

Stonegate at Ayersworth Community Standards



Approved by the BOD
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STONEGATE AT AYERSWORTH HOMEOWNERS ASSOCIATION

COMMUNITY STANDARDS

This Community Standards Document is established to assist the Architectural Control Committee (ACC) and Owners with procedures and guidelines through consistent and high quality design standards for the property alteration process. It supports and amplifies the Declaration of Restrictions and Covenants and other governing documents that bind each property Owner. It is provided to residents of Stonegate at Ayersworth for their future reference. This document is not intended to address all possible situations, alterations, etc. Please contact the Stonegate at Ayersworth Management Company with any questions or concerns.

It is the intention of the ACC to maintain a high standard of exterior architectural appearance throughout the Stonegate at Ayersworth community. The following guidelines have been setup to protect the integrity of the project, the developer's interests and the purchasers' investment in the community. We wish to present the best possible product at a competitive price. Your adherence to these guidelines will enhance the marketability of Stonegate at Ayersworth.

Property setbacks, easements and other ordinances must be adhered to and complied with-in accordance with Hillsborough County Government.

DEFINITIONS

“ACC” shall mean the Architectural Control Committee. “Board” shall mean the Board of Directors of Stonegate at Ayersworth.

“CDD” shall mean Highlands Community Development District.

“Declaration” shall mean The Declaration of Restrictions and Covenants for Stonegate at Ayersworth.

“Association” (as de fined in the Declaration) shall mean Stonegate at Ayersworth Community Association, Inc., its successors and assigns.

“CCR” shall mean Covenants, Conditions and Regulations

ARTICLE 1

ARCHITECTURAL CONTROL COMMITTEE

1.01 Responsibilities

In accordance with authority granted to the ACC in the Declaration, specifically paragraph 19.1, the ACC shall be appointed and “shall administer and perform the architectural and landscape review and control functions relating to Stonegate at Ayersworth.” In carrying out its duties, the ACC shall review all submittals to assure procedures and standards conform to design guidelines asset for within these Community Standards and in the Declaration. The Committee shall keep records and shall maintain a file of all alteration applications and activity for a period of not less than seven years.

1.02 Policy

All Owners and their contractors must comply with alteration application guidelines and requirements prior to commencement of any work. The ACC will review plans, materials, site plan, colors and/or landscaping plan to ensure compliance with design requirements, policy and procedures of these standards. No alteration requiring the approval process shall be commenced until plans and specifications have been submitted to and approved in writing by the ACC. If said alterations are performed without ACC approval, the Association reserves the right to restore the property to its prior condition directly payable by the homeowner. The Association assumes no responsibility for the structural integrity, safety features, mechanical operation, and permitting or building code compliance of the proposed construction to a lot or a home.

1.03 Committee Discretion

These standards do not cover every possible situation that may require ACC approval. As it applies, the ACC is not authorized to exercise discretion in approving or disapproving a specific proposal as per state statute F.S. 720. In some special cases Board approval may be needed for a proposal that may conflict with a standard set forth in this document. Board approval does not constitute a precedent for future requests.

ARTICLE 2

PROCEDURES FOR MANAGING PROPERTY ALTERATIONS

2.01 Alterations

Any exterior property alteration (to the home or the lot) requires the completion of an “Application to Architectural Control Committee” form that must be approved by the ACC. A copy of a blank application form is included in this booklet.

Examples of alterations are:

- Awnings
- Brick pavers: location and color
- Changes to the exterior color of the home (painting)
- Driveways: construction/resurfacing/painting Elevation or grading changes
- Exterior decoration applied above garage doors and fronts of homes
- Fences
- Flag poles and antennas
- Front door or garage door coverings such as screen doors or storm doors
- Front door: style and/or color
- Gutters: style, color
- Items in flower bed besides plants
- Lanais, sunrooms and gazebos Lighting: placement and size Landscaping (refer to Article 4)
- Pools, spas, hot tubs, whirlpools
- Porches, decks and patios
- Roofing
- Screen Enclosures
- Window replacement/changes

2.02 Prohibited Items

Certain alterations/conditions are not allowed within the Declaration. These include, but are not limited to those listed below. They are considered to be in VIOLATION and subject to immediate action by the ACC thru the Violation Procedures.

- Sheds or Permanent outside Storage Containers
- Window Air Conditioning Units
- Satellite Dishes over 39.37 in Diameter In accordance with FCC rule 47 C.F.R. Section 1.4000
- Aluminum, metal, plastic, or fiberglass roofs where the roof pitch is equal to or greater than 3/12 unless covered by composite asphalt/fiberglass multi-tab or dimensional shingles.
- Wood or asphalt mineral surface roll roofs
- Room additions or sunrooms with exterior finishes of aluminum or metal siding. Plastic or Artificial flowers.

2.03 Application Process

Listed here is an abbreviated description of the application process. ACC will only process completed applications, including signatures and accompanying plans and specifications, lot plots, colors, pictures, drawings, etc. **Applications must contain all the information necessary for the ACC to make an informed decision or it will be denied.**

Within thirty (30) days after receipt by the ACC, the ACC will act on the submission. After review, the original submittal will be retained by the ACC for their files. The ACC will give one of the following r e s p o n s e s to each application received.

“Approved” (project approved as submitted)

“Conditional Approval” (subject to conditions noted)

“Denied” (reasons noted in the meeting minutes)

2.04 Completion

Approved projects must be completed within 6 (six) months of approval by the ACC. After that time, the ACC’s approval of the application will expire. A new ACC application must be submitted and approved before any further work can begin. The Board or the ACC retains the right, but not the obligation, to extend time frames for applicant to complete the proposed and approved work. A member of the property management team will verify the work has been done in compliance with the ACC’s approval.

2.05 Appeal

In the event the ACC denies any plans, the applicant may request a hearing by the ACC. If the ACC again denies the applicant’s request, the applicant may appeal to the HOA Board. The Board’s decision is final.

2.06 Enforcement Process

Any owner through accepted communication to the Property Manager may report violation(s) of any Community Standard or Declaration condition. The policy of the HOA is to have management do property inspections. If Management determines that the alleged violation requires corrective action, Management will then proceed with the approved enforcement process, thru the Violation Procedures and policy as established by the Board of Directors.

ARTICLE 3

HOME DESIGN AND MAINTENANCE

3.01 ACC General Standards

Homes shall be of high quality architectural design that is compatible in external appearance, design and quality with existing structures. "Screened from public view" means using shrubs, trees or an approved material that will prevent the object from being seen from the street. No material alteration, addition or modification to any portion of a home shall be made without the receipt of prior written approval of the ACC.

3.02 Animals/Pets

No animals or livestock of any kind shall be raised, bred or kept within the community for commercial purposes. Other than vicious breeds and uninsurable pets (i.e. pets that create policy coverage exclusions under insurance policies purchased by the Association or pets that cause increases in insurance policy premiums under insurance policies purchased by the Association), Owners may keep a maximum of two dogs and two cats so long as such pets or animals do not constitute a nuisance. A determination by the Association that an animal is a nuisance shall be conclusive and binding on all parties. When an Owner receives notice of removal of any pet, the pet shall be removed within 48 hours of giving of the notice. No pet or animal shall be "tied out" on the exterior of the home or in the common areas, or left unattended. Pets shall be walked on a leash, in accordance with the leash law. The person walking the pet shall clean up all litter created by the pet during the walk. Each owner shall be responsible for the activities of their pet. Pets are not permitted in any water body in Stonegate at Ayerworth. No dog runs, dog pens or dog houses are permitted on any property in Stonegate at Ayerworth.

3.03 Artificial Vegetation

No artificial grass, plants, rocks or other artificial vegetation, shall be placed or maintained upon the exterior portion of any lot unless approved by the ACC

3.04 ATVs

All-terrain vehicles are not permitted to be driven anywhere in Stonegate at Ayerworth. They must be stored in the garage and put on a trailer to be taken out of the neighborhood.

3.09 Commercial Vehicles

Commercial Vehicles (vehicles used for work purposes and vehicles with writing on the sides or equipment racks or holders) are not permitted to be parked on driveways in Stonegate at Ayerworth. They must be parked inside a garage at all times. The exception to this is a county or government issued vehicle.

3.12 Drainage

If the Owner of one Lot plants a tree (pursuant to ACC approval) and the roots of such tree subsequently affect pipes or other drainage facilities within another lot, the Owner that plants the tree shall be solely responsible for the removal of the roots which adversely affects the adjacent Lot. The Association and Declarant shall have no responsibility or liability for drainage problems of any type whatsoever.

3.13 Roofs, Driveways and Pressure Cleaning

Roofs, exterior surfaces and/or pavement, including, but not limited to, walks and drive, shall be pressure cleaned within thirty (30) days of notice by the ACC to the Owner of the Lot. No surface applications to driveways shall be permitted without the prior written approval of the ACC as to material, color and pattern. Such applications shall not extend beyond the Lot line or include the sidewalk.

3.17 Fences /Walls/Screens

No walls or fences shall be erected without prior written review and approval of the ACC. The only allowable type of fences is almond color PVC. No wooden or chain link fences are permitted. The ACC may permit Owners of Houses on Lots which abut, run along, intersect with or joint the perimeter of any retention area, pond, lake, water body, or park area to install fences up to six (6) feet; however beginning ten (10) feet from the boundary of conservation area, the fence shall drop or graduate to a maximum height of four (4) feet in picket style. All fences must have a minimum setback of ten (10') feet from the front corner of the home on either side. No chain link fencing of any kind shall be allowed. Fences shall not be installed flush to the ground so that drainage will be blocked in any way. Due to the Associations maintenance requirements and responsibilities the installation of fences within a drainage easement area is not expected to be approved by the ACC. However, in the event a fence is installed within a drainage easement area, with prior written ACC approval, the Owner is solely responsible for fence repair or replacement if the drainage easement area needs to be accessed or as otherwise provided in Sec 15.9

All screening and screen enclosures shall have the prior written approval of the ACC. All enclosures of balconies or patios, including addition of vinyl windows, shall be approved by the ACC and all decks shall have the prior written approval of the ACC. All screen enclosures must be bronze/white with charcoal screening. Homes on corner lots may be required to have landscaping on the street side of the screening or enclosure

3.18 Florida Friendly Landscaping Guideline

SEE SEPARATE FL GUIDELINES FOR STONEGATE AT AYERSWORTH.

3.22 Garages and Garage Doors

No garage shall be converted into a general living area. Garage doors shall remain closed at all times except when vehicular or pedestrian access is required.

3.23 Garbage Cans

Trash collection and disposal procedures established by the Association shall be observed. No outside burning of trash or garbage is permitted. No garbage cans, supplies or other similar articles shall be maintained on any Lot so as to be visible from outside the Home or Lot. Each Owner shall be responsible for properly depositing his or her garbage and trash in garbage cans and trash

containers sufficient for pickup by the appropriate collection agencies in accordance with the requirements of any such agency. All such trash receptacles shall be maintained in a sanitary condition and shall be shielded from the view of adjacent properties and streets. Garbage cans and trash containers shall not be placed outside the Home for pickup earlier than 7:00 pm on the day preceding the pickup and shall be removed the day of pickup.

3.29 Window or Wall Units

No window or wall air conditioning unit may be installed in any window or wall of a home.

3.30 Holiday Decorations

Holiday decorations may be displayed one week prior to Thanksgiving and must be removed no later than January 15th of the following year. Care should be taken when deciding on placement of yard decorations, noting that large snow globes or inflatables may cause dead spots in lawns. All lighting, lighting accessories, extension cords and light clips and decorations shall be totally removed by January 15th. Any lighting that creates a nuisance may be required to be removed (e.g., unacceptable spillover to adjacent Home).

3.32 Hurricane Shutters

All temporary storm/hurricane shutters may be installed 48 hours prior to the expected arrival of a hurricane in the area and must be removed no later than three days after the warning is lifted. All permanent mounted storm shutters may be panel, accordion or roll-up style and the trim color of the home and be approved by the ACC. Shutters may not be closed at any time other than a storm event.

3.33 Mailboxes

No mailboxes or lampposts shall be installed on any Lot without prior written consent of the ACC. The ACC shall have the right to require that all mailboxes lampposts shall be of one particular type or design specified by the ACC so long as such designated type or design, in the case of mailboxes meets the rules and regulations of the United States Post Office Department.

3.34 Nuisances

No obnoxious, unpleasant, unsightly or offensive activities shall be carried on, nor may anything be done, which can be reasonably construed to constitute a nuisance, public or private in nature.

3.35 Painting

The exterior of Homes shall be repainted within forty-five (45) days of notice by the ACC to the Owner of applicable Lot.

3.36 Personal Property

All personal property of Owners or other occupants of Homes shall be stored within the Homes. No personal property, except usual patio furniture, may be stored on, nor any use made of, the common areas, any Lot or Home, or any other portion of Stonegate at Ayersworth, which is unsightly or which interferes with the comfort and convenience of others.

3.41 Rental of Home

REFER TO COMMUNITY DOCUMENTS

3.44 Roofs, Driveways and Pressure Cleaning

Roofs, exterior surfaces and/or pavement including, but not limited to, walks and drives, shall be pressure cleaned within thirty (30) days of notice by the ACC to the Owner of the Lot. No surface applications to driveways shall be permitted without the prior written approval of the ACC as to material, color and pattern. Such applications shall not extend beyond the Lot line of include the sidewalk.

3.45 Satellite Dishes

No exterior visible antennae, radio masts, towers, poles, aerials, satellite dishes, or other similar equipment shall be placed on any Home or Lot without the prior written approval thereof being first had and obtained from the ACC as required by the Declaration. The ACC may require, among other things, that all such improvements be screened so that they are not visible from adjacent Homes, or from the Common Areas. Each Owner agrees that the location of such items must be first approved by the ACC in order to address the safety and welfare of the residents of Stonegate at Ayersworth. No Owner shall operate any equipment or device which will interfere with the radio or television reception of others. All antennas not covered by the Federal Communications Commission ('FCC') rules are prohibited. Installation, maintenance and use of all antennas shall comply with restrictions adopted by the Board and shall be governed by the then current rules of the FCC

3.47 Signs and Flags

No sign, flag, banner, advertisement, notice or other lettering shall be exhibited, displayed, inscribed, painted or affixed in or upon any part of Stonegate at Ayersworth, including without limitation, any home, Lot or vehicle, that is visible from the outside; provided, however, any Owner may display in a respectful manner one (1) portable, removable United States flag or official flag of the State of Florida and one (1) portable, removeable United States Military Service flag. Any such permitted flags may not exceed four and one-half feet by six feet. Each Owner may erect one (1) freestanding flag pole that is no more than twenty feet (20') high on any portion of such Owner's Lot if the flag pole does not obstruct sightlines at intersections and is not erected within or upon any easement. The flag pole may not be installed any closer than ten feet (10') from the back of curb or within ten feet (10') of any Lot boundary line. Any Owner may further display from the flagpole, The same types of flags previously stated.

3.50 Sports Equipment

No sports equipment including but not limited to basketball backboards shall be mounted in a permanent fashion on a pole or attached to the home or any portion of the property. Portable sports equipment and portable basketball hoops are permitted, but shall be stored in front of garage or in a location screened from view after each use.

3.51 Swimming Pools

No above ground pools shall be permitted. All in-ground pools, hot tubs spas and appurtenances installed shall require the prior written approval of the ACC as set forth in this Declaration. The design must incorporate at a minimum the following: (i) the composition of the material must be thoroughly tested and accepted by the industry for such construction; (ii) any swimming pool constructed on any Lot shall have an elevation at the top of the pool of not over two feet (2') above the natural grade unless approved by the ACC; (iii) pool enclosures must be of a design, color and material approved by the ACC and shall be no higher than twelve feet (12') unless otherwise

approved by the ACC; and (iv) pool enclosures shall in no event be higher than the roof line of the Home. Pool enclosures shall not extend beyond the sides of the Home without express approval by the ACC. All pools shall be adequately maintained and chlorinated (or cleaned with similar treatment). Unless installed by Declarant, no diving boards, slides or platforms shall be permitted without ACC approval. Under no circumstances may chlorinated water be discharged onto other Owners lawns, community streets or into any water bodies within the community or adjoining properties.

3.52 Temporary Storage Containers

No temporary or permanent utility or storage shed, storage building, tent or other structure or improvement shall be permitted and no other structure or improvement shall be constructed, erected, altered, modified or maintained.

3.57 Vehicles and Parking

All vehicles must be properly licensed with tags clearly displayed. Vehicles shall be parked on paved surfaces only; parking is not allowed on any grass area, the apron of driveways, on the street, or on the driveway of vacant homes. Campers and boats must be parked inside garages.

3.59 Water Softeners/Conditioners

Water softeners are permitted outside homes but must be screened from view using landscaping or approved fencing.

3.60 Watercraft

Boats, jet skis, canoes, kayaks and water equipment are to be stored only in garages.

3.61 Waterways

Swimming is prohibited within any water bodies within the boundaries of Stonegate at Ayersworth. Boarding and personal watercraft are prohibited.

3.63 Window Treatments

No reflective foil, sheets, newspaper or other similar material shall be permitted on any window or glass door except for the period of one week after move in date. Drapes, blinds, verticals and other window coverings visible from outside a dwelling shall be of a neutral color, such as white, off-white or wood tones. Security bars are not permitted on windows.

ARTICLE 4

LANDSCAPING MAINTENANCE STANDARDS

4.01 Trees

Trees are to be pruned as needed and maintained with the canopy no lower than eight feet (8') from the ground.

4.02 Shrubs

All shrubs are to be trimmed as needed

4.03 Grass

Grass shall be maintained in a neat and appropriate manner. In no event shall lawns within any Lot be in excess of five inches (5") in height. Edging of all street, curbs, beds and borders shall be performed as needed. Chemical edging shall not be permitted. Only St Augustine grass (i.e. Floratam or a similar variety) is permitted in the front yards and side yards, including side yards facing a street. Mulch shall be replenished as needed on a yearly basis.

Insect control and disease shall be performed on an as needed basis. Failure to do so could result in additional liability if the disease and insect spread to neighboring Lots and Common Areas. Dead grass shall be removed and replaced within the rear yards, it shall remain as Bahia and if it dies, may only be replaced with Bahia. Fertilization of all turf, trees, shrubs, and palms shall be performed according to Best Management Practices as provided by the County Extension Service, if any, or The University of Florida IFAS Extension.

4.04 Irrigation

Watering and irrigation, including the maintenance, repair and replacement of irrigation facilities and components will be the sole responsibility of the record title Owner of the respective Lot. Lots shall be consistently irrigated to maintain a green and healthy lawn at all times. Sprinkler heads shall be maintained on a monthly basis. Water spray from systems shall not cause water to run onto neighboring Lots, walkways, streets or the like and shall include a timing system to limit hours of operation. All components of the irrigation system, clock, pump stations and valves shall be checked as needed by an independent contractor to assure proper automatic operation.

4.05 Weeding

All beds are to be weeded upon every cut. Weeds growing in joints in curbs, driveways and expansion joints shall be removed as needed. Chemical treatment is permitted.

4.06 Trash Removal

Dirt, trash, plant and tree cuttings and debris resulting from all operations shall be removed and all areas left in clean condition before the end of the day.

4.07 Artificial Vegetation

No artificial grass or plants or other artificial vegetation or rocks or other landscape devices shall be placed or maintained upon the exterior portion of any Lot, unless approved by the ACC