

Architectural Review Committee

Rules and Regulations

Southern Woods Property Owners Association, Inc.

2541 N. Reston Terrace

Hernando, Florida, 34442

Adopted by the Board

March 8, 2006

Revised and Adopted by the Board:

September 20, 2017

ARCHITECTURAL REVIEW COMMITTEE RULES AND REGULATIONS

The authority for these Rules and Regulations is set forth in Article IV, Section 3, of the Declarations of Covenants, Restrictions and Easements (the Declaration) of the Master Association for Southern Woods, Dated December 4, 1992.

These Rules and Regulations shall be consistent with the Declaration or conflicts shall be resolved in favor of the Declaration.

In Addition to being subject to the above noted Declaration and these Rules and Regulations, owners of Lots 1-34, Block A, and Lots 19-41, block C are subjected to a Supplemental Declaration, executed on December 4, 1992, establishing The Cottages of Southern Woods Homeowners Association, Inc. This Association has governing instruments that cottage Lot Owners are also required to comply with.

COMMITTEE

The Architectural Review Committee (ARC), a standing committee of the Board of Directors, is charged with overseeing all construction, both of Dwellings and Landscaping, in Southern Woods. The charge of the Committee is to ensure that Southern Woods is developed in an aesthetically pleasing manner consistent with both a premier community and that development which has previously occurred.

The ARC is chaired by ~~the Vice President~~ a Board Member of the Property Owners Association and is comprised of ~~four~~ two (2) Members, appointed by the Board, all of whom must be residents of Southern Woods. The ARC is involved in all phases of construction, from the planning stages prior to the clearing of a Parcel to alterations to a finished Dwelling or Landscaping.

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Attachments:

Application for Construction Permit

Owner's Acknowledgement of Construction

Contractor's Acknowledgement of Construction Requirements

PART I

(1) OWNER/CONTRACTOR RESPONSIBILITIES

1.1.1 Obtain a Permit from the ARC (and governmental authorities, as required) before any work (including clearing) is done on the parcel.

1.1.1(a.) No changes to ARC approved plans and specifications may be made without prior written consent on the ARC.

1.1.2 Work may only be performed by licensed contractors. It is the duty of all contractors to ensure that all sub-contractors are licensed, that all insurances and permits are in place, and that all applicable laws are followed.

1.1.3 An approved sign board containing Permits, County Inspections Notices, approved plans etc., must be placed on the Parcel. The sign must be removed at the end of construction.

1.1.3(a.) Contractor and subcontractor displays and/or advertising signs are not permitted.

1.1.4 A suitable method of proper trash/debris containment and disposal with periodic pick-up must be provided during all phases of construction. Approved containment methods are a dumpster or a substantial containment device.

1.1.4(a.) Contractors must maintain all construction sites in a neat and clean condition at all times. Debris/trash may not accumulate on the property or stray onto adjoining properties.

1.1.5 A chemical toilet shall be positioned on the construction site and serviced on regular basis so that it does not become offensive to the neighborhood.

1.1.6 The contractor and all sub-contractors shall observe reasonable working hours so as not to disturb the quiet enjoyment of residents. No work may commence before 7 a.m. No work may be done on Sunday which will result in any noise which may be heard off premises.

1.1.7 No activity or act may be done at the job site which may be any annoyance or nuisance to residents, including, but not limited to, the loud playing of audio equipment.

1.1.8 The contractor must take whatever steps necessary to avoid spillover of sand and debris to adjacent properties, e.g., the use of black screening or straw bales.

1.1.9 Violations of the Deed Restrictions or Rules and Regulations may result in correction of violation, including demolition, by SWPOA through a contractor retained by it at the Owner's expense; Association imposed fines, liens, loss of voting rights and any other legal remedies.

(2) BUILDING REQUIREMENTS

- 1.2.1 Each dwelling must have an individual identity yet harmonious with the Southern Woods neighborhood. Colors and or/designs of adjacent Dwellings may not be repeated so that any sense of sameness is created.
- 1.2.2 The Dwelling recommended height of 35 feet or less.
- 1.2.3 The minimum recommended roof pitch is 6 inch rise to 12 inch run.
- 1.2.4 The Dwelling must be built on a monolithic concrete slab.
- 1.2.5 Roof shingles must be a minimum 25 year architectural grade laminate certified to wind load requirements of the Florida Standard Building Code. Color must be approved by the ARC and be compatible with exterior Dwelling colors.
- 1.2.6 Exterior dwelling colors must be neutral, earth tones, or pastels. Trim colors must be harmonious and enhance the overall appearance of the Dwelling. The use of more than three (3) colors (tones) will not be approved.
- 1.2.7 Driveways and walkways must be finished with cement, (including bricks or brick pavers), which may only be painted in a neutral subdued tone.
- 1.2.8 Refusal to approve a building plan by the ARC may be based on any grounds, including only aesthetic.

(3) LANDSCAPING

- 1.3.1 All landscaping must be attractive and compatible with that in the surrounding neighborhood and may not be sparse, overly large or intrusive. Oak trees with trunk diameter six (6) inches or greater cannot be removed unless they are in the footprint of the Dwelling. Landscaping must be completed at least 30 days before occupancy. A maximum of 30 day extension may be granted by the ARC.
- 1.3.2 Lawns must be sodded and must extend to the pavement line and the lot lines on all sides of the building.
- 1.3.3 Foundation planting is required on any side of the building that faces the golf course. Plantings should be consistent with foundation plantings in front of the home.
- 1.3.4 Attractive, appropriate landscaping is required on all sides of the building.

1.3.5 An irrigation system, with timer and rain gauge shut off, capable of watering the lawn and other landscaping must be installed. No wells are permitted unless specifically approved by ARC.

1.3.6 Refusal to approve a landscape plan may be based upon any grounds, including purely aesthetic. Refusal may also be based upon the failure to designate and mark appropriate trees. No ARC building permit will be issued until at least a preliminary landscape plan is approved.

1.3.7 The landscape must be installed as approved before occupancy. If it is not, the SWPOA may rearrange, remove or install the approved landscaping, itself or by a contractor retained on behalf of the Owner, and make reasonable charges for doing so, which charges shall become a lien on the land.

1.3.8 Fence: There shall be no perimeter fencing of a property in Southern Woods POA. There shall be no fencing to provide outdoor runs for animals on the property. Fencing is permitted around pool equipment and air handling equipment on the side of a home to prevent it from sight from the street or the golf course. Fencing shall be installed in a manor that maintains the integrity of the construction and prevents collapse of the fence over time. Enforcement of Fencing Regulations shall be the responsibility of the ARC.

(4) APPLICATION FOR A CONSTRUCTION PERMIT

An Application for Permit must contain the following:

1.4.1 Permit fee payable to "SWPOA"

Dwelling (with or without pool)	\$125.00
Pool (later addition)	\$ 35.00
Other construction (including alteration, wells, solar panels, etc.)	\$ 35.00

1.4.2 Acknowledgement (see attachment) signed by Owner that he has received and will comply, individually and through his contractor, with SWPOA Declaration of Covenants, Restrictions and Easements, Revised and Restated By Laws, ARC Rules and Regulations, all applicable laws and the Permit issued by ARC.

1.4.3 Acknowledgement (see attachment) signed by contractor that he has received the documents noted above in 1.4.2 and will comply with them and the applicable laws and do all work only as approved by the Permit issued by the ARC.

1.4.4 A certified comprehensive land survey with legal description executed by a State of Florida Registered Surveyor. The survey must clearly show the official survey seal and must state the total lot area in square feet.

1.4.5 Copy of Citrus County building permit and Contractor's license.

1.4.6 A designation of what trees are to remain and what trees are to be removed and a statement that they have been marked. Prior to consideration of the application by the committee, the Chairperson, or their designee, will visit the site to examine it and the trees that have been designated and marked.

1.4.7 Site Plan drawn to ¼ inch to one (1) foot scale.

1.4.7 (a) Plan must show all wings, planters, patios, walks, garage, driveway, swimming pool, hot tub, porch etc., including a designation of the location of the underground garbage cans and any underground gas tank.

1.4.7 (b) The minimum setbacks and maximum coverage in Conventional Reduced Size lots.

	<u>Conventional Lot Size</u>	<u>Reduced Lot Size</u>
Maximum coverage Impervious	50%	*
(Impervious Surface Ratio Calculation)		
Minimum setbacks:		
Front	25 feet	*
Side lot lines	7 1/2 feet	5 feet
<u>(Extending front to rear lot lines)</u>		
Rear lot line	15 feet	15 feet
<u>(Swimming pool enclosure or dwelling if no pool)</u>		

* Reduced size lots are as follows:

Block A, Lots 1-34 inclusive and Block C, Lots 19-41 inclusive, (maximum lot coverage 50%, minimum front set back is 25 feet.

Block F, Lots 1-30 inclusive, Block G, Lots 1-25 inclusive, Block H, Lots 1-11 inclusive, and Block I Lots 1-24 inclusive. (Maximum lot coverage 60% minimum front setback is 20 feet)

1.4.7 (c) The ARC may also consider the prospective view of a property in its surroundings and make non-mandatory suggestions to increase setbacks or adjust finish grade.

1.4.7 (d) Plan must indicate square footage of living area under air calculated by multiplying the outside horizontal dimensions of the Dwelling at floor level and omitting any garages, porches, and other non-air conditioned areas.

Minimum square footage on conventional lots is 2000 square feet.

Minimum square footage on reduces sized lots is 1400 square feet.

1.4.7 (e) Plan must show that all utilities are underground and concealed.

1.4.8 A set of blue prints which clearly show that they meet or exceed all requirements of the SWPOA Declaration and these Rules and Regulations.

1.4.9 A structural of all exterior wall showing roof pitch and materials

1.4.10 A designation of all exterior materials and colors, showing where each material and color will appear.

1.4.10 (a) a manufacturer's exterior paint chip, roof color and material must accompany the application

1.4.11 A designation of the location of the underground garbage cans and any underground gas tank.

1.4.12 A comprehensive landscape plan

(5) PROCESSING OF APPLICATION

1.5.1 A completed application, including fee, must be submitted to the ARC Committee Chairperson. The mailing address is Southern Woods POA, Inc. 2541 N. Reston Terrace, Hernando, Florida, 34442.

1.5.2 The application will be considered by the Committee at the next regularly scheduled meeting, at least two (2) weeks hence, or if time is of the essence, a special meeting or, if agreed upon between parties, at a later meeting.

1.5.3 The Committee, after reviewing the application and hearing any comments by attendees at the meeting and Committee members, will vote on the application. It may adjourn to determine if further information or consideration is deemed necessary.

1.5.4 The Committee may grant the application, deny the application for any reason including purely aesthetic, grant the application in part, grant the application with conditions or take any other action that it deems appropriate. If the application is denied in whole or part, the Committee will advise the applicant, and the Board of Directors, in writing of the reason for denial.

1.5.5 If the application is not granted, the applicant may appeal to the Board of Directors by notifying the Committee and the Board within 15 days of the taking of the appeal.

1.5.6 If the application is granted, with or without changes or conditions, and the applicant accepts the decision, he (the Owner and Contractor) must agree to the application as granted and agree to follow its terms and conditions. A permit will be issued and work may commence.

1.5.7 Upon the issuance of a permit, the Committee Chairperson will assign it to a Committee member who will have the primary responsibility for oversight. The applicant will be given the member's name and the contact information.

PART II

(1) SPECIAL PERMITS

2.1.1 Any changes to the outside of the dwelling which does not involve construction (e.g. change of color) requires a special permit. A major alteration of landscape requires a special permit. Flagpoles, decorative yard accessories, etc. require a special permit.

2.1.2 There is no fee for an application for a special permit.

2.1.3 The application must be submitted on the form provided by the ARC. The completed application should be submitted to the ARC Committee Chairperson. The mailing address is Southern Woods POA, Inc. 2541 N. Reston Terrace, Hernando, Florida, 34442.

2.1.4 The application will be consideration by the Committee at the next regularly scheduled meeting, at least two (2) weeks hence.

2.1.5 If the application is granted, the Owner must obtain the necessary Citrus Country permit(s).

(2) VARIANCES

2.2.1 The ARC may grant a variance from the standards set forth in the Declaration and these Rules and Regulations upon a finding that the variance would enhance the aesthetics and /or wellbeing of the Community and would not adversely affect the interest of the neighboring properties or the Community. However, since a thorough review is required on all variances, approval or denial will not be made at the initial ARC meeting.

2.2.2 An application for a variance must be submitted in writing and presented at an ARC meeting. The basis upon which the request is made should be clearly set forth.

2.2.3 Each application for a variance will be considered on its own merits and the prior granting of a similar application will be no precedent.

PART III

(1) ENFORCEMENT

3.1.1 The assigned ARC member will follow the entire construction process from the granting of the permit to completion. The member may obtain the assistance from any other member of the committee and from any experts he deems necessary.

3.1.2 The assigned member will visit the site at least weekly

3.1.3 Apparent problems will be called to the attention of the contractor as soon as possible so that remedial action can be taken at the earliest possible time.

3.1.4 If it appears that the permit issued by the ARC, its Rules and Regulations, or other Deed Restrictions are not being followed, the assigned member will call or cause the contractor to be called, explaining the problem. If the apparent problem is satisfactorily explained and is not in fact a problem, or if it is properly corrected, no further actions is necessary.

3.1.5 If there is not satisfactory resolution, the member will cause a letter to be sent by email or regular mail to the contractor with a copy to the Owner, setting forth the problem and demanding that appropriate action be taken. The letter will set forth the appropriate remedial action, the time within which it must be taken, and , if appropriate, may demand that further work be halted until corrective action is taken.

3.1.6 Remedial action may be whatever the ARC deems appropriate under the circumstances and in an extraordinary circumstances, including an order to restore the land to its natural state.

3.1.6(a) The SWPOA has the right to summarily remove any structure which is in violation at the expense of the Owner.

3.1.7 If the remedial action is not completed in a timely fashion, the matter may be referred to the ARC for a Hearing on Sanctions. The contractor and Owner must be given at least one-week notice of the hearing.

3.1.8 The ARC may direct that the status quo be maintained until the hearing. If that order is not followed, each day of that violation may be considered a separate violation.

3.1.9 The sanctions may include:

3.1.9(a) Suspension or revocation of the permit

3.1.9(b) An order to stop work

3.1.9(c) Direction; that if a problem is not completely corrected by a certain date, a contractor may be hired by the ARC on behalf of the Owner at the Owner's expense, or to correct the problem, or

3.1.9(d) A Fine will be levied on the property.

(2) HEARING ON SANCTIONS

3.2.1 If the ARC finds by a preponderance of the evidence before it that a violation was committed it may impose any authorized sanction(s).

3.2.2 If the ARC finds by the preponderance of the evidence before it that a violation was intentional, it may impose a fine in addition to any other sanctions.

3.2.2(a) If the violation was failure to secure a permit, the fine will be the amount of the fee for a permit. To continue work, the Owner will be required to pay that fine and obtain a permit, paying the appropriate fee. ~~for it.~~

3.2.2(b) If the work being done requires a permit and the permit was secured, and the work being done was not authorized by the permit, or is not what was authorized, the fine will be the amount of the fee for that type of permit.

3.2.2(c) All other fines will be \$25.00 for the first offence; \$50.00 for the second offense and \$100.00 for the third and subsequent violation.

3.2.2.(d) If the violation continues, each week of the violation will be deemed a new violation.

3.2.3 On a hearing on sanctions, the Committee Chairperson will preside and the other Committee members will vote. A majority of those present and voting is necessary to impose any sanction. The Chairperson will vote only in the event of a tie.

3.2.4 At a hearing on sanctions, the Committee will consider all relevant evidence before it. If necessary, the matter may be continued at the next ARC meeting.

3.2.5 All sanctions are ultimately the responsibility of the Owner.

PART IV

IN GENERAL

4.1.1 Meetings of the ARC will be held on the 2nd and the 4th Tuesday of the month at 3:00 p.m. at the Southern Woods Golf Club or any other designated location that the ARC sees fit.

4.1.2 If the ARC deems it necessary to hire a contractor on behalf of an Owner, it must hire a contractor licensed to do business in Citrus County. (Must have Liability Insurance, Workers Comp, and a Contractor's License)

4.1.2(a) The hiring of a contractor on behalf of an Owner will be considered at the next ARC meeting after three (3) proposals and bids are received, unless time is of the essence because of a hazardous, or potentially hazardous, situation. The ARC at its discretion, may hear any person present at the meeting but must hear the Owner and his Contractor, if present.

4.1.2(b) The Owner may not dispute the selection and the charges will become a lien against the property which the Owner will be required to pay. Any dispute as to work performed, or the manner in which it was performed, is between the Contractor and the Owner as if the Contractor had been directly hired by the Owner.

4.1.3 All applications, with the disposition noted thereon, all correspondence and all minutes of Meeting will be retained as a permanent record of the ARC for the period of ten (10) years. To the extent practicable, those records may be maintained on a computer medium.