

CYPRESS LAKE GARDENS PROPERTY OWNERS ASSOCIATION

NEW CONSTRUCTION PRIVATE ROAD USAGE PERMIT APPLICATION

PLAN SUBMITTAL: With this application, submit a complete set of construction plans and a septic permit with each plot plan. The plot plan shall show the location of items of construction to be included in the project, as shown below, and setback distances. **No application will be considered if the property owner is delinquent on CLGPOA fees and dues.**

PROJECT DEFINITION: The entire project for which approval is sought consists only of the following items:
Check all that apply;

☐ Primary Residence (900 min sq. ft.) ☐ Off-Site Manufactured Home Pad (900 min sq. ft.)
☐ Aux. Residence (900 min sq. ft.) ☐ Attached Garage ☐ Detached Garage ☐ Septic
☐ Addition to Residence ☐ Driveway (☐ Concrete ☐ Asphalt ☐ Base)
☐ Cement Patio ☐ In-ground Pool ☐ Walkway ☐ Out building ☐ Carport ☐ Water Well

PROJECT LOCATION & OWNERSHIP: Property Owner _____
Res. Phone _____ Bus Phone _____ Unit # _____ Block # _____
Lot# _____ Street Address _____

CONTRACTOR: _____ Phone #1 _____ Phone #2 _____

PRIVATE ROAD USAGE FEE: Full payment shall be made prior to release of the approved Application and issuance of the Permit.

PRIMARY RESIDENCE CONSTRUCTION: Builder bond (refundable) \$1,000.00 (Cash or Check)
Private Road Usage Fee (nonrefundable) \$1.00 per sq. ft.
Off-Site Manufactured Home Builder (Dealer) bond (refundable) \$1,000.00 (Cash or Check)
Private Road Usage Fee (nonrefundable) \$1.00 per sq. ft.

SECONDARY CONSTRUCTION: Builder bond (refundable) \$500.00 (Cash or Check)
In-ground pool, detached garage, cement patio, walk way, carport, out building, well.
Private Road Usage Fee (nonrefundable) \$0.25 per sq. ft.

SEPTIC: Post construction, Builder bond (refundable) \$500.00 (Cash or Check)
Private Road Usage Fee (nonrefundable) \$350.00

NOTICE TO OWNER/CONTRACTOR: To initiate process, contact the Road Usage Committee (RUC) chairman (contact name and number are available at the office, call 830-885-4292). An RUC member will be assigned to discuss any questions you have about your plans and their compliance with referenced requirements. Also call the assigned RUC member to request timely inspections, including final inspection, per paragraphs 7 and 11 of attached rules and regulations.

OWNER/CONTRACTOR AGREEMENT: By my signature (both must sign), I affirm that I have read the attached rules and regulations and agree to abide by them. If questions arise, I will promptly contact my assigned RUC representative for resolution.

OWNER _____ CONTRACTOR _____

*****CLGPOA OFFICE USE ONLY*****CLGPOA OFFICE USE ONLY*****

Date Received _____ House Size _____ sq. ft. Garage Size _____ sq. ft.
Setback Required: Street _____ Side _____ Rear _____
Culvert Requirements: _____
Remarks: _____

APPROVAL AND NOTIFICATION PROCESS

1. Builder's Bond \$ _____ Road Usage Fee \$ _____ received on _____ by _____
2. Plans _____ approved _____ disapprove _____ by RUC on _____ by _____
3. _____ set(s) of plans and copy of permit application form returned to applicant on _____
4. Copy of approved application and permit forwarded to CLGPOA on _____
5. Inspected on completion and found in compliance on _____ by _____

CYPRESS LAKE GARDENS PROPERTY OWNERS ASSOCIATION

576 CYPRESS COVE - PO BOX 422
SPRING BRANCH, TX 78070 PHONE: 830-885-4292

NEW CONSTRUCTION ROAD USAGE RULES AND REGULATIONS

These rules and regulations are designed to help Cypress Lake Gardens Property Owners Association (CLGPOA) administer and enforce the restrictions of our subdivision. By ensuring that these regulations are met before, during, and after the construction process, we can maintain the quality of our roads, our community and the value of our property for generations to come.

1. PROTECTIVE COVENANTS

Please read the most recent edition of the Protective Covenants posted on our website at www.clgpoa.org or obtain a copy from the Cypress Lake Gardens Property Owners Association (CLGPOA). The covenants describe the basic legal rights and obligations of property ownership within CLGPOA and the limits within which owners are privileged to use their property. If you have any questions about these basic governing documents, please contact the Roads Usage Committee (RUC) at 830-885-4292.

2. NEW CONSTRUCTION ROAD USAGE BOND AND FEE

NOTE: No application for a New Construction Road Usage Permits will be considered or approved unless the property owner of the lot in question is current with all fees, dues, and other payments owed to the CLGPOA.

All new primary residence construction whether On-Site or Off-Site Manufactured Home must be submitted to the RUC with a completed New Construction Road Usage Permit Application, a \$1,000 Builder's Bond (Cash or Check), which is refundable when the RUC has determined compliance with all requirements and the New Construction \$1.00 per square foot Road Usage Fee, which is nonrefundable. (For the amount of the Bond and Road Usage Fee for construction other than that the initial residence on a lot, see paragraph 4.) Prior to consideration by the RUC, both the Builder's Bond and the Road Fee must be paid to the CLGPOA. The purpose of the Builder's Bond is to indemnify the CLGPOA in the event that a builder fails to comply with construction rules or recorded restrictions or causes damage to association owned property, such as streets, bar ditches, rock work, access gates, etc. If forfeiture of this bond is insufficient to cover the Association's cost in enforcing restrictions or construction rules or in repairing damage to association owned property, the builder is not relieved from liability by having made such forfeiture of the cash deposit.

A Builder's Bond and Road Usage Fee Permit Wavier will be issued to property owners using their own passenger vehicle to bring in materials for their own personal home projects.

3. COMPLETENESS OF PLANS

The plans submitted with the New Construction Road Usage Permit Application shall include a detailed plot plan. These plans, collectively, shall be sufficiently complete to guide the construction of the residence and all associated items initially to be built, such as garage, outbuildings, driveways, etc., and to show their location on the lot and their compliance with lot-line setback requirements.

4. ADDITIONS TO EXISTING CONSTRUCTION ROAD USAGE

The new construction of an addition to an existing residence (or a major renovation thereof) or the construction of an outbuilding, in-ground pool, or other associated items requires, prior to initiation of construction or installation activity, the submission of plans, a New Construction Road Usage Permit Application, non-refundable Road Usage Fee and a Builder's Bond of \$500 (Cash or Check) refundable on proper completion of the construction.

5. ROAD USAGE COMMITTEE REVIEW OF PLANS

Within 30 days after the application and plans have been received by the RUC, approval will be given, and a New Construction Road Usage Permit will be issued if the construction plans indicate compliance with all requirements. The permit will be left for the applicant to pick up at the CLGPOA office. If not in compliance, the RUC will return a disapproved construction road usage permit application, indicating the cause for disapproval and any suggestions for corrective action.

6. NEW CONSTRUCTION ROAD USAGE PERMIT

A New Construction Road Usage Permit must be issued by the RUC, and a copy must be posted on the job site before any construction begins and until construction is completed. **No construction material deliveries will be allowed without an approved application and permit on file.**

7. FIRST INSPECTION

New residence construction will require an inspection by the RUC when the foundation forms are in place and the portable toilet and dumpster (optional for Off-Site Manufactured homes) are on site, but before additional work is done on the foundation. This is to ensure initial compliance with applicable requirements and setbacks. **At least 48 hours prior to need for inspection, contact the RUC member assigned to you.** Failure to pass this inspection or to obtain approval of foundation forms may be considered sufficient cause to deny passage to the job site of concrete trucks or other material suppliers or subcontractors.

8. CONSTRUCTION OVERSIGHT

Following successful passage of the first inspection, oversight of construction activity until completion will be performed by the assigned RUC member. This RUC member will coordinate with the builder and / or owner to resolve questions concerning possible violations of subdivision restrictions.

9. QUALITY OF WORK

It is to the distinct advantage of each property owner and to the subdivision that all construction work be carried out in a knowledgeable and workmanlike manner resulting in neat, attractive, and safe structures and associated items. Toward this end, each worker performing construction or related work (e.g. , electrical, plumbing, air conditioning, etc.) for which a professional or trade license is required by the State of Texas, Comal County, and/or the City of Spring Branch, shall be so licensed or shall be directly supervised by such a licensed person.

10. NEW CONSTRUCTION TIME LIMIT

The exterior of the house must be completed within 6 months of the issuance of the construction road usage permit and must be in compliance with subdivision restrictions. If not, the builder's bond will be forfeited, and another equal bond will be required to be in place before construction is allowed to continue. A waiver of the deadline must be requested at least one month before the deadline with supporting and compelling reasons for noncompliance.

11. FINAL INSPECTION

Final inspection shall be requested by the builder or owner, and satisfactorily passed, before consideration will be given to the return of the refundable builder's bond. To warrant full return of the bond, the construction project must receive a final inspection by the RUC and must have been completed according to plans and restrictions, and the surrounding lot made presentable. Completion shall include the removal of all waste and debris, the proper disposition of all vegetation cleared from the lot, and the repair of construction related damage to streets, bar ditches, drainage ways, headwalls, and any other public or private properties. The RUC will notify the CLGPOA office when it considers the project to be complete. When fully ready for inspection, the property owner shall call the assigned RUC member. (Disputes over refunds will be referred to the CLGPOA Board of Directors for resolution.)

12. USE OF FIRE

Before construction begins and before the use of fire for any purpose, water service to the lot, including a water meter and at least one spigot shall be installed. Large fires are not allowed, and no fires are permitted after dark. All fires must be contained and controlled. Before starting a fire, obtain permission from the Comal County Fire Marshal (830-643-3748) and notify the CLGPOA office (830-885-4292). **DO NOT** burn petroleum-based products such as asphalt shingles, tarpaper, tires, plastics, etc. All fires must be extinguished and covered with dirt before crews leave the job site. **IF FIRE CONTROL SERVICE IS NEEDED. CALL 911, PROVIDE YOUR STREET ADDRESS AND REQUEST HELP FROM THE SPRING BRANCH VOLUNTEER FIRE DEPARTMENT.**

13. UTILITY SERVICE

To obtain utility services and the preconditions to be met for tapping and extending utility systems, contact Pedernales Electric Cooperative, Canyon Lake Water Services, GVTC, and/or the appropriate cable TV or internet company. Utilities from an adjacent home must not be used without written consent of the homeowner.

14. CONSTRUCTION SITE SANITATION

Prior to the start of construction of a new residence, a portable toilet and a dumpster of no less than 20 cubic yards (optional for Off-Site Manufactured homes) must be on site. All trash is to be contained in the dumpster, and the building site must be kept clean at all times. Instruct all workers to deposit all lunch bags, paper, cups, bottles, etc., in the refuse dumpster: This and all other debris should be prevented from littering the job site and surrounding neighborhood.

15. AVOIDING ENCROACHMENT

During construction the builder shall be responsible for confining all construction- related activity to the lot involved. Damage to roads, shoulder and bar ditches shall be avoided. Cement truck operators, cement subcontractors and masons shall not dispose of their excess material or tailings within the street easement or on lots other than the one under construction. Trespassing on any other lot, in the absence of owner permission, is prohibited and could result in legal action.

16. OTHER DESIGN AND CONSTRUCTION MATTERS

a. CULVERTS AND BAR DITCH IMPEDIMENTS

Each driveway will incorporate beneath it a culvert positioned in the bar ditch in a manner to most efficiently carry all water that may flow within that ditch unless specifically waived by RUC. The culvert diameter and location must be approved by the RUC, and the top of the culvert must be below the bottom of the adjacent roadway paving. Bar ditches are not to be filled in, either for temporary or permanent access to lots, without first installing a proper culvert beneath the fill. Bar ditch flow must not be impeded by any obstruction, whether that obstruction is fill (of any type), construction material or equipment or debris. The bar ditch shall be opened or improved as necessary by the builder to ensure drainage of all water likely to be introduced into the bar ditch area during a heavy rain.

b. MAILBOX AND ENCLOSING STRUCTURE

The mailbox shall comply with United States Postal Laws and Regulations. The base of the box shall be installed and approximately 38 inches above street elevation. The front face of the enclosing structure shall be set back from the street edge a maximum of 10 inches" to ensure protection of pavement edge and street base. Deviations from this setback limit may be desired in special circumstances, but they will require approval by the RUC.

17. FAILURE TO APPLY

Failure to apply for the New Construction Private Road Usage Permit before any construction begins and or failure to abide by New Construction Road Usage Rules and Regulation will result in a \$3,000 Vendor Lien against the property to be secured.