

ARCHITECTURAL USE RULES AND RESTRICTIONS
HANDBOOK
Version 3.0

APPROVED BY THE BOARD OF DIRECTORS
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All previous versions are hereby voided

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PURPOSE OF THE HANDBOOK

The purpose of this handbook is to familiarize homeowners with the objectives, scope and application of the architectural rules and restrictions, which will be used to maintain the aesthetic appearance and environmental quality of our community.

The handbook provides specific rules and restrictions that have been adopted by the Board of Directors of the Sandpiper Property Owners Association. It also explains the application and review process that must be followed by homeowners seeking approval for any exterior modifications or changes to their homes or lots that are subject to approval by the Architectural Control Committee. **Homeowners are reminded that approval by the Committee for a proposed change does not remove the need to obtain the appropriate permits from the City of Lakeland.**

This handbook will serve as a valuable guide to assist homeowners in preparing acceptable applications for review by the Architectural Control Committee. All homeowners are encouraged to familiarize themselves with its contents and to retain the handbook for future use.

BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS

The legal documents for the Property Owners Association include the Declarations of Covenants, Conditions and Restrictions and the By-Laws. They impose restrictions and specify the process for obtaining approval for changes, improvements or alterations to a homeowner's property. Legally these covenants and by-laws are part of the deed for each home and are binding upon all homeowners and their successors in ownership, irrespective of whether or not the homeowners are familiar with them. The primary purpose of this handbook is to establish design guidelines for the entire community in order to achieve the following objectives:

- Maintain consistency with the overall design concept of the community.
- Promote harmonious architectural and environmental design qualities and features.
- Promote and enhance the visual appearance of the community.
- Maintain a clean, neat, orderly appearance.

The enforcement of design standards not only enhances the physical appearance of the community, but also protects and preserves property values. Our intent is to develop fair and reasonable standards that are enforceable to keep Sandpiper Golf and Country Club the wonderful community that it is.

ROLE OF THE ARCHITECTURAL CONTROL AND APPEARANCE COMPLAINT COMMITTEE (ACC)

All homeowners are automatically members of the Sandpiper Golf and Country Club Property Owners Association. The Association is a not-for-profit corporation that owns and is responsible for the upkeep and maintenance of all common properties within the community.

The Association is also responsible for the administration and enforcement of all covenants and restrictions. The Covenants allow the Board of Directors to appoint an Architectural Control Committee, whose responsibility it is to enforce the architectural rules and restrictions approved by the Board of Directors.

The Architectural Control Committee will review and approve or disapprove applications submitted to it by homeowners for any exterior additions and/or alterations to a home or property using Architectural Use Rules and Restrictions approved by the Board of Directors.

The ACC will also investigate any appearance complaints relative to property or homes not maintained in compliance with this Handbook, seek resolution to all valid complaint issues and, if necessary refer the complaint to the Board of Directors for enforcement. When members of the ACC visit a home, at least two members will participate in the visit.

If the ACC is confronted with a unique situation that is not sufficiently covered or not covered at all in this Handbook, the issue will be referred to the Board of Directors, along with its own opinion, so that the BOD may be involved in the final resolution.

ALTERATIONS REQUIRING REVIEW AND APPROVAL BY THE ACC

Any changes, permanent or temporary, to the exterior appearance of a home or lot, except those specifically exempt by this Handbook will require review and approval by the Architectural Control Committee. The review process is not limited to major additions or alterations, such as adding a room, lanai, deck or patio. It also includes minor items such as paint color selection or materials.

Homeowners requesting approval of an alteration must submit an Architectural Change Request Form to the Architectural Control Committee and receive approval before making the change. Architectural Change Request Forms are available at the Sandpiper Administration Office.

Alterations requiring approval include:

- Additions or alterations to the exterior of a home
- Awnings: fabric, solid or striped
- Driveways: Expansions, repaving and paver installations
- Exterior painting: house and driveway
- Replacement of fascia and soffit
- Lanais: any changes such as screen to window conversions
- Major landscape changes
- Patios
- Propane Tanks
- Rain Barrels
- Relocation of Heat Pumps/Air Conditioners
- Installation of mini-split A/C – Heat Pump Systems
- Removal of trees taller than 20 feet
- Roof Replacement (Asphalt or Fiberglass shingles only)
- Satellite Dishes
- Screen Rooms
- Swimming pools and hot tubs
- Windows and Doors
- Window protection

ALTERATIONS THAT DO NOT REQUIRE REVIEW AND APPROVAL BY THE ACC

There are changes to the exterior appearance of a home or lot that do not constitute a modification that will require approval by the ACC

Alterations which will not require approval are:

- Gutters and Downspouts if they do not exceed 6 inches in width
- Replacement of landscape items with similar items
- New garage doors or garage screens
- Minor house repairs
- Paint touchup with same color
- Solar Tubes, Sun Tunnels, Skylights, Exhaust Fans and Roof Vents
- Trellis, if used for flowers and vines and not for fence
- Water Softeners (if outside, must be buried)

NOTE: If any change is being contemplated and is not specifically referred to in this handbook then approval must be obtained from the ACC in writing.

DESIGN STANDARDS

The ACC will use the following rules and restrictions during their approval review:

- **Additions or Alterations**

No alterations to, or changes in the exterior appearance of the home of any property owner, including but not limited to, the addition of rooms, porches, window air conditioning units, or enclosures, shall be permitted except with the prior approval of the Committee. Exterior appearance of change must match the appearance of the existing structure. Additions or alterations to block houses must be constructed with block; those on vinyl sided houses should be constructed with vinyl. Color should match existing structure.
- **Awnings (canvas), striped or solid**

The color of the awning must be compatible with the colors of the house. A color sample of the awning must be included with the approval request. Replacement of existing awnings does not need approval if the color remains the same.
- **Driveway Expansions.**

Driveway expansions must maintain a 5 foot separation between landscape borders, trees and structures to allow access by lawn maintenance equipment. Property setback rules must be adhered to.

A sketch of the proposed expansion including distances from property lines and structures must be submitted with the approval request.

The ACC must review all driveway expansion requests. City permit will usually be required.
- **Exterior Painting**

All exterior paint colors must be approved, except for minor touch-up of the original color. This requirement applies to exterior walls, doors, shutters, driveways, trim and other appurtenant structures. Paint a small test area to ensure the color is correct. Refer to the Sandpiper Paint Guide book.
- **Fences**

No perimeter fences are allowed. All fences must be approved by the ACC and no fence shall be taller than 48 inches. ACC will review material with homeowners.
- **Lanais**

Lanais, if possible, should be located in the rear yard. Lanais may be located in the side yard if a location in the rear yard is not practicable and there is sufficient set-back distance.

Lanais with a permanent roof in Sandpiper West must be at least 15 feet from the rear property line and 5 feet from the side property line.

Lanais with a permanent roof in Sandpiper East must be at least 20 feet from the rear property line and 7 feet from the side property line.

Lanais must meet the requirements of the City of Lakeland.

- **Major Landscape Changes**

A sketch plan with dimensions showing the locations of the proposed changes must be submitted for review. The plan must indicate the type of landscaping proposed including all elements of the design.

Grass must be the predominant coverage. Rock, gravel, mulch, and manufactured materials may be used for accent and decorative purposes. However, this usage must be modest and must not be used in lieu of grass. ACC will determine if rock or other manufactured materials are acceptable. Landscaping beds must allow a minimum clearance of 5 feet around and between landscape beds to allow passage of lawn mowing equipment.

- **Patios**

Patios in Sandpiper West must be at least 5 feet from the rear property line and 5 feet from the side property line.

Patios in Sandpiper East must be at least 5 feet from the rear property line and 7 feet from the side property line.

- **Rain Barrels**

Rain Barrels may be located in the front or back of the home as long as the appearance of the barrel installation complements the appearance of the home. The final approval will rest solely with the ACC. A 55-gallon sealed barrel is the maximum size allowed and must be fitted with an overflow outlet and spigot. A maximum of two barrels may be installed to increase capacity. All system components must be suitable for their intended use. Rain Barrels must be secured to the home to prevent tipping. Rain Barrels, tanks or cisterns larger than 55 gallons must be underground.

Relocation of Heat Pumps/Air Conditioners

Heat Pumps/Air Conditioners must not be located where they will interfere with the peaceful enjoyment of a neighbor's property. Every effort must be made to shield the units from street view.

Satellite Dishes

Satellite Dishes, if possible, should be located on the rear portion of the roof and may not exceed 36 inches in diameter.

Screen Rooms

Screen rooms in Sandpiper West must be at least 5 feet from the rear property line and 5 feet from the side property line.

Screen rooms in Sandpiper East must be at least 5 feet from the rear property line and 7 feet from the side property line.

Swimming Pools and Hot Tubs

Swimming pools and Hot Tubs must comply with the building codes of the City of Lakeland.

Villas – Common Ground

No changes, modifications or additions can be made without the written consent of the POA Board of Directors. The Villas have a mutual agreement with each Villa owner that allows them to utilize five (5) feet from their slab to plant flowers, small shrubs and other personal interest items. All requests to plant, enlarge a patio, or put in any walkways beyond the 5 feet will be directed to the POA Board of Directors.

Window Protection

Window protection for homes adjacent to the golf course is allowed. The design of the protection material must be included with the approval request.

Hurricane window protection systems are allowed. The specifications for the proposed system must be included with the approval request. Hurricane protection systems may only be in place during the hurricane alert, with the exception of permanently installed hurricane screens. Plywood window coverings must be removed immediately after the storm.

USE RESTRICTIONS

Flags and Flagpoles

One (1) flagpole per house is allowed, with a maximum height of 25 feet and displaying no more than 2 flags, each measuring 3 feet x 5 feet maximum. Confederate flags or flags of a political or religious nature are not permitted.

Garbage Containers

The preferred storage location for all garbage containers is inside the garage. Containers may be stored outside in the rear of the residence, or alongside and adjacent to the residence. Measures must be taken to block their appearance from the street and the neighbors. This would usually entail concealing from 3 sides. Enclosures are to be of minimum size to conceal only the garbage containers and must not be used to store other items such as garden tools. Enclosures must be sturdily constructed and anchored so as not to fall apart or collapse during the first wind-storm. Pre-made garbage container enclosures may be acceptable but must be approved by the ACC.

Villa Garbage Containers

Residents of villas at 6380 and 6381 Egret Drive may store garbage containers in the front of their units if the containers do not fit within the garage. The garbage containers must be concealed from view and must be sturdily constructed enclosures while not creating an impediment for emergency service personnel in the performance of their duties. These must be placed within the extension of the home-owners footprint.

Guests

Guests must park in the homeowner's driveway, or in designated areas with prior approval from the POA office.

Guests may park in the street except between the hours of midnight and 6 AM. Homeowners are responsible for their guests conduct.

An adult must accompany children under the age of 16 to all Sandpiper facilities.

Holiday Decorations and Lighting

Homeowners may display a reasonable number of holiday decorations and lights, beginning no more than 30 days prior to a publicly observed holiday or religious observance and remaining displayed for no more than 20 days thereafter. This includes holiday signs.

Appearance of Home

Homes must be kept clean and in good repair. Exterior antennas are prohibited. Collapsible/umbrella laundry hangers are permitted at the rear of the home but must be kept collapsed when not in use. The use of aluminum foil as a window covering is prohibited. Window treatments must enhance the appearance of the window. Blankets and other like materials are forbidden. No tools or building materials may be stored outside the home or attached to the home.

Maintenance of Property

Property owners must maintain their property in good condition and comply with all health and safety codes, and Sandpiper Covenants and Property rules and restrictions. Trees must be kept pruned so as not to obscure streetlights and not interfere with traffic and lawn mowing. Dead trees and bushes must be promptly removed. Tree stumps must be ground when larger trees are removed. In order to promote and enhance the visual appearance of the community, plants should be chosen carefully so as not to create an out-of-control jungle in a few years. Bushes and plants should not overhang driveways and sidewalks. Bushes and shrubs should be trimmed to maintain a height of less than 7 feet.

Parking

Any vehicle parked in Sandpiper including those parked on driveways must display a current registration. Motor vehicles must run and be drivable. Driveways are not to be used for long term storage of vehicles.

Parking is not permitted on City streets within Sandpiper between the hours of Midnight and 6 AM. Violators can be ticketed and fined by City police.

Overnight parking in common areas is forbidden without prior approval from the POA office. Security will be informed when approval is granted.

Parking on lawns is prohibited.

Golf carts may be parked on slabs adjacent to, or behind, the home owner's residence.

Recreational Vehicles

A Recreational Vehicle is defined as any motorized or towed vehicle that contains sleeping and/or cooking accommodation, and provides movable living quarters, regardless of size and number of wheels and axles.

Recreational vehicles may be parked in the driveway for a maximum of 48 hours to charge batteries, clean, load and unload the vehicle. They may not be moved to another driveway to extend the 48 hours.

Recreation vehicles parked in driveways may not extend into the street. Recreational vehicles that cannot fit in the driveway may be parked on the street before and after a trip for a total maximum of 48 hours.

Travel trailers, recreation vehicles, boats and trucks may not be parked on the lawn at any time.

A guest may park a recreational vehicle in a resident's driveway for a maximum of 48 hours.

No one may sleep in a vehicle parked on a resident's property or in any common areas. These are violations of City ordinances.

Repairs or major maintenance of motor vehicles, boats, recreational vehicles, etc. on resident's property is prohibited

Pets

Pets must not be allowed to run free.

Pets may not be placed in a pen or tied and left outdoors unattended.

Pets (except service animals) are not permitted in any facility or recreational venue.

Owners are responsible for the pick-up and disposal of pet waste. That is the law. It doesn't matter whose property your pet uses, you must still dispose of the waste. Pet owners are encouraged to walk their pets on common properties if possible.

The POA may require a resident to remove a pet from his/her property if the pet becomes a nuisance due to odor, unacceptable behavior or excessive barking.

Pods and Dumpsters

The utilization of pods and dumpsters shall be limited solely for moving in or out of a home or for house renovation and clean-out; and not for a period of more than one week. For renovations, the ACC may determine a longer period of time.

Signs

No more than two "For Sale" or "For Rent" signs, not larger than 18 inches by 24 inches may be displayed from interior windows. If a sign cannot be seen through the window, contact the ACC to identify an alternate location.

A small (12 x 12" maximum) sign that states the property is protected by a security alarm system may be displayed in a front planting bed.

A contractor may display a sign advertising their business only during the hours that workers are on site and working but must be removed at the end of the work-day.

Political signs and banners are prohibited.

There must be no signs or advertising indicating that a business is being operated on a homeowner's or renter's property.

APPLICATION AND REVIEW PROCESS

According to the Covenant, Article V, the Property Owners Board of Directors will annually appoint an Architectural Control Committee. This committee will elect a chairperson, vice-chair and secretary. One member of the Board of Directors will also be present as a liaison. Minutes will be taken at every meeting.

Any exterior changes that require review and approval by the ACC are to be made in writing on Forms AR-1/2004 and submitted to the POA office. Any surveys, contractor drawings, examples of materials, etc, that will clarify the change for the ACC will be appreciated. All requests should state when the job is expected to begin and the homeowner should allow two weeks for approval/denial. If the change is unclear, the matter will be held over until clarification is received.

Any exterior paint selections must be submitted in writing on Paint Request Forms and submitted to the POA office. The Sandpiper Paint Color Guide must be used when choosing paint colors. Paint swatches must be submitted for ACC's clarification.

The Architectural Control Committee currently meets the second and fourth Tuesday of every month in the POA conference room at 1:00 PM. Sometimes, the meetings will fall to one a month during the summer (June, July, August), based on vacation plans of the volunteers. All requests will be reviewed during the ACC meetings. If any resident would like to attend, or present their proposed change, they are welcome to attend the meeting. If a request is denied, the ACC chair or vice-chair will notify the resident and explain the reason for the denial. The ACC is bound by the Covenants and By-Laws and by the rules and restrictions approved by the Board of Directors. The goal of the Committee is to maintain appearance standards in Sandpiper and try to achieve fairness and consistency when approving upgrades to a property.

After the meeting, residents will receive a signed copy of the approved or disapproved request for their records. Please allow at least two weeks for the process to take place. If a request is denied, and the resident chooses to make the change anyway, the enforcement procedures, as stated in this handbook, will commence.

The ACC will review all requests and appearance complaints made in writing to the office. At least 4 members of ACC must initial all approved requests and compliance letters. The Board Liaison is not allowed to vote, but is considered an invaluable resource for guidance with difficult cases.

A complaint must be in writing and signed (although that information will not be released). If possible, a picture should be submitted with a complaint. In the case of abandoned, foreclosed or neglected properties, the Board Liaison may authorize use of budgeted funds to hire a landscape cleanup service. Once discussed, at a regular meeting, the appropriate measures will be taken as outlined in this handbook. The complainant will also be notified of the action being taken. When necessary the Board of Directors will have the authorization to issue fines to enforce the standards contained in this handbook.

Once approval has been issued for either an architectural change or paint project, work must begin within 30 days and completed within 90 days, unless otherwise approved on the request. The ACC will provide a signed paper to the resident stating that the project has been approved and will commence. The paper will remain in a window that is visible from the street in the resident's home until the project is complete. Project will be deemed complete when the ACC reviews it and removes the project commencement paper.

ENFORCEMENT PROCEDURES

The Board of Directors has the authority as provided in the Declaration of Covenants, Articles of Incorporation, By-Laws and Florida Statutes to establish these enforcement procedures and fines. In the event an owner fails to maintain his/her property, the Association shall have the right, but not the obligation, after ten (10) days notice to the owner specifying the default, to enter upon the lot for the purposes of cleaning and/or removing trash and otherwise maintaining the property and restoring it to good condition. The Association shall be entitled to bill the owner for such services and put a lien on the property until such charges are paid.

The following enforcement procedures will be used to ensure compliance:

A violation of these standards and guidelines may be observed and reported to the Architectural Control Committee by a member of the Committee or a homeowner. Anyone wishing to report a potential violation must submit a written notification to the Committee on the complaint form available at the POA office. The alleged violation will be investigated by a member of the Committee to determine if a violation does exist.

If a violation has been confirmed, the Committee will notify the violating homeowner and/or property agent either by personal visit or by written correspondence, of the particulars of the complaint. In this first contact, a dialogue will begin and the Committee representative will seek a commitment from the homeowner or property agent to remedy the complaint. An appropriate amount of time will be given to bring the property back into conformance with Sandpiper standards.

If no, or inadequate, action is taken to remedy the complaint, a certified letter will be written to the homeowner, serving as the second notice of violation. This written notice will request that the homeowner notify the Committee, in writing, within 10 days of receiving the certified letter, as to what course of action will be taken to remedy the situation.

If no response to the Second Notice is received within 10 days and the violation continues, the Committee will turn the matter over to the Board of Directors for appropriate legal action.

Multiple recurrences of the same violation will not require first & second notice before proceeding to the Board of Directors for appropriate action.

**FINES REGARDING ARCHITECTURAL VIOLATIONS OR USE
RESTRICTION VIOLATIONS**

At a duly called meeting of the Board of Directors held on March 5, 2018, the Board of Directors approved and adopted the following rules, regulations, policies and guidelines with respect to fines:

In accordance with Florida Statutes, Section 720.305(2)(a)(b)(2017), the Board shall have the right to levy a fine of \$100.00 per day, up to a maximum of 10 days, per violation against any homeowner or any tenant, guest or invitee who violates any covenants, restrictions, rules, regulations or guidelines, including without limitation, with respect to any Architectural Control Committee Standards and Guidelines as adopted or promulgated by the Board of Directors.

If the violation is not corrected within 30 days of written notice, the fine levied (\$100) shall be increased in accordance with the following schedule:

45 days after written notice ----- an additional \$100.00
46 days after written notice ----- an additional \$100.00
47 days after written notice ----- an additional \$100.00
48 days after written notice ----- an additional \$100.00
49 days after written notice ----- an additional \$100.00
50 days after written notice ----- an additional \$100.00
51 days after written notice ----- an additional \$100.00
52 days after written notice ----- an additional \$200.00

In accordance with Florida Statutes, Section 720.305(2)(a)(b)(2017), as may be amended, a fine may not be imposed without written notice of at least 14 days to the person sought to be fined and an opportunity for a hearing before a committee appointed by the Board of Directors.

All fines must be paid by cashier's check, certified check or money order made payable to Sandpiper Golf and Country Club.

Fines shall not be construed to be an exclusive remedy; and shall exist in addition to all other rights and remedies to which Sandpiper Golf and Country Club may be otherwise legally entitled. This may include the Board of Directors hiring all necessary contractors to correct any violations.