



# Circle D Civic Association

111 N. Hasler Blvd, Rm 214, Bastrop, TX 78602-3984 • PO Box 852, Bastrop, TX 78602-0852  
512.321.5272 • contactus@circledbastroptx.org • www.circledbastroptx.org

## Improvement Application

Bastrop County Development Services requirements apply in the unincorporated areas of Bastrop County for the construction of a new single-family dwelling or the construction of an addition to an existing single-family dwelling (if the addition will increase the square footage or the value of the existing residential dwelling by more than 50%).

It is the owner and builder's responsibility to comply with Bastrop County Development Services requirements. These requirements can be found on the Bastrop County website <https://www.co.bastrop.tx.us/page/ds.home#gsc.tab=0>.

The Circle D Civic Association Architectural Control Committee has not performed a technical building code review and will not perform any technical code inspections.

Property Legal Description: Section \_\_\_\_\_ Lot # \_\_\_\_\_ Lot Size (acres) \_\_\_\_\_

Property 911 Address: \_\_\_\_\_

**Owner:** Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

**Builder:** Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Estimated Start Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

Check all that apply and provide a written description in the space below:

Workshop \_\_\_\_\_ sq.ft.     Garage \_\_\_\_\_ sq.ft.     Porch \_\_\_\_\_ sq.ft.     Barn \_\_\_\_\_ sq.ft.

Shed \_\_\_\_\_ sq.ft.     Deck/Patio \_\_\_\_\_ sq.ft.     Pool \_\_\_\_\_ sq.ft.     Fence \_\_\_\_\_ ln.ft.

Other Permanent Structure (identify) \_\_\_\_\_ Size \_\_\_\_\_ sq.ft.

Concrete to be used in construction of improvement

Description (material, color, etc.): \_\_\_\_\_

Tree Removal \_\_\_\_\_ Reason \_\_\_\_\_

- Each Lot is required to have a single-family residential dwelling as specified and required in the Circle D Civic Association "Deed Restrictions" under "Building and Construction Restrictions" prior to the addition of any other building, structure or appurtenance, including a Workshop, Garage, Porch, Barn, Shed, Deck, Pool or Patio.
- Please be aware that an addition of any of the above structures or appurtenances cannot be added closer to a lot line than the required setbacks specified in each individual section(s). Please see the Circle D Civic Association website for required Circle D Section individual setback requirements.
- An Improvement Application must include a plot plan with the location of the proposed building, structure or appurtenance included showing the location of the improvement.

\_\_\_\_\_  
Print Property Owner Name

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date



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## Setback Restrictions For Building or Structure Locations Except Fences

Sections	Setback Limitations
<b>Section 1</b>	No nearer than 100' from front, 25' from side, 50' from back Dwellings shall face the front Variances issued on Lots 123-128 & 130: 50' from front and Lot 123 Front changed to Summers Ct from Sage Rd.
<b>Section 2</b>	No nearer than 100' from front, 25' from side, 50' from back Dwellings shall face the front
<b>Section 3</b>	No nearer than 50' from front, 15' from side, 15' from back Dwellings shall face the front
<b>Section 4</b>	No nearer than 50' from front, 10' from side, 10' from back Dwellings shall face the front
<b>Section 5</b>	(4) No nearer than 50' from front, 10' from side, 10' from back Dwellings shall face the front
<b>Section 6</b>	a. Lots 1-29 & Lots 95-140: 30' from any side b. Lots 30-44: 25' from front & back, 15' from side c. Lots 45-94: 30' from water, 10' from road, 10' from side except lots 70 & 71: 5' from water on SW side only
<b>Section 7</b>	No nearer than 50' from front, 10' from side, 10' from back Dwellings shall face the front
<b>Section 8</b>	No nearer than 50' from front, 10' from side, 10' from back Dwellings shall face the front
<b>Section 9</b>	All lots except Lot 30: No nearer than 75' from front, 20' from side, 20' from back Lot 30: 25' from any property line
<b>East</b>	No nearer than 50' from front, 10' from side, 10' from back Dwellings shall face the front

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## Tree Policy

### A. Purpose

- a. Preserve the forest which is the cornerstone of this unique community.
- b. Maintain the quality of life that is unique to the Lost Pines.
- c. Trees provide oxygen, reduce noise, help cool, provide beauty, and provide habitat for birds and other wildlife that make this area home.

### B. A Circle D Civic Association "Qualified Tree"

- a. Any pine, oak or hickory located in any section of the Circle D Civic Association subdivision.
- b. A "qualified tree" is determined by measuring the tree trunk at 4.5 feet above the ground. This is commonly known as DBH (diameter at breast height).
- c. A "qualified tree" within the Circle D Civic Association Subdivision is protected once it reaches a circumference of 19 inches at DBH.
- d. To determine the circumference of a tree = Diameter at DBH X 3.1416.
- e. To determine the diameter of a tree = Circumference at DBH / 3.1416.

### C. Permitted Removal of a "Qualified Tree" required by the ACC prior to removal

- a. The clearing for a proposed homesite requires prior approval from the Architectural Control Committee (ACC).
- b. The clearing for an outbuilding, garage, carport, etc. requires prior approval from the ACC.
- c. The clearing for a driveway from road to homesite requires prior approval from the ACC.
- d. The clearing for a fence line when removing a "qualified tree" requires prior approval from the ACC.
- e. Removal of trees to comply with the Texas A&M Forest Service "Firewise" guidelines requires prior approval of the ACC.  
<https://agrifefcdn.tamu.edu/coastalbend/files/2015/02/Firewise-Landscaping-in-Texas.pdf>
- f. Other unique situations when the need to remove a "qualified tree" exists, requires preapproval by the ACC.

### D. ACC Approval is not required when the following conditions are present. However, it is recommended that Homeowner document a perceived threat of a dead or dying tree by photographing a tree, and the tree proximity to a structure, prior to the removal of a dead, dying or damaged tree.

- a. The removal of dead, dying, or damaged trees where they are a danger to structures.
- b. The removal of underbrush is permissible if it does not include the removal of "qualified trees."

### E. Violation of the Tree Policy

- a. Removal of a qualified tree without ACC approval will be a violation of this policy.



2 pgs  
RESTRICTION

202015419

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Note: Circle D Civic Association does not allow clearcutting of a lot under any circumstances.

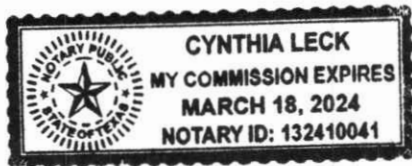
Note: The wildfire of 2011 destroyed millions of trees in the Lost Pines habitat. Please consider not removing any pine, oak, or hickory regardless of its size unless necessary.

## CERTIFICATION

I, the undersigned, Sue Pardue, Vice President of Circle D Civic Association, do hereby attest that at an electronic board meeting of the Association held May 8, 2020, at which a quorum was established, this Tree Policy was adopted by unanimous vote.

I, the undersigned Sue Pardue, acting as Vice President of Circle D Civic Association, have this day caused this document to be recorded in the Official Public Records of Bastrop County, Texas.

Executed this day 11 of September 2020



Sue Pardue

Sue Pardue  
Vice President, Circle D Civic Association

## ACKNOWLEDGEMENT

STATE OF TEXAS  
COUNTY OF BASTROP

This instrument was acknowledged before me on September 11, 2020, by Sue Pardue, Vice President of Circle D Civic Association, a Texas non-profit corporation, on behalf of said corporation.

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

Rose Pietsch

ROSE PIETSCH, County Clerk  
Bastrop Texas  
September 11, 2020 10:11:50 AM

Cynthia Leck  
Notary Public of the State of Texas



IRENEB

FEE: \$30.00  
RESTRICTION

202015419



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## Construction and Miscellaneous Fees

**Construction:** Construction may begin after all related documents have been submitted, fees have been paid, and the ACC has approved the application.

Fee	Application Required	Description of Application
\$250.00	New Home Application	This non-refundable fee is due at the time the complete application is submitted. Upon approval of the application a permit valid for twelve months will be issued. The permit must be posted at the site of construction and must be visible from the street. The ACC may extend the time during which the permit shall be valid; otherwise, the permit must be renewed for an additional six months at the same cost as the original permit and thereafter must be renewed semi-annually until construction has been completed.
\$500.00	Delayed Application	Additional fee if building starts before application has been submitted and approved.
\$25.00	Improvement Application	This non-refundable fee will be assessed when additional improvements are requested. This would include fences, garages, sheds, porches, pools, and the like.
\$1,000.00	Temporary Quarters Application	This application is part of the New Home Application – Part I. Upon approval of the application a permit valid for twelve months will be issued when the builder/property owner/buyer is requesting that someone live in a trailer on site during the construction.

### Miscellaneous

\$250.00	Resale Certificate	This includes all information requested by title companies for the closing of the properties.
\$125.00	Transfer Fee	This fee includes the transfer of property from the seller to the buyer in all Circle D transactions.
\$25.00	Statement of Account	1. A current statement of your account provided by Circle D; OR 2. A statement downloaded by property owners from their PayHOA account at no charge.
\$0.10 per page	Copying Charges	See the Records Production and Copying Policy on the Circle D website for complete information.





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## How to Select a Contractor: Helpful Steps for Circle D Members

- Obtain at least three bids for your project and carefully compare the bids. The lowest bid may not always be the best value.
- A small retainer fee or payment for necessary materials may be appropriate prior to commencement of the project, but full payment in advance of the project is not advisable.
- Additions or alterations to your home that do not meet minimum building, mechanical, plumbing and electrical codes may affect title transfers or insurance requirements should you ever decide to sell your home. Therefore, be cautious of contractors with no licenses when licenses are required by County and/or State laws to perform work on your home.
- Texas State law requires a licensed contractor to have their license with them when performing work on your home. It is acceptable for you to require them to show it to you. Write the license number down and keep it should you have issues with the work performed. This information would be required should you need to file a complaint with the State agency that issued the license.
- Use only licensed trade contractors and request proof of a current license and insurance. The following trades require a license:
  - Electricians
  - Plumbers
  - Air Conditioning Contractors
  - Irrigation Contractors
- New homes and certain additions to an existing home.
  - The Bastrop County Commissioners Court passed a resolution on September 14, 2009 adopting provisions of HB 2833. HB 2833 requires building contractors to build new homes and certain additions in accordance with the 2006 International Residential Code or the version of the International Residential Code that is applicable in the county seat (City of Bastrop). The contractor must also obtain the services of a third-party inspector to provide three separate inspections during construction.
  - Building contractors are not required to be registered by the State of Texas or have a license to perform work in the State of Texas. You should verify that a building contractor is competent and insured before allowing them to build a new home or add additions to your existing home. They are, however, required to perform work on a new home in accordance with the International Residential Code.
  - The code and inspections are there to protect your family's life/safety and your investment. You should make sure that you obtain a copy of all inspections reports from your contractor during the three phases of construction.
- Request and verify references, and request to see a list or photos of projects like yours.
- Check with the Better Business Bureau for any complaint records on your contractor.



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## How to Appeal a Ruling

How do I appeal a ruling by the Circle D Architectural Control Committee (ACC)? The language below is from the "Amended and Restated Bylaws of Circle "D" Civic Association. It is the language that provides the steps for appealing a ruling by the ACC.

### SECTION 10.3: Appeals of Decisions of the Architectural Control Committee.

- A. A Member may appeal any action or decision of the Architectural Control Committee pertaining to such Member's lot or lots to the board by sending certified mail to the Association within thirty (30) days of the decision the member wishes to appeal.
- B. If an appeal is sent to the board in accordance with subsection A, above, the Board shall have 45 days in which to conduct a hearing with the requesting member. At the sole discretion of the Board, the hearing may be conducted at a regularly-scheduled meeting of the board, or another time that is mutually convenient for the Board and the requesting member.
- C. At the hearing, the member may present any plans, evidence, and concerns to the Board. The Board shall have the sole discretion to either adopt, amend, or reject the decision of the Architectural Control Committee. The decision of the Board shall be final.
- D. Members of the board who ruled on the Architectural Control Committee application shall not vote in the appeal process.

### Follow these steps to appeal a ruling of the ACC to the Board of Directors.

1. Send a letter by certified mail to Circle "D" Civic Association within (30) days after the ruling stating that you wish to appeal the decision of the ACC. Include a general statement in the letter that includes the reason(s) you are appealing the Committee's ruling. Send your letter of appeal to the following address:  
**Circle D Civic Association**  
**PO Box 852,**  
**Bastrop Texas 78602-0852**
2. The Board will make every effort to hear your appeal at the next regularly scheduled Board meeting. The meetings are generally held every second Saturday of the month starting at 8:30 a.m.
3. A notice of the Board Agenda is sent out to members and is posted on the website at [circledbastroptx.org](http://circledbastroptx.org).
4. At the Board Meeting be prepared to provide any supporting documents including plans, evidence, and concerns that you believe are relevant to support your appeal.
5. The Board is open and will listen to all information provided before a final ruling is voted on.

If you have any questions, feel free to contact us at (512) 321-5272.