

## FAQs

We get a lot of questions around the CCRs (Deed Restrictions) and ACC permitting. Here is a brief listing of some Frequently Asked Questions (FAQs) that we thought might help. If you don't see your question listed here, please reach out to the ACC and we will be glad to assist you. You can find contact information on the [www.riverwalkpoa.com](http://www.riverwalkpoa.com) website.

Q: Is the ACC permit the same as a Montgomery County Building Permit?

A: No, these are two separate permits that you may need for your project on your property.

Q: When do I need a Montgomery County Permit?

A: Any enclosed structure that you place on your property that is fully enclosed (ex. House, Shed, Barn, storage building, storage container, etc) will require a Montgomery County Building Permit. Refer to [www.mctx.org](http://www.mctx.org)

Q: I want to apply for a Riverwalk ACC Permit, do I also need a Montgomery County Permit?

A: Any residential building or enclosed structure will require both County and ACC permit approval. County permit approval is required prior to ACC approval.

Q: Can I move my aerobic spray field on my property?

A: Although this may seem straight forward to some homeowners who perform their own maintenance. We highly encourage you to seek assistance from one of the Aerobic Spray Field installers/maintainers in the community. Your system was designed, installed and more importantly permitted with the County and modifying your system without review could result in fines and penalties against the homeowner not only from the County but from the TCEQ as well.

Q: I want to clear my land, can I or my contractor go ahead and drive through the drainage ditch with vehicles or heavy equipment to access my property?

A: No, it is a requirement that driveway culverts must be installed prior to beginning construction. Culverts must be sized and specified by Montgomery County PCT 4 and must be inspected by the County. Any culvert installed without County approval or inspection may be subject to removal by the County at the property owners expense.

Q: I want to clear my land, but I don't know exactly where I want to place my main dwelling or where my driveway is going to go. Can I just wait to install my culvert?

A: No, see culvert requirement above. If you are unsure of exact permanent location, install an approved/inspected culvert for building purposes and remove when the permanent location has been identified and new culverts have been installed.

Q: My builder wants to use corrugated plastic for my culvert instead of concrete, is that OK?

A: There is not a requirement on the material of construction for the culvert, be advised that corrugated culverts have a tendency to get mis-shaped when pouring the concrete. We suggest driving around the neighborhood and looking at the differences between concrete and corrugated plastic. Regardless of material, all culverts must be sized and inspected by the County.

Q: Can I build a structure or place a driveway within the side setback of my property?

A: Structures are prohibited within the side setback lines on properties. Concrete flatwork such as driveways and sidewalks may be placed within the side setback lines, however, in the event the utility companies need to access these easements, the flatwork might get removed and have to be replaced at the homeowners expense.

Q: Can I build a storage building or “barndominium” and live in it while my main dwelling is being built?

A: No, out-buildings (storage buildings, garages, shops, barns etc) are not to be used for residential purposes prior to the main dwelling being built.

Q: Can I build my out-building (detached garage, storage shed, shop, barn etc) prior to me building my main dwelling so that I can store my belongings while my main dwelling is being planned and/or built?

A: Yes, out-buildings can be built prior to the main dwelling, but construction of main dwelling must begin within two (2) years of completion of any out-buildings.

Q: I noticed there are some rather large homes in Riverwalk and some homes of modest size. Is there a minimum size home that I am required to build?

A: Yes, any home along Riverwalk Dr must be 2,000sq ft MIN, all other homes in the subdivision must be 1,800sq ft MIN)

Q: Do I have to complete my home construction in a certain amount of time?

A: Yes, any building, structure or improvement commenced on any lot shall be completed as to exterior finish and appearance within twelve (12) months from the commencement date.

Q: My neighbor did a project on their property that required a permit but I know they didn't go through the process, can I just go ahead and do the same project without a permit?

A: No, just because your neighbor didn't follow the CCRs and the permitting process, doesn't give you the “OK” to violate the rules as well. Be on the safe side and ask the ACC or just go ahead and apply for a permit.

Q: I saw where another property owner built something on their property that violates the CCRs. Can I build the same item that violates the CCRs?

A: No, any deviation from the CCRs requires a variance to be granted from the ACC and/or Board of Directors. Due to privacy concerns, the ACC does not share when variances were granted. If you feel the need to violate the CCRs for your project, please contact the ACC to walk you through the variance process. Any fees charged by Spectrum will be passed along to the property owner as allowed by the CCRs.

Q: Do I need a permit to re-paint my house? Re-paint/re-stain my fence?

A: If you are touching up paint or stain or repainting using the same original colors, no permitting is necessary. This is considered “like-in-kind” and general maintenance of your property.

Q: Do I need a permit to re-roof my house?

A: If you are replacing your shingles with the same color “like-in-kind”, it does not require a permit.

Q: I am re-roofing my house with a different style shingle and also changing the color of the shingles. Do I still need a permit?

A: Yes, if you are changing the color or type of roofing (shingle to metal, etc) you will need to obtain an ACC permit.

Q: Can I build a deck, pier, boat house, palapa etc on my water accessible property.

A: Yes, with ACC approval and adherence to the rules specified in the CCRs based on the section you live in. Reference Section 3.20 in both Sections 3 and 4

Q: Can I bring in fill dirt to level low spots on my property to prevent water from standing on my property.

A: Yes, so long as you do not force your flow of rainwater or drainage onto the neighboring properties. Texas Water Code 11.086 governs this. You can also refer to Montgomery County permitting office for drainage plans for the neighborhood.