

**Cimarron Country Architectural Control Committee (ACC)
Frequently Asked Questions (FAQ'S)**

1. What is the ACC?

Cimarron Country has a volunteer three-member Architectural Control Committee (ACC) whose primary function is to review and complete the process for applications for property improvements to be built on Cimarron Country lots. (Note: There are no further reviews or approvals required by Cimarron Country after ACC approval) Two of the main functions of architectural requirements standards in our community are to help maintain property values and to ensure that all projects comply with the CCPOA Deed Restrictions goals and intent. Another is to assist each property owner in the application process to ensure their planned project meets both the criteria of both the ACC and Deed Restriction Requirements and achieves the homeowner objective. The ACC Requirements document is for lot owners to use as a reference tool when considering any construction project. The latest full version is available by download from the Cimarron Country website, the IMC Portal (our property management company), contacting any ACC member, or reaching out to our ACC Chairman as follows:

2. Architectural Control Committee Contact Info:

- Administrator – Bud Newton ✉ budnewton@sbcglobal.net ☎ 832-472-9680
- Administrator – Brian Maurer ✉ polbum1104@gmail.com ☎ 505-264-5238
- ACC Chairman – Jim Newstead ✉ jnewstead@gmail.com ☎ 817-271-0735

3. What are the ACC Requirements and are we obligated to follow them?

- The ACC Requirements (formerly known as ACC Guidelines) are the requirements for construction projects of any type that all property owners in Cimarron Country agreed to when you purchased the property.
- The ACC Requirements serves as the Architectural Control Committee Standard Requirements for all applicable projects for lot owners to use as a reference when considering any construction project. They are in lockstep with our POA Deed Restrictions and are non-negotiable, with very few exceptions.
- This document clarifies, defines, and standardizes the ACC's requirements on the various deed restrictions that pertain to constructing lot improvements to ensure that the goals and intent of our deed restrictions are met, the value of existing properties are not negatively impacted and to ensure that the harmony of the neighborhood is maintained.
- Latest version of both the Requirements and one-page Application can be downloaded via the links below.
 - Portal: <https://portal.imcmanagement.net/dashboard> **(IMC Password required)**
 - Website: <http://cimarroncountrypoa.org> **(IMC Password Required for Some Data)**

4. What are homeowner obligations to apply for a project?

- a. Annual Dues: All Cimarron Country assessments on lots you own must be paid in full.
- b. Outstanding Deed restriction violations: Must be resolved before ACC Approval.
- c. Contact information: Verify your mailing address, phone number and email via Application.
- d. \$500.00 check or money order (*new house construction only*): Can be mailed or hand delivered to the Cimarron Country ACC Chairman, or to the CCPOA Treasurer, Jacki Willams.
- e. NOTE: There is **NO FEE** for any projects other than new house construction.

Make deposit check payments to: CCPOA and have “Building Deposit Lot #” written on it. Your check must “clear the bank” before the ACC can sign your approval letter. Our BOD Treasurer or Property

Management Company will keep these funds in escrow until the construction project is completed. Once the property owner has notified the ACC that the property is ready for inspection, the site will be inspected by the ACC in accordance with the items defined in Attachment 2 of the ACC Requirements. When the property passes the ACC inspection, all but \$50.00 will be refunded to the party who initially made the \$500 deposit by either the CCPOA BOD Treasurer or Property Management Company. The \$50.00 covers the administrative costs incurred during the house construction approval, monitoring, and inspection. **Be sure to get a signed receipt for the payment!**

5. What is the process for submission/approval?

Once your application has been submitted, please keep in mind that the Architectural Control Committee has 30 days to review your application before approval/denial and may require additional documentation. Plan ahead! We do our best to get them reviewed and completed quickly for all owners. Also, please keep the time limitations in mind. Submit ALL the documents required or the process will be delayed!

6. What projects require Montgomery County Permits?

- All ENCLOSED structures, regardless of size, shape, or purpose
- All structures, pools, buildings, etc. that will be located in a flood plain
- All projects that require movement, altering or installing septic lines, spray heads, etc.
- NOTE: Water well permits will be obtained by your water well contractor

7. Should I comply with the Deed Restrictions or ACC Requirements on my project?

- Short answer is BOTH! The ACC Requirements incorporate all the Deed Restrictions and provide expanded clarity regarding goals and intent of them.

8. What projects require ACC approval?

Constructing, modifying (including changing exterior colors, including trim), or adding onto any of the following improvements on your lot (s) requires prior written approval from the ACC:

- Buildings, bridges, carports, culverts, decks, driveways, walkways, fences, garages, gates, gazebos, houses, kennels, pergolas, ponds, pools, porches, sheds, storage buildings, barns, tennis courts, retaining walls, well houses or any other permanent improvement that requires grading, pouring concrete or constructing items from metal, wood, stone, brick, etc.

9. What projects DO NOT require ACC approval?

- Clearing vegetation, drilling a well and adding, removing, or repositioning any portion of soil that is not an immediate part of a construction project.
- Repair projects such as same style/same material fences, roofs, windows, driveways, and painting, if the colors, design, and materials effectively remain the same.
- Any remodeling projects that are interior focused only.
- Any projects such as fence, roof, windows, shutters, decking, etc. that are of the SAME design and color, just replacing or repairing does not require approval...though it's always best to check with one of the ACC members to be sure!

10. What projects require both ACC approval and a Montgomery County permit?

- All enclosed structures and all projects that require septic system modifications, including spray patterns, new spray heads, new lines or moving spray heads.

11. Can I build a structure on an adjoining lot I own?

You must apply for a variance to build any structure, fence, or other project on a lot without a house

12. Can I drain surface water from my lot to someone else's lot?

Short answer is NO! Texas Water Code forbids the draining of surface water from your property to someone else's. Lot owners are strongly encouraged to establish contours, elevations, grades, and sizes as necessary to ensure proper drainage and to prevent ingress of water above foundation elevations. Lot owners are responsible for ensuring that elevation changes will not cause surface waters from their property to be in violation of the Texas Water Code, which states, in part: "No person may divert or impound the natural flow of surface waters in this state or permit a diversion of impounding to continue in a manner that damages the property of another by the overflow of water diverted or impounded." *In other words. You cannot divert surface water to a neighboring lot. You may only divert water within your own property or to a designated drainage easement. such as the county road ditch.*

13. What is the difference between LEGALLY joining lots and joining them with MCAD only?

MCAD Joining: Property owners that own two or more lots may elect to petition Montgomery County Central Appraisal District (MCAD) with a letter requesting them to "join" the properties. This action, if approved, will effectively join your lots into a single Homestead, with the County Homestead exemptions applied to all lots. This is particularly valuable to those property owners who qualify for the Over-65 exemption, as it freezes the school taxes plus any of the other taxing units that voluntarily freeze your taxes regarding that taxing unit, e.g., County tax, College, etc.

Legally Joining: This process requires an attorney, new surveys, and title companies to process the appropriate paperwork. This process is both expensive and time consuming. It also cannot be undone without paying for the reverse process. The MCAD "joining" process accomplishes the most sought-after goal of minimizing your property tax burden but always allows you to sell off extra lots with only a letter to MCAD requesting to remove that lot from the bundle.

14. Are there any time limits on projects?

- New home construction must be completely dried in (fully enclosed) within 180 days after the foundation is poured
- All other projects need to be completed within 120 days from the approval date.

15. What documents do I need to submit to the ACC to get the project approved?

All projects require lot owner (s) to be current on POA annual assessment fees and not have any unresolved deed restriction violations. In addition, the items below must be provided to the ACC:

- Completely filled-out Construction Application Form
- All applicable construction plans, specifications, elevations, blueprints, survey etc.
- Description of Colors, "Quality of materials" and "harmony of external design"
- Official Plat plan (survey detailed drawing of the lot (s) showing all details, location, measurements, setback lines, etc. of the proposed project
- Variances (to our deed restrictions) requested by you for this project

New House projects require these additional items to be provided: pages 4 - 6 of the ACC

Requirements for details}

- A copy of a Letter of Intent or Construction Loan Approval
- A copy of your Montgomery County building permit "with Septic"
- Plans, elevations (front, back, and side views), electrical, siding, roofing, driveway, materials, colors, and related specifications
- Culverts or Driveways {Listed under Miscellaneous Projects, page 8}

Summary:

The ACC and Board of Directors are all Cimarron Country property owners and volunteers who are dedicated to helping our community. We must comply with the rules and regulations set forth by both the State of Texas and the deed restrictions all property owners agreed to when they purchased the property.