



LYTLE LAKE WATER CONTROL & IMPROVEMENT DISTRICT

1013 Energy Dr., Abilene, TX 79602° P.O. Box 3457, Abilene, TX 79604° (325) 690-0835 ph° (325) 695-3299 fax

Dear District Member:

As you may know, the Lytle Lake Water Control and Improvement District was created in 2001 to oversee the operation and use of Lytle Lake. A five-member Board of Directors, elected from the property owners that adjoin the lake, directs the operations of the District. LLWCID strives to provide the residents of Lytle Lake with a beautiful environment in which to live and recreate.

Lytle Lake was originally designed for the cooling stations of West Texas Utilities (WTU, now AEP). WTU placed restrictions in the deeds of each waterfront lot that would preserve the lake view indefinitely. The District has worked diligently to develop policies that support the intentions of WTU and protecting the lake for all homeowners.

Several Committees have reviewed the policies and made recommendations to the Board over the last 16 years. Some District Members would like to see less stringent regulations and others would like the rules to be more rigid. The Board has tried to favorably balance these policies and appreciates everyone that has served on a Committee historically and recently.

Attached is the On-Water Facilities Policy that the Board approved on November 15, 2016.

There are a few items that vary from previous policy recommendations, specifically in regards to size, roofs, paint colors and sidewalls. It is the intention of the Board to uphold the idea of "invisible docks" so that the lake view is not obstructed for any District Member. While some of these rules may not be ideal for your personal situation, please keep in mind what the Board has considered necessary to preserve the beautiful view of Lytle Lake for everyone. This policy is effective immediately.

The District will conduct inspections in the spring of 2017, giving all District Members ample time to comply with the policy. If you have questions concerning your existing On-Water Facility, please contact the District.

Thank you,

Shawn D. Cordry
Manager by Contract

POLICY, RULES AND REGULATIONS FOR ON-WATER FACILITIES ON LYTLE LAKE

At a public meeting on November 15, 2016, the Board of Directors of the Lytle Lake Water Control and Improvement District adopted the following policy regarding On-Water Facilities on Lytle Lake:

DEFINITIONS:

- “the District or “LLWCID” – the Lytle Lake Water Control and Improvement District and the authority of the LLWCID Board of Directors. The District office is located at 1013 Energy Drive, Abilene TX 79602 and can be contacted at: (325) 690-0835 and llwcid@llwcid.org and www.llwcid.org
- “Owner” – the individual members of LLWCID and legal owner(s) of property sharing a boundary with Lytle Lake.
- “Shoreline” - the edge of the water when the surface elevation of the Lake is at or below Spillway Elevation.
- “Spillway Elevation” – the elevation of Lytle Lake when the lake is full of water but not overflowing the primary spillway on the east side of the dam (1720 feet msl is the current 100-year flood elevation line determined by the Federal Emergency Management Agency).
- “Lake Level” - The water level in Lytle Lake is not constant and may drop 15 feet or more below or raise more than 4 feet above the Spillway Elevation. The water surface elevation varies depending on the amount of water used or taken from the Lake by homeowners, evaporation rates, amounts of rainfall and runoff in the Lytle Creek Watershed, and other factors.

1) General Guidelines for On-Water Facilities:

- a) Placing an On-Water Facility on District Property is a privilege to Owners that carries obligations to abide by District rules and to preserve the natural lake view for all Owners by making all On-Water Facilities as inconspicuous as possible.
- b) The District encourages all Owners to take personal responsibility in protecting the Lake’s beautiful atmosphere and ensuring individual On-Water Facilities are in full compliance with this policy.
- c) The District reserves the right to enforce these rules at all times, but especially when an On-Water Facility constitutes a hazard to navigation, health, safety, or welfare of the public.
- d) It is the intention of the District to maintain open communication with all Owners. While amendments to these rules may be made from time to time by the Board of Directors, the District will communicate any future changes to the Owners as expeditiously as possible.
- e) Responsibility for the safety, structural integrity and regulatory compliance of On-Water Facilities is entirely the responsibility of the Owner. The District does not warrant the fitness of any On-Water Facility for any reason.

2) On-Water Facilities Permits:

- a) A permit is required for installation and modification of all On-Water Facilities on Lytle Lake.
 - i) A permit is required prior to the construction and installation of a new On-Water Facility.
 - ii) A permit is required prior to re-painting or major modification of an existing On-Water Facility. Routine maintenance of an existing On-Water Facility does not require a permit, unless the value of the improvements or maintenance exceeds 20% of the total value of the structure.
 - iii) No more than one On-Water Facility will be permitted on each property.
 - iv) The District has the sole discretion whether to grant or deny an application for an On-Water Facility anywhere on Lytle Lake. An owner whose application is denied by the District's Manager may appeal such denial to the District's Board of Directors, whose decision shall be final in all respects. A written appeal request must be submitted to the District office at least 72 hours prior to a regularly scheduled Board meeting.
- b) Permit application:
 - i) Applications are available from the District office or website (www.llwcid.org)
 - ii) An application fee may be required as established by the Board of Directors.
 - iii) Proof of property ownership is required.
 - iv) A current survey with the property boundaries clearly marked is required.
 - v) An application must include On-Water Facility plans including:
 - (1) A scaled drawing showing the dimensions, boundary, shoreline, side setbacks, size, and location of the proposed On-Water Facility.
 - (2) Front and side dimensioned views of the On-Water Facility.
 - (3) Roof, second floor, and walkway details, if applicable.
 - (4) Specifications of floatation, materials, and other components.
 - (5) Color sample.
 - (6) Engineered drawings and city permit approval, if applicable.
 - vi) A permit application for an On-Water Facility is not transferable without the prior written consent of the District.
- c) Permit Authorization and Inspection:
 - i) The District will conduct pre- and post-installation/modification inspections to verify compliance with these rules.
 - ii) Permits are valid for one year and shall be automatically renewed so long as the waterfront structure is in compliance with this policy. The District will conduct annual inspections of all On-Water Facilities.

3) Violations and Non-compliance:

- a) Any new On-Water Facility installed without a permit, or existing structure that is repainted or modified without a permit, or any structure that is a hazard to navigation, health, safety, or welfare of the public is subject to removal at the Owner's expense within 120 calendar days of notice. If the Owner refuses to remove the On-Water Facility in the allowed time, the District may remove the On-Water Facility and assess the Owner for the cost of the removal.
- b) Owners will receive an annual inspection report. Any On-Water Facility that is noncompliant shall be allowed a maximum of 120 calendar days to correct the condition. If not in compliance within 120 calendar days, the On-Water Facility will be in violation of this Policy.
- c) On-Water Facilities in violation of this policy may subject the Owner to be charged with a Class A misdemeanor (under Texas Water Code 51.241) punishable by a fine not to exceed \$500.00, or may be required to pay a civil penalty to the District not to exceed \$100.00 per day (but not to exceed, in the aggregate, the maximum jurisdiction of a Justice Court), or both. A continued violation of this policy, at the discretion of the Board of Directors, may result in additional restrictions being placed upon, or the loss of, the right and privilege of the Owner (and such person's family members and guests) to use Lytle Lake.

4) Location of On-Water Facilities:

- a) An On-Water Facility may not be placed in a location which interferes with other structures, navigation, or neighboring properties or unreasonably obstruct the view of Lytle Lake by adjoining property Owners.
- b) Side setbacks shall be a minimum of 12 feet from side lot boundary lines when boundaries are projected into the lake.
- c) On-Water Facilities may not extend farther than 50 feet into the Lake from the Shoreline or to a 20-foot clear channel as measured from the deepest part of the channel, whichever is less. No Owner has the right to extend an On-Water Facility farther into the Lake because of a drop in the water surface elevation or for any other reason.

5) Design and Construction of On-Water Facilities:

- a) No On-Water Facility shall exceed 400 square feet when multiplying length times width of the structure (open slip areas are not included in this dimension).
- b) Walkways shall not exceed 6 feet in width.
- c) Floating On-Water Facilities:
 - i) Floatation shall only be encapsulated foam units designed for marine use. Floatation shall provide a minimum of 4 inches of freeboard under dead load and live load of 20 pounds per square foot.
 - ii) Floating On-Water Facilities shall be rigidly anchored to the lake bed by piles and hoops or to the shore by cables or struts. Cables and struts shall not be attached to stumps, trees or

utility poles. Overhead cables are not acceptable. Lakeside cables, if any, shall not extend past 50 feet from the Shoreline.

d) **Non-floating On-Water Facilities:**

- i) Non-floating On-Water Facilities shall be firmly attached to the lake bed with footings or driven piles to resist settling.
- ii) The deck elevation shall be no less than 12 inches above Spillway Elevation.

e) Living quarters, walls, side curtains, awnings, vertical screens, gabled roofs, toilet facilities, and fuel dispensing systems are strictly prohibited.

f) On-Water Facilities may have a second floor or a flat roof that may be used as a sun deck. A second floor that is used as a deck may not have a roof or any other covering and must have open side railings that are at least 34 inches high with intermediate members so that a 4-inch sphere shall not pass through.

g) The highest point of an On-Water Facility shall not exceed 12 feet from the lower deck.


h) Except galvanized components, all parts of an On-Water facility that are more than one-foot above the floatation level for floating docks and more than one-foot above spillway elevation for non-floating docks must be painted using PPG #1005-7 (Dark Granite) or PPG #1128-7 (Thyme Green).

6) Existing On-Water Facilities

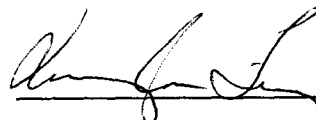
a) Existing On-Water Facilities must be structurally sound and maintained at all times in a plumb and level manner.

b) Existing On-Water Facilities shall be allowed to remain in place, until they pose a hazard or until they are modified, repainted or replaced. At that time, the Owner shall fully comply with this policy.

Considered and approved on the 15th day of November, 2016.



Lawrence E. Gill, President



Mary Ann Fergus, Secretary