

# SPRING LAKE OF CLEARWATER HOMEOWNER'S ASSOCIATION ARCHITECTURAL GUIDELINES



The overall goal of these Guidelines is to keep our community an attractive and desirable place in which to live, and it is hoped their use will provide each resident with a practical means of accomplishing this goal.

*Revised November 2009*

## **INTRODUCTION**

These guidelines are to provide homeowners with directions when planning or considering architectural modifications and drafting plans and specifications to be submitted to the Architectural Review Committee for approval.

These guidelines are intended to assist in the maintenance of a harmonious exterior design that will retain the aesthetic and economic value of individual properties, as well as the entire Spring Lake community. The guidelines are intended to be broad enough to allow each property owner to exercise individual taste, but to provide a broad parameter within which all architectural changes must fit.

The guidelines should be used by residents as a guide in preparing an application for exterior modifications. Special circumstances regarding your property may allow the approval of an application which deviates from the guidelines. The fact that a deviation is made at one location does not automatically mean that the same deviation will be made elsewhere. All decisions will be made without regard to the requesting homeowner's race, ethnic origin, sex or religious beliefs.

In dealing with individual requests, the committee and the board consider harmony of design, location, topography, visibility to the street and to other homes, suitability of materials, and, most importantly, the effect on property values.

## **AUTHORITY**

The Homeowners Association (HOA) has 2 responsibilities, 1) to provide for maintenance and preservation of the Common Areas and Lots of Spring Lake of Clearwater and 2) to provide for the promotion of the health, safety, and welfare of the residents within the subdivision.

The HOA has the authority to enforce the Declaration of Covenants, Conditions and Restrictions (CCRs) and to establish and enforce architectural guidelines for the subdivision. The Board of Directors (BoD) has the authority to establish an Architectural Review Committee (ARC) to perform this function.

## **GOVERNING DOCUMENTS**

Covenants assure the residents of certain minimum standards for land use, architectural design and property maintenance throughout the neighborhood.

Covenants are a part of your deed of ownership and can only be changed by a vote of 75% of the owners. The Covenants become a contract between the Association, as represented by its elected BoD and the residents of Spring Lake. It is our intent and duty to help you in every way to obtain the fullest enjoyment of your property while maintaining certain standards within the community.

Covenants give the Board of Directors and the Architectural Review Committee (ARC) the responsibility to set rules and procedures for architectural control and the power to

interpret the Covenants. The Guidelines presented here have been written by the BoD as part of this responsibility. These guidelines are adopted by the ARC in an effort to serve as a guide to aid residents in maintaining and enhancing Spring Lake's thoughtfully designed environment.

These guidelines are effective March 2010 and supersede any previously dated guidelines. These guidelines will remain in effect until such time as the BoD shall amend or replace them.

All projects reviewed by the ARC are evaluated with consideration of the Covenants and guidelines. These guidelines shall not be construed to limit the matters subject to review by the ARC. Although these guidelines cover most issues, there may be items that have not been specifically included herein; in that event, the ARC shall make its determination based upon the goals and objectives of the ARC. The ARC is concerned with all aspects of aesthetics. The ARC is not responsible for the enforcement of building codes, structural details, accuracy of drawings, and techniques of construction. Submissions may be disapproved for purely aesthetic reasons deemed contrary to the goals and objectives of the ARC. Each application is reviewed on an individual basis.

#### **HOME OWNER RESPONSIBILITY**

Each owner shall maintain his lot and dwelling and other improvements located on the lot, and such maintenance, including but not limited to repairs, replacement, and repainting, shall be performed as and when necessary to keep the lot, dwelling, and improvements in a condition comparable to their original condition.

Compliance with any building permit process or other applicable statute or law or governmental rule or regulation or public utility requirement is the sole responsibility of the lot owner(s).

Lot owners are responsible for their tenants' compliance with all guidelines as put forth in this document.

#### **ARCHITECTURAL REVIEW COMMITTEE (ARC)**

The ARC is made up of volunteers appointed by the Board of Directors. These volunteers come from among residents of the neighborhood. Anyone interested in volunteering should contact any member of the BoD.

The ARC and the Board have the final authority of approval or disapproval of any exterior improvements, based on the CCRs.

#### **ENFORCEMENT**

Enforcement of these Guidelines is the responsibility of every resident but they are formally carried out by the ARC and ultimately, the Board of Directors.

When architectural complaints are brought to the attention of the ARC, they are investigated within 7 business days. If a complaint is found to be valid, the property

owner is contacted formally and asked to correct the problem either by removal, submission of an application, or by repair in the case of a maintenance problem. Most problems are corrected at that stage. Should the property owner fail to act after the expiration of thirty (30) days, the Board of Directors may vote to initiate action in court or to enter the property and correct the problem at the owner's expense and risk. Any such entry upon a lot for such purposes shall not constitute a trespass or unlawful entry. All costs at this stage shall be added to and become a part of the regular assessment attributable to the lot and can result in a lien if not paid.

### **APPEAL PROCESS**

If any lot owner does not agree with the action of the ARC, an appeal may be initiated within 15 business days by giving written notice to the President or Vice President of the Association. The Board of Directors will then arrange to hear the appeal. The Board of Directors' decision is then legal and binding, and can only be changed in court.

If there is no such appeal, then the action of the ARC will be final. If your application has been approved, you will receive your approved application within 30 days authorizing you to begin work.

### **CORRECTIVE ACTION**

If you start alterations without first obtaining approval of your plans, you do so at your own risk. If you fail to submit an application or if your application is turned down or modified, you may face the cost of removing the alteration plus the costs of litigation. This also includes the installation of improvements which are inconsistent with the approval granted. The covenants provide for placing a lien against your property to recoup costs incurred by the HOA to bring your property into compliance.

In general, no external improvement or modification of any kind shall be made without the prior written approval of the ARC, specifics within this document notwithstanding.

### **LAKE LOTS AND HOMES VISIBLE FROM COMMON AREAS**

Homes that abut any of the 3 water elements must obtain approval from the ARC as appropriate and adhere to the standards detailed in this document for the back yard as well as the front. This is also true for any homes where the back yard is visible from common areas. Additional scrutiny will be placed on the aesthetic appearances of improvements to the back yards of those lots.

## **ARCHITECTURAL RULES (CCRs, City, County, State, or Federal)**

### **ANIMALS**

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot or on common areas; however dogs, cats and other customarily kept house pets may be kept on lots and in dwellings subject to such rules and regulations as may be adopted by the board of directors so long as they are not kept, bred or maintained for commercial or business purposes (p205J). Any Owner who keeps or maintains any pet upon any portion of the Property shall be deemed to have indemnified and agreed to hold the Association, each Owner and the Declarant harmless from any loss, claim or liability of any kind arising by keeping or maintaining such pet within the Property. Under no circumstances shall an animal shelter be placed outside the dwelling. Pet owners must comply with Pinellas County Municipal Code, Chapter 14, Animals, and specifically with section 30 as it relates to public nuisance animals, and with City of Clearwater Chapter 8 Code of Ordinances.

### **AUTOMOBILES**

No owner shall park, store, or keep any commercial truck, camper, commercial van, boat, mobile home, recreational vehicle, trailer, or aircraft, or any other vehicle other than a private passenger vehicle, on any uncovered parking driveway attached thereto.

No owner shall repair or restore any motor vehicle, boat, trailer, aircraft or other vehicle on any portion of any lot or common area except for emergency repair, and then only to the extent necessary to enable movement thereof to a proper repair facility. Minor maintenance of a private passenger vehicle shall be allowed in the owner's garage or driveway provided that such vehicle does not remain inoperable for more than 48 hours. (p. 209). (See Parking Guidelines document.)

### **BASKETBALL BACKBOARDS (other fixed game or play structures)**

These items shall be located at the rear of the dwelling on a lot. No basketball poles and/or hoops, permanent or otherwise, will be permitted on private lots except when specifically in use or located at the rear of the dwelling on a lot. When not in use, portable basketball poles and hoops must be stored out of sight of the streets, neighboring houses, and common areas. Basketball courts are an amenity of Spring Lake and located next to the club house.

### **BOATS & OTHER RECREATIONAL VEHICLES**

Except when loading, unloading, and cleaning boats, campers, trailers, and other recreational vehicles will not be parked in streets, driveways, or other parking areas and will not exceed 3 hours. No owner shall park, store, or keep any commercial truck, camper, commercial van, boat, mobile home, recreational vehicle, trailer, or aircraft, or any other vehicle other than a private passenger vehicle, on any uncovered parking driveway attached thereto.

## **BUSINESS USE**

No business of any kind which is obnoxious or offensive shall be conducted within the subdivision (p205 E, 2008 amendment).

## **COMMERCIAL VEHICLES**

Commercial vehicles will be permitted during normal business hours and only in connection with temporary construction, maintenance, and/or repair activities. No owner shall park, store, or keep any commercial truck, camper, commercial van, boat, mobile home, recreational vehicle, trailer, or aircraft, or any other vehicle other than a private passenger vehicle on any uncovered parking driveway attached thereto. Commercial vehicles are identified by any permanent or temporary signage on any vehicle that includes the name of a company, services offered, and/or a telephone number.

## **HOLIDAY DECORATIONS**

Decorations are permitted and encouraged. Decorations may be placed outside within one month of the actual date of the holiday and must be removed not later than 30 days following the holiday.

## **MAINTENANCE (GENERAL)**

It is the responsibility of each homeowner to maintain their property in such a manner that adds to the overall beauty and harmony of the neighborhood. Each homeowner should take this responsibility seriously, as failure to do so can negatively impact the value of his property, surrounding properties, and the entire subdivision. Each lot must be regularly maintained and repaired and kept in a neat, clean, and sanitary condition. Building exteriors must be maintained so that they are free of mildew, rust, and peeling paint.

## **MAINTENANCE (LAWN/LANDSCAPE DESIGN)**

Grass must be maintained less than 6 inches high and must not exceed more than 4 inches over the sidewalk, curb, or edge of pavement. Grass clippings, leaves, pine needles, and other yard waste must be bagged and properly disposed of. To keep storm drains/sewers clear, lawn clippings shall not be swept or blown into drains or onto the streets.

## **MAINTENANCE (TREES)**

Rights of way and sidewalks shall be clear of refuse and vegetation, and a height clearance of at least 8 feet from the pavement surface shall be provided. Trees must be trimmed accordingly. Dead trees must be removed.

## **SWING SETS, TREE HOUSES**

Swings and swing sets must be located in the back yard and not visible from the road, common areas, and interfering as little as possible with neighboring houses. Tree houses are not permitted.

**TRASH CANS**

Trash cans are provided by the city. Trash pick up is Monday and Thursday. Trash receptacles and trash (including yard waste and bagged grass clippings) must be stored in the back yard or garage and placed out for collection no more than 24 hours before scheduled collection and then must be removed from the curb on the day of collection. Trash containers and recycling bins shall not block sidewalks, mailboxes, or driving areas. Bulk loose materials of substantial quantity, such as tree clippings, may be placed on the curb on as early as Saturday for Tuesday am pick up 4 times per year as published on the website.

**WINDOW TREATMENTS**

All windows are expected to have appropriate treatments. Solar film is allowed. No sheets, torn or broken blinds, or other ill-maintained coverings will be permitted.

**WOOD STORAGE, FIREWOOD**

Storage of firewood between seasons is not permitted. In season, wood must be stored in the backyard or garage.

## **ARCHITECTURAL GUIDELINES (Community)**

### **ANCILLARY STRUCTURES**

No outbuilding, basement, tent, shack, garage, shed, trailer, barn, or temporary structure of any kind shall be permitted upon any lot either temporarily or permanently.

### **AWNINGS, ARBORS, & SUN TRELLISES**

These are not permitted without prior approval from the BoD.

### **ATTIC VENTILATORS**

Must be low profile and require ARC approval.

### **CLOTHESLINES**

No exterior clothes lines shall be visible from the street or common areas.

### **DOG HOUSES**

Dog houses are not permitted. No outbuilding, basement, tent, shack, garage, shed, trailer, barn, or temporary structure of any kind shall be permitted upon any lot either temporarily or permanently (p206 M).

### **DOORS**

Replacement of front doors requires approval of the ARC. A photo should be included with the request, and colors must be compatible with the sub-division color palate.

### **EXTERIOR LIGHTING**

Any exterior lighting requires ARC approval. Impact on adjacent properties should be considered and should not have an adverse visual impact upon adjoining neighbors. No light should penetrate the closed blinds of any neighbor's window.

### **EXTERIOR WALLS, SIDING**

Only finished materials such as brick, stucco, painted concrete block, painted siding, hardy board, and wood shall be used for the exterior surfaces of the dwellings or structure (p. 205 D). Exterior surfaces must be maintained so that they are free of mildew, rust, and peeling paint.

### **FENCES, UNDERGROUND/INVISIBLE FENCES**

The perimeter fence is the responsibility of and maintained by the HOA. Fences between homes are the responsibility of the individual homeowners and must be a shadow box design. Fences will be wood and remain unfinished. Fences will be no higher than 5 feet. Approval is required to install or replace all fences. Underground/invisible fencing for animal control is permitted and does not require approval from the ARC. No rear fences shall be allowed on lots 132, 133, 136 through 139, 141, 142, 143 and 146 through 149 without the expressed prior written approval of the Architectural Control Committee. No rear fence shall be placed, erected or constructed on lots 3 through 44. Visit [www.myclearwater.com](http://www.myclearwater.com) for permit requirements.

## **FLAGS (under review)**

Any unit owner may display one portable, removal United States flag in a respectful way, and on Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day, All other flags, banners, decorations, and similar items are expressly prohibited from being flown or displayed on the lot at any other time except for Holiday decorations. The flag must be attached to the house with a bracket. Flag poles, separate from the house, will only be allowed in the back yard.

## **GARAGE DOORS**

Replacement of garage doors requires approval of the ARC. Photos should be included with request. Materials and installation must be in accordance with City of Clearwater and/or Pinellas County guidelines.

## **GARDEN HOSES**

Hoses shall be kept neat, rolled on hose bib attached to the house, or in a pot.

## **GARDENS**

Native flowers and drought tolerant plants and shrubs are encouraged. Vegetable gardens should not be visible from the street and should not interfere with neighboring properties. Borders should be placed to prevent washing away of mulches.

## **GRILLS (PERMANENT)**

All grills must be placed in the back yard.

## **GUTTERS, DOWNSPOUTS & RELATED LANDSCAPE DRAINS**

All gutters and downspouts must be heavy duty vinyl or aluminum. Additions to and changes of downspouts and gutters requires approval from the ARC The HOA encourages the use of professionals in determining the placement of gutters and downspouts and may require documentation that such placement will not contribute to any erosion/drainage concerns.

## **HOUSE NUMBERS**

House numbers should be centered above the garage door(s) and be clearly visible from the street. Numbers must be Arabic numerals and at least 3 inches in height (CRT Citizens Guide to Code Enforcement).

## **LANDSCAPING**

All landscaping should be designed with the thought of maintaining the consistency and harmony of the neighborhood. In general the front of the lot should be no less than 50% green ground cover with the rest well mulched, drought tolerant shrubs, flower beds, and/or trees which are encouraged. There should not be an "over-grown" look to the property. Trees and shrubs should be trimmed. Significant landscaping changes require approval from the ARC.

## **LAWN ORNAMENTS & LAWN EMBELLISHMENTS**

Temporary and/or permanent lawn fixtures within street view require approval from the ARC. Generally, fountains, bird baths, etc. will be approved. All ornamentation must be in keeping with the architectural and aesthetic character of the neighborhood.

## **PAINTING**

Only colors from the approved sub-division palate that promote harmony within the community will be approved. Adjacent homes are encouraged to have different and complimentary paint colors. Please consult the ARC if you are unsure of the approved colors. Any painting to the house siding, doors, and/or trim is subject to ARC review. Color samples must be submitted with your architectural improvement application.

## **PATIOS, DECKS, WALKWAYS, & OTHER BACK YARD STRUCTURES**

Patios and decks are permitted, in the back yard only. ARC approval is required and request must include documentation that such a structure will not significantly alter the natural water flow to the detriment of neighboring homes. Professional advice is strongly recommended. Individual docks on the small lake are not allowed. Owners of pre-existing walls or decks which divert water onto adjoining properties or change existing drainage patterns will be cited for corrective actions.

## **POOLS & HOT TUBS**

Small, portable plastic pools for children are permitted in the front yard only during daylight hours and while actively in use. They are permitted in the back yard at the owner's discretion. Larger above-ground pools are not permitted. In-ground pools, hot tubs, spas, and Jacuzzis are permitted in the back yard in accordance with Article VIII, Section 1 paragraph R of the CCRs. ARC approval is required.

## **PONDS**

Ponds are allowed in back yards only.

## **ROOFS, EAVES, FACIAS**

Roof design must not deviate from standard construction. Roofing material shall be asphalt sculptured shingles in earth tone colors from the approved sub-division palate and must compliment the color of the house. Roofs damaged due to storms must be repaired and/or replaced within 6 months of the event. All roof repair or replacement requires approval from the ARC.

## **SATELLITE DISHES, ANTENNAS**

Radio antennas are not permitted, television antennas are permitted however residents are urged to locate them in the attic, if this is not possible they should be placed in a location not visible from the street or common areas. Satellite dishes are permitted provided they are no greater than 18 inches in diameter and that every effort is made to installation in the least conspicuous location on the property consistent with receiving a clear signal.

### **SCREEN DOORS/STORM DOORS**

Style must be approved by the ARC. No unpainted or galvanized finish is permitted. Door and frame color must closely match the trim of the house.

### **SECURITY BARS**

Security bars are not permitted on doors or windows.

### **SHEDS, STORAGE**

No outbuilding, basement, tent, shack, garage, shed, trailer, barn, or temporary structure of any kind shall be permitted upon any lot or upon any of the common areas either temporarily or permanently.

### **SHUTTERS**

Decorative window shutters are permitted and require approval by the ARC.

### **SIDEWALKS**

Sidewalks will be maintained by the HOA in terms of repair and/or replacement. Homeowners abutting a sidewalk will be responsible for keeping it clean and free of debris.

### **SIDING**

Replacement or repair of siding requires approval from the ARC. Samples of materials should be included with the application. Exterior surfaces of buildings must be maintained so that they are free of mildew, rust, and peeling paint. (See EXTERIOR WALLS.)

### **SIGNS, FOR SALE, FOR RENT & OTHER SIGNS (need to review)**

No sign of any kind shall be displayed to public view on a lot, dwelling, or in the common areas without the prior written approval of the ARC, except customary name and address signs and lawn signs advertising a lot or dwelling for sale or rent and in accordance with the attached standard, and signs of recognition from the City of Clearwater (amendment) or Spring Lake HOA. Commercial signs advertising businesses or services are prohibited. Signs in windows are prohibited.

### **STORM WINDOWS**

ARC approval is required for permanent installations.  
(See WINDOW TREATMENTS.)

### **UNDERGOURND WELLS**

Individual wells shall be permitted in accordance with City statutes and subject to ARC approval. No septic tanks or cesspools shall be permitted on any lot within this subdivision.

### **WATERING**

Pinellas County watering restrictions apply.

**WINDOW BOXES**

Window boxes are permitted and require ARC approval.

**WINDOW MOUNTED A/C UNITS**

These are not permitted.

**WINDOWS**

Replacement must be in accordance with City of Clearwater Code and requires approval by the ARC.

**XERISCAPE**

Xeriscape is quality landscaping that conserves water and protects the environment. This is encouraged within our community. Refer to "Waterwise, South Florida Landscapes, Landscaping to Promote Water Conservation Using the Principles of Xeriscape," Published by sfwmd.

## **ADDITIONAL INFORMATION**

### **GRANDFATHERED PROPERTIES**

Properties that do not meet these guidelines will be identified and if reasonable specific deviations may be exempt from adherence to the standards outlined herein. Homeowners will be notified of exempt status and exemption will be documented. Properties with exempt status will be allowed to adhere to prior architectural and landscape guidelines until such time that said property fails to maintain and/or meet those standards. Failure to maintain will result in revocation of grandfathered status resulting in requirement to meet current guidelines. The sale of a property with grandfathered status will result in revocation of that exemption and require adherence to current standards.

### **DISCLAIMER**

Neither the Board or if appointed, any Architectural Review Committee nor any member thereof shall be liable to the Association or to any owner for any damages, loss or prejudice suffered or claimed on the account of (a) the approval or disapproval of any plans and specifications whether or not defective, (b) the construction or performance of any work, whether or not pursuant to approval plans and specifications, (c) the project or (d) the execution and filing of an estoppels certificate pursuant to Section 9.11, whether or not the facts therein are correct, provided however that the members have acted in good faith on the basis of information as maybe possessed by him/her.

### **CHANGES OR REVISIONS**

The Board (or the Architectural Review Committee if appointed) may from time to time at its sole discretion, adopt, amend, and repeal these rules and regulations by unanimous vote.

### **NOTICE**

An approval by the ARC does not relieve you of your responsibility to seek the appropriate approvals from applicable city, county, and/or state agencies.

[www.myclearwater.com](http://www.myclearwater.com)  
[www.myflorida.com](http://www.myflorida.com)  
[www.pinellascounty.org](http://www.pinellascounty.org)  
[www.swfwmd.state.fl.us](http://www.swfwmd.state.fl.us)  
[www.floridayards.com](http://www.floridayards.com)

All forms and instructions are available at the association's website:  
[SpringLakeHOA.org](http://SpringLakeHOA.org)

Application Instructions  
For Sale & For Rent Sign Specifications  
Parking Rules  
Pinellas County Municipal Code 14  
Property Maintenance Requirements – Yard & Landscape Areas