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ARCHITECTURAL CONTROL HANDBOOK

Lake Kiowa Property Owners Association, Inc

107 Kiowa Drive South
Lake Kiowa, TX 76240
(940) 665-1055

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ADMINISTRATION

I. GENERAL INFORMATION

The Architectural Control Handbook is an extension of and derives its authority from the Covenants and By-Laws of the Lake Kiowa Property Owner's Association, Inc (LKPOA). The Architectural Control Committee is responsible for implementing and enforcing the Restrictive Covenants, By-Laws and Rules of the Association pertaining to residential and commercial construction and associated site work. This handbook establishes minimum requirements to safeguard the public health, safety, and general welfare of the Community.

- 1.01 All new construction including but not limited to additions, new houses, exterior improvements, structural repairs, and demolition require permitting prior to the start of the project. All exterior alterations and renovations including docks, seawalls, culverts, and fences require a permit. Exterior painting and staining do not require a permit.
- 1.02 No Structure shall exceed forty (40) feet in height from First Floor Elevation (FFE). See Exhibit 2 (Maximum Structure Elevation Within Build-Lines) for further graphic information.
- 1.03 No residence may be constructed within the flood plain as defined by FEMA to be below elevation 705MSL (NAVD88).
- 1.04 The owner shall review the Restrictive Covenants, By-Laws, and the Architectural Control Handbook with the Contractor and/or Subcontractors prior to submitting for a permit. Copies of the Restrictive Covenants, By-Laws, Rules and Procedures, and Architectural Control Handbook are available at the Association office.
- 1.05 An official survey or plot plan of the lot is required based on project category. Prior to construction, property corners shall be located and staked. Stakes shall remain in place during construction.
- 1.06 All domestic water and lawn irrigation systems require a permit and shall meet the requirements of the Lake Kiowa Special Utility District and shall be inspected by the District before the work is covered or connection made.
- 1.07 All construction, landscaping, irrigation, or septic projects which would alter the existing natural drainage (surface or ground water) of the site shall be graded or channeled so that drainage is not unreasonably altered to cause harm to adjacent property. Reference Lot Grading and Drainage Guidelines for additional information.
- 1.08 All septic systems require a permit and shall meet the requirements of the Texas Commission on Environmental Quality; the Cooke County Environmental Health Department and the Lake Kiowa setback requirements and shall be inspected as required.
- 1.09 All Lake Kiowa fees, assessments, and past due bills, including those of the Lodge and Tavern, must be paid prior to the application for issuance of a Building Permit. All ACC Handbook and Rules and Procedures violations must be brought into compliance prior to permit issuance.
- 1.10 Each owner shall be jointly and severally liable for all work, including but not limited to construction, electrical, and plumbing and fully understands that the LKPOA fully disclaims any responsibility for any work undertaken on their property.
- 1.11 For additions, new construction, and structural modifications the builder and or Owner shall provide inspections by licensed third party inspector(s) for foundation, framing, electrical, plumbing, and mechanical systems. A Final Inspection with C/O (Certificate of Occupancy) must be submitted for all New Home Construction and Additions with additional Living area. Inspections shall be delivered to the ACC representative prior to [Final Review](#).
- 1.12 When property access is required through a homeowners' property, written permission and approval is required from the homeowner before any work begins. A written permission letter must be provided to the POA office. Any property damage must be restored to the original condition of the property at the expense of the violating party.

II. REFERENCED AUTHORITIES Latest Editions of:

- 2.01 LKPOA Restrictive Covenants
- 2.02 LKPOA By-Laws
- 2.03 LKPOA Basic Information, Policy, Procedures and Rules
- 2.04 Building Codes: Latest Editions
 - (a) The International Residential Code
 - (b) The International Building Code
 - (c) The International Existing Building Code
 - (d) The International Energy Conservation Code
 - (e) The International Fire Code
 - (f) The International Fuel Gas Code
 - (g) The International Mechanical Code
 - (h) The International Plumbing Code
 - (i) NFPA National Electrical Code
- 2.05 Regulatory Authorities:
 - (a) Cooke County Environmental Health Department (Septic Design)
 - (b) Texas Commission on Environmental Quality (Silt Removal)
 - (c) Lake Kiowa Special Utility District (Domestic Water / Automatic Sprinkler System)
 - (d) Texas Railroad Commission (Liquid Propane Gas)
 - (e) United States Corps of Engineers (Silt Removal)
 - (f) Federal Emergency Management Agency
 - (g) Americans with Disabilities Act

PERMIT PROCEDURE

- 2.06 Permit Applications shall be submitted at least three (3) working days prior to the regular scheduled meetings of the Architectural Control Committee.
- 2.07 Permit Applications, Check Lists and Construction Specification Sheets are available at the LKPOA office.
- 2.08 Only fully completed Permit Applications will be considered. Names of all subcontractors shall be submitted with the permit application or upon completion of project at "[Final Review](#)".
- 2.09 Contractors or Subcontractors performing work which requires a State License shall have a copy of such license on file at the LKPOA office.
- 2.10 After review of the permit submittal, if approved, a Permit will be issued for each application. If the submittal is rejected, a written notification with a qualified explanation will be sent per Restrictive Covenant paragraph 4.05.
- 2.11 Failure to obtain a permit prior to the start of the project is subject to a penalty, plus the cost of the permit. The owner will be responsible for all costs incurred in removing any construction, in whole or in part, which violates these rules and procedures or the sited authorities. Reference [Citations and Fines](#) schedule.
- 2.12 Posting of Permits in a visible place is required.

III. SITE MAINTENANCE DURING CONSTRUCTION

- 3.01 All Building Sites for new construction and major renovations must have a portable toilet for the duration of the project. The toilet must be on site before work begins.
- 3.02 Erosion control is required to prevent erosion into the lake or adjacent property. The Compliance Officer will determine if erosion control is needed and will approve the type of erosion control to be used. Approved erosion control barriers are silt fencing, straw bales, organic or synthetic matting. Other types not listed may be approved by the Compliance Officer. Reference Erosion and Sediment Control Guidelines for additional information.
- 3.03 Job sites must be cleaned daily of any debris considered unsightly, a nuisance or a threat to public safety. On-site trash containers are required throughout construction.
- 3.04 Hours of Work for jobs requiring permits: 7:00 am till 7:00 pm Monday through Saturday. NO Work is allowed on Sunday or the following federal holidays: Thanksgiving, Christmas, New Year's Day, Memorial Day, 4th of July and Labor Day.

IV. PERMIT COMPLIANCE

- 4.01 All work shall comply with the permit requirements. Additions to or changes from the permit will require application for a new permit prior to the start of the work on the additions or changes.
- 4.02 Work determined to be in violation of the permit expiration date will require that work on the project cease and a new permit is issued.

V. CONSTRUCTION OBSERVATIONS

An Architectural Control Committee representative will make periodic observations during construction to verify compliance with the permit and Lake Kiowa governing documents.

5.01 The following are required observations:

- (a) Setbacks from Property Lines
- (b) Drainage Culverts
- (c) Compliance with the Architectural Control Handbook.
- (d) Compliance with the Building Codes and Regulatory Agencies is the responsibility of the Property Owner.

5.02 Certificate of Compliance: Required for Additions and New Construction Only

- (a) No project for which a permit has been issued will be considered complete until the Compliance Officer representative has made a "[Final Review](#)" of the project for compliance with the provisions of the permit, including the LKPOA governing documents.
- (b) A "[Final Review](#)" will be made within two (2) weeks following request of the Owner or contractor. A "[Certificate of Compliance](#)" will be issued if all is in order.
- (c) If the project is determined to not comply, the Owner shall have thirty (30) days to bring the project into compliance and schedule an additional review. No time extensions to the permit will be granted.

VI. CITATIONS

Citations for noncompliance with the Architectural Control - Rules and Procedure Handbook, will be issued by the Architectural Control Committee in accordance with the Schedule of Citations.

VII. VALIDITY OF PERMIT.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of any violation of any of the provisions of this ACC Handbook or of any other code or ordinance. Permits presuming to give authority to violate or cancel the provisions of this ACC Handbook or of any other code or ordinance shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the corrections of errors in the construction documents and other data. The building official is authorized to prevent occupancy or use of a structure where in violation of this ACC Handbook or of any other code or ordinance. The granting of a permit or the issuing of a "[Certificate of Compliance](#)" does not warranty or guarantee compliance to any code or ordinance.

PROJECT CATEGORY REQUIREMENTS

NEW CONSTRUCTION

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

SPECIAL REQUIREMENTS:

- A. Setbacks from property lines: Reference Restrictive Covenants Section 3.03 and [“Setbacks, Fences and Swimming Pools” illustrations](#). A form board survey is required and must be submitted to and approved by LKPOA Compliance Department prior to the pouring of foundation.
- B. Required Permit Submittal Data
 - 1. Dimensioned Plot Plan or Survey
 - a. Improvement’s location
 - b. First Floor elevation relative to NAVD88 Datum
 - 2. Dimensioned Foundation Plan (as requested by ACC)
 - 3. Dimensioned Floor Plan
 - 4. Dimensioned Front, Side and Rear Elevations. (Building Height indicated)
 - 5. Dimensioned Building Section (as requested by ACC)
 - 6. Construction Details and Specifications (as requested by ACC)
 - 7. County approved Engineered Septic Design
 - 8. Materials List (May be defined on the drawings)
 - 9. Engineered drainage plan may be required by LKPOA Public Works Department
- C. Project must be substantially complete within one year for New Construction. Substantial completion refers to the stage of a construction project or designated portion of the project that is sufficiently complete so that the owner may use or occupy the building project or designated portion thereof for the intended purpose. All exterior work including landscaping (Reference Landscape category of this ACC Handbook for additional information), must be completed within the allotted timeframe. Project will also not be referred to as complete until a [Certificate of Compliance](#) is issued per Section 5.02 of this Architectural Control Handbook. If the project is not completed within the allotted timeframe a permit extension may be granted with the payment of an additional fee.
- D. Approved Exterior Veneer Materials. (Exterior material shall be consistent with the material on the main structure (Residence)).
 - 1. Brick
 - 2. Masonry
 - 3. Stucco (EIFS)
 - 4. Exterior Siding
 - c. Residential Vinyl, Aluminum and Metal Seamless Siding and Components.
 - d. Manufactured siding and components (i.e. HardiBoard, SmartSiding etc.).
 - e. Wood (including Cedar) accents.
 - f. Corrugated metal is not allowed.
 - g. Other types of materials, including wood and corrugated metal, may be approved if limited in amount and used to create a decorative or an area of architectural interest.
- E. Approved Roofing Materials
 - 1. Architectural or Dimensional Shingles
 - 2. Roofing Tiles
 - 3. Slate
 - 4. Metal Roof Components
 - h. Standing seam
 - i. Flexrib

- F. No metal buildings are allowed on residential property. New Polyethylene or Polyethylene (Resin) building kits may be approved by the ACC on a case-by-case basis. Specifications are required to be considered for approval.
- G. The permit is valid for 1 year.

ADDITIONS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

SPECIAL REQUIREMENTS:

- A. Setbacks from property lines: Reference Restrictive Covenants Section 3.03 and "[Setbacks, Fences and Swimming Pools](#)" illustrations. A form board survey is required and must be submitted to and approved by LKPOA Compliance Department prior to the pouring of any additional foundation.
- B. Required Permit Submittal Data
 1. Dimensioned Plot Plan or Survey if additional foundation is planned.
 - a. Improvements' location(s)
 - b. First Floor elevation relative to NAVD88 Datum
 2. Dimensioned Foundation Plan (as requested by ACC)
 3. Dimensioned Floor Plan
 4. Dimensioned Front, Side and Rear Elevations. (Building Height indicated)
 5. Dimensioned Building Section (as requested by ACC)
 6. Construction Details and Specifications (as requested by ACC)
 7. Energy Envelope Calculations (as requested by ACC)
 8. Certified Letter indicating building additions do not require septic modifications or a County Approved Engineered Septic Design
 9. Materials List (May be defined on the drawings)
 10. Engineered drainage plan may be required by LKPOA Public Works Department.
- C. Project must be substantially complete within six months. Substantial completion refers to the stage of a construction project or designated portion of the project that is sufficiently complete so that the owner may use or occupy the building project or designated portion thereof for the intended purpose. All exterior work including landscaping (Reference Landscape category of this ACC Handbook for additional information), must be completed within the allotted timeframe. Project will also not be referred to as complete until a [Certificate of Compliance](#) is issued per Section 5.02 of this Architectural Control Handbook. If the project is not completed within the allotted timeframe a permit extension may be granted with the payment of an additional fee.
- D. Approved Exterior Veneer Materials shall be compatible with the material on the main structure (Residence). Approved materials must meet the requirements of New Construction.
- E. Approved Roofing Materials must meet the requirements of New Construction.
- F. The permit is valid for 6 months.

APPROACHES TO DRIVEWAYS

Construction shall meet the requirements of the Architectural Control Handbook and its Referenced Authorities.

SPECIAL REQUIREMENTS:

- A. Setbacks from property lines: Approaches from public roads to right of way (property lines) at Driveways may abut adjoining property lines. (See also Site Pavement)
- B. Required Permit Submittal Data
 - 1. Dimensioned Plot Plan or Survey
 - 2. Approved Dimensioned Septic Plan
 - 3. Materials List (May be defined on the drawings)
- C. Approved Materials:
 - 1. concrete
 - 2. asphalt
 - 3. concrete pavers
 - 4. brick pavers
- D. Pavement abutting the property line and encroaching on drainage or utility easements is subject to removal at the property owners' cost.
- E. If the Approach requires a drainage culvert it must meet the requirements of Drainage Culverts in this handbook and shall be covered with one of the materials defined in Approved Materials within this Section.
- F. The permit is valid for 90 days.

ATTACHED DECKS, PATIOS AND PORCHES

Construction shall meet the requirements of the Architectural Control Handbook and its Referenced Authorities. (See also Site Pavement category section C. Patios)

SPECIAL REQUIREMENTS:

- A. Setback from property lines: Reference Restrictive Covenants Section 3.03 and ["Setbacks, Fences and Swimming Pools" illustrations](#).
- B. Required Permit Submittal Data
 1. Dimensioned Plot Plan or Survey
 2. Dimensioned Deck, Patio, or Porch Plan
 3. Approved Engineered Septic Design or Certified Letter
 4. List of Materials (May be designated on the Site Plan)
- C. Decks, Patios and Porches shall meet the requirements of "New Construction".
- D. On lake and golf course lots, no permanent structure may exceed thirty-six (36") inches in height in the 60' setback for lake lots and 40' for golf course lots. No permanent structure or surface may exceed three feet in height except where the slope from sixty (60') feet setback to lake is 20% or more, retaining walls can be up to 6 feet in height.
- E. All construction that encroaches on drainage or utility easements is subject to removal at the owners' cost.
- F. Permit is valid for 6 Months.

CARPORTS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

Special Requirements

- A. Property Line Setbacks – Reference Restrictive Covenants Section 3.03 and [“Setbacks, Fences and Swimming Pools” illustrations](#).
- B. Detached Carports must follow the requirements of Detached Buildings.
- C. Carports shall be open on at least two sides.
- D. Structures with less than two sides open will be considered a garage and shall have a door or doors.
- E. Carports shall meet the requirements of New Construction.
- F. Temporary structures, tents and manufactured buildings are not permitted.
- G. Required Permit Submittal Data
 - 1. Dimensioned Plot Plan or Survey
 - 2. Approved Engineered Septic Design or Certified Letter
 - 3. Materials List
- H. The permit is valid for 90 days.

DEMOLITION

Demolition shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. A permit is required for demolition or razing of a structure or any part of a structure as well as any site work.
- B. Demolition or razing of a dwelling on constituted lots must submit a building permit for a new dwelling within 30 days or the "de-constitution" of lots will be initiated by the LKPOA.
- C. Maintenance of the Site during demolition – Reference ACC Handbook Section 3.03.
- D. Notification of the Utility Companies to disconnect service is the responsibility of the owner.
- E. Following demolition, the site shall be left free of debris and in a safe condition.
- F. The permit is valid for 90 days.

DETACHED BUILDING

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

Special Requirements

- A. Property Line Setbacks – Reference Restrictive Covenants Section 3.03 and [“Setbacks, Fences and Swimming Pools” illustrations](#).
- B. Only one detached building is permitted per residential lot for use as a garage or storage building. Reference Restrictive Covenants Section 2.01.
- C. Open sided, freestanding Gazebos / Pavilions and Pergolas or Arbors less than 120 square feet, in area, are not considered the one detached building as permitted in Restrictive Covenants Section 2.01.
- D. To not be considered a Detached Building, garages, storage sheds or other structures such as Gazebos and Pergolas larger than 120 square feet must be connected by a roofed breezeway not less than three (3') in width but no more ten (10') in length. No structure that has an area considered as habitable space (space that includes a toilet and shower / bathtub) will be allowed unless it is attached by a common wall with conditioned space to the main residence.
- E. Detached Buildings may have a wash sink, washer and/or dryer: but no toilet, shower, or bathtub.
- F. Building Type
 1. Roofed and enclosed structures constructed on site shall meet the requirements of new construction.
 2. Manufactured portable buildings shall not exceed 120 square feet in floor area or 8 feet in exterior height.
- G. Definitions:
 1. A PERGOLA or Gazebo is an outdoor structure consisting of columns that support a roofing grid of beams and rafters. This roofing grid may be left open or covered to create an area sheltered from the elements. Pergolas and Gazebo may be freestanding or attached to a house.
 2. An ARBOR is a landscaping structure or shelter of vines or branches or of latticework covered with climbing shrubs or vines and are relatively small, simple free-standing structures. That is, they are not attached to a house, although they may be attached to a fence, in which case they sometimes house a gate.
 3. A Tiki Hut/Palapa is an open-sided dwelling with a thatched roof made of dried or artificial palm leaves. Tiki Huts and Palapas WILL NOT be approved by the ACC.
- H. Required Permit Submittal Data
 1. Dimensioned Plot Plan or Survey
 2. Approved Engineered Septic Design or Certified Letter
 3. Materials List or Manufacturer's Literature.
 4. Materials must meet the requirements of New Construction.
 5. Detached Building drawings or photos with dimensions.
- I. The permit is valid for 120 days.

DOCKS AND DAVITS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

SPECIAL REQUIREMENTS

- A. Setback requirements: Referenced Restrictive Covenants Section 3.03 "Setback Requirements, Section 7.02 "Setback Requirements for Residential and Commercial Lots" and the "[Setbacks, Fences and Swimming Pools](#)" illustrations in this ACC Handbook.
- B. Dock extension into the Lake from elevation 699MSL (NVAD88) or existing seawall location shall be a maximum of 26 feet.
- C. Roofed Docks and Davits, including storage closets, shall meet the requirements of New Construction.
- D. Enclosed storage closets, not to exceed 120 square feet in area, are permitted on the dock adjacent to the shoreline. Areas greater than 120 square feet are considered detached buildings.
- E. No more than one dock permitted per lot. No more than two (2) covered slips permitted. If a lot is constituted, it is considered one lot. The maximum width of a dock is 60' including all PWC lifts and may not exceed 20' in height.
- F. Areas of docks under roof may be screened in.
- G. Specific rule for lot 630: allowed one dock with three covered slips and one open slip on the island. (rev. 8/15/2009)

PROPERTY DESIGNATION REQUIREMENTS

- A. Individually owned property: No additional requirements.

Common Access Property: Boat docks, sea walls and davits may be built by property owners who share the benefits of Common Access Property when approved by the Architectural Control Committee (ACC) unless the majority of said owners disagree in writing with proposed construction.

The Owner/ Applicant shall give written notice to the LKPOA to distribute to all property owners who share in the benefits of the common access property of any proposal by an applicant to build or alter any boat dock, sea wall or davit on said Common Access property. Said notice shall be given no less than 3 weeks (21 days) prior to the permit application being presented to the ACC and shall include all required submittal data.

Copies of said notice shall be distributed by the LKPOA via e-mail or USPS Mail to the Common Access property owners, within 3 business days. To ensure delivery of the proposal notice the email is to be distributed to the e-mail addresses on file at the LKPOA office. The Common Access property owners are to respond to the e-mail notice to confirm receipt and the LKPOA is to be included on all communication. Common Access property owners will have 3 weeks (21 days) from the date the notice is sent to LKPOA in writing with approval or disagreement of the proposed construction.

A majority of disagreements in writing of said notice shall prevent the proposed project from being presented to the ACC for a permit. If notice is not returned within the 3-week (21 day) timeframe it will be assumed that the non-reply is an approval. All Common Access owners will be notified via e-mail of the ACC final decision regarding permit issuance.

- B. Lake Access Property: Improvements are not allowed by property owners per the covenants.

REQUIRED PERMIT SUBMITTAL DATA

- A. Dimensioned Plot Plan or Survey
- B. Dimensioned Dock Plan
- C. List of Materials
- D. The permit is valid for 90 days.

DRAINAGE CULVERTS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

REQUIREMENTS

- A. A minimum of a 15-inch I.D. diameter pipe is required or as directed by the Director of Public Works
- B. Flow line grade shall be set as approved by Public Works.
- C. Water flow shall be maintained in existing ditches during construction or culvert shall be installed prior to start of construction.
- D. Culverts longer than 30 feet require a Special Permit
- E. Concrete end walls are required on all installations.

REQUIRED PERMIT SUBMITTAL DATA

- A. Dimensioned plot plan showing location of culvert or Survey
- B. List of Materials
- C. The permit is valid for 90 days.

ADDITIONAL GUIDELINES FOR PERMITTING CULVERTS LONGER THAN 30 FEET IN LENGTH

- A. Property owner must submit a drawing of the proposed culverts showing property lines, dimensions of lot, proposed size of culvert, location of inlet grates or clean out ports and elevation of center of roadbed, along with a signed application for culvert permit.
- B. A committee consisting of the Director of Public Works and Chairman of the Architectural Control Committee will evaluate the application and inspect the site then make a recommendation to the Architectural Control Committee for approval or disapproval.

GUIDELINES

- A. Minimum diameter to be 15 inches. If a greater diameter culvert is required, it will be determined by the Committee or Engineer.
- B. Culverts more than 30 feet in length are to have a cleanout port with a grate cover of at least an 8-inch diameter. These ports are to be flush with the surface and must be spaced no more than 30 feet apart.
- C. If installation of these culverts causes runoff water to be diverted onto the roadway, then grated ports of sufficient size must be installed in the culvert to divert water into the culvert. In these cases, the entry ports must be a minimum of 12 inches below the crown of the roadway.
- D. In the event it is determined by the Committee that an analysis by a Civil Engineer is necessary, then the property owner must assume responsibility for the cost of the Engineer's service.
- E. Property owner must sign an agreement accepting responsibility for any maintenance necessary to maintain flow of storm water and any expenses incurred if it is necessary to remove the culverts at any time in the future for utility maintenance or because culvert failure to handle the drainage properly.

Final Approval rests with the Architectural Control Committee and no work may start until approved by the Committee.

DUMPSTERS, ROLL-OFFS and PORTABLE STORAGE UNITS / CONTAINERS

Dumpsters, Roll-Offs and Portable Storage Units/ Containers shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

A. DEFINITIONS:

1. Dumpster: a metal container of one cubic yard or more in size located outside and used to store refuse, garbage, trash, rubbish, yard waste, construction waste or similar materials.
2. Roll-off: any container designed to be drawn behind a motor vehicle, located outside and used to store refuse, garbage, trash, rubbish, yard waste, construction waste or similar materials.
3. Portable Storage Unit: any container, pod, or unit rented or owned by the owner or occupant of the property that is designed to hold household items and to be transported to and stored by a private moving or storage company at a centralized storage warehouse or facility.

B. SPECIAL REQUIREMENTS:

1. Time restrictions: Not to exceed 90-days in any 12-month period, except roll-off and dumpster if the use is associated with an active building permit issued by the LKPOA.
2. Location: Dumpster, Roll-off or Portable Storage Unit must be setback a minimum of 30 feet from any street sided property line, forty (40) feet of any golf course property line, and (60) feet from any lake wall.
3. Scope of use: No dumpster, roll-off or portable storage unit may be permitted or used as an accessory structure.
4. Maintenance of the Site: the site shall be cleaned daily of any debris considered unsightly, a nuisance or a threat to public safety.

C. The permit is Valid for 90 days.

EXTERIOR RENOVATIONS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. SIDING REPLACEMENT shall meet the requirements of the applicable Building Code and Special Provisions of NEW CONSTRUCTION.
- B. ROOF REPLACEMENT shall meet the requirements of the applicable Building Code and Special Provisions of NEW CONSTRUCTION.
- C. WINDOW AND DOOR REPLACEMENTS shall meet the requirements of the applicable Building Code.
- D. AWNINGS AND SHUTTERS shall meet the requirements of the applicable Building Code.
- E. GUTTERING:
 - 1. Approved materials
 - a. Metal
 - b. Manufactured Composites
- F. REQUIRED PERMIT SUBMITTAL DATA:
 - 1. Project Description
 - 2. Materials List
- G. The permit is valid for 90 days.

FENCES

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

A. Fence Categories:

1. Privacy (Solid) – Maximum of 6.00 Feet
2. Non-Privacy – Maximum of 6.00 Feet
3. Wing Walls – Extending from Front of house to side property line may be privacy or non-privacy – maximum height 6.00 Feet.

B. Height and Location Restrictions: Reference [“Setbacks, Fences and Swimming Pools” illustrations.](#)

1. All fences within the 60-foot setback from the lake shall be non-privacy and not exceed a maximum height of 4.00 feet.
2. All fences within the 40-foot setback from the golf course shall be non-privacy and not exceed a maximum height of 4.00 feet.
3. Picket fences on Waterfront and Golf Course lots may not exceed 3 feet in height.
4. All fences within the 30-foot setback from the road right of way shall be non-privacy and shall not exceed 4.00 feet in height.
5. When residence setbacks are greater than those stated in 1, 2, 3 and 4 above, privacy fences may not extend past the front of the residence on all lots or past the rear of the residence on lake lot, (including Lake Access and Common Access associated lots) and golf course lots. That point being determined by the side fenced.
6. Swimming Pools shall be fenced.
7. Hot Tubs shall be fenced or covered.
8. Interior lots may have a maximum height of 6.00 feet privacy or non-privacy subject to setback rules and item # 4.

C. Approved Materials

1. Privacy Fences:

- a. Wood – Cedar, Redwood or pressure treated lumber.
- b. Masonry
- c. Composite materials
- d. Architectural Metal as approved by ACC.

2. Non-Privacy Fences:

- a. Chain Link
- b. Metal – Post and Rail (Wrought Iron Look)
- c. Rail – Wood or Composite – No more than three rails. The width of each rail, including a cap or other decorative element, must not exceed 5 inches.
- d. Post and Chain
- e. Picket fences – Vinyl or Wood
- f. Architectural Metal as approved by ACC.

D. All fences shall be constructed with:

1. Finished side facing any street within the community.
2. Finished side facing any LKPOA owned property.
3. Not having a line-of-sight problem for drivers
4. Gates for access as necessary for maintenance of lot areas outside of fenced area.
5. Fences not located on the property line need to be positioned so the remaining area of lot can easily be accessed to maintain as required. A minimum of a three (3') foot setback must be maintained for a pathway.

- E. Permit Data Required-Permit is valid for 90 days.
 - 1. Dimensioned Plot Plan or Survey
 - 2. Materials List
- F. The permit is valid for 90 days.

FIRE PITS, EXTERIOR FIREPLACES AND OUTDOOR KITCHENS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

Fire Pits, Fireplaces, Chimneys and Outdoor Kitchens constructed as a Permanent Structure or part of a permanent structure require a permit. Portable Fire Pits, Chimeneas, Outdoor Fireplaces etc. do not require a permit.

SPECIAL REQUIREMENTS:

- A. Setback Requirements: May extend into the setbacks of golf course or lake lots but not into any utility easement and not nearer than ten feet to the property line of any abutting property and shall meet the requirements of the applicable Building Code and Special Provisions of NEW CONSTRUCTION.
 1. Property Line Setbacks – Reference Restrictive Covenants Section 3.03 and [“Setbacks, Fences and Swimming Pools” illustrations](#).
 2. Exterior Fire Pits, Fireplaces and Kitchens within the 60-foot setback from the lake on Waterfront and within the 40-foot setback on Golf Course lots may not exceed 3 feet in height above ground. No permanent structure or surface may exceed three feet in height except where the slope of 60 feet setback to lake is 20% or more, retaining walls can be up to 6 feet in height. The permanent structure or surface must not negatively alter the line of sight from abutting properties.
 3. Open Fire Pits must have a minimum 15 feet setback from all structures, combustible materials and side and rear property lines. Fire pits must be constructed so that the inside diameter is 5 feet or less.
- B. Special Requirements:
 1. Masonry Fireplaces and Chimneys must be supported on foundations of solid masonry or concrete and at least 6 inches beyond each side of the exterior dimensions of the fireplace. An ash dump cleanout must be provided with a fireplace.
 2. Factory-built fireplaces and chimneys shall be listed and labeled and shall be installed and terminated in accordance with the manufacturer’s instructions.
 3. Fires emitting smoke determined to be harmful to surrounding property owners, or when atmospheric conditions or local circumstances make such fires hazardous, will be immediately extinguished.
- C. Approved Materials
 1. Masonry: Brick, Stone and or Concrete
 2. Steel
- D. Required Permit Submittal Data
 1. Dimensioned Plot Plan or Survey.
 2. Dimensioned Plans
 3. Approved Engineered Septic Design or Certified Letter
 4. Materials List or Manufacturer’s Literature.
- E. The permit is valid for 90 days.

FLAGS AND BANNERS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. The following flags and banners may be displayed on the homeowner's property:
 - 1. The flag of the United States of America
 - 2. The flag of the State of Texas and other official State Flags.
 - 3. Official or replica flags of any branch of the United States Armed Forces.
 - 4. Other flags which are deemed not offensive to the general population.
- B. Flags of the United States shall be displayed in accordance with 4 U.S.C. Sections 5 thru 10.
- C. Texas State flags shall be displayed in accordance with Chapter 3100 of the Texas Government Code.
- D. All flags and banners shall be displayed in a respectful manner.
- E. All flags of the United States, which remain in place over night and are illuminated, must use up lighting to avoid shining into other properties. All halyards shall be secured to abate noise.
- F. Flagpoles may be free standing or wall mounted. Poles shall be constructed of permanent, long-lasting materials with finish appropriate to the pole material and complementary to the residence.
- G. Flagpoles shall have a maximum height of 35 feet and be located on the owners' property. Poles shall not be located within any established easement except for the flag of the United States placed by a civic organization as approved by the ACC.
- H. Any deteriorated flags or structurally unsound poles shall be repaired, replaced or removed.

No Permit is Required

GREENHOUSES

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

A. Special Requirements

A greenhouse is defined as a detached building with glass or polycarbonate (plexiglass) walls and roof and is used for the cultivation of tender plants in which plants requiring regulated conditions are grown and protected. One greenhouse may be erected on homeowner property, in addition to the one detached building allowed, subject to provisions listed below:

1. The greenhouse must be detached from the single-family residence and free-standing and not exceed 120 square feet in floor area or 12 feet in external height.
2. Heating of the greenhouse shall be by passive solar. No electric or propane heaters are permitted.
3. The greenhouse may be erected on a concrete slab or other permanent surface.
4. The greenhouse shall not be used for the storage of personal property and/or equipment.
5. The greenhouse shall not be used for commercial purposes.
6. Any deviation from the above will result in the greenhouse being deemed as a Detached Building subject to the requirements outlined in the Architectural Control Handbook.
7. Property Line Setbacks – Reference Restrictive Covenants Section 3.03 and [“Setbacks, Fences and Swimming Pools” illustrations](#).
8. Canopy and Pop-up greenhouses are not allowed.
9. Temporary protective coverings are allowed, as necessary, per impending weather conditions (frost), as they arise.

B. Approved Materials

1. Frame structure to be wood and/ or metal. Plastic may be approved as deemed appropriate by ACC.
2. Window, panels and roof must be glass and/or Polycarbonate (Plexi-glass)
3. Flooring may be grass, gravel, pavers and/ or concrete.

C. Required Permit Submittal Data

1. Dimensioned Plot Plan or Survey
2. Building Plan and Materials List or Manufacturer’s Literature for Greenhouse
3. Approved Engineered Septic Design or Certified Letter

D. The permit is valid for 120 days.

INTERIOR RENOVATION AND STRUCTURAL MODIFICATIONS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities:

- A. Required Permit Submittal Data
 - 1. Construction Details and Specifications (as requested by ACC)
 - 2. Certified Letter indicating building additions do not require septic modifications or a County Approved Engineered Septic Design
- B. Site maintenance during construction shall be as set forth in Administrative Section IV of the ACC Handbook.
- C. No permit is required unless the renovation includes additional bedrooms or bathrooms which may require updated septic systems.
- D. The permit is valid for 6 months.

IRRIGATION SYSTEMS

LKPOA no longer issues Irrigation Permits. All Irrigation permits are issued through the Lake Kiowa Special Utility District (LKSUD). Please contact Lake Kiowa Special Utilities District for permit requirements.

www.LKSUD.org

LANDSCAPING

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities. A permit is required only when heavy equipment is needed such as large sod delivery or tree trucks, backhoes, or equipment used for digging or leveling and any other equipment.

A. Special Requirements:

1. When new construction or an addition is built, underground utilities run, grade changes made, or the soil is otherwise disturbed, proper compaction and a fine finish grading shall be done and seed, sod or native plants shall be installed matching as closely as possible the existing surrounding yard.
2. Landscaping used as barriers or fencing shall meet the setback and height requirements as defined in fencing.
3. Barriers of any kind, excluding fences, on lake lots must not exceed three (3) feet in height; except where the slope (from sixty (60') feet setback to lake) is 20% or more, retaining walls may be up to 6 feet in height. The permanent structure or surface must not negatively alter the line of sight from abutting properties.
4. Barriers of any kind, excluding fences, on golf course lots must not exceed three (3') feet in height, except wherein the improved golf cart path runs adjacent to the property line on two sides of the lot. The objective is to provide some level of privacy to the homeowner.
5. Railroad Ties are not allowed for use in any landscaping project or retaining wall.
6. The permit is valid for 90 days.

LIQUID PROPANE GAS

Installation shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. Setback Requirements: Setbacks from structures and property lines shall be as required by the Texas Railroad Commission.
- B. Codes and restrictions
 - 1. Texas Railroad Commission
 - 2. Applicable Building Code
- C. Required Permit Data
 - 1. Dimensioned Plot Plan or Survey
 - 2. Texas Railroad Commission Permit and or TRRC license number
- D. The permit is valid for 90 days.

RETAINING WALLS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

A. SEA WALL SPECIAL REQUIREMENTS:

1. Individual Property Owners may construct sea walls on privately owned lake lots.
2. Common Access Property Owners shall refer to Property Designation Requirements Item A under Docks and Davits Section.
3. Lake Access Property: Improvements are not allowed by property owners per the covenants.
4. Sea walls shall abut the lake at the normal water line defined as elev. 700 (699 NAVD88) or as established by existing or adjacent sea walls and shall extend the full width of the property or as approved by the Architectural Control Committee.
5. Sea walls shall be configured to prevent storm water or irrigation water from flowing onto or backing up onto or causing soil erosion on adjacent property.
6. Sea walls and bank stabilization (riprap) shall conform to USACE Permit Programs, specifically Nationwide Permit NWP13.

B. SITE RETAINING WALLS

1. Retaining walls to control site elevation changes may abut or parallel property lines.
2. Retaining walls shall be configured to prevent erosion of soil onto adjacent property.
3. Retaining walls shall be configured to prevent storm water or irrigation water from flowing on to or backing up onto adjacent property.
4. Within the 60' lake wall setback, no permanent structure or surface may exceed three feet in height except where the slope from 60-foot setback to lake is 20% or more, retaining walls may be up to 6 feet in height. The permanent structure or surface must not negatively alter the line of sight from abutting properties.

C. Approved Materials

1. Treated Lumber
2. Landscape Timbers (Railroad ties are not allowed)
3. Concrete
4. Masonry
5. Sheet Piling

D. Permit Submittal Required

1. Dimensioned Plot Plan or Survey
2. Materials List

E. The permit is valid for 90 days.

SEPTIC

Construction of a new or revision of an existing septic system shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. Setback Requirements: Setbacks from structures and property lines shall be as required by the Texas Commission on Environmental Quality; the Cooke County Environmental Health Department and the Lake Kiowa setback requirements.
- B. Codes and Restrictions
 - 1. Texas Commission on Environmental Quality
 - 2. Texas Administrative Code (TAC) Title 30 Chapter 285
 - 3. Cooke County Rural Subdivision and Septic Department
- C. Required Permit Data
 - 1. Engineered Septic Design for Onsite Sewage Facility (OSSF); approved by Cooke County or TCEQ Designate Representative.
- D. The permit is valid for 90 days.

SIGNAGE

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. Governing Documents Sections
 1. Covenants Section 6.03 – Signs
 2. Rule 3.3.3.6 – Unauthorized Signs
 3. Rule 3.3.3.6.e – Political Signs
 4. Local, State or Federal Regulations
- B. Commercial Property (Lots 1A, 1B and Lot 2)
 1. Wall mounted signs identifying the office or business over the main entrance door of the office or business are permitted and shall be meet with the following requirements:
 - a. Signs may be made of wood, metal or composite materials.
 - b. Maximum Size: 24 inches X 60 inches
 - c. Signs shall not extend above the top of the wall.
 - d. Signs may be illuminated by over the sign down lighting.
 2. Interior mounted window signs are permitted.
 3. Freestanding ground signs are permitted and shall conform to standards as illustrated by [sign photo number 1](#).
 4. Entrance canopy signs are permitted and shall conform to the standards as illustrated by [photo number 4](#).
 5. Freestanding marquee signs are permitted and shall conform to the standards as illustrated by [photos number 2 & 3](#).
 6. The following signage types are not permitted:
 - a. Projecting wall mounted signs
 - b. Roof Top signs
 - c. Signs with flashing lights
 - d. Neon or similar signs with other gases
 - e. Exterior signage, including flag signs, pennants, or banners, principally composed of fabric or other flexible materials.
- C. Special Tournaments or Events: Signs are permitted for two days prior to the event through the duration of the event. Locations, signage components and size shall be approved by the ACC.
- D. Kiowa Social and Civic Organizations: Sign shall conform to the standards as illustrated by photos [numbers 5 and 6](#).
- E. Existing Commercial Signage: May remain as installed if they are used continuously without significant interruption and are properly maintained.
- F. All Signage: Shall be properly maintained and signs no longer applicable shall be removed.
- G. No Permit is Required

SILT REMOVAL

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. Setback requirements: Referenced Restrictive Covenants Section 3.03 "Setback Requirements, Section 7.02 "Setback Requirements for Residential and Commercial Lots" and the "Setbacks, Fences and Swimming Pools" in this ACC Handbook. Silt Removal may be performed from Property Line to Property Line along the Lake Wall and may extend out a reasonable distance into the lake.
- B. Special Requirements:
 - 1. Blackout period may apply due to Fish Spawning, off- limit Habitat Areas and other Lake Kiowa activity as determined by POA.
 - 2. A Two (2) Week Quarantine for watercraft, including Barge, may apply per LKPOA Rules and Procedures; 3.3.6.1.a.
 - 3. Minimum 2-person crew with safety and communication equipment as required.
 - 4. Pre-probing of proposed silt removal area is required and Utilize silt maps of POA, if available.
 - 5. Any utilization of POA or neighbors' property is not allowed without written permission.
 - 6. Property found in lake to be turned over to LKPOA.
 - 7. The staging of equipment and process must be contained on individual permitted lot.
 - 8. Sediment Dewatering and disposal returning water efficiently back into lake.
 - 9. Under no circumstances shall silt be moved to another part of the lake.
 - 10. Sediment Control (Turbidity Curtains) – Suspended sediment in lake contained to within the projected lines of the individual lot extending out into the lake.
 - 11. Care must be taken to maintain the integrity of lake walls and docks of owner and neighboring properties.
 - 12. Only silt may be removed. Lakebed/ hard pan to stay in place. Should project damage the lakebed/hard pan, the property owner assumes the full responsibility to correct the problem caused by the silt removal.
 - 13. Contractor responsible for obtaining all necessary permits required by applicable jurisdictions (Army Corps of Engineers etc.) or supply documentation stating exemption as applicable.
- C. Approved Materials and Equipment
 - 1. Pump (Auger Head Type) on Barge. (Piranha or similar)
 - 2. Geotextile or similar for Dewatering. (Fabric Bag or similar)
 - 3. Roll Off Dumpsters - 20' maximum.
- D. PROPERTY DESIGNATION REQUIREMENTS
 - 1. Individually owned property: No additional requirements.
 - 2. Common Access Property: property owners who share the benefits of Common Access Property when approved by the Architectural Control Committee unless the majority of said owners disagree in writing with proposed construction.
 - 3. Lake Access Property: Improvements are not allowed by property owners per the covenants.
- E. Required Permit Submittal Data
 - 1. Dimensioned Plot Plan or Survey
 - 2. Detailed Plan for specific area of lake, staging strategy, sediment dewatering and removal of silt with estimate and verification of amount of silt removed.
 - 3. List of Materials and Equipment.
- F. The permit is valid for 90 days.

SITE PAVEMENT

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities. (See also Approaches to Driveways)

A. DRIVEWAYS

1. Setback Requirements: Driveways may abut the property line.
2. Approved Materials
 - a. Concrete pavement
 - b. Concrete pavers
 - c. Brick Pavers
 - d. Asphalt pavement
 - e. Crushed Granite, Decomposed Granite or washed Gravel will be allowed along with the construction of an edging to contain the gravel is also required. Road base gravel or similar are not allowed.

B. SIDEWALKS

1. Setback Requirements: Sidewalks may abut the property line.
2. Approved Materials
 - a. Concrete pavement
 - b. Concrete pavers
 - c. Brick Pavers
 - d. Asphalt pavement
 - e. Crushed rock or gravel

C. PATIOS, (See also category Attached Decks, Patios and Porches) elevated less than 8 inches above grade may abut the property line.

1. Approved Materials
 - a. Concrete pavements
 - b. Concrete pavers
 - c. Brick pavers
 - d. Stone or Flagstone
 - e. Other materials approved by the committee.

D. REQUIRED PERMIT SUBMITTAL DATA

1. Dimensioned Plot Plan or Survey
2. List of Materials
3. Approved Engineered Septic Design or Certified Letter

E. All pavements that encroach on drainage or utility easements are subject to removal at the owners' cost.

F. The permit is valid for 90 days.

SOLAR POWER

Solar power panels are allowed.

- A. A permit must be obtained prior to installation.
- B. Panels must be mounted to the roof of the house when possible.
- C. Panels must be mounted out of view of the street when possible.
- D. The permit is valid for 90 days.

STORM SHELTER

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. Setback Requirements: May extend into the setbacks of golf course or lake lots but not into any utility easement and not nearer than ten feet to the property line of any abutting property.
- B. Special Requirements
 - 1. Property Line Setbacks – Reference Restrictive Covenants Section 3.03 and [“Setbacks, Fences and Swimming Pools” illustrations](#).
 - 2. Only one Storm Shelter is permitted per residential lot.
 - 3. Shelters within the 60-foot setback from the lake on Waterfront and within the 40-foot setback on Golf Course lots may not exceed 3 feet in height above ground. No permanent structure or surface may exceed three feet in height except where the slope from 60 feet setback to the lake is 20% or more, retaining walls may be up to 6 feet in height. The permanent structure or surface must not negatively alter the line of sight from abutting properties.
- C. Building Type
 - 1. Pre-manufactured shelters or sections shall not exceed 120 square feet in floor area.
- D. Approved materials
 - 1. Concrete
 - 2. Steel
 - 3. Fiberglass
- E. Required Permit Submittal Data
 - 1. Dimensioned Plot Plan or Survey.
 - 2. Dimensioned Shelter Plans.
 - 3. Approved Engineered Septic Design or Certified Letter.
 - 4. Materials List or Manufacturer’s Literature.
- F. The permit is valid for 120 days.

SWIMMING POOLS, HOT TUBS, SPAS AND SWIM SPAS

Construction shall meet the requirements of the Architectural Control Handbook and Referenced Authorities.

- A. Setback Requirements: May extend into the setbacks of golf course or lake lots but not into any utility easement and not nearer than ten feet to the property line of any abutting property. May not extend past the front of the residence on all lots. Reference ["Setbacks, Fences and Swimming Pools" illustrations](#).
- B. Special Requirements:
1. No swimming pool shall be built in front of the residence.
 2. Swimming pools, hot tubs, spas and swim spas on interior and golf course lots shall be enclosed with a pool enclosure or fence on all four sides. All pool enclosures or fences for this purpose must be part of the pool owner's property and not part of an adjacent lot or POA property.
 3. Swimming pools, hot tubs, spas and swim spas on lake lots may be open on the lake frontage but enclosed with a pool enclosure or fence on the other three sides. All pool enclosures or fences for this purpose must be part of the pool owner's property and not part of an adjacent lot or POA property. If open on the lake frontage, a minimum extension of 24 inches on each side of the fence extending into the lake is required.
 4. Portable hot tubs and swim spas may be covered instead of fenced. Hot tubs and swimming spas must be closed when not in use, with a safety cover per ASTM F1346-91 standard.
 5. All pool enclosures must be a minimum of 48 inches (4 foot), a maximum of 72" inches (6 foot), non-privacy, have self-closing self-latching gates, shall not be climbable and may be of transparent mesh or clear panels set in metal frames.
 6. Above ground pools are not permitted regardless of height or depth. Small portable or temporary wading pools are allowed.
 7. No permanent structure or surface may exceed three feet in height except where the slope (from 60-foot setback to lake) is 20% or more, retaining walls may be up to 6 feet in height. The permanent structure or surface must not negatively alter the line of sight from abutting properties.
 8. It is recommended that barriers/fences for swimming pools, hot tubs or spas comply with the International Swimming Pool and Spa Code Section 305 and/or section 3109 of the International Building Code
- C. Definitions
1. **In-ground Pool** refers to a pool to be constructed or installed in ground by means of monolith concrete application, gunite application, prefabricated composite fiberglass unit installation or vinyl liner waterproofing PVC membrane installed over the composite or steel wall construction that creates permanent impervious structure and becomes a part of the real estate property.
 2. **Swim Spa** is a swimming pool alternative, combining the benefits of water exercise and the therapy of a hot tub. A Swim Spa is a completely self-contained unit. All the plumbing, as well as the electrical control system and other components are built inside the swim spa cabinet.
 3. **Hot Tub** is typically used to refer to an above-ground portable spa. A hot tub or portable spa is a completely self-contained vessel unit. All the plumbing, as well as the electrical control system and other components are built inside the hot tub cabinet. Hot Tub is typically used to refer to an above-ground portable spa.
- D. Permit Data Required
1. Dimensioned Plot Plan or Survey
 2. Specifications with Materials Listed or Noted on Drawings
 3. Approved Engineered Septic Design or Certified Letter
- E. The permit is valid for 6 months.

Exhibit 1
Sign Photos



Photo 1



Photo 2



Photo 3



Photo 4



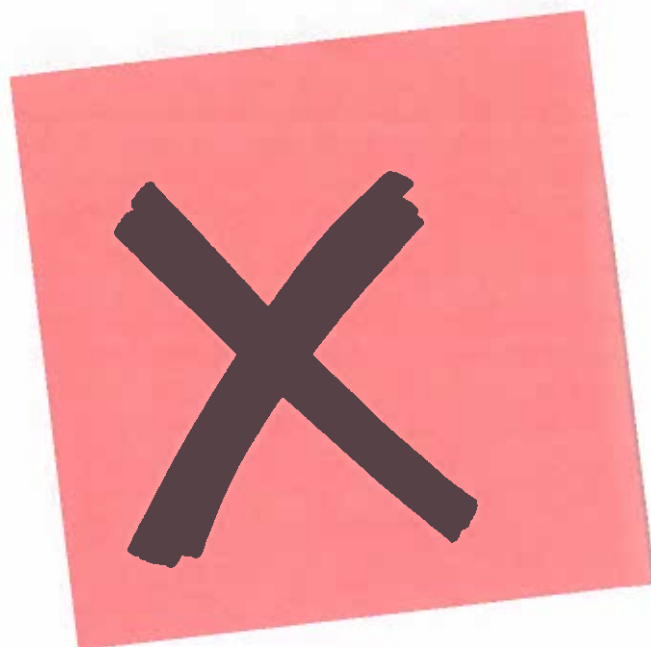
Photo 5



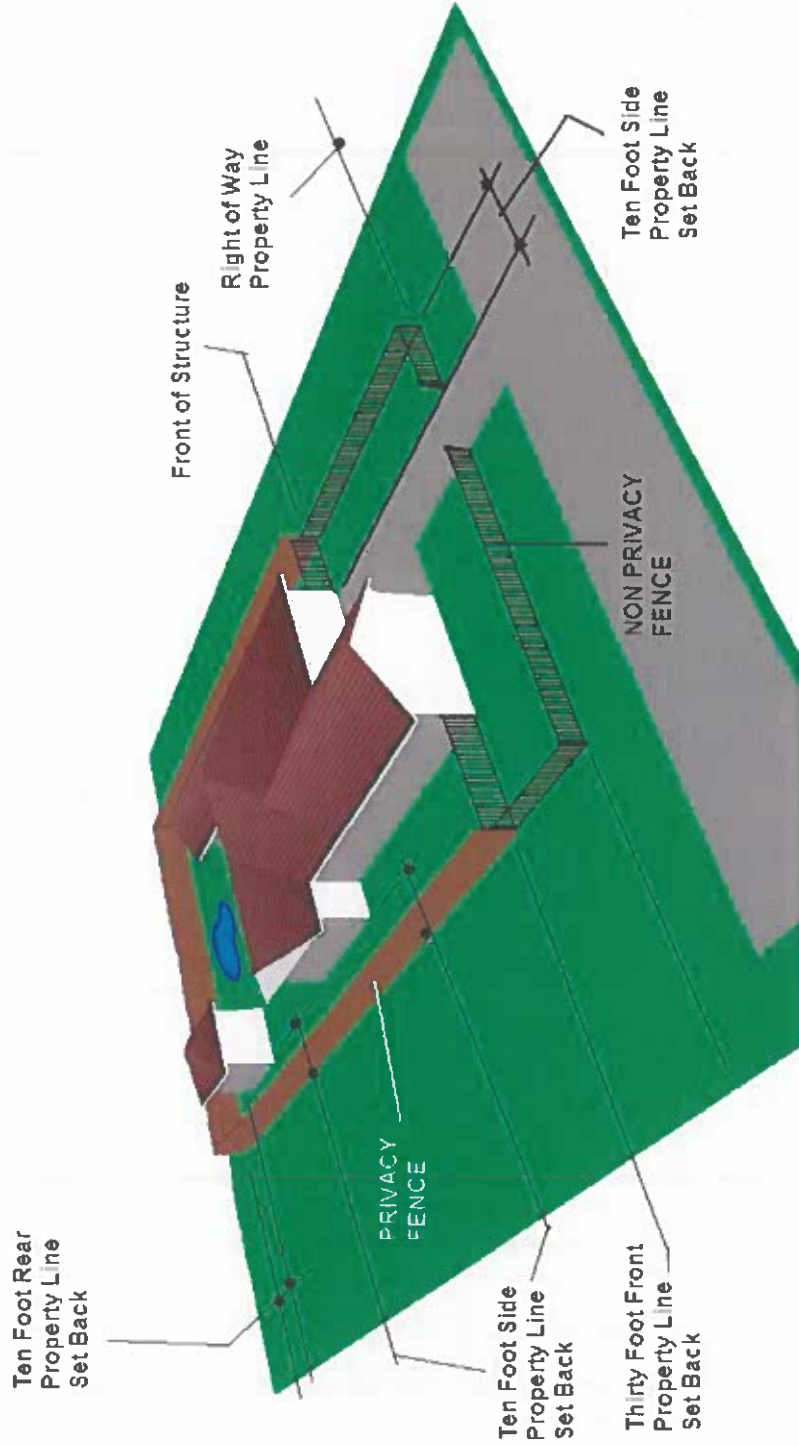
Photo 6

Exhibit 2

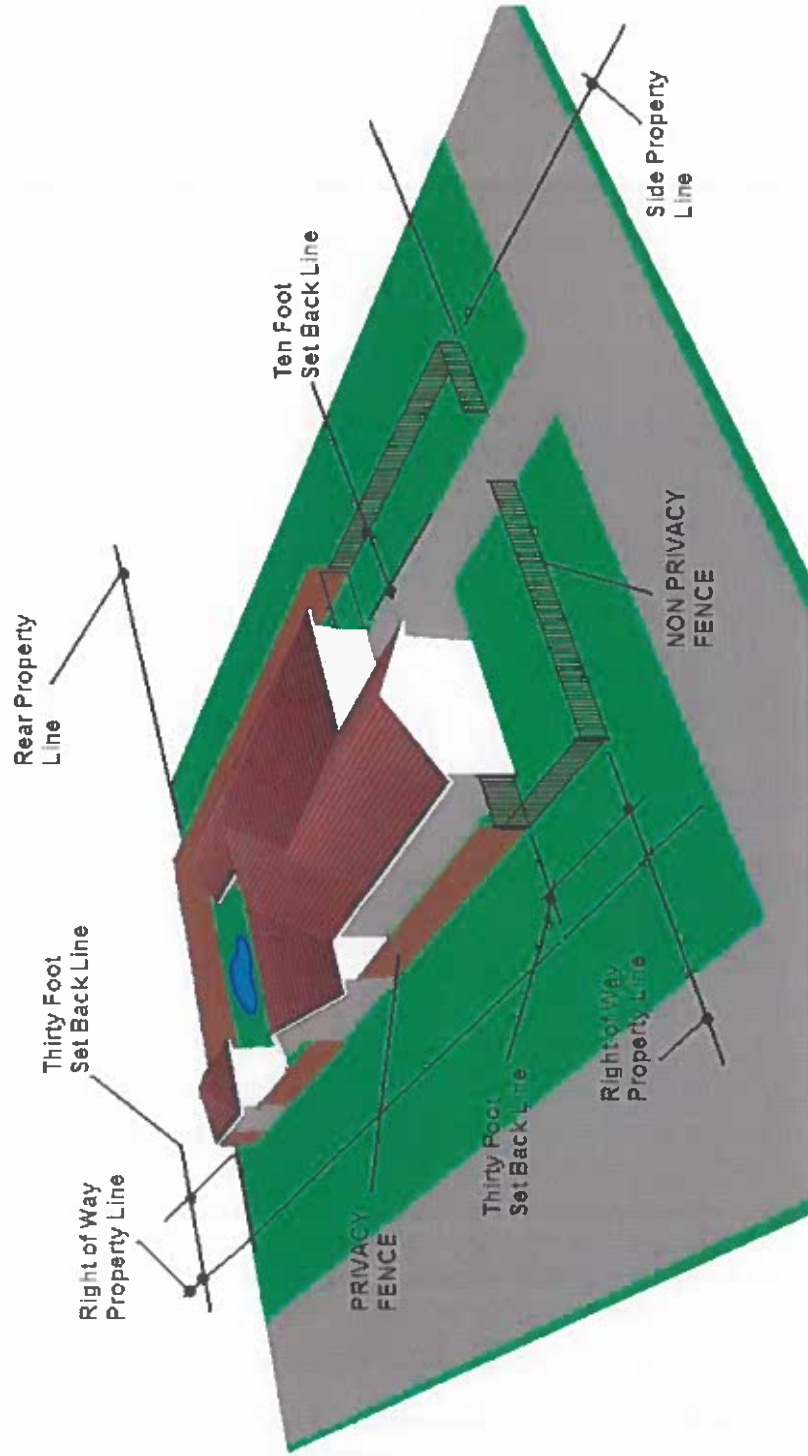
Setback, Fence, Pool, and Elevation Illustrations



INTERIOR LOT Setback, Fence and Swimming Pool Illustrations

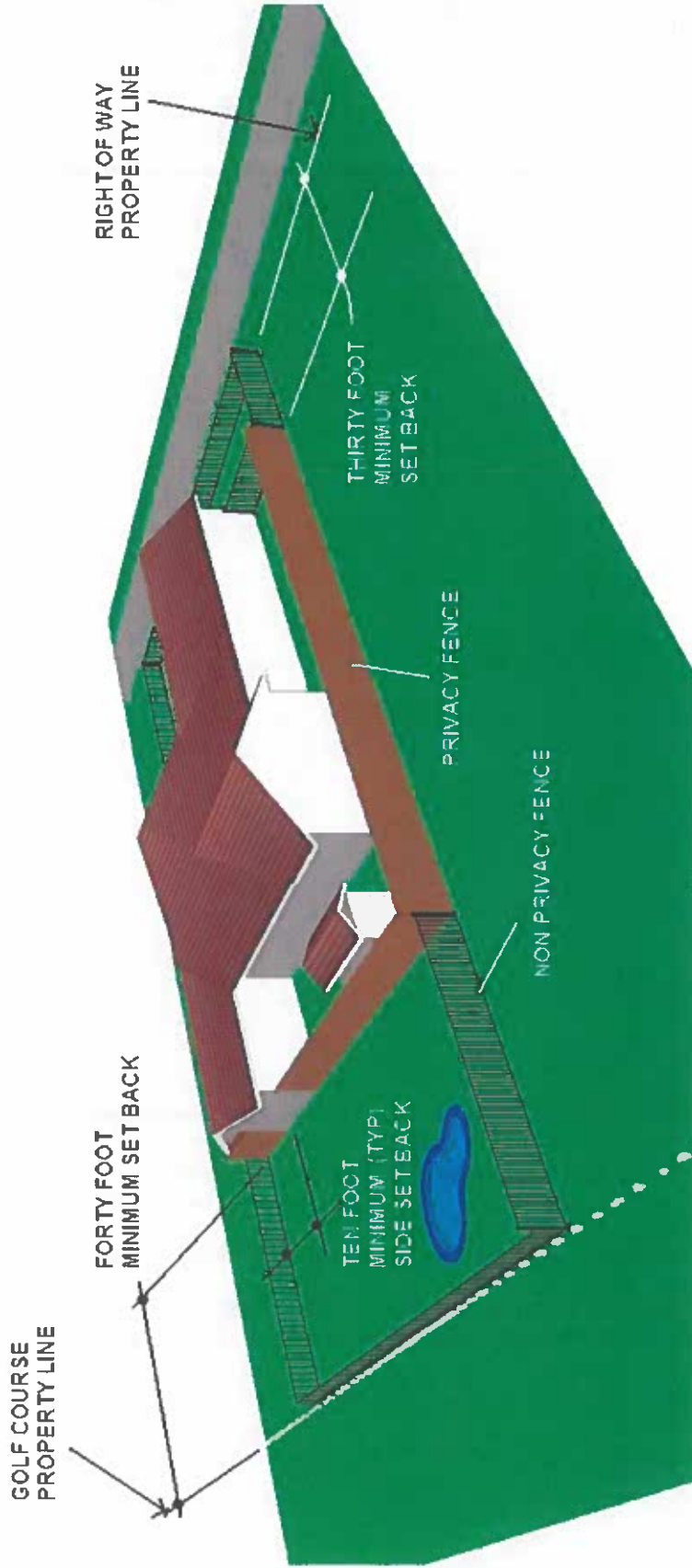


CORNER LOT Setback, Fence and Swimming Pool Illustrations

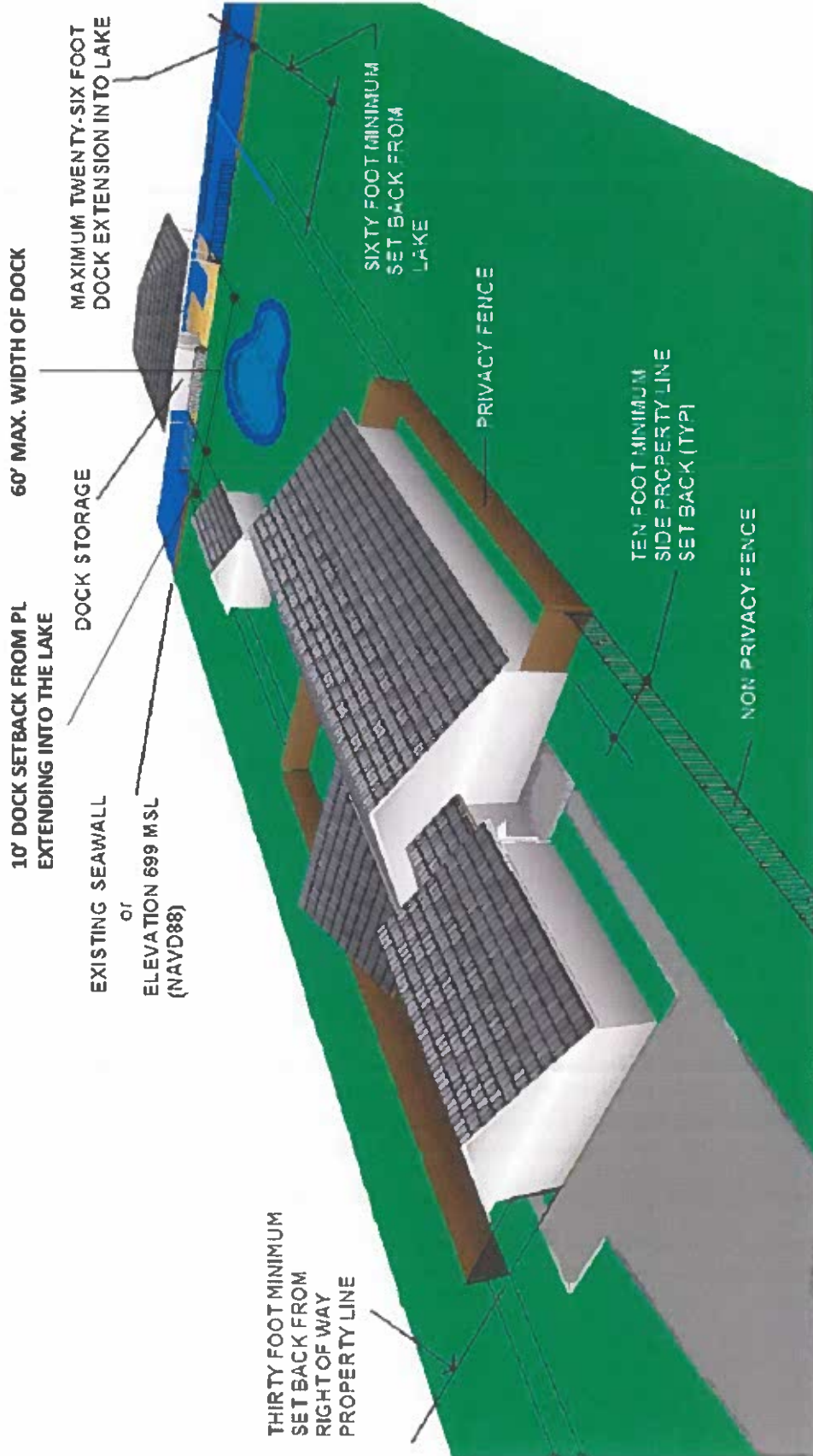


GOLF COURSE LOT

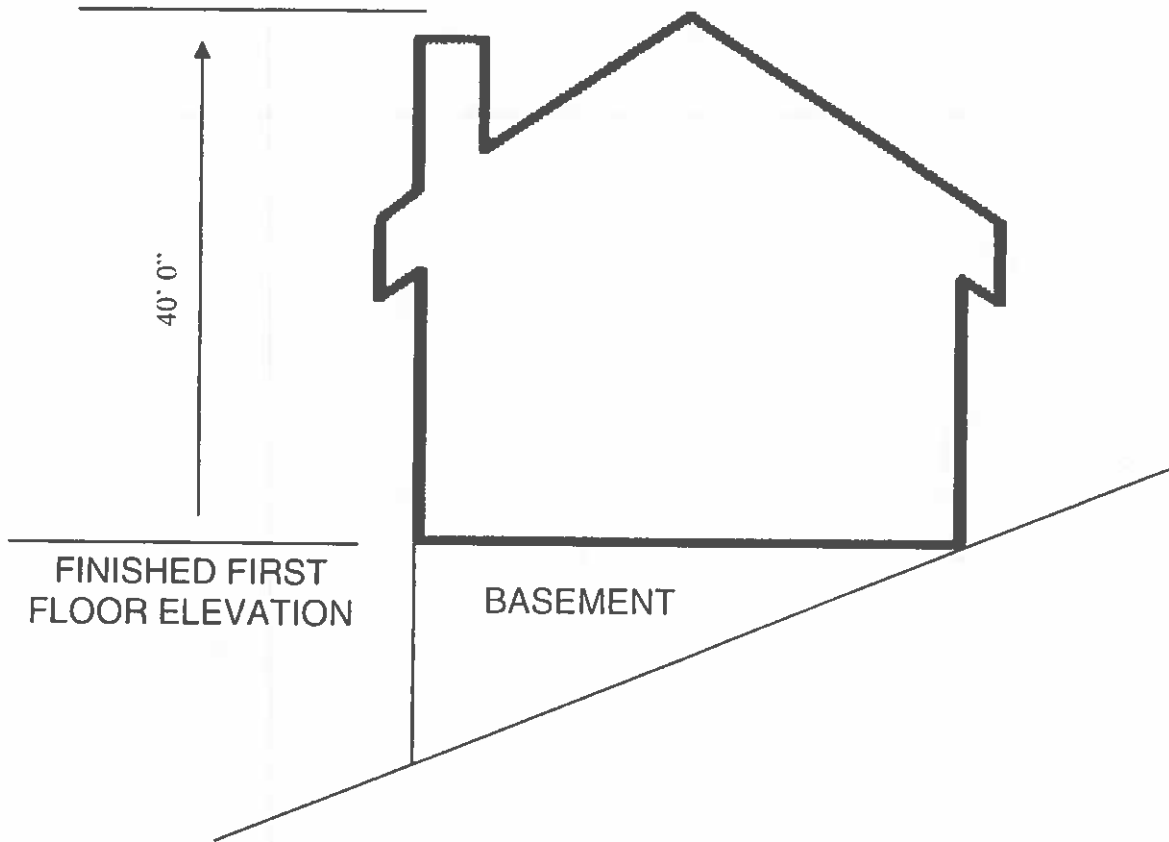
Setback, Fence and Swimming Pool Illustrations



LAKE LOT Setback, Fence and Swimming Pool Illustrations



MAXIMUM STRUCTURE ELEVATION WITHIN BUILD-LINES



MAXIMUM ROOF OVERHANG FOR STRUCTURES WITHIN BUILD-LINES

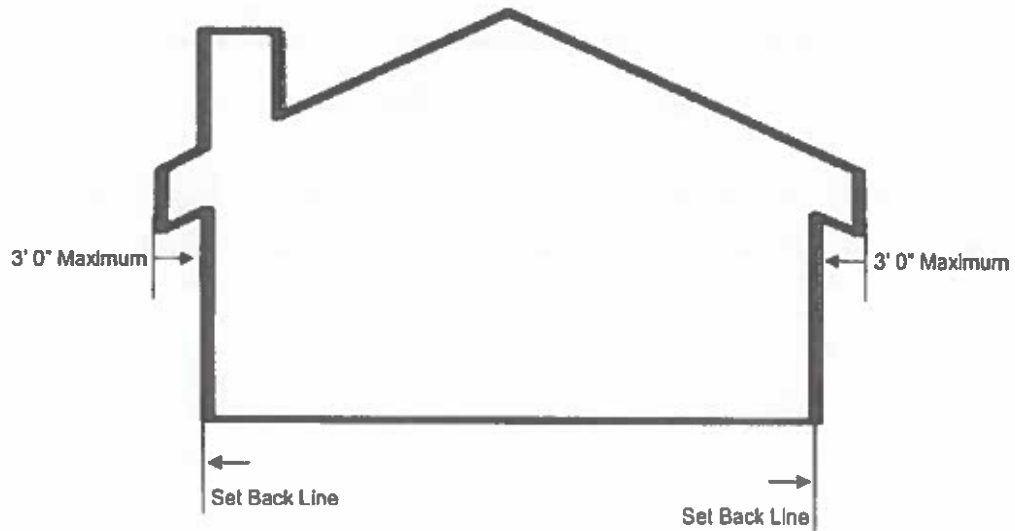


Exhibit 3

Permit Application & Fee Schedule

Exhibit 5 - LKPOA FEE CALCULATION SHEET Effective January 1, 2024

PERMIT FEE CALCULATION SHEET		PERMIT LENGTH	LOT #:	OWNERS NAME:			DATE:
REVIEW BY	CATEGORY		NUMBER OF UNITS	FIXED FEE	AREA SQ FEET	PER SQ FT	PERMIT FEE
ACC	NEW CONSTRUCTION (\$500 fee + square footage fees)			\$ 500.00			\$ -
	LIVING AREA	1 YEAR				\$ 0.80	\$ -
	GARAGE (ATTACHED)	1 YEAR				\$ 0.60	\$ -
	PORCH / DECK / PATIO	1 YEAR				\$ 0.40	\$ -
	CARPORT (ATTACHED)	1 YEAR				\$ 0.40	\$ -
ACC	ADDITIONS						
	LIVING AREA	6 MONTHS				\$ 0.80	\$ -
	GARAGE/ STORAGE (ATTACHED)	6 MONTHS				\$ 0.60	\$ -
	PORCH / DECK / PATIO	6 MONTHS				\$ 0.40	\$ -
	CARPORT (ATTACHED)	6 MONTHS				\$ 0.40	\$ -
ACC	DETACHED BUILDING						
	MANUFACTURED	120 DAYS		\$ 75.00			\$ -
	SITE CONSTRUCTED	120 DAYS				\$ 0.60	\$ -
	GAZEBO / PERGOLA / ARBOR	120 DAYS		\$ 75.00			\$ -
	GREENHOUSE	120 DAYS		\$ 75.00			\$ -
	STORM SHELTER	120 DAYS		\$ 150.00			\$ -
ACC	SITE WORK (included w/ New Construction)						
	APPROACHES	90 DAYS		\$ 75.00		-	\$ -
	CULVERTS	90 DAYS		\$ 75.00			\$ -
	DRIVEWAYS	90 DAYS		\$ 150.00		-	\$ -
	SIDEWALKS	90 DAYS		\$ 75.00		-	\$ -
	LANDSCAPING	90 DAYS		\$ 75.00			\$ -
ACC	SITE WORK						
	FIREPIT/ EXT FIREPLACE/ OD KITCHEN	90 DAYS		\$ 75.00		-	\$ -
	SITE RETAINING WALLS	90 DAYS		\$ 75.00			\$ -
	SWIMMING POOLS	6 MONTHS		\$ 250.00			\$ -
	HOT TUBS / SPAS / SWIM SPAS	90 DAYS		\$ 75.00			\$ -
ACC	DOCKS AND SEA WALLS						
	DOCK	90 DAYS		\$ 250.00		-	\$ -
	ROOFED	90 DAYS		\$ 75.00		-	\$ -
	2ND LEVEL DECK	90 DAYS		\$ 75.00		-	\$ -

	MODIFICATION/ ADDITION/ STORAGE CLOSET	90 DAYS		\$ 75.00		-	\$ -
	SEA WALLS	90 DAYS		\$ 250.00			\$ -
	SILT REMOVAL	90 DAYS		\$ 250.00			\$ -
CO	EXTERIOR RENOVATIONS (included w/ New Construction)						
	ROOFING	90 DAYS		\$ 100.00			\$ -
	SIDING / EXT MATERIAL CHANGES	90 DAYS		\$ 75.00			\$ -
	AWNINGS & SHUTTERS	90 DAYS		\$ 75.00			\$ -
	WINDOWS / DOORS / PORCH SCREENS	90 DAYS		\$ 75.00			\$ -
	GUTTERS	90 DAYS		\$ 75.00			\$ -
CO	EXTERIOR RENOVATIONS						
	FENCES	90 DAYS		\$ 75.00			\$ -
	REPAIRS	90 DAYS		\$ 75.00			\$ -
	DUMPSTER/ ROLL-OFF/ STORAGE CONTAINER	90 DAYS		\$ 75.00			\$ -
CO	DEMOLITION						
	ENITIRE EXISTING RESIDENCE	90 DAYS		\$ 250.00		-	\$ -
	OTHER - Smaller Demolition Projects	90 DAYS		\$ 75.00		-	\$ -
CO	UTILITIES (included w/ New Construction)						
	SEPTIC SYSTEM	90 DAYS		\$ 75.00			\$ -
	SOLAR	90 DAYS		\$ 75.00			\$ -
	PROPANE GAS	90 DAYS		\$ 75.00			\$ -
						Total	\$ -

ACC: Reviewed and Approved by AC Committee

CO: Reviewed and Approved by Compliance Officer

Exhibit 4

CITATIONS AND FINES

1. Failure to obtain permit: Reference ACC Handbook Section 1.01
 - a. New Construction \$500
 - b. Additions \$250
 - c. Approaches and to Driveways \$250
 - d. Attached Decks, Patios, and Porches \$200
 - e. Carports \$100
 - f. Whole House Demolition \$250
 - g. Exterior Renovation Demolition \$ 50
 - h. Detached Building \$250
 - i. Docks and Davits \$300
 - j. Drainage Culverts \$ 50
 - k. Exterior Alterations / Renovations \$400
 - l. Fences \$200
 - m. Fire Pits, Exterior Fireplaces and Outdoor kitchens \$ 50
 - n. Greenhouses \$ 50
 - o. Irrigation System \$ 50
 - p. Landscaping \$150
 - q. Liquid Propane Gas \$100
 - r. Retaining Walls \$100
 - s. Silt Removal \$150
 - t. Site Pavement \$200
 - u. Solar Panels \$ 50
 - v. Storm Shelter \$ 50
 - w. Swimming Pools, Hot Tubs, and Spas \$300

2. Performing work not covered by permit per Section 4.01 of ACC Handbook \$500
And New permit required or removal of said work.

3. Moving or destroying survey stakes per Section 1.04 of ACC Handbook New survey required
4. Failure to comply with Section 1.07 of ACC Handbook \$200
5. Failure to comply with Section 1.12 of ACC Handbook \$250 for 1st offense
\$500 for repeat offenses.

6. Failure to comply with Section 3.01 of ACC Handbook \$150/Day
7. Failure to comply with Section 3.02 of ACC Handbook \$150/Day
8. Failure to comply with Section 3.03 of ACC Handbook \$100/Day
9. Failure to comply with Section 3.04 of ACC Handbook \$100/Day
10. Failure to comply with Section 4.02 of ACC Handbook; complete construction within the permit
time frame or obtain a new (extend) permit \$500
New permit fee (Force Majeure can be requested if documented)
11. Failure to post permit to comply with Section 2.12 of ACC Handbook \$50
12. Failure to comply to permit specifications Red Tag
(Stop work until rectified)

13. All other ACC non-compliance issues, not listed above, may result in the following Schedule of
Fines:
 - First Violation - \$50.00 fine
 - Second Violation - \$100.00 fine
 - Third and Each Further Violation - \$200.00 fine and, if applicable, a 30-day suspension of
privileges.

Exhibit 6 - ARCHITECTURAL CONTROL PERMIT CHECKLIST

for OFFICE USE ONLY

Lot #: _____ Constituted Lot #: _____

Project Address: _____

Owner: _____

Contractor: _____

Project Description: _____

- _____ Verify Application Data/ Information
- _____ Owner / Member Credit/ Account—member in good standing
- _____ Verified State Licenses GC _____; Subcontractors (MEP) _____
- _____ Dimensioned Site Plan -- with location of improvement
- _____ First Floor Elevation relative to Elevation 700 feet MSL; Min. 705 MSL
- _____ Dimensioned Floor Plans
- _____ Dimensioned Elevations
- _____ Cooke County Approved Engineered Septic Design; or
- _____ Septic Letter from Licensed Septic Installer
- _____ Approved Dimensioned Irrigation Plan - LKSUD (Water Dept.)
- _____ Materials List or Noted on Elevations
- _____ [Fee Calculation](#) Attached.

Exhibit 7 - FINAL REVIEW

(New Construction & Additions Only)

Date: _____

To: Architectural Control Committee and/or Representative

From: _____

Permit # _____

Lot # _____

Project Address: _____

The above referenced project will be completed on _____. I am requesting a ["Final Review"](#) of this project on that date. I understand a "Certification of Compliance" will be issued upon satisfactory completion of the project.

Homeowner

Contractor

Exhibit 8 - CERTIFICATE OF COMPLIANCE

(New Construction & Additions Only)

To: _____ Permit # _____
Homeowner

_____ Lot# _____
Contractor

Project Address: _____

This is to inform you that a "Final Observation" for Permit Compliance was conducted on _____ This project meets compliance requirements as stated in the Architectural Control Handbook.

Architectural Control Committee Representative

Date _____

Exhibit 9 - ACC HANDBOOK PAGE REVISION LOG

September 15, 2008

Administration, 1.08, 7.02
Additions, E.4.c,d,e
Approaches to Driveways, — Special Requirements — A.
Detached Building, B.2, C.3.a
Exterior Renovations, D., E.1.a.b.c.
Fence, Page 14 Approved Materials — C.1.d, C.1.e Liquid Propane Gas, A.1., A.2
New Construction, E.4.c, E.4.d, E.4.e
Site Pavement, C.I, 2
Fee Schedule, add demolition fee.

May 5, 2010

Administration, 1.1.01, 1.05, 1.06, 1.12, 11.2.05 b, V.5.01, VII.7.02 Additions, B, 1.
Approaches to Driveways, B.1, E. added paragraph Attached Decks and Porches, B.1 Carports, Page 8 — C.1.
Detached Building, A. 4, 5 added paragraphs, C.1. Docks and Davits, Required Permit Submittal Data, A.
Fence, E.1
Interior Structural Modifications, Title change, A, B, eliminate C.
Liquid Propane Gas, D.1
New Construction, 8.1 Retaining Walls, A.3, D.1
Site Pavement, D.1
Sprinkler System, A.1
Lake Kiowa Property Owners Association Application for Architectural Control Permit. Change in Title.
[Citations and Fines](#), 7, 8.

December 19, 2011

Administration, 1.01, 1.12, 2.02, 2.03, 4.04, Eliminate Liability Insurance Approaches to Driveways, Page 6 — Eliminate E.
Fence, A.2
Flags and Banners, Added paragraphs A— H.
Interior Renovation and Structural Modifications, Eliminate first paragraph, Eliminate B.
Signage, Added Paragraphs I — VI.
Swimming Pools, Hot Tubs, And Spas, B.2, Eliminate 8.3
*Renumber pages of Handbook to accommodate new sections.

November 5, 2012

Administration, 1.07, 1.10, 2.05, 4.03, 4.04 Additions, D, Eliminate B.5
Approaches to Driveways, C, Added E.
Attached Decks and Porches, Added Patios to Title, B.2, C, D, Added F.

May 5, 2014

Fence - changed #3 to include restrictions on Picket Fences on Waterfront and Golf Course Lots and renumbered all others to correct. Added approved materials for Picket Fences.

August 18, 2014

Docks & Davits, Changed PROPERTY DESIGNATION REQUIREMENTS for Common Access Property.

November 17, 2014

Sprinkler Systems, Changed B from inspection by LKSUD to All Irrigation Systems. Added C — Inspection must be done by LKSUD and approved prior to service connection to RPZ valve.

December 15, 2014

Sprinkler Systems, Changed name form Sprinkler System to Irrigation System

Site Maintenance During Construction, Page 3 — Changed 4.04 Hours of Work for Jobs requiring permits from No work permitted on Federal Holidays to No Work Permitted on the following Federal Holidays; Thanksgiving, Christmas, New Year's Day, Memorial Day, 4th of July and Labor Day.

March 23, 2015

Site Maintenance During Construction, changed 4.02 Erosion control is required to prevent erosion into the lake or adjacent property. The Compliance Officer will determine if erosion control is needed and will approve the type of erosion control to be used. Approved erosion control barriers are silt fencing, straw bales, organic or synthetic matting. Other types not listed may be approved by the Compliance Officer.

August 17, 2015

New Construction and Additions were combined. Pages renumbered due to New Construction page being deleted and combined with Additions Page. All fines that were \$50.00 have been increased to \$100.00.

November 16, 2015

Removed A, B & C from Signage Section II Special Requirements. Changed D of Signage Section II Special Requirements and Section II Special Requirements to Section II Commercial Property.

Renumbered pages to end of book.

February 1, 2016

Add Solar Power guidelines to handbook. Moved Irrigation guidelines from page 25 to page 18 and re-numbered pages for entire book.

April 3, 2017

Administration 1.01, Delete the sentence regarding "Routine repairs and maintenance projects are excluded from permitting."

Work Hours 4.04, changed to "Hours of work for job requiring permits: 7:00 am till 7:00 pm Monday through Saturday. NO WORK is allowed on Sunday or the following federal holidays: Thanksgiving, Christmas, New Year's Day, Memorial Day, 4th of July and Labor Day. Updated Requirements throughout entire ACC Handbook

October 15, 2018

Updated the [Citations and Fines](#)

May 20, 2019

Updated Administration Information

Updated Additions and New Construction

Updated Detached Buildings
Updated Fences
Updated Fire Pits, Exterior Fireplaces and Outdoor Kitchens
Updated Greenhouses
Updated Liquid Propane Gas
Updated Retaining Walls
Updated Permit Application
Updated [Citations and Fines](#) Updated Table of Contents

April 20, 2020

Updated Docks and Davits
Updated Fences Updated Landscaping
Added Septic
Updated Swimming Pools, Hot Tubs and Spas
Updated [Citations and Fines](#)
Updated LKPOA [Fee Calculation Sheet](#)
[Updated Interior, Corner, Golf Course and Lake Lot Illustrations](#)
Updated Architectural Control Permit Check List
Administrative changes for grammar corrections throughout entire handbook

March 15, 2021

Updated Detached Buildings
Updated Swimming Pools, Hot Tubs and Spas (Definitions)

December 20, 2021

Formatting changes throughout Document
Removed page numbers from [revision log](#) as all section noted and updated to new pages
Updated Table of Contents
Update ADMINISTRATION Section IV. PERMIT COMPLIANCE for job site maintenance of grass and weeds
Updated NEW CONSTRUCTION and ADDITIONS to be separate sections and for septic requirements.
Updated CARPORTS to follow requirements of DETACHED BUILDINGS
Updated DETACHED BUILDINGS to require drawings and photos.
Updated DOCKS AND DAVITS process for common lots
Updated EXTERIOR RENOVATIONS to follow roof requirements of NEW CONSTRUCTION
Updated FENCES - finished side facing.
Updated INTERIOR RENOVATION AND STRUCTURAL MODIFICATIONS for permitting required if septic impact.
Updated LANDSCAPING, moved wording, removed requirement for Architectural Control Approval of Landscaping
Updated RETAINING WALLS process for common lots.
Updated SITE PAVEMENT materials
Updated SWIMMING POOLS, HOT TUBS, SPAS AND SWIM SPAS for pool enclosures and alignment with Texas Property Code update

January 1, 2024

Formatting changes throughout Document.

Updated 1.01 with language describing what does and does not require a permit.

Updated 1.02 with illustration defining "First Floor Elevation."

Eliminated 1.06 for redundancy to 1.01.

Eliminated LKSUD from 1.10 and renumbered to 1.09.

Revised language in "New Construction" to include plastic resin material for detached storage buildings.

Revised "Carports" eliminating maximum square feet.

Revised "Detached Buildings" to ban Tiki Huts/Palapas.

Eliminated "Irrigation Systems" permit requirement and referenced LKSUD.org for requirements.

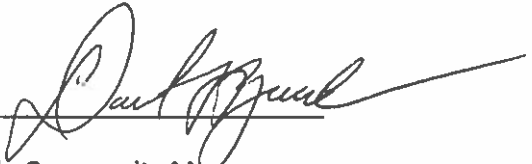
Defined acceptable materials in "Site Pavement" under "non-solid" surfaces.

Updated "Storm Shelter" to establish maximum size for prefabricated sections.

Revised Exhibit 5 - Fee Calculation Sheet with new fee amounts effective January 1, 2024.

STATE OF TEXAS
COUNTY OF COOKE

I certify that this is the approved Architectural Control Handbook effective January 1, 2024.



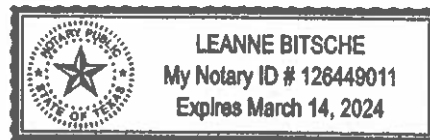
Dan Busch, Community Manager
Lake Kiowa Property Owners Association, Inc.

BEFORE ME, the undersigned authority, on this day personally appeared Dan Busch, Community Manager of Lake Kiowa Property Owners Association, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the same for the purposes and consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on the 28 day of Dec, 2023.



Notary Public, State of Texas



AFTER RECORDING RETURN TO:
Community Manager
107 Kiowa Drive South
Lake Kiowa, TX 76240

Filed for Record in:
Cooke County
On: Jan 03, 2024 at 11:09A

As a
Recordings

Document Number: 00000059

Amount 269.00

Receipt Number - 162098

By,
Michelle Zimmerman

STATE OF TEXAS COUNTY OF COOKE
I hereby certify that this
instrument was filed on the date
and time stamped hereon by me and
was duly recorded in the volume
and page of the named records of:
Cooke County
as stamped hereon by me.

Jan 03, 2024

PAM HARRISON, Cooke County Clerk
Cooke County Clerk

