2. The flagpole must be free-standing and installed vertically;
3. The flagpole must be no greater than 20 feet in height measured from grade level;
4. The location and construction of the flagpole must comply with applicable zoning ordinances, may not be located in any easements (including drainage easements), and comply with all setback requirements;
5. Unless otherwise approved by the ACC, the location of the pole must be within 10 feet of one of the side-most building lines of the home, and within 10 feet of the front most building line of the home. The ACC may require the pole to be installed on a particular side or otherwise require a particular location;
6. No trees may be removed for pole installation; and
7. An Owner must ensure that external halyards (hoisting ropes) used in combination with a flagpole do not create an unreasonable amount of noise.

Hours: For a stationary flag displayed on a building, pole or staff, it is customary to fly it from sunrise to sunset. You are only permitted to display your flag at night if it is properly illuminated. This means that you must have a light dedicated to "spotlighting" your flag. A street/gate light or well-lit area will not provide enough light. With the right lighting, you can fly your flag 24 hours a day for as many days as you like.

Lighting of Flag Displays: Any lights installed for the purpose of illuminating a flag must be pre-approved by the ACC. Such light installations must be of a reasonable size and intensity and placed in a reasonable location, for the purpose of ensuring that the lights do not unreasonably disturb or distract other individuals. All flag illumination lighting must be specifically dedicated to that purpose. No other lighting, whether located inside or outside of the residence, may be directed toward a displayed flag for purposes of illuminating the flag (e.g., security flood or spot lights may not be oriented toward a displayed flag).

Conditions: In this area we have high winds. This coupled with our change in weather, an all-weather flag is recommended. If you are not using an all-weather flag, make sure you bring your flag indoors in weather conditions like rain, snow, sleet or hail. Even all-weather flags can be damaged by severe storms, causing them to become torn and tattered. A damaged flag is disrespectful to our nation, and will require repair or replacement.

Maintenance: An Owner is responsible for ensuring that a displayed flag, flagpole, flag mount(s), lighting and related installations are maintained in good and attractive condition at all time at the Owner's expense. Any flag, flagpole, flag mount, light, or related installation or item that is in a deteriorated or unsafe condition must be repaired, replaced, or removed promptly upon the discovery of its condition.

Appendix B: Flag Etiquette. Flag Etiquette and the flag code formalize and unify a set of instructions on handling, displaying and caring for the American Flag. It also indicates inappropriate use and disrespectful behavior. Appendix B provides an overview of flag etiquette and code.

7.09 Greenhouses

Greenhouses may be placed on a lot for the sole purpose of non-commercial gardening. The structure must comply with all requirements for accessory structures with regard to setback lines and placement (DCC&R's for Mystic Shores: Sections 3.03 and 9.4(a)iv; Architectural and Site Design Guidelines for The Peninsula at Mystic Shores: Section 7.01). In addition, the construction of such greenhouses shall employ aluminum exterior framing and either glass or rigid polycarbonate glazing materials. No corrugated panels or plastic sheeting may be used. The maximum height may not exceed sixteen (16) feet, and the maximum area may not exceed five hundred (500) square feet. Any auxiliary equipment must be kept within the noise restriction

guidelines as set forth in the DCCR's. Reference DCCR's pg 32 para 10.8 Nuisance and Peninsula DCCR's pg 8 Section 3.17 Noise.

7.10 Lawn Art

All lawn art that is visible from the street must be approved by the ACC prior to placement. It may fall in one of two categories, artificial vegetation or sculpture. Sculptures may range from water features, likeness of animals, and address markers to old wagons. If lawn art is known during the construction phase it can be identified in the landscape submittal with either a sketch or photo. If it is post construction either a sketch or photo must be submitted for approval. (ref DCCR's para 9.4 (a) Exterior Structures and Improvements)

The following guidelines apply during the holidays (4th of July, Halloween, Christmas, Hanukah etc.). Your "Holiday Art" selection does not require ACC approval however, if the art is considered offensive the ACC will require its removal within 24 hours of notification. Holiday Lawn Art may be placed 30 days prior to the holiday and must be removed within 14 days after the holiday.

8.0 SITE REQUIREMENTS: DRIVEWAYS

8.01 Driveways

Driveways in all four units of the Peninsula must be surfaced with either concrete, exposed aggregate, brick pavers, or a combination thereof. Driveways must be surfaced upon completion of the main dwelling unit. (*P-DCCRs 3.15, page 7; First Amendment to the DCCR's of Unit Two, 16 May 2005; First Amendment to the DCCR's of Unit Three, 18 May 2005; Supplemental Declaration of DCCR's for Section Four, 27 October 2005*)

9.0 LANDSCAPE REQUIREMENTS

9.01 Landscape and Submission Requirements

All homes that are built in the Peninsula must be landscaped. The landscape layout and plans must be approved in writing. Such landscape layout and plans shall include all landscaping, plant materials, irrigation, walls, walks, swimming pools, fences, or other features to be installed or constructed on any portion of the lot. The ACC shall, in its sole discretion and authority, determine whether the landscape layout and plans submitted to it for review are acceptable.

Landscaping plans must be submitted for review by the ACC at least thirty (30) days prior to home completion. Landscaping installation must be completed ninety (90) days after the completion of home construction.

Landscaping shall be a well-designed balance of mature trees, shrubs, and lawn grass around the perimeter of each new house. Plants must screen most of the exposed foundation. This area must be watered by an irrigation system. All new landscaping turf installed or planted must be Buffalo, Blue Grama, Zoysia, or Bermuda Grass. Other low water requirement turf products will be considered and may be approved by the ACC. All requirements for specific types of turf were included in the restrictions to encourage water conservation practices.

No more than ten (10) percent of any front area on any property, excluding driveways and sidewalks, may be covered by rock material. Any deviation must have prior written approval by the ACC. (*Peninsula DCCR's Article 3, Section 3:16, page 7; Supplemental Declaration of DCCR's for Unit Two dated 1 March 2005, Article 3, Section 3.3; Supplemental Declaration of DCCR's for Unit Three dated 21 March 2005, Article 3, Section 3.3; Supplemental Declaration of DCCR's for Unit Four dated 27 October 2005, Article 3, Section 3.3*)

9.02 Lighting

The goal of the ACC in regard to lighting is to manage our external household and landscape lighting so that it will limit light pollution, ensure traffic safety but also allow homeowner security.

All exterior lights shall consist of fixtures that prevent light from escaping through the top of the fixture. Down lighting and the usage of low voltage bulbs are encouraged to reduce glare, better illuminate drives and walks, and to protect neighboring properties from bright light sources.

Colored lights are prohibited. Spotlight/floodlights will be considered on a case-by-case basis, depending on orientation and location. Directionality of bright flood lights should take into account neighboring residences. Pole lights will be reviewed on a case-by-case basis. All path and landscape lighting must consist of low voltage lamps. Path and landscape lighting shall have a maximum height of thirty-six (36) inches. (*DCCR's for Mystic Shores, Section 9.4 (b)(ii), page 27; DCCR's for the Peninsula, Section 3.18, page 8*)

10.0 ADDITIONAL REQUIREMENTS

10.01 Storage of Recreational Vehicles and Equipment

Recreational vehicles may not be kept on the property prior to the main dwelling being built. After the dwelling is complete, said such items may be kept on the property as long as they are parked only in garages serving the lots. (*DCCR's for Mystic Shores, Section 10.4 (b) page 31; DCCR's for the Peninsula, Section 3.01, page 5*)

10.02 Signage

Only signs approved by the ACC may be placed upon any Lot in the Peninsula.

The ACC approves that each lot in the Peninsula may have one professionally made "Custom Builder's" sign while the house on the lot is under construction and such signs must be removed upon completion of the dwelling. Professionally made does not include pre-made, store bought signs. For restrictions regarding Builders' signs, see section 4.02.

No other real estate signs shall be allowed in the Peninsula including, but not limited to, For Sale signs, Sold signs, For Lease signs and/or For Rent/Rented signs.

The ACC approves a small Security Sign provided by a security company of the homeowner's choice to be placed in the yard or in a flowerbed as close as possible to the front door or front porch of the home.

The ACC approves a Conservation Committee recommended 8" x 11" - TP&W (Texas Wildscapes Backyard Wildlife Habitat) sign to be placed in the yard or in a flowerbed as close as possible to the front door or front porch of the home.

No signs will be allowed near the roadway except for approved address markers and the blue address marker available through the fire department.

In the event that a permitted sign is not properly maintained, the ACC may give the sign owner written notice that repairs must be made within five (5) business days of notification. The ACC shall have the right, but not the obligation to have repairs made and charged to the sign owner.

Nothing herein shall prevent the Peninsula at Mystic Shores Property Owners Association from establishing rules for permitting signage in celebration or recognition of religious or national holidays. (*Mystic Shores DCCR's, Article 9, Section 9.4 (b)(i), page 27; Peninsula DCCR's, Article 3, Section 3.09, page 6*)

Religious Displays: State statute allows owners to display certain religious items in the owner's entry, and further allows the association to impose certain limitations on such entry displays. The

following rule outlines the limitations on religious displays in an owner's entry area. Notwithstanding any other language in the governing documents to the contrary, residents may display on the entry door or doorframe of the resident's dwelling one or more religious items, subject to the restrictions outlined below. Allowed religious displays are limited to displays motivated by the resident's sincere religious belief.

Prohibited Items: No religious item(s) displayed in an entry area may:

1. threaten the public health or safety;
2. violate a law;
3. contain language, graphics, or any display that is patently offensive to a passerby;
4. be located anywhere other than the main entry door or main entry door frame of the dwelling;
5. extend past the outer edge of the door frame of the door; or
6. have a total size (individually or in combination) of greater than 25 square inches.

Remedies for Violation of this Section: Per state statute, if a religious item(s) is displayed in violation of this Section, the Association may remove the offending item without prior notice. This remedy is in addition to any other remedies the Association may have under its other governing documents or State law.

Seasonal Religious Holiday Decorations: This rule will not be interpreted to apply to otherwise-permitted temporary seasonal religious holiday decorations such as Christmas lighting or Christmas wreaths. The ACC has the sole discretion to determine what items qualify as Seasonal Religious Holiday Decorations and may impose time limits and other restrictions on the display of such decorations. This is addressed in Paragraph 7.10 Lawn Art.

Other displays: Non-religious displays in the entry area to an owner's dwelling and all displays (religious or otherwise) outside of the entry area to an owner's dwelling are address in Paragraph 7.10 Lawn Art.

10.03 Propane Storage Tanks

All propane tanks in the Peninsula must be buried in the ground or be concealed by a solid privacy fence, built with the same masonry as the main dwelling, and cannot exceed six (6) feet in height. Maintenance entry must not be facing the street or adjacent property. (*Peninsula DCCR's, Article 3, Section 3.07, page 6*)

10.04 Satellite Dishes

No satellite dishes or similar apparatus shall be placed on any dwelling in such a way that they are visible from the street. No huge ground satellite dishes shall be erected or installed. Small modern ground satellite dishes utilized by high definition televisions shall not be placed on property without the prior written approval of the ACC. (*Peninsula DCCR's, Article 3, Section 3.13, page 7*)

10.05 Solar Panels

No solar panels shall be placed on any dwelling in such a way that the panel/apparatus is visible from the street. (*Peninsula DCCR's, Article 3, Section 3.13, page 7*)

Prior Approval Required: Prior to installation of any solar energy device, the Owner must submit plans for the device and all appurtenances to the ACC for approval. The plans must provide an as-built rendering, and detail the location, size, materials, and color of all solar devices, and provide calculations of the estimated energy production of the proposed devices.

Definition: In this section, "solar energy device" means a system or series of mechanisms designed primarily to provide heating or cooling or to produce electrical or mechanical power by collecting and transferring solar-generated energy. All solar devices not meeting this definition are prohibited.

Prohibited Devices: Owners may not install solar energy devices that:
are located in an area on the property other than:

1. on the roof of the home (or of another approved structure on the Owner's lot
2. in a fenced yard or patio owned and maintained by the Owner;
3. are installed without prior approval by the ACC; or
4. substantially interfere with the use and enjoyment of land by causing unreasonable discomfort or annoyance to persons of ordinary sensibilities. This determination may be made at any time, and the ACC may require removal of any device in violation of this or any other requirement.

Limitations on Roof-Mounted Devices: If the device is mounted on the roof of the home, it must:

1. extend no higher than or beyond the roofline;
2. be located only on the back of the home – the side of the roof opposite the street. The ACC may grant a variance if the alternate location is substantially more efficient
3. conform to the slope of the roof, and have all top edges parallel to the roofline; and
4. not have a frame, a support bracket, or visible piping or wiring that is any color other than silver, bronze, or black tone commonly available in the marketplace.

Limitations on Devices in a Fenced Yard or Patio: If the device is located in a fenced yard or patio, it may not be taller than the fence line.

Solar shingles: Any solar shingles must:

Be designed primarily to:

1. be wind and hail resistant;
2. provide heating/cooling efficiencies greater than those provided by approved roof material; or
3. provide solar generation capabilities; and

When installed:

1. resemble the roof material approved
2. be more durable than and are of equal or superior quality to the roof material used
3. match the aesthetics of the property surrounding the Owner's property.

10.06 Air Conditioning Units

Air conditioning or HVAC units that are visible from the front street must be hidden by either a wall consisting of the same masonry material used in the construction of the dwelling. (*Peninsula DCCR's, Article 3, Section 3.13, Section 3.16, page 7*)

10.07 Drainage and Grading

No owner or occupant may obstruct or re-channel the flows of drainage swales, storm sewers, or storm drains. No person shall alter the grading of any lot without prior approval pursuant to

Article 9 of the Mystic Shores DCCR's. No person may fill in or pipe any roadside or lot-line swale used to meet Comal County regulations. Construction site driveways must include a culvert if said driveway crosses an area of drainage. (*Mystic Shores DCCR's, Article 10, Section 10.10, page 33*)

10.08 Sight Distance at Intersections

No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between two feet and six feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. The same sight line limitations shall apply on any lot within ten feet from the intersection of a street property line with the edge of a driveway pavement. No tree shall be permitted to remain within such distances of such intersection unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines. (*Mystic Shores DCCR's, Article 10, Section 10.1, page 33*)

10.09 Water Wells, Storage Tanks, Rainwater Harvesting & Collection Systems

Water Wells. Prior to connecting the well to your irrigation the water source from CLWSC must be disconnected and capped off. This is done to prevent possible cross contamination.

A typical well installation has plumbing containing relief valve, pressure switch, check valve, pressure gauge, hose bib, distribution system that feeds the water to the main line in your irrigation and the pressure tank. All this equipment must be properly screened. If this equipment can be seen from the front of the residence it must be concealed by a solid privacy fence, built with the same masonry as the main dwelling and cannot exceed six (6) feet in height. Maintenance entry must not be facing the street or adjacent property. The following are guidelines that are required unless an approved variance is granted, and these setbacks include the masonry concealment as well as the well head:

Setbacks from property line:

Front 50 ft
Side 10 ft
Rear 25 ft

Setbacks from Septic & Spray Heads (and also from adjoining lots):

Septic Tanks 50 ft
Aerobic spray heads 100 ft

As with any construction, site debris is potential problem. The mud generated and any flows from drilling need to be controlled. It is the owner's responsibility to clean up all debris.

Storage Tanks. Storage tanks serve multiple functions such as back up water systems, improving pressure and flow, and gravity flow when needed. In this type of requirement booster pumps may be used. Storage tanks also come in various forms and applications --- above ground, buried, decorative and low profile. In all cases, any storage tank selected must be completely enclosed and concealed if seen from the road at the front of the house. If a storage tank is placed where it cannot be seen from the road, it is recommended that screening be put in place to compliment the surrounding area. This may be planters, shrubbery, flowerbeds, etc.

Maximum size and configuration of storage tanks must be approved by the ACC prior to installation.

Rainwater Harvesting & Collection. The most common method of collecting rainwater is from roof water runoff. This method, as well as others, can be very elaborate requiring modification to gutter systems and various types of storage tanks. Any and all modifications to the exterior residence require ACC approval. A simple method used is a collection barrel at selected down spouts. An important aspect of rainwater harvesting is prevention of mosquitoes and other insects. Insect screens and flap valves installed at the end of all inlets and outlets are required. Placement of Rainwater harvesting and collection systems must meet the same setback requirements as wells and storage tanks.

Prohibited Locations: Owners are prohibited from installing rain barrels or rainwater harvesting systems, or any part thereof, on property between the front of the Owner's home and an adjoining or adjacent street.

Owners wishing to install such systems must submit plans showing the proposed location, color(s), material(s), shielding, dimensions of the proposed improvements, and whether any part of the proposed improvements will be visible from the street, another lot, or a common area (and if so, what part(s) will be visible). The location information must provide information as to how far (in feet and inches) the improvement(s) will be from the side, front, and back property line of the Owner's property.

Color and Other Appearance Restrictions: Owners are prohibited from installing rain barrels or rainwater harvesting systems that:

1. are of a color other than a color consistent with the color scheme of the Owner's home;
2. display any language or other content that is not typically displayed by such a barrel or system as it is manufactured; or
3. are not constructed in accordance with plans approved by the Association.

Additional Restrictions if Installed in Side Yard or Improvements are Visible: If any part of the improvement is installed in a side yard, or will be visible from the street, another lot, or common area, the Association may impose restrictions on the size, type, materials, and shielding of, the improvement(s) (through denial of plans or conditional approval of plans).

ACC Approval Required Prior to Installation. No water well, storage tank or Rainwater Harvesting/Collection Systems can be installed without prior approval of the ACC. Following is the submission requirements for all applications. The 2 page Application for Construction form must be completed and submitted with any application, including a check for the application fee.

- Type of Construction: Check Renovation/Addition (a well would be considered an addition)
- Fill in property owner data
- Fill in Builder information
- Put "not applicable" for architect / designer information
- Complete Application Checklist: Check Site Plan (submit two (2) copies showing well location and screening). Site Plan must also show location of septic tank and all aerobic spray heads. This also applies to adjoining lots.
- Application Fees WAIVED
- Builder Bond and Builder Infrastructure Fee NOT REQUIRED
- Read and sign agreement.

Applications are submitted to the ACC for review and approval. Once the application is approved, it will be returned with the approval cover letter. The owner is responsible for submitting the application to AMS. After the application is received by AMS work may begin.

11.0 CONCERNING THE BUILDING OF STRUCTURES ON GOVERNMENT OWNED PROPERTY AND/OR PRIVATE PROPERTY ON FLOWAGE EASEMENT:

This instruction applies to property owners whose property extends to the shores of Canyon Lake and/or the Guadalupe River in the Peninsula at Mystic Shores.

Any property owner who wishes to build a structure below the 948 foot contour line on the edge of Canyon Lake and/or the Guadalupe River must obtain all required permits from Comal County, the U.S. Army Corps of Engineers (Corps), the State of Texas and other authorities prior to submitting a request for approval by the Peninsula Architectural Control Committee (ACC). The ACC requires that the detailed design plans submitted to the Corps be attached to the ACC submittal in order that the committee can perform its review function for approval or disapproval of the proposed structure. In addition, copies of all required permits must be attached. It is the property owner's responsibility to obtain all necessary permits and it is not the function of the ACC to determine what permits are required. The initial point of contact is:

U.S. Army Corps of Engineers
Canyon Lake Office
601 C. O. E. Road
Canyon Lake, TX 78133
830.964.3341 phone
830.964.2215 fax

Appendix A Specific Submission Requirements

The following submission along with necessary applications must be met prior to obtaining final approval for construction. The existing Conditions Plan may be combined with the Site Plan.

Existing Conditions Plan – min scale 1" = 20'. Must include the following information: (Note: May be combined with site plan)

- a) Owner's name
- b) Designer's name
- c) North Arrow and scale
- d) Property lines with dimensions and bearings
- e) Setback lines
- f) Easement lines
- g) Adjacent street names
- h) Outline of exterior walls, decks and driveways on adjacent lots

Site Plan – min scale 1" = 20' Must include the following information: (Note: May be added to the existing conditions plan.)

- a) Proposed location of home
- b) Dimensions from corner of foundation to adjacent property line
- c) Proposed driveway
- d) Proposed fences
- e) Proposed retaining walls
- f) Proposed pool or spa location
- g) Proposed accessory structures (out building, trellis, etc)
- h) Proposed location of AC Units
- i) Finish Floor Elevation (FFE) on first floor and garage
- j) Proposed two-foot contour lines
- k) Location of LP tank

Architectural Plans – min scale 1/4" = 1' -0'

- a) Floor Plans
 - i. Interior rooms dimensioned and named
 - ii. All windows and door openings shown (to include garage door opening)
 - iii. Roof overhang with dashed line
 - iv. Total square footage of structure
 - v. Heated square footage of structure (Refer to your specific Unit Supplemental Declaration of Covenants, Conditions and Restrictions)
- b) Building Elevations
 - i. Front, rear and two side elevations

- ii. All elevations labeled so they can correspond with the site plan
- iii. Exterior finish shown
- iv. All decks and terraces shown

Electrical Plans - min scale 1/4" = 1' -0'

- a) First Floor
- b) Second Floor
- c) Exterior Lighting
- d) Outbuildings
- e) Air Conditioning
- f) Pool, Spa

Landscape Plans – min scale 1" = 20'

- a) Owner's Name
- b) Designer's name, address, telephone and fax number
- c) North arrow and scale
- d) Property lines with dimensions and bearings
- e) Location of all structures (including decks, trellises, fences, gazebos, etc) pavement and utilities.
- f) Location of all lawn areas and shrub bed lines
- g) Location of all proposed plant material
- h) Plant list with quantities, botanical names, common names, sizes and specifications.
- i) Location and specifications of all exterior lighting fixtures
- j) Total area of lawn in square feet
- k) Total area of lawn as percentage of site
- l) Irrigation

Appendix B Flag Etiquette

Flag Material: American Flags come in a variety of materials. Some of the most popular fabrics used to make flags are Polyester, Sewn / Spun Polyester, Nylon, and cotton. Some flag fabrics aren't suitable for certain uses, climates or weather conditions. For example a flag designed for indoor use is not durable enough to be flown outside and will not last. Choosing a flag of the right material will assure it a longer lifespan with less wear and tear.

The Sewn/Spun Polyester flag is the most durable flag on the market! Its heavy weight resists high winds, while the open weave of the fabric reduces stress and wear. It also resists fading and fraying. Because of its weight, it takes more wind to fly, but it can be flown 24/7. The material resembles a coarse cotton.

Displaying the Flag with other Flag: The American Flag may be displayed with other flags as long as its display follows the rules specified by the Flag Code. These rules were set to make sure the American Flag is in a position of prominence over other flags. The flag represents the government of the United States, and on American soil, the government is the highest authority. The American flag is even displayed above church flags, except in rare instances.

The Rules:

- When displayed with other flags, the size of the American Flag should be larger than the other flags or relatively equal to the size of the largest flag. Other flags should not overshadow the American Flag in any way.
- The American Flag should be flown higher than lesser flags. If the flags are displayed on the same level, the American Flag should be flown to the (flag's own) right of all other flags. The right is a position of prominence.
- If the flags of other nations are displayed with the American Flag, they should be of equal size and at equal heights on separate staffs at a time of peace. The American Flag should be displayed to the (flag's own) right but not higher than other national flags.
- In a group of state, local and/or society flags, the American Flag should be flown highest and in the center.
- The American Flag should be hoisted first and lowered last, when flown with other flags on adjacent staffs.
- When the American Flag is displayed against a wall with another flag, it should be on the (flag's own) right with its staff in front of the other flag.
- Another nation's flag shouldn't be displayed on the same halyard as the American Flag.

- If a state, local or society flags are flown on the same halyard with the American Flag, the American Flag should be at the top.
- If the American Flag is carried in a procession with other flags, it should be to its own right or in the center of a line of flags.

Half-Staff Definition: The term "half-staff" refers to the position of a flag when it is halfway between the top and bottom of the staff. It is often synonymous with "half-mast", although it is argued that this term should only be used if the flag is displayed on a ship or nautical flagpole. The measurement does not have to be exact, but it should be at least the width of your flag. This is to imply that something is missing above the flag. Many scholars refer to this space as the "invisible flag of death," (Martuccio).

Origin: The practice of half-staffing or half-masting a flag has been taking place for some time. No one knows when and why this tradition began, but the earliest recorded incident was in 1612. It took place after the commander of the ship Heart's Ease was killed by a native Inuit while searching for the Northwest Passage between the Atlantic and Pacific oceans. His crew flew their flag at half-mast in mourning. When the ship reconvened with its fleet, the gesture was immediately recognized by crew members, insinuating that half-masting was already common practice at that time.

Symbolic Meaning: Flying a flag at half-staff or half-mast is a sign for grief and mourning. It is flown following the death of certain government officials, in times of national distress, on various holidays, and at any other time it is instructed by the president or government. There are specific instructions in the Flag Code for lowering the flag and the time frame it should be flown. This information is available in the Flag Code section below.

Procedure: To fly your flag half-staff, first hoist it to the peak, then lower it to the half-staff position.

- On Memorial Day fly your flag at half-staff until noon, then raise it back to the top.
- Fly your flag at half-staff on Peace Officers Memorial Day, unless it is also Armed Forces Day.
- The President can order that the flag be flown half-staff at any time and for any duration of time.
- It is also appropriate to fly your flag at half-staff on:
 - Patriot Day (September 11)
 - Pearl Harbor Remembrance Day (December 7)

Repair and Disposal of Worn Flags

Washing: If your American flag is beginning to look dirty or dingy, washing it may save it from an early retirement. The Flag Code does not prohibit washing flags. In fact washing your flag on a regular basis can prolong its life. Most outdoor flags can be hand-washed with a mild laundry detergent. If you're not sure if your flag can be washed, or of the proper washing procedure, take it to the dry cleaners. Many offer free flag-cleaning services, especially in the month of July.

Despite the common myth, flags that touch the ground do not need to be destroyed. If your flag does touch the ground, and it gets dirty, simply wash it. Allowing a flag to touch the ground is disrespectful to the flag, but of course accidents do happen. Just try to prevent it from happening again.

Repairing: As long as the flag is serviceable, it is acceptable to repair minor damages. While it is permitted to do repairs yourself, taking your flag to a seamstress may be a safer option. It's important that the repairs are not noticeable, and that the dimensions of the flag aren't altered. Flags with large tears or excessive fraying should be retired.

To avoid damage to your flag, bring it inside in bad weather, and make sure your flagpole or staff is in good condition. Rust can corrode your flag. If you are putting a flag into storage, make sure it is dry and the bag or container locks out moisture. Mold and mildew can grow on damp fabric.

Disposal: According to the Flag Code, any American flag that is worn, damaged or tattered beyond repair should be retired in a respectful and dignified manner. The preferred method is burning. This may shock some, since it is a well known fact that burning the flag is illegal. This, however, is an exception to the rule. You can burn the flag yourself, making sure it is done in a discreet and professional manner, or many organizations like the American Legion, the Boy Scouts Council and the Girl Scouts Council will perform a flag retirement ceremony and burn your flag for you. In this case, burning signifies purification and rebirth.

Although burning is the preferred method, it is also acceptable to seal your old flag in a box or bag and bury it. The most important factor is showing respect to the flag during its disposal.

Contact: To properly dispose of your worn or tattered flag by burning, please contact the local branch of the following organizations. The American Legion, Boy Scouts, Girl Scouts.

Note: Nylon flags create hazardous gases when they are burned. Many states have outlawed the burning of nylon for that reason. A good alternative to dispose of nylon flags (or any flag) is recycling. To recycle a flag, simply write "Recycle" on the header of the flag before handing it over to your local Post or scout troop. The nylon will be reused in making new American flags. If nylon flags are not recycled, it is customary to cut the union from the field and dispose of the flag with the proper ceremony.

The American Flag is not a decoration

The Flag Code emphasizes that the American Flag is not a decoration but rather a symbol for the United States. If you want to decorate with a patriotic theme, consider using red, white and blue bunting. You can also use other red, white and blue materials and stars and stripes to represent the flag without using its image.

The Rules:

- The American Flag can't be draped over anything or used as a covering. It shouldn't touch anything beneath it. The only time the flag can be used as a covering is for a casket. This is common practice for the funerals of servicemen, veterans and government officials.
- Don't draw the flag into folds. It should always be able to fall free.
- Never use the flag or its image to advertise products or merchandise. The only instance where it may be used in advertisement is when the product advertised is an American Flag.

- The flag can be displayed behind a speaker, but it cannot be used to decorate a platform or stage.
- In a church or auditorium, if a flag is displayed on a staff, it should be located to the speaker's right as he/she faces the audience.
- Don't wear the flag as clothing or use it as bedding or drapery.
- A flag patch or pin may be worn by military personnel, policemen, firemen, and members of patriotic organizations. It should be placed near the heart.
- Do not use the flag or its image to wrap a gift or to carry anything.
- The flag shouldn't be marked with designs, drawings, letters, words or anything else.
- It is acceptable to add gold or yellow fringe around the border of a flag as long as nothing is added to the body.
- Representations of the flag shouldn't be printed or embroidered on paper products or anything else meant for temporary use and disposal.



APPLICATION FOR CONSTRUCTION

DATE: _____ HOMESITE SECTION/LOT _____

TYPE OF CONSTRUCTION:

- NEW CONSTRUCTION, POOL, LANDSCAPE, FENCE, RENOVATION/ADDITION

PROPERTY OWNER: _____

Address to mail plans (not a P.O. Box): _____

City, State, Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

BUILDER: _____

Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

ARCHITECT/DESIGNER: _____

Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

- Application Checklist: Construction Documents: two sets of construction documents must be submitted to the ACC for review. Refer to Appendix A for specific requirements for each lot. Site Plan, Building Elevations, Floor Plan, Landscape Plan, Exterior Color Samples



REQUEST FOR VARIANCE APPLICATION

** Due to the importance of adhering to the Declaration of Covenants, Conditions, and Restrictions, and for the continuity of the community, we cannot grant variances. However, if you feel there is a severe hardship on your lot, complete and submit this form to the Architectural Control Committee. The ACC will review variance requests on a case by case basis. Any variance granted is unique and does not set any precedent for future decisions of the ACC.

Date: _____ Homesite (Section / Lot): _____
Type of Variance: [] Set Back _____ [] Other _____
Street Name _____

Property Owner: _____

Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Describe the variance being requested with a short explanation why it will be needed:

(Attach additional pages if needed)

Property Owner Signature _____