

# SPENCER'S PLANTATION HOMEOWNERS ASSOCIATION, INC.

## ARCHITECTURAL REVIEW GUIDELINES AND PROCEDURES

### OBJECTIVE

The overall objective of this document is to serve as a uniform guide to both Spencer Plantation Homeowners and the members of the Architectural Review Board in the maintaining and enhancing our carefully designed community. These guidelines and the standards address improvements for which homeowners will most often submit applications to the Architectural Review Board (ARB). They are not intended to be all-inclusive or exclusive, but rather serve as a guide to identifying improvements permissible in the community.

### ENFORCEMENT PROCEDURES

The following procedures will be taken by the Architectural Review Board to enforce the rules and regulations as set forth in these guidelines:

All owners and residents of Spencer Plantation shall comply with all the provisions of the Declaration of Covenants and Restrictions, Bylaws and Chapter 720 and all HOA Board Resolutions. Failure to comply with the aforementioned documents shall be grounds for an action to recover damages or for injunctive relief, foreclosure of liens or any other legal or equitable relief deemed appropriate.

Violations are to be visible when viewing: driving, facing and or walking past the homeowners' property.

In the event any rule or regulation of the Spencer Plantation's Homeowners Association, Inc. is violated, the owner shall be notified on the violation by first class mail the USPS.

If the owner is a non-resident, a copy of the violation shall be sent to the tenant, at the unit address, by first class mail.

In any instance where the violation presents a health or safety hazard, the Management Agent may take immediate action, at the owner's expense, to correct the violation. Notification to the owner of the action taken and the costs incurred will be made by first class mail the USPS.

The owner shall have the right to appeal any violation citation at the next hearing committee hearing.

In the event the owner does not bring the violation into compliance within ten day(s) or submit for appeal within ten (10) days, the Association shall proceed with enforcement as provided in the Declaration of Covenants and Restrictions, Bylaws and Chapter 720 and all Board Resolutions.

If the violation remains or reoccurs an additional **fine** may be assessed to the owners account.

*"...a fine may be levied on the basis of each day of the continuing violation, with a single notice and opportunity for hearing, except that no such fine shall exceed \$100.00 daily fines not to exceed an aggregate of \$1000.00 per violation unless provided in the governing documents."*

## **RIGHT OF ENTRY**

The Management Company, Board of Directors, Architectural Review Committee and Covenant Enforcement Committee shall have the right to enter upon and inspect any Lot during reasonable daylight hours (excluding behind fenced areas) for the purpose of ascertaining compliance with these restrictions.

**Please note that failure of the HOA, ARB or Violation Committee to enforce any provision, covenant, restriction, or rule and regulation shall in no event deem a waiver of the right to do so thereafter.**

## **COUNTY APPROVALS**

Many structural changes require county review and permits. It is the homeowner's responsibility to obtain all county approvals and permits. County approval does not waive the need for ARC approval nor does approval from the ARC waive the need for County approval. Requests shall be approved and or disapproved in a timely manner. If a response is not rendered within thirty (30) days of the request, the requests will automatically be approved. An application form needs to be submitted to the Management office along with necessary documents (survey, pictures, landscape plans, etc.).

## **ENFORCEMENT GUIDELINES**

### **1. FENCES**

- 1.1. No fence or enclosure shall be erected on any Lot without first obtaining written approval of the Architectural Review Committee as to location, material, color and design.
  - a. Approval can be obtained by submitting an application to the ARB through the Management Agent
  - b. Applications must be accompanied by a survey of your lot mapping out the desired placement of the fence as well as the specifications of the desired fence (color, height, material)
- 1.2. All fences must be at no less than four (4) feet in height and not to exceed six (6) feet in height.
- 1.3. Wood, vinyl and wrought iron fencing is permitted and should match in color, design and material to those presently within the community.
  - a. Chain link or other wire type fences are not permitted.
- 1.4. All fences must be maintained at all times including but not limited to pressure washing vinyl fencing, painting wrought iron fencing, replacing slats in wooden fencing etc.
- 1.5. Fencing in the front of the home is not permitted.
- 1.6. It is permissible to change fence type provided that the newly installed fencing is within the approved parameters of style, color and materials and project is approved prior to commencement.

### **2. STORAGE SHEDS**

- 2.1. Storage sheds larger than 92 cubic feet must be approved by the prior to installation
  - a. Applications must include the proposed location, materials and colors of the desired shed.
- 2.2. All sheds shall have an appropriate base for its location.
- 2.3. If the shed is to be attached to the dwelling, the roof and siding must match the exterior of the home.
- 2.4. If the shed is freestanding, the shed must be compatible to the applicants' house color or match the homeowner's fence (if applicable).

### **3. EXTERIOR MAINTENANCE**

- 3.1. Each owner shall be responsible for the maintenance of the lawn including: cutting, trimming perimeter of residence, around mailboxes, utility boxes, stop signs etc. (if applicable), trimming hedges, edging and blowing/sweeping grass trimmings and or debris off of sidewalks, driveways and streets.
- 3.2. Exterior buildings and fencing must be maintained and in good repair including: pressure washing, painting etc.

### **4. PATIOS AND DECKS**

- 4.1. All patios and decks must be approved by the ARB prior to installation
  - a. Applications must include a survey of the lot on which the patio or deck is to be installed indicating the location of the proposed deck
  - b. Application must also include the size of the proposed patio or deck, a description of the materials to be used as well as description of details to be included (such as railings, posts, stairs, steps, etc.)
  - c. Application must also include the height of the proposed deck off of the ground
- 4.2. All patios and decks are to be located in the rear yards.
- 4.3. Decks shall not extend forward of the rear building line.

### **5. GAZEBOS**

- 5.1. Gazebos are permitted providing the structure is painted to match the color of the house or to be left in the natural wood color, either of which must be maintained
- 5.2. Gazebos must be located in the rear of the dwelling.

### **6. HOUSE COLOR**

- 6.1. Changes in color or appearance must have prior approval from the ARB.

### **7. FLAG POLES**

- 7.1. A free standing flag pole may be erected no more than 20 feet high to display one portable removable United States flag not larger than 4 feet by 6 feet in a respectful manner which represents the United States Army, Navy, and Air Force, Marine Corps, or Coast Guard, or POW-MIA flag.
- 7.2. The Flag must not be torn, hanging off pole while displayed.
- 7.3. Homeowners may use brackets mounted on the house or front of the garage to display flags.

### **8. BASKETBALL GOALS**

- 8.1. No portable basketball goal or backboard shall be constructed, installed or maintained except in the rear yard.
- 8.2. Permanent basketball goals or backboards may be installed in the front or rear yard, provided that they meet the following guidelines:
  - a. No portion of the basketball goal and or backboard may be attached to the house.
  - b. All basketball goals including the net must be maintained in good condition at all times.
  - c. All mobile basketball goals shall be upright and not facing onto the street.

- d. Should severe weather/winds arise, basketball goals shall be stored behind a privacy fence or in the rear of the home out of view.

## **9. CONCRETE ADDITION/DRIVEWAY EXPANSION**

- 9.1. All concrete additions must be submitted for and approved in writing prior to installation.
- 9.2. No parking shall be permitted on a driveway expansion within three (3) feet of the property line.
- 9.3. Concrete and or concrete pavers cannot be a substitute for a lawn.

## **10. GATES**

- 10.1. Double gates may be installed at Spencer Plantation to allow access ways to back yards.
- 10.2. Double gates should be of the same type, design, color and location as the originally installed single gates.

## **11. MACHINERY AND EQUIPMENT**

- 11.1. No machinery, fixtures or equipment of any type, including, but not limited to, heating, cooling, air conditioning, refrigeration equipment, may be placed on any Lot or peel without screening or concealment from view of non-residential neighboring property or public property.
- 11.2. Oil pans, carpet, boards or any other object used to collect oil spills from driveways must be concealed from view when not in use.

## **12. POOLS, SPAS AND SPAS**

- 12.1. All removable pools must be screened and or contained in a fence (Swimming pool, fence requirements are regulated by the City)
- 12.2. The Development Services Department should be contacted to determine the safety fence requirements for your pool prior to installation.
- 12.3. All new built under ground swimming pools must be submitted for approval prior to any commencement of work. Survey showing location of the pool, fence enclosure, and color of screen if applicable must first be submitted to the Architectural Review Committee.
- 12.4. Hot tubs shall be allowed in the rear of the units only, and must be screened from view.

## **13. SIGNS**

- 13.1. For Sale and For Rent signs may be displayed on the property and not on windows or house walls.
- 13.2. Landscaping, pool signs, etc. must be removed when the work is complete
- 13.3. "Beware of Dog" signs (maximum of two) are allowed to be displayed.
- 13.4. Security signs (maximum two) are permitted
- 13.5. If a homeowners security system has camera(s) included, a surveillance sign must be posted.

## **14. SOLAR PANELS**

- 14.1. Solar panels are permitted with prior ARB approval.

## **15. BUILDING ADDITIONS:**

15.1. No building additions shall be constructed from the main dwelling without prior approval from the ARB

- a. Applications must include the dimensions, materials to be used and location

## **16. CLOTHESLINES**

16.1. Clotheslines are permitted in the rear of the property and must be approved by the ARB prior to Installation.

- a. Applications must include the materials to be used and the proposed location

16.2. All clotheslines must be shielded from public view

## **17. HOLIDAY AND DECORATIVE ITEMS**

17.1. Seasonal decorations are permitted provided they are removed from public view within a reasonable amount of time, not to exceed two weeks of the season/holiday is over.

17.2. Holiday lighting is permitted from November 15 to January 15 only.