

Cumberland Ridge Homeowners Association  
Architectural Control Committee

**Building Guidelines**

Updated 03/2026

The Building Guidelines provide clear instructions for construction activities and are intended to assist property owners in planning new projects or enhancements. Lot owners are responsible for obtaining and reviewing the Restrictive Covenants, ACC Policies and Procedures, and ACC Building Guidelines prior to submitting an application and throughout the duration of any construction work. These documents are available for download from the Subdivision's website: [www.cumberlandridge.net](http://www.cumberlandridge.net).

Construction, alteration, or improvement activities must not begin until the ACC Application is approved. Failure to comply may lead to penalties as outlined in Section II - "Penalties for Work Commenced Before Approval Has Been Received," within the ACC Policies and Procedures.

These Building Guidelines, adopted by a majority vote of the ACC, may be revised by subsequent majority votes as circumstances require. Previous guidelines established by earlier Architectural Control Committees may differ, though current and future ACCs have no obligation to follow precedents set by earlier committees. The approval status of a particular situation on a specific lot does not guarantee similar outcomes currently or in the future.

**Adjacent Lots and Non-Adjacent Lots**

In accordance with Texas law, Architectural Control Committees for planned developments must treat adjacent lots as suitable for residential use, subject to existing Restrictions and Covenants. Common improvements—such as garages, sidewalks, driveways, children's play equipment, fences, septic systems, swimming pools, etc.—may be placed on adjacent lots, provided they are submitted for review and approved via the standard ACC application process.

Additionally, under Texas law, if an owner obtains ACC approval and constructs improvements on adjacent lot(s), those lots must either be conveyed with the primary residence lot upon sale or restored to their original state if sold separately. Except for septic systems, the ACC will not approve permanent structures on non-adjacent lots.

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### **Section 1**

#### **General Construction Processes (applies to all projects)**

##### **1A. Setbacks – (Restrictive Covenant #8)**

1. No part of any structure may be built or placed closer than 22 feet from the front property line of any lot, 7 feet from the side property line, and 5 feet from the rear property line.
2. Exception to Front Setback: (Restrictive Covenant #7) For Unit 4, Block 9, Lots 10, 11, 12, 13, and Block 13, Lots 12 and 13, the required front setback is 15 feet. The side and rear setbacks for these lots remain as stipulated in Section A.1.
3. Frontage on Corner Lots: The front property line shall be designated as the side of the lot with the shortest frontage. However, the ACC reserves the right to identify another side as the frontage if deemed more appropriate.
4. Owners or contractors are responsible for clearly marking surveyor's pins prior to the on-site inspection. Additionally, it is the owner's or builder's responsibility to contact utility companies and arrange for the marking of underground utilities.
5. Prior to commencing any clearing, demolition, or construction activities, an on-site inspection by the ACC is required to ensure compliance with setback regulations.

## **1B. Easements**

1. A utility easement is reserved for the installation, operation, and maintenance of utilities on, over, and beneath a strip of land five (5) feet wide along each side lot line and rear lot line. The right of entry for these purposes is specifically reserved. (Restrictive Covenant- 18)

## **1C. Tree Removal/Native Growth Preservation**

1. Native vegetation on any lot shall not be destroyed or removed except as required for the construction of approved structures, installation of septic systems, driveways, or for the maintenance of Cumberland Ridge roads and drainage systems.
2. The removal of live trees exceeding 8 inches in diameter (measured 12 inches above ground level) is prohibited unless necessary for the installation of utilities, septic systems, or to meet foundation and site requirements.
3. All trees scheduled for removal must be clearly marked. Prior to any cutting or excavation activities, an ACC member must be notified and invited to inspect and approve the designated trees.

## **1D. Maintenance of Construction/Demolition Site**

1. The disposal of concrete and other debris—including sand resulting from rainwater runoff—onto adjacent lots, Common Areas, roadways, or the lake is strictly prohibited. “Washouts” must only occur *on the lot* where the concrete was poured.
2. Any damage to trees or landscaping on neighboring lots is not permitted.
3. Both during and following construction or demolition, the owner and builder/contractor are responsible for ensuring that all surrounding areas remain clean, free of debris, and undamaged. Dumpsters are required for all complete demolitions of existing homes.
4. All refuse, trash, and waste materials must be contained in sanitary containers at all times. The builder is expected to inspect the site daily for compliance, and a member of the ACC will conduct weekly inspections.
5. Construction vehicles may not park on adjacent properties or obstruct roadways.
6. Any violation of these provisions will necessitate remediation at the expense of the owner and builder/contractor, initially deducted from the construction deposit and subsequently assessed by special assessment to the responsible owner.
7. Owners are responsible for ensuring their contractors adhere to the community’s standards, which include maintaining a clean site, prohibiting loud music, observing speed limits, and ensuring construction vehicles are parked in an orderly manner.
8. A construction driveway composed of Caliche or comparable sedimentary rock must be installed and leveled with the adjacent roadway prior to the entry of any heavy vehicles for delivery, grading, dumping, or pouring.

## **1E. Temporary Toilet Facilities**

1. A commercial portable toilet shall be provided on site upon commencement of construction activities, and shall remain in place for the duration of the project.
2. The owner is responsible for ensuring that the commercial portable toilet is regularly serviced and maintained in accordance with applicable standards.

## **1F. Lot Elevation**

1. If the lot elevation is modified by adding or relocating four feet of fill dirt, a retaining wall constructed from stone or masonry must be installed. For modifications involving eight feet or more of fill dirt, two or more stone or masonry retaining walls are required. Typically, one retaining wall is necessary for each four-foot increment of elevation change after final grading. The Architectural Control Committee (ACC) may approve a single retaining wall exceeding four feet in height as an alternative to multiple walls. An Elevation/Topography/Grading/Drainage plan must accompany any ACC Plan application.
2. All retaining walls must be clearly identified on the Elevation/Topography/Drainage Plan.

## **1G. Construction Run-Off and Drainage**

1. Erosion control measures, such as silt fences, must be implemented to manage and filter all surface runoff entering ditches, roadways, adjacent lots, or easements. Silt fences are required to be a minimum of 3 feet in height and supported by metal wiring. Depending on the lot's topography, multiple silt fences may be necessary. Following review of the Elevation/Topography/Drainage plan, the Building Committee of the ACC will advise the Builder accordingly. All silt fences should be cleaned weekly to remove accumulated debris and soil.
2. The ACC will conduct weekly inspections of all silt fences to verify proper function and ensure they are not overloaded.
3. The owner or builder/contractor is responsible for the weekly removal and redistribution of soil from silt barriers, as well as for clearing any silt deposits from ditches, roadways, and adjacent lots upon completion of construction.
4. Natural drainage courses within lots must be maintained free of debris and obstructions to ensure unrestricted stormwater flow.
5. Prior to the commencement of any construction, the builder is required to submit an Elevation/Topography/Drainage Plan for approval. This plan must detail the design and engineering of appropriate drainage control structures, including retaining walls, if necessary, to channel water from impervious surfaces so that any runoff exiting the property enters a roadside ditch rather than flowing onto roads or neighboring lots.

## **1H. Storm Water Protection Permit**

1. The Builder is required to secure a Storm Water Protection Permit (SWPP-TXR 150000) from the State prior to approval of the plan by the ACC. This permit may be obtained from the Texas Commission on Environmental Quality (TCEQ) under the General Permit for Construction Activity section. The permit must be submitted along with all other supporting documentation at the time of the ACC Application.
2. The SWPP must be visibly posted at all times throughout the construction process.

## **1I. Construction Site Burning**

1. Burning of any materials is strictly prohibited on the construction site throughout all phases of the building process.
2. The builder is responsible for ensuring that all cleared trees, limbs, underbrush, construction refuse, and trash are properly removed from the site.

## **1J. Required Inspections (Before, During, After Construction)**

### **1. Before Construction:**

Prior to any clearing, concrete pouring, or construction activities, an ACC member must conduct a thorough review to ensure:

1. The lot boundaries are distinctly marked.
  - All trees designated for removal are clearly indicated.
  - Setbacks are properly marked.
  - Locations for all structures, including sidewalks, fences, and similar features, are accurately marked and do not conflict with boundary lines, easements, setbacks, or submitted and approved ACC applications and plans.
  - The ACC-Approved Project and Storm Water Protection Permits are prominently displayed on site.
2. **During Construction:**
  3. The owner and/or builder/contractor must provide the ACC with copies of all county and state-required building inspection reports conducted throughout the construction process.
    - An ACC member will conduct regular site inspections to verify adherence to approved plans and maintenance of the construction site as specified in items (c), (d), and (e) above.
    - Any violations of construction guidelines may result in fines and/or work stoppage, in accordance with ACC Policies and Procedures, Section X - Enforcement.
    - The ACC-Approved Project and Storm Water Protection Permits must remain prominently displayed.
    - An ACC member will inspect weekly for proper removal and redistribution of soil from silt fences.
    - Weekly inspections will be conducted by an ACC member for trash and refuse removal.
    - Deadlines for initiating clearing, construction, landscaping, and related activities will be closely monitored.
- **After Construction:**
  4. The construction site must be thoroughly cleaned.
  5. Adjacent lots and roadways must be free of debris and dirt.
    - All builder and construction signs must be removed.

## **1K. Maximum Truck/Trailer Length**

Due to the narrow roads, soft shoulders and earthen ditches throughout Cumberland Ridge, the maximum truck/trailer length is 60 ft.

## **Section 2**

### **Items Specifically Prohibited**

- Window Security Bars (also known as burglar bars)
- Carports

## **Section 3**

### **Specific Construction Items**

#### **3A. Air Conditioners/Heat Pump Systems:**

1. Units that are visible from the roadway must be concealed by landscaping and/or a screening fence with a minimum height of four feet (4'). The screening should effectively obscure the unit from view from the front street.

#### **3B. Air Conditioners – Window Units**

1. Window air conditioning units must not be visible from any street.
2. Units must be installed below the fence line or effectively screened with plant materials.

#### **3C. Antennas/Satellite Dishes. Preferred location is out of sight from the street.**

#### **3D. Awnings: see Patio Covers**

#### **3E. Children's Playhouses, Forts, Swing Sets, and Sports Equipment**

1. Installation in the front yard is prohibited.
2. Playhouses, forts, and swing sets are permitted only within areas enclosed by privacy fencing.
3. Soccer and volleyball nets are not permitted in the front yard due to safety and aesthetic considerations. Basketball goal systems must be located entirely within the owner's property boundaries; placement on HOA property is strictly prohibited.
4. These structures must be positioned at least six feet (6') from the house and a minimum of three feet (3') from side and rear setbacks.
5. Construction of playhouses or forts against any side or rear wall of a home is not allowed.
6. The location must provide sufficient space from the fence to ensure drainage occurs exclusively on the owner's lot.
7. The maximum height of playhouses or forts shall not exceed twelve feet (12') in order to prevent nuisances or loss of privacy for neighboring properties.
8. Platforms on forts may not be elevated more than six feet (6') above ground level and must be maintained in good condition.
9. Colors and materials should harmonize with the predominant exterior palette of the main residence.
10. Awnings are permitted for use on playhouses. Refer to Patio Covers for guidelines regarding appropriate location, materials, and acceptable maintenance.

#### **3F. Decks**

1. Decks must be constructed from materials that harmonize with the main residence in both composition and color.
2. Decks are prohibited from extending into any utility easement or setback.
3. Decks shall not be positioned in a manner that interferes with effective drainage of the property or adjacent properties.
4. All structures comparable in size to decks are subject to the same restrictions as patio covers. This applies to all attached or freestanding structures installed at the rear or side of the existing dwelling.

### **3G.. Driveways/Driveway Extension/Driveway Transition**

1. Driveways, extensions, and transitions must be constructed exclusively from concrete or asphalt materials.
2. Each driveway is required to extend from the garage to the street and must match the width of the garage or be at least 20 feet wide, whichever measurement is greater, in accordance with fire department guidelines.
3. Owners are responsible for ensuring proper driveway transition to the street.
4. Driveway extensions must not be located closer than five feet (5') to any side property line.
5. Culverts are mandatory in areas with existing ditches. Unless specific site conditions warrant otherwise, the minimum pipe diameter for new, replacement, or repaired culvert installations is 15 inches. Acceptable materials include aluminized corrugated steel, aluminum alloy, smooth inside wall concrete, or double-walled, smooth interior High Density Polyethylene (HDPE) pipe. PVC pipe is prohibited. The length and size of the pipe will depend on the ditch's depth and width.

### **3H. Exterior Lights**

1. Exterior lighting fixtures shall be positioned to prevent illumination from being directed toward adjacent lots. The use of downlighting and landscape lighting is recommended.
2. Any additional exterior lighting must maintain a wattage or lumen output that does not adversely impact neighboring residences.
3. Guard lights may be considered for approval under specific circumstances; however, the resulting illumination must not encroach upon surrounding properties.

### **3I. Exterior Materials**

1. All residences, garages, boathouses, and outbuildings must utilize exterior materials such as brick, brick veneer, stone, decorative wood (including cedar, cypress, and redwood), or other materials expressly approved by the ACC.
2. Boathouses may incorporate Penta- or Womanized-treated pine on external surfaces. Corrugated tin metal roofing is not permitted for boathouses; however, painted metal roofing is acceptable, provided it is of the seamless/no-fastener type.
3. Roofing materials for residences, garages, outbuildings, and boathouses must consist of composite shingles, seamless metal, or an equivalent material, subject to approval by the ACC.

Pursuant to Chapter 202.011 of the Texas Property Code, as of 2011, the following roofing shingles are authorized:

1. Shingles designed to be wind and hail resistant;
  2. Shingles engineered to offer greater heating and cooling efficiency than standard composite asphalt shingles, including standing seam metal panels, shakes, and tiles;
  3. Shingles with solar generation capabilities.
4. The above-mentioned shingle types must demonstrate durability and quality equal to or exceeding that of composite shingles and align with the aesthetic standards of the neighborhood.

### **3J. Exterior Painting/Siding**

1. All paint colors and exterior siding selections require approval prior to application.
2. Paint must be consistent with the established color scheme of the neighborhood. When evaluating applications, consideration will be given to the colors of adjacent homes as well as the applicant's existing brick or stonework.

### **3K. Fences/Fence Repairs/Fence Replacements**

1. Fences, walls, or shrubs functioning as fences must not be installed or maintained within 22 feet of the property line adjacent to a paved street.
2. Prior to an ACC site visit, the following areas must be clearly marked:
  3. The boundary edges (property lines) of the lot(s) where the fence is proposed,
  4. The intended placement of the fence,
  5. Any trees that will require removal for fence installation.
- All fences must be constructed and positioned in a manner considerate of neighboring properties. For fences visible from streets or adjoining lots, the finished (picket) side must face outward, with support posts and rails facing

- inward.
- Fences shall not extend beyond the owner's property boundaries or encroach upon neighboring properties. All fencing must be placed on or within the owner's property line.
- A five-foot-wide easement along each side and rear lot line is reserved for the installation, operation, and maintenance of utilities, with associated rights of entry. Fence installation within this easement is at the owner's risk, as future HOA maintenance or use may necessitate fence removal or reinstallation at the owner's expense.
- 6. Privacy fences are permitted for the rear half of residences up to a maximum height of six feet (eight feet may be considered if additional privacy is warranted due to proximity of adjacent homes or roads). Privacy fences are not permitted on waterfront lots.
- 7. Pool security fences are mandatory and must be at least four feet high. Compliance with BOCA standards is recommended.
- 8. Privacy fences that are visible from any street must be screened by landscaping. Applications for such fences must include a landscape plan demonstrating sufficient plant coverage.
- 9. Approved landscaping in front of a fence must be installed within three months of fence completion.
- 10. See-through fences (iron, aluminum, split-rail, or picket) not exceeding four feet in height are allowed behind the front building set-back line. Materials should match the style and materials of the residence. Adequate landscaping is required to minimize visibility of items behind the fence and prevent R.C. violations.
- 11. Chain link fences are permissible for lakeside properties, provided they are constructed of black or green vinyl-coated chain links, include a top support rail, and are securely anchored.
- 12. Fence repairs should utilize materials and construction details consistent with the original design. Repairs do not require a new ACC application.
- 13. Replacement fences require submission of a new application to the ACC.

### **3L. Flags**

1. Owners are authorized to display the flag of the United States of America, the flag of the State of Texas, and/or official or replica flags representing any branch of the United States armed forces, as well as other flags, provided they comply with the restrictions outlined in this Section.
2. Flags may be displayed solely on an owner's designated lot(s) and must adhere to all provisions contained herein. Displaying flags on Common Areas or any land owned or maintained by the Association is strictly prohibited at all times.
3. Prior to installation, owners wishing to display a permitted flag must submit plans to the ACC specifying dimensions, type, location, materials, and the style/appearance of the flagpole, flag mount(s), lighting, and related installations.
4. The following items are prohibited:
  5. Pennants, banners, plaques, signs, or other items depicting a rendition of a permitted flag do not qualify as permitted flags under this Section.
  6. No mark, sign, insignia, design, or advertising of any kind may be added to a flag.
  7. Flags containing commercial material, advertising, or any symbol or language considered offensive are not allowed.
8. Flag display requirements:
  9. The United States flag must be displayed in accordance with Sections 5010 of Title 4 of the United States Code.
    - The Texas state flag must be displayed in compliance with Chapter 3100 of the Government Code.
  - Owners may maintain either one flagpole or one residence-mounted flag mount; both options cannot be utilized simultaneously.
  - Flagpole location guidelines:
    10. Flagpoles must be free-standing and installed vertically.
    11. Flagpoles must not be placed within easements (including drainage easements).
    12. All setback requirements must be observed.
      - If located in the front yard, the pole must be within ten feet of a side building line and within ten feet of the home's front setback.
      - For backyard placement, the flag must not constitute a nuisance to neighboring properties.

13. The ACC reserves the right to mandate specific locations for pole installation.
14. Removal of trees for pole installation is prohibited.
15. Flag Mount Location:
  16. Flag mounts must be affixed to the house or an outbuilding.
  17. Attachment to trees is not permitted.
10. Flagpole/Flag Mount Specifications:
  1. Flagpoles must not exceed twenty feet (20') in height measured from grade level.
    - Flag mounts must not exceed six feet (6') in length.
    - Both flagpole and mount must be constructed from durable, long-lasting materials with a finish that complements the dwelling.
11. Number and Size of Flags:
  1. A flagpole may support up to two flags; if a single flag is displayed, its size may be 3' x 5' or 4' x 6'. When two flags are displayed, each must not exceed 3' x 5'. The U.S. flag must always be the highest flown.
    - Only one flag may be displayed on a mount, and its maximum size is 3' x 5'.
12. The flag material should be suitable for all weather conditions; a 2-ply polyester flag is recommended.
13. Lighting Requirements:
  1. Continuous flag display requires proper lighting.
    - Solar lighting is recommended.
    - Electrical lines must be buried at least eighteen inches (18") underground.
  2. Flag lighting must exclusively illuminate the flag, without using interior or exterior flood or spotlights for this purpose. Lighting must be directed to avoid affecting neighboring lots.
  3. Light wattage or lumen must be regulated so as not to disturb surrounding homes.
14. Noise Restrictions: Devices designed to minimize noise from external halyards (hoisting ropes) must be used on flagpoles.
15. Landscaping near flagpoles should not exceed one-third (1/3) of the pole's height. Hardscaping requires ACC approval.
16. Flags and poles/mounts must be maintained in a safe, visually appealing condition. Prompt repair, replacement, or removal is required for any deteriorated or unsafe flags, flagpoles, or mounts. Any changes necessitate a new ACC application.

### **3M. Shops / Out-Buildings / Detached Garages / Garage Enclosures**

1. Carports are prohibited.
2. Garages may be either attached or detached.
3. Garages must be fully enclosed and equipped with a suitably styled door.
4. Shops, detached garages, and large out-buildings (excluding small storage sheds) should complement the primary exterior materials and colors of the main residence. The following specifications should be integrated into the design as much as possible, and their incorporation will guide approval by the ACC:
  5. Incorporate the primary wall material (brick, stone, siding) from the main residence into detached buildings, shops, and garages.
  6. Match roof pitch, color, and material.
  7. Align windows and doors where applicable.
  8. Ensure garage doors are consistent where applicable.
    - Use matching gutters if relevant.
    - Integrate common hardscape features with the main residence, such as walls, driveways, and sidewalks.
- Prior to undertaking any garage enclosure, carefully evaluate the consequences related to reduced parking capacity afforded by the remaining driveway space, including the potential impact on future property sales. Routine parking off the driveway—on the street or HOA property—is prohibited. Additional driveway installation may be necessary to adhere to these requirements.

### **3N. Gazebo/Pavilion/Pergola/Arbor**

1. Structures must be situated within the back or side yard.
2. Gazebos, pavilions, and arbors are required to be a minimum of six feet (6') from the residence, and at least three feet (3') from the side and rear setbacks. Pergolas may be attached directly to the house.
3. Placement should ensure adequate distance from lot boundaries to allow drainage exclusively on the owner's property.
4. Structures may not be constructed over any easement.
5. The maximum permitted height for gazebos, pavilions, pergolas, and arbors is twelve feet (12') at the peak.
6. All materials and colors must harmonize with the predominant exterior finishes of the main residence.

### **3O. Landscaping/Hardscaping**

1. Shrubs, flower beds, and grassy areas shall be incorporated where appropriate, particularly along visible sections of homes and garages facing the street.
2. Landscaping is required to effectively screen privacy fencing, see-through fencing, and sheds from public view.
3. Any landscaping modifications that could influence property drainage must receive ACC approval. Examples include, but are not limited to: berms, fill dirt, removal of turf, installation of garden beds, and construction of small walls.
4. Hardscaping additions involving non-living elements—such as masonry or woodwork, including materials like stone, rock, brick, tile, concrete, or metal—require ACC approval if they are visible from the street.
5. Structures classified as hardscaping, such as walls, fences, fountains, arbors, pergolas, gazebos, decks, benches, brick or stone mailboxes, rock pools, waterfalls, pathways, or walkways, must be reviewed and approved by the ACC.
6. Pre-fabricated concrete blocks or stones with interlocking lips that do not exceed two feet (2') in height are exempt from ACC approval.
7. Landscape plants, materials, and hardscape should enhance the residence and maintain harmony with neighboring properties.

### **3P. Mailboxes**

1. Mailboxes must be installed in accordance with USPS guidelines to ensure they do not pose a hazard to vehicle traffic. For specifications, please refer to [www.usps.com](http://www.usps.com).
2. The bottom of each mailbox should be approximately 42 inches above ground, as required by regulations.
3. Mailboxes need to be positioned between eighteen (18) inches and two (2) feet from the pavement edge, providing sufficient clearance for vehicle tires and avoiding obstruction of drainage ditches or existing water flow areas.
4. All mailboxes are to be placed within the HOA Right of Way. Should future roadwork, including road widening or maintenance, necessitate removal of any mailbox within the two-foot setback, owners will bear the responsibility and cost of removal and reinstallation.
5. Owners are required to maintain the area surrounding the mailbox pedestal, including the space between the street and the mailbox, to facilitate uninterrupted mail delivery services.
6. Prior to installing a mailbox that involves hardscape or permanent fixtures, approval for its proposed location must be obtained from both the ACC and the USPS. The selected materials should complement the residence and lot aesthetics.

### **3Q. Patio Cover**

1. The selected colors must harmonize with the primary exterior hues of the main residence.
2. Materials should be chosen to enhance and complement the principal structure.
3. The entire patio cover, including posts, should be detailed and finished to align with the house aesthetics.
4. All supports are required to be painted or treated wood; metal columns or pipes are not permitted.
5. Patio covers must not infringe upon any utility easement.
6. Patio covers must be positioned on the property to ensure drainage occurs exclusively within the owner's lot. If the intended location is adjacent to side or rear setbacks, the Architectural Control Committee (ACC) may require installation of gutters with downspouts for solid patio covers.

### **3R. Propane Tanks**

1. Tanks of any type, except propane tanks, are not permitted within the Subdivision.
2. Propane tanks exceeding 250 gallons must be installed below natural grade.
3. Propane tanks with a capacity of 250 gallons or less may be placed above ground, provided they are appropriately screened and approved.

### **3S. Rain Barrels and Rainwater Harvesting Devices**

1. Installation of rain barrels or rainwater harvesting systems, including any components thereof, is prohibited in the following areas:
  2. Property owned by the Association.
    - Property commonly owned by members of the Association.
    - The front portion of any lot.
  - Homeowners seeking to install such systems must submit detailed plans indicating the proposed location, color(s), material(s), shielding methods, dimensions, and whether any portions of the system will be visible from the street, adjacent lots, or common areas (specify which parts, if applicable). Location details must include precise distances (in feet and inches) from the proposed improvement(s) to the side, front, and rear property lines.
3. All rain barrels and rainwater harvesting systems are required to match the color scheme of the owner's residence.
4. These devices must not display language or content that differs from standard manufacturer markings or information typically present on such products.
5. Should any part of the installation be located in the side yard or be visible from the street, adjoining lots, or common areas, the Architectural Control Committee (ACC) reserves the right to impose additional restrictions regarding size, type, materials, and shielding, either by denying the submitted plans or granting conditional approval.

### **3T. Room Additions**

1. The requirements for room additions generally align with those applicable to new construction.
2. The size and configuration of the addition should be determined by the architectural style and layout of the residence, the lot's dimensions, and the degree to which the new space integrates with the existing structure.
3. Exterior materials and colors must closely match those of the original house.
4. Room additions are not permitted to encroach upon utility easements or negatively impact drainage on adjacent lots.
5. The roof of the addition must seamlessly integrate with the existing roofline to ensure a cohesive appearance with the original home.
6. The addition is required to have an opening to the main structure and must be serviced by central heating/air conditioning and electrical systems.

### **3U. Septic Systems- New/Replacement**

1. The septic system plan must be approved and inspected by Smith/Cherokee County and/or The Upper Neches River Authority (waterfront lots).
2. A copy of the approved septic system permit must be submitted with the ACC application.
3. Waterfront Lots - The Upper Neches River Municipal Water Authority requires that the septic tank design and construction for waterfront lots and lots within 300 feet of the delineated floodplain (355 feet mean sea level) must meet the specifications of the authority and must be approved and inspected by same. Check with the UNRA to confirm these requirements.
4. Aerobic/Anaerobic System Maintenance - The homeowner is responsible for doing scheduled maintenance. For Aerobic Systems, that includes changing the chlorine tablets and having the pumps/motors checked/serviced per the

contractors/manufacturers guidelines. The homeowner should also make sure the spray nozzles are not overgrown with vegetation and can operate as designed. For homes with Anaerobic Septic Systems, tank pumping should be scheduled at least every 2 years and Aerobic Systems as required.

5. Remote Spray Lots. On some homes/properties, there may not be adequate area for a septic spray field for an Aerobic Spray System. If an adjacent joined lot is available that should make an Aerobic Spray System feasible. Spray lots must be adjacent to the primary property. If the primary property won't support a spray system, and an adjacent joined lot is not available, the contractor needs to evaluate the project for an Aerobic Drip System that takes less square footage for the septic disposal area.

6. Under Road Access to Remote Spray Lot. Only if a functional solution is not available on the primary property or an adjacent joined lot is not available, will the ACC approve a remote spray field application that requires under road access. In those rare instances, the remote spray lot should be directly across the road from the primary property and accessed through directional drilling that is perpendicular to the road. Road cutting is not allowed for Septic Line Installations. The ACC will not approve directional drilling under its streets other than a bore that is perpendicular to the road. The pipe that goes under the road must be incased in a galvanized or other rust proof metal seamless sleeve. The pipe must be deep enough to go under all utility lines that may run under the street or in the easement. Typically, the depth should be 15-20 feet under the road. It is the contractor's responsibility to locate all utility lines before drilling by calling 811 (utility location services) and Southern Utilities.

7. Reporting Maintenance Violations. The first thing a Cumberland Ridge Homeowner/Resident should do if they notice a neighbor's system not functioning properly, system alert beeper sounding, system alert light flashing on the controller, or unpleasant odors, is to try to notify the neighbor and tell them what you have observed. The Homeowner/Resident might suggest that they call a Septic System Maintenance Company to check out the issue. If that fails, then it can be reported to the UNRA (waterfront lots) or the County Health Department (interior lots). The Texas Dept of Environmental Quality (TDEQ) is another agency where violations can be reported.

### **3V. Solar Energy Devices**

1. Owners are permitted to install solar energy devices exclusively on property that they both own and maintain and must comply with all restrictions outlined herein.
2. For the purposes of this section, a "solar energy device" refers to any system or series of mechanisms primarily intended to provide heating, cooling, or the generation of electrical or mechanical power through the collection and transfer of solar-generated energy. This definition also encompasses mechanical or chemical devices designed to store solar energy for use in heating, cooling, or power production. Devices not conforming to this definition are prohibited.
3. Prior to installation, owners are required to submit detailed plans for the proposed solar energy device and all related appurtenances to the ACC. These plans must include an as-built rendering and specify the location, dimensions, materials, color, and provide calculations estimating the anticipated energy production of the device(s).
4. Permitted locations for solar energy devices are limited to the following:
  5. The roof of the residence or another authorized structure is situated on the lot under the applicable Declaration.
  6. Within a fenced yard or patio that is both owned and maintained by the owner.
  7. Installation methods that void material warranties are not acceptable.
8. Roof-mounted solar energy devices must adhere to the following requirements:
  9. Devices shall not extend above or beyond the existing roofline.
    - o Placement is restricted to the rear-facing slope of the home's roof (the side opposite the street). The ACC may grant a variance, in accordance with state law, if it is demonstrated that an alternative location would yield at least a 10% increase in efficiency.
    - o The installed device must align with the roof's slope, ensuring the top edge runs parallel to the roofline.
  10. All frames, support brackets, visible piping, and wiring must be finished in silver, bronze, or black tones commonly available in the marketplace.
11. The solar energy system must be positioned in the area designated by the ACC unless the owner can provide evidence, using a publicly available modeling tool from the National Renewable Energy Laboratory, that an alternate location would result in more than a 10% increase in estimated annual energy production. It is the owner's responsibility to present all relevant energy production calculations to the ACC.

12. Ground-mounted solar energy devices are subject to the following conditions:
  13. Devices must not exceed the height of the enclosing fence surrounding the back yard or patio where installed.
  14. Devices must be screened from street view.
    - o Installation of any solar energy device previously determined by a court to pose a threat to public health or safety, or to violate any law, is strictly prohibited.
  - o The ACC reserves the right to determine, in writing, that the proposed placement of a solar energy device would cause substantial interference with the use and enjoyment of neighboring land by causing unreasonable discomfort or annoyance to individuals of ordinary sensibilities. Written approval from all adjacent property owners will serve as prima facie evidence that the proposed placement does not create such interference.

### **3W. Storage Buildings/Sheds**

1. The color palette of storage buildings or sheds must complement or harmonize with the predominant exterior colors of the primary residence.
2. Construction materials should be consistent with those used for the main residence in both size and color.
3. Rubbermaid or similar synthetic, vinyl, and metal units must not be visible from any street.
4. All storage buildings are required to feature a peaked roof and may not exceed eight and a half feet (8 1/2') in height from ground level to the highest point.
5. Storage buildings must be positioned far enough from fences to ensure that all drainage occurs entirely within the owner's lot.
6. A storage building constructed on a concrete slab is not permitted within any easement.
7. Portable storage buildings (those not anchored to a concrete slab and movable) may be situated on a utility easement.
8. No storage building may abut any side or rear wall of a residence unless it does not exceed six feet (6') in maximum height and remains fully concealed below the fence line; all other construction, size, and placement requirements must also be met.
9. Storage structures under six feet (6') in height may be located in a side yard, provided a minimum setback of seven feet (7') is maintained and sufficient landscaping is used to screen the structure from street view, or it is otherwise not visible from the street.

### **3X. Swimming Pools, Spas/Hot Tubs, and Equipment**

1. All swimming pools (both in-ground and above-ground), spas, and hot tubs require ACC approval prior to installation.
2. Pools and spas/hot tubs of any kind must not encroach upon utility easements.
3. Installation of pools and spas/hot tubs (in-ground or above-ground) is limited to back or side yards, with strict observance of setbacks and easement requirements.
4. The placement of pools and spas/hot tubs must not alter or affect drainage patterns to adjacent properties.
5. ACC approval is necessary for any pool decking that extends more than twenty-four inches (24") above grade.
6. All pools (in-ground and above-ground) and spas/hot tubs must be securely enclosed within a fenced area.

(Refer to Section 3-J. Fences for specific fence requirements.)

1. Pool equipment visible from the street must be fully screened by landscaping and/or a screening fence at least four feet (4') high, ensuring it is not visible from any roadway.

### **3Y. Tree Removal (Live Tree – Non-Construction) / Lot Clearing**

1. Upon application, the ACC will authorize the removal of one healthy tree per year, provided it is replaced with a new tree of at least 2 inches in diameter, which may be planted anywhere on the lot.
2. For any new or replacement construction, the appropriate ACC Application Form must be submitted and approved prior to commencing any lot clearing or related construction activities.
3. Lot clearing for maintenance or sale purposes requires ACC approval if the proposed removal includes live trees with a diameter greater than 8 inches, measured 12 inches from the ground.

### **3Z. Yard Decorations/Displays**

1. An Architectural Control Committee (ACC) application is required for structural yard decorations visible from any street, including:
  2. Decorative objects exceeding thirty-six inches (36") in height.
    - Benches, gates, trellises, arbors, and other hardscape elements (refer to Section 3P. Hardscaping & ACC Application Form A – small projects);
    - Birdhouses mounted on poles taller than thirty-six inches (36").
- Approval may be granted for a maximum of five to six objects over three feet (3') in height for placement.