

**SOUTH FORK III COMMUNITY ASSOCIATION, INC.**

**COMMUNITY STANDARDS**

**First Edition**

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## **SOUTH FORK III COMMUNITY ASSOCIATION, INC.**

### **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 Community Declaration and other governing documents that bind each property Owner. It is provided to residents of South Fork III for their future reference. This document is not intended to address all possible situations, alterations, etc. Please contact the South Fork III Management office with any questions.

It is the intention of the ACC to maintain a high standard of exterior architectural appearance throughout the South Fork III Community. The following guidelines have been set up to protect the integrity of the community for both the developer's interests and the purchasers' investment therein. Your adherence to these guidelines will help III the quality of South Fork III.

Property setbacks, easements and other ordinances must be adhered to and complied with in accordance with Hillsborough County Government Ordinances. ACC approval does not waive the responsibility of owners to obtain a permit if necessary for all proposed improvements.

### **DEFINITIONS**

- "ACC" shall mean the Architectural Control Committee.
- "Board" shall mean the Board of Directors of South Fork III.
- "Declaration" shall mean the Community Declaration for South Fork III.
- "Association" (as defined in the Declaration) shall mean South Fork III 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 South Fork III. In carrying out its duties, the ACC shall review all submittals to assure procedures and standards conform to design guidelines as set forth in these Community Standards and in the Declaration. The Committee shall keep records and shall maintain a file of all alteration application 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 FS 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 include, but are not limited to:

- Awnings
- Brick pavers: location and color
- Changes to the exterior color of the home (painting)
- Exterior decoration applied above garage doors and fronts of homes
- Recreational or sporting equipment
- Fences
- Flag poles and antennas
- Front door: style and/or color
- Gutters: style, color
- Items in flowerbed 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
- Home additions and exterior renovations

#### **2.02 Prohibited Items**

Certain alterations/conditions are not allowed within the Declaration without the written approval of the Board as submitted by the ACC. 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 through the Violation Procedures as amended from time to time.

- Window Air Conditioning Units
- Satellite Dishes over 39.37 in.
- 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
- Plastic or artificial flowers
- Above ground pools
- Wells and septic tanks
- Dog runs or enclosures
- Boats and docks
- Security bars

- Tree houses
- Garages converted to living spaces

### **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)

If ACC fails to respond within 30 days, the application is deemed denied.

### **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 rehearing 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**

No Material alterations, addition or modification to a Lot or Home, or material change in appearance thereof, shall be made without the prior written approval thereof being first had and obtained from the ACC as required by this Declaration.

#### **3.02 Animals/Pets**

No animals of any kind shall be raised, bred or kept within South Fork III for commercial purposes. Notwithstanding the foregoing, pets may be kept or harbored in a home only so long as such pet or animals do not constitute a nuisance. A determination by the Board that an animal or pet kept or harbored in a home is a nuisance shall be conclusive and binding on all parties. All pets shall be walked on a leash. No pet shall be permitted outside a home unless such pet is kept on a leash or within an enclosed portion of the yard of a Lot or dog park. No pet or animal shall be “tied out” on the exterior of the home or in the common areas, or left unattended in a yard or on a balcony, porch or patio. No dog runs, dog pens or dog houses are permitted on any Lot. When notice of removal of any pet is given by the Board, the pet shall be removed within forty-eight (48) hours of giving of the notice. All Pets shall defecate only in the “pet walking” areas within South Fork III designated for such purpose, if any, or on the Owner’s Lot. The person walking the pet or the Owner shall clean up all matter 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 South Fork III. Notwithstanding anything to the contrary, service dogs shall not be governed by the restriction contained in this Sections. The Association intends to enforce all pet related violations but will not be held liable for owners that choose to ignore attempts to get into compliance.

#### **3.03 Artificial Vegetation**

Except as otherwise permitted by Florida law, no artificial grass, 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.

#### **3.04 ATV’s/Dirt Bikes**

All-terrain vehicles and dirt bikes are not permitted to be driven anywhere in South Fork III. They must be stored in the garage and put on a trailer to be taken out of the neighborhood.

### **3.05 Awnings**

With prior ACC approval, awnings are permitted on the rear of the home over the Lanai and must be neutral in color and match the exterior color of the home.

### **3.06 Basketball Hoops**

**Basketball Goals:** Portable basketball goals shall be permitted only in front yards and driveways. Portable basketball goal may not be located on sidewalks, driveway aprons or streets and shall be removed and stored away when not in use, and no later than at sunset every night. Permanent basketball goals may not be attached to any structure but may be installed in the ground along the driveway on any lot. The standard [pole] must be black, the backboard must be clear, and the net must be fabricated of a rope-type material. No metal nets are permitted. No architectural or landscape lighting is permitted on any lot for the intention of lighting basketball goals for night play.

### **3.07 Bird House**

One birdhouse and/or bird feeder will be permitted on a revocable and conditional annual basis. If the house or feeder is not maintained or otherwise becomes offensive, the Architectural Control Committee (ACC) has the authority to rescind approval at any time and to require removal of the house or feeder. Birdhouse or feeder may be placed in the rear yard only and may be ground supported or suspended/mounted in a tree. The proposed location shall be at least 5 feet from the property line. If the home site is a corner lot, house or feeder may be located in the side yard common with the street right of way, not closer than 16 feet to the street pavement adjacent to the side yard and not closer than 40 feet to the street pavement adjacent to the front yard. House or feeder may not be suspended from a "street tree" on a corner lot. Ground supported or tree suspended/mounted birdhouses or feeders may not be higher than 6 feet from the ground to the top of the house or feeder. The Committee will consider the size and appearance of the birdhouse or bird feeder as appropriate to the location on a one by one basis, but in no case shall the total of width plus height plus depth of a birdhouse exceed 50 inches, with maximum dimension of 18 inches, any one side or shall the total of width plus height plus depth of a bird feeder exceed 30 inches, with maximum dimension of 18 inches, any one side. If a ground supported birdhouse or bird feeder is not located in an existing planting bed, then the homeowner shall provide and maintain a mulched area at least 2 feet in diameter at the base of the support.

### **3.08 Clotheslines**

Clotheslines may only be installed within a fenced rear yard of a Lot so long as not visible from the street or any adjacent Lot.

### **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 South Fork III. They must be parked inside a garage at all times. The exception to this is a county or government issued vehicle.

### **3.10 Community Yard Sale Events**

No personal events are permitted. The Community may at its discretion hold two (2) or more events each year. Property Management will coordinate these events with volunteers. Signage will be placed on common areas. No signage will be placed on individual property.

### **3.11 Curb Numbers**

South Fork III does not permit painted numbers on curbs.

### **3.12 Drainage**

Roof gutters and downspouts of 6-inch aluminum construction are permitted within the approved color scheme as long as approved by submitting an application to the ACC. (See Community Color Book). Downspouts shall not direct water onto common areas or neighboring property and must drain according to approved drainage plan.

### **3.13 Driveways**

All driveways must be constructed from an approved material type (i.e. pavers, concrete, etc.) Any owner changing the appearance of a driveway to pavers or complete replacement must submit an application to the ACC for summary approval. 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 front Lot line or include the sidewalk. Driveways need to remain free of grease, oil or other stains. Weeds growing through driveway pavers need to be eliminated. Driveways need to be kept free of debris. Driveway reflectors are not permitted.

All driveways should, if possible, permit a full size (20 foot) car to be parked in the driveway and not interfere with sidewalk access. Any change in size or shape of the driveway must be approved by the ACC. Extensions on either side of driveway may not exceed a combined total of four (4) feet. Only pavers are permitted to line either side of driveway.

### **3.14 Equipment**

Equipment (i.e. lawn care, car care, work equipment, etc.) is not permitted to be stored in the front of home or sides of home. Any equipment must be stored behind the home, where it is not visible from any street.

### **3.15 Exterior Finish and Colors**

Changes to exterior of home require ACC approval. All exterior colors must comply with the approved Board of Directors Community Color Book. Accent colors, not exceeding two (2) per structure, not including front door color, will be allowed. Any change of the existing color to one of the approved community color selections requires the owner to submit an application to the ACC for summary approval stating color selections. Owners wanting to repaint with existing surface colors must also submit an application to the ACC for summary approval. Stacked stone or rock alterations to a home must be chosen from the approved Community Color Book. An owner must submit an application to the ACC for summary approval stating selection. Stone or rock alterations shall be used for accents

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

### **3.16 Exterior Lighting**

Changes to exterior lighting of home require ACC approval. Coach Lights must be the same or very similar to the lights initially installed by Builder. Light fixtures must be proportionate to home. Lights must be mounted to home, left and right of garage door. Minimum height from ground to the bottom of fixture is 6 feet, maximum. Bulbs may be clear or frosted. Yellow or any other color bulbs are not approved except during the winter holiday season.

### **3.17 Fences, Walls & Screening**

All fences shall be installed and maintained in compliance with the guidelines attached hereto as Exhibit "A," Fence Styles and Specifications. No walls or fences shall be erected without prior written review and approval of the ACC. 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. **If your Home is located on a corner lot please refer to the standards as outlined in the community's specific fence standards.**

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 or 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 Fountains/Sculptures**

No fountain or sculpture may be placed on the property or in the front of the house.

### **3.19 Front Doors/Entryway**

Changes to front doors (door style or paint color) require ACC approval. Front doors may be of metal, solid wood or fiberglass and may contain glass portions that may be plain, frosted or etched. Maximum of two decorative items are permitted within the alcove or porch. Items not wall mounted are not to exceed 3 feet in height. Only one item may be wall mounted. Item must be maintained in the covered entry and not extend into the walkway. Two (2) vine trellis and (1) vine arbor are permitted with ACC approval and must not exceed 90" in height. Trellis and/or arbor material must be either metal or PVC. Trellis and/or arbor must be used in combination with living plant material. Owner must maintain such item and trim as necessary per 4.02.

### **3.20 Fruit Trees**

~~No fruit bearing trees are permitted.~~

### **3.21 Garages and Garage Doors**

Carports, unattached garages and the screening of garage doors are not allowed in South Fork III. All sections of garage doors, except the upper most section, which may contain windows, shall be of standard solid panel construction, which will conceal the contents of the garage. Garage doors shall be kept closed except when access or an activity requires them to be open.

### **3.22 Garbage Cans**

Trash collection and disposal procedures established by 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 pick-up 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 pick-up earlier than 7:00 p.m. on the day preceding the pick-up and shall return all containers to their concealed location no later 10:00 p.m. the pick-up day. Trashcan lids should be secured to avoid animals, odor, and windblown garbage from affecting adjoining homes. Each resident is responsible for picking up litter on their property and preventing windblown debris from originating from their property.

### **3.23 Garden Hoses**

Garden hose hangers or hose reels should be placed on the side of the home wherever possible and concealed from the street. Hoses must be fully retracted and hung neatly when not in use. Hangers, hose reels and hoses must be neutral in color.

### **3.24 Garden/Walkway Lighting**

Any lighting requires approval from ACC. Low voltage garden lights are permitted on the home site but only on a conditional basis. Approval may be rescinded if installation is not maintained. Lights may be placed no closer than eight inches to the edge of the bed. Lights shall not exceed twelve (12) inches in height, with white bulbs of 4, 7 or 11 watts. Lights shall be installed in a manner consistent with the purpose intended, shall not reflect into adjacent homes, and shall be maintained at all times by Homeowner.

### **3.25 Generators**

Permanently installed external propane generators may be allowed. All specifications including size, type, location, appropriate screening, etc., must be approved in writing by the ACC. Local, county & state applicable permits and approvals will be required. Such generators would only be allowed to be used during periods of electric power outages.

### **3.26 Glass Block**

The use of glass blocks on an existing home or the use of glass block in an addition to an existing home is not allowed within South Fork III.

### **3.27 Grills**

Grills must be covered and stored behind the home on patio when not in use. No cooking shall be permitted nor shall any goods or beverages be consumed on the Common Areas, except in areas designated for those purposes by Association. The Board shall have the right to prohibit or restrict the use of grills or barbecue facilities throughout South Fork III.

### **3.28 Heating and Air Conditioning Equipment**

Outdoor air conditioning units shall be placed to minimize noise to adjacent dwellings and shall be screened from view with shrubs and/or approved fencing. Refer to paragraph 3.17 for fencing approval.

### **3.29 Holiday Decorations**

Decorations may be displayed no earlier than 15 days prior to and must then be removed no later than 7 days after a holiday. These holidays include: Halloween, Valentine's Day, Easter and Independence Day. Fall decorations may be displayed no earlier than October 1 and must be removed no later than December 1st. Winter/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).

### **3.30 House Numbers**

All house numbers must be clearly readable from the street, but not so large as to be out of proportion to the structure, and compatibility to the overall design of the structure. Numbers should be between 3 - 4-inches in height. All missing house numbers must be replaced by the homeowner within 14-day notice from the Management Company.

### **3.31 Hurricane Shutters**

Any hurricane shutters or other protective devices visible from outside a Home shall be of a type as approved in writing by the ACC. Panel, accordion and roll-up style hurricane shutters may not be left closed during hurricane season (nor at any other time). Any such approved hurricane shutters may be installed or closed up to forty-eight (48) hours prior to the expected arrival of a hurricane and must be removed or opened within seventy-two (72) hours after the end of a hurricane watch or warning or as the Board may determine otherwise. Except as the Board may otherwise decide, shutters may not be closed at any time other than a storm event. Any approval by the ACC shall not be deemed an endorsement of the effectiveness of hurricane shutters.

### **3.32 Irrigation**

Due to water quality, irrigation systems may cause staining on Homes, other structures or paved areas. It is each Owner's responsibility to treat and remove any such staining.

### **3.34 Laundry**

Subject to the provisions of Section 163.04 of the Florida Statutes, to the extent applicable, no rugs, mops, or laundry of any kind, or any other similar type article, shall be shaken, hung or exposed so as to be visible outside the Home or Lot.

### **3.33 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. Any questions with regard to the interpretation of this section shall be decided by the BOD, whose decisions shall be final.

### **3.34 Painting and Cleaning**

Roofs and/or exterior surfaces and/or pavement, including but not limited to sidewalks, driveways, or lanais shall be pressure cleaned within thirty (30) days' notice by the ACC. Homes shall be repainted within forty-five (45) days of notice by the ACC.

### **3.35 Patio and Lanai Area Furniture**

Patio or Lanai furniture located in the front of the home requires ACC approval. The only acceptable furniture for patios, lanais and front porch areas is neutral outdoor furniture. Outdoor grills shall be restricted to rear lanai/patio. Indoor furniture or full size household appliances of any type shall not be placed or stored in front yards, back patios, gardens or flowerbeds of homes. No furniture of any type is allowed on driveways.

### **3.36 Play Structures**

The overall height of play sets may not exceed twelve (12) feet in height. Play structures must be crafted in wood or recycled plastic. **Aluminum or metal tubing is prohibited.** A picture and dimensions of the play sets must be submitted with the architectural application prior to approval. All play sets must be maintained. Canopies must be of earth-toned colors (i.e. tan, green, olive or brown) Applications for play structures must include a site plan clearly showing its intended placement. The structure's visual impact to neighboring home sites and/or the street must be buffered as much as possible with approved fencing or landscaping. Fence applications must be submitted in advance of installation of the fence and only current approved styles are permitted.

If the play structure will be buffered by landscape, the plant material must start at a height of thirty-six (36) inches from the ground and may not exceed seventy-two (72) inches of overall height at maturity. The landscape buffer must be maintained at a height of 72 inches at all times. The landscape buffer installation may not alter the drainage of the home site. The proposed plant material and location of landscape buffer must be submitted to the committee via application prior to installation.

### **3.37 Porches, Decks, Screen Enclosures and Patios**

All such structures must be submitted to the ACC for its approval. All structures shall have an appearance consistent with the dwelling and the community. Any porch, patio, screen enclosures or deck shall comply with existing setback governance. Porches, screen enclosures or decks, which are constructed above ground must be finished to the ground with materials compatible with the deck or the dwelling, free of mold, mildew, weeds and may be screened with landscaping.

**Screened in front porch areas are not permitted.** Screen doors are allowed on front doors upon approval of the ACC.

Screen enclosures shall be constructed with bronze or white colored aluminum supports and smoke/charcoal colored screen material. Enclosures shall not exceed the width and height of the home nor extend beyond the dwelling's existing roofline. No porches, decks, screen enclosures or patios will be allowed to have aluminum, metal, plastic or fiberglass roofs where the roof pitch is equal to or greater than 3/12 unless it will be covered by composite asphalt/fiberglass, multi-tab or dimensional shingles. Any future roof replacement costs, on approved ACC additions, shall be the responsibility of the Homeowner.

### **3.38 Potted Plant**

Decorative potted plants are limited to three (3) within the driveway area of the property and a total of five (5) for the entire front portion of the property. Any potted plant must be maintained in good repair. A decorative potted plant is defined as; a plant that has been placed with soil in a decorative flowerpot, that is made of clay, ceramic, or plastic and is kept for display and decoration.



### **3.39 Prohibited Vehicles**

No commercial vehicle, limousine, recreational vehicle, all-terrain vehicle, boat, trailer, including without limitation, boat trailers, house trailers, and trailers of every other type, kind or description, or camper, may be kept within South Fork III except in the garage of a Home. The term "commercial vehicle" shall not be deemed to include law enforcement vehicles or recreational or utility vehicles (i.e., Broncos, Blazers, Explorers, Navigators, etc.) or clean "non-working" vehicles such as pick-up trucks, vans, or cars if they are used by the Owner on a daily basis for normal transportation; provided, however, vehicles with ladders, racks, and hooks attached to such vehicles shall be "commercial vehicles" prohibited by this Section. No vehicles displaying commercial advertising shall be parked within the public view. No vehicles bearing a "for sale" sign shall be parked within the public view anywhere within South Fork III. For any Owner who drives an automobile issued by the County or other governmental entity (i.e., police cars), such automobile shall not be deemed to be a commercial vehicle and may be parked in the garage or driveway of the Lot. No vehicle shall be used as a domicile or residence either temporarily or permanently. No all-terrain vehicles (ATVs), golf carts, scooters or mini motorcycles are permitted at any time on any paved surfaces forming a part of the Common Areas. Additionally no ATV or mini motorcycle may be parked or stored within South Fork III, including any Lot, except in the garage of a Home. Notwithstanding any other provision in this Declaration to the contrary, the foregoing restrictions shall not apply to construction vehicles utilized in connection with construction, improvement, installation, or repair by Declarant, or its agents.

### **3.40 Rain Barrels**

Rain barrels require ACC approval before installation. Rain barrels need to be stored behind the home and shall not be visible from any street or adjacent Lot (e.g., within a fenced rear yard). Rain barrels must be neutral or earth-toned in color.

### **3.41 Rental of Home**

Homes may be leased only in their entirety, and no lease agreement may be for a term of less than one (1) year. Refer to Section 12.21 of the Declaration for additional restrictions.

### **3.42 Repairs**

No vehicle, which cannot operate on its own power shall remain in South Fork III for more than twelve (12) hours, except in the garage of a Home. No repair or maintenance, except emergency repair, of vehicles shall be made within South Fork III, except in the garage of a Home. No vehicles shall be stored on blocks. No tarpaulin covers on vehicles shall be permitted anywhere within the public view.

### **3.43 Required Repair**

In the event that a Home or other improvement is damaged or destroyed by casualty loss or other loss, then the Owner thereof shall commence to rebuild or repair the damaged Home or improvement in accordance with Section 14.2.2 of this Declaration. As to any such reconstruction of a destroyed Home or improvements, the same shall only be replaced as approved by the ACC. Notwithstanding anything to the contrary herein, to the extent that insurance coverage obtained and maintained by the Association covers such casualty destruction, the Owner of such damaged or destroyed Home shall not perform any activities that would negate such coverage or impair the availability of such coverage.

### **3.44 Roofs**

All changes to the roofing of your home will require prior approval from the ACC.

### **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 this 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 South Fork III. 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.

### **3.46 Security Lighting**

Security lights mounted on the home are permitted under the following conditions: Homeowner shall obtain and pay for all permits if required by local authority having jurisdiction. Security lights shall be of the simple lamp holder type and not a decorative luminary. Mount holder to the metal soffit under the eave or rake on the roof. Wall mounting not permitted. Maximum of two lamps per holder in any one location. Maximum of four locations on home. Maximum wattage per lamp shall be 150 incandescent. Lamps shall be aimed so as not to illuminate neighbor's homes. Lights shall be turned on by means of a motion detector or other security breach detector. Security Lights may not be left on throughout the night. Homeowner will have to remove if lighting becomes a nuisance to neighboring properties.

### **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 South Fork III, including without limitation, any Home or Lot, 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, removable official flag of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag. Any such permitted flags may not exceed four and one-half feet (4') by six feet (6').

Each Owner may erect one (1) freestanding flagpole 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 line. Any Owner may further display from the flagpole, one (1) official United States flag, not larger than four and one-half feet (4') by six feet (6'), and may additionally display one (1) official flag of the State of Florida or the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. Any flag pole installed in accordance with this Section is subject to all building codes, zoning setbacks, and other applicable governmental regulations, including without limitation noise and lighting ordinances in the County or municipality in which the flag pole is erected and all setback and location criteria contained in this Declaration.

Declarant is exempt from this Section; provided, further, the Declarant specifically reserves the right, for itself and its agents, employees, nominees and assigns the right, privilege and easement to construct, place and maintain upon any property within South Fork III such signs as it deems appropriate in connection with the development, improvement, construction, marketing and sale of any of the Lots. The prohibitions on signs displayed on or within vehicles contained above in this Section shall not apply to commercial vehicles such as for construction use or providing pick-up and delivery services and other commercial services.

### **3.48 Solar Heating Equipment**

The addition of any solar heating equipment must be reviewed and approved by the ACC. Solar equipment may not be installed on the front of the home or front portion of property.

### **3.49 Soliciting**

South Fork III has a "No Soliciting" policy. No handbills or flyers are permitted to be passed out in South Fork III. If you encounter solicitors, please report them to the Management Company.

### **3.50 Sports Equipment**

No recreational, playground or sports equipment shall be installed or placed within or about any portion of South Fork III without prior written consent of the ACC. No basketball backboards, skateboard ramps, or play structures will be permitted without the prior written approval by the ACC. Tree platforms of a similar nature shall not be constructed on any part of a Lot. Rules and Regulations governing basketball hoops may be adopted by the Association from time to time.

### **3.51 Swimming Pools, Spas, Whirlpools, and Hot Tubs**

No aboveground pools shall be permitted. All in-ground pools, hot tubs, spas and appurtenances installed shall require the prior written approval of the ACC. 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 cages must be of a design, color and material approved by the ACC; and (IV) pool cages shall in no event be higher than the roof line of the Home or more than one story. Pool cages 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, the community streets, or into any water bodies within South Fork III or adjoining properties.

### **3.52 Substances and Fuel**

No flammable, combustible or explosive fuel, fluid, chemical, hazardous waste, or substance shall be kept on any portion of South Fork III or within any Home or Lot, except those which are required for normal household use. All propane tanks and bottled gas for household and/or pool purposes (excluding barbecue grill tanks) must be installed underground or in a manner to be screened from view by landscaping or other materials approved by the ACC.

### **3.53 Temporary Storage Containers**

Only one POD unit or other temporary storage containers are allowed at a residence no longer than 14 days and must not be placed where it interferes with the sidewalk or roadway. Residents wishing to have a temporary storage container must notify the Management Company when the container will arrive and be picked up. Extensions to the 14-day period will be considered on a case by case basis.

### **3.54 Temporary Structures**

No structure of a temporary character, trailer, tent, or other building is permitted. Pop-up Canvas type tents or gazebos are permitted only when in use (for events, parties, gatherings) and may not be stored in yards. Residents wishing to have a temporary structure must notify the Management Company when the container will arrive and be picked up.

### **3.55 Towing**

Subject to applicable laws and ordinances, any vehicle parked in violation of these and other restrictions contained herein or in the Rules and Regulations may be towed by the Association at the sole expense of the owner of such vehicle if such vehicle remains in violation for a period of twenty-four (24) hours from the time a notice of violation is placed on the vehicle or if such a vehicle was cited for such violation within the preceding fourteen (14) day period.

### **3.56 Trailers**

Trailers (flat bed, horse, motorcycle, boat, RVs, etc.) are not permitted in public view in South Fork III. Trailers must be stored in garages and garages must remain closed.

### **3.57 Trampolines**

Trampolines require ACC approval. They must be located in the fenced rear yard of a home and must not be visible from any street.

### **3.58 Trespassing**

Each home in South Fork III is privately owned. Trespassing through side yards or backyards is not permitted. For safety reasons, parents are encouraged to keep their children out of neighboring yards. Homeowners reserve the right to notify authorities.

### **3.59 Vehicles and Parking**

All vehicles must be properly licensed with tags clearly displayed. Owners' automobiles shall be parked in the garage or driveway and shall not block the sidewalk. No vehicles of any nature shall be parked on any portion of South Fork III or a Lot except on the surfaced parking area thereof. Vehicles shall not park on the paved surfaces comprising the Common Area. To the extent South Fork III has any guest parking, Owners are prohibited from parking in such guest parking spaces. No vehicles used in business for the purpose of transporting goods, equipment and the like, shall be parked in South Fork III except during the period of a delivery. Campers and boats must be parked inside garages.

### **3.60 Vegetable Gardens**

Any type of fruit or vegetable producing plant must be submitted to the ACC prior to

planting. No plants may exceed 6 ft.; plants must be weeded and maintained. All gardens must be in back of home and screened from view.

### **3.61 Visibility on Corners**

Notwithstanding anything to the contrary in these restrictions, no obstruction to visibility at street intersections shall be permitted and such visibility clearances shall be maintained as required by the Board and governmental agencies. No vehicles, objects, fences, walls, hedges, shrubs or other planting shall be placed or permitted on a corner Lot where such obstruction would create a traffic problem.

### **3.62 Water Softeners/Conditioners**

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

### **3.63 Watercraft**

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

### **3.64 Waterways**

No owner whose Home adjoins a waterway may utilize the waterway to irrigate. The Association may use waterways for irrigation purposes. By acceptance of a deed to a home, each Owner acknowledges that the water levels of all water bodies may vary. There is no guarantee by the developer, builder, or the Association that water levels will be constant or aesthetically pleasing at any particular time. The developer and the Association shall have the right to use one or more pumps to remove water from water bodies for irrigation purposes at all times.

### **3.65 Wetlands**

Owners having homes adjoining wetlands or conservation areas are hereby put on notice that the cutting or removal of any vegetation in these areas is strictly prohibited. Answers to any questions about wetlands or conservation areas should be referred to the Association. In the event that the HOA is fined by SWFWMD due to the cutting, spraying or removal of any vegetation said fine shall be passed on to and paid by the homeowner. Once proven that the homeowner/resident is responsible for the cited violation.

### **3.66 Window Treatments**

Window treatments shall consist of drapery, blinds, decorative panels, or other window covering, and no newspaper, aluminum foil, sheets or other temporary window treatments are permitted, except for periods not exceeding one (1) week after an Owner or tenant first moves into a Home or when permanent window treatments are being cleaned or repaired. No security bars shall be placed on the windows of any Home without prior written approval of the ACC. No awnings, canopies or shutters shall be affixed to the exterior of a Home without the prior written approval of the ACC. No reflective tinting or mirror finishes on windows shall be permitted unless approved by the ACC. Window treatments facing

the street shall be of a neutral color, such as white, off-white or wood tones.

### **3.67 Window or Wall Units**

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

### **3.68 Yard Ornamentation**

Maximum of two (2) yard ornaments less than 36" in height are permitted per yard and must have ACC approval prior to installation. A picture or detailed description of the item must be submitted with the request, along with the proposed location for the structure which shall be located only in a landscaping bed and must blend in with the home. The materials and color used shall be generally subdued and in harmony with the natural surroundings of the home, lot and community. No bright colors, unusual materials offensive or obscene items will be approved. Yard ornaments may be denied for any reason without explanation. Unauthorized yard ornaments will be removed with 24 hour notice.

### **3.69 Sheds**

Sheds not exceeding six feet (6') feet in height shall only be permitted to be installed on lots that permit privacy fencing (i.e., back-to-back lots, or lots not adjacent to or abutting wetland/pond areas). No shed shall be visible from the street, from an adjacent lot, or over a privacy fence.

## **ARTICLE 4 LANDSCAPING**

### **4.01 Landscaping Builders Package**

South Fork III has a minimum install landscaping package upon completion of a home. Builders must install one of the ACC approved packages prior to offering the home for sale.

### **4.02 Landscaping Maintenance**

Changes to landscape require ACC approval. All Lots shall be landscaped in a manner that is harmonious, compatible and consistent with the overall landscaping and general appearance of the community. Each Owner shall maintain the landscaping and yard area in an attractive appearance and free from insects and diseases. Landscape maintenance shall include care of trees, shrubs, ground cover, annuals, turf grass and irrigation systems. Turf areas should be regularly cut to maintain consistent appearance of quality. All damaged plant material, including ground cover and sod, shall be removed.

Each Owner shall provide for the timely replacement of lost plants, sod or grass, bark or ground cover, and trimming and pruning of plants to prevent an overgrown look. No weeds, underbrush, refuse or other unsightly growth or objects shall be permitted to be grown or remain upon any Home.

Any tree, shrub and flowers planted within original landscape being areas (minor landscaping) are permitted without written approval by the ACC, if maintained in an attractive manner. Residents planting annuals do so with the understanding that they are responsible for upkeep and maintenance including removal of annuals when they die. Invasive plants (Brazilian pepper, melaleuca, etc.) are not permitted.

Plants and shrubs must be trimmed to a maximum of 36". Hedges may be permitted to grow up to 6' but must be maintained.

Plans to add ANY tree(s), ANY shrub(s), or ANY vegetation first requires the approval from the ACC. Plans to relocate any tree must be submitted to the ACC for approval. Each yard must contain the county mandated tree allocation refer to county code 602.12 See Approved County Tree list for trees that are Trees of Special Significance. Any hardwood/protected tree must have prior written approval from the county before submitting for ACC approval.



### **4.03 Landscape Edging**

All landscape edging must be approved by the ACC prior to installation. Approved edging for 6RXWK )RUN is:

- 1.) Professional installed concrete curbing. Colors and patterns must be submitted for approval.
- 2.) Stacked brick, block or rock edging. Colors, brick sizes, and patterns must be submitted for approval.
- 3.) Properly installed black rubber tube-type edging. Must be properly installed in ground and may not rise up. Improperly installed rubber edging will result in a violation letter.

The following materials are not permitted as in landscape edging: any type plastic, wooden, or wire, fencing. All edging types/style and color must be consistent across all visible areas of property. (I.E. mixed styles and/or colors are not permitted)

### **4.04 Bedding Coverings**

All landscaped plants should be planted with the appropriate topsoil, peat moss and fertilizer mixtures. No bare ground is acceptable. All shrubs, ground cover and tree beds shall have a 3" minimum layer of mulch.

ONLY the following types of cover are permitted as landscape bed coverings: cypress mulch, pine bark mulch, cedar mulch and pine straw. Earth toned river rock, rubber mulch, and wood mulch in other colors will be approved on a case by case basis and must be approved by the ACC prior to installation.

NOT APPROVED: inorganic material including gravel or white rock.

### **4.05 Turf**

Artificial turf will not be approved in South Fork III.

## Exhibit "A"

South Fork III Community Association, Inc.

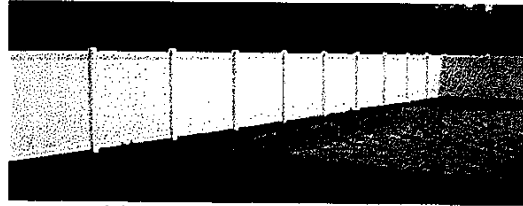
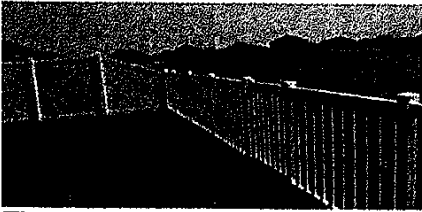
### Fence Style and Specifications

Fences within South Fork III shall be constructed with PVC Material and shall conform to the styles and specifications stated below. Wood fences are not permitted within the community.

- The first step before beginning installation of your fence is to complete an architectural application. The application must be submitted to the Architectural Review Board c/o Board of Directors with a lot survey showing the location of the proposed fence installation on the survey. **Approval may take up to 30 days to receive from the ARB. Do not begin your fence installation until you have received a written approval from the Architectural Review Board.**
- All fences shall be at a height of six feet if your home backs up to another home. If the rear of your lot faces a conservation area or pond the fence may be six feet in height up to the second to last panel of the fence on either side wherein it shall transition diagonally from six feet to four feet in one panel length and continue at a height of four feet across the rear of the lot. The four-foot section of fence across the rear of the lot shall be an open picket PVC style. Greater transitions in two panel sections may be required if visibility is hindered for another homeowner and shall be determined by the ARB.
- Fences with a rear lot line adjacent to a roadway must remain at a height of six feet at the rear lot line and tie into the fences on either side of the lot. Alleys or spaces will not be permitted.
- Only the good side of the fence may face outward. No posts or stringers may be visible from the outside of the fence.
- All fences that will abut an existing fence or perimeter wall must be installed with the final end side section graduating in height to meet the height of the existing fence or perimeter wall, leaving no gaps.
- Fence setbacks from the road shall be reviewed on a case by case basis. No fence shall be permitted to extend beyond the front corners of the house in any circumstance.
- Fences for corner lots require close coordination with the ARB due to their unique layout and concerns for vehicle visibility/safety and compliance with existing easements and county building code setback requirements. In some cases, the side of the fence facing the street may be required to be buffered with approved landscaping.
- Any and all required governmental approvals/permit fee for fence construction are the responsibility of the homeowners and must be obtained prior to construction, but after approval of the ARB. **It is the responsibility of the Owner to comply with all County and/or Association requirements, whichever is most stringent.**
- Fences may not be installed in drainage easements or wetland conservation buffer easements on any home sites within the community.

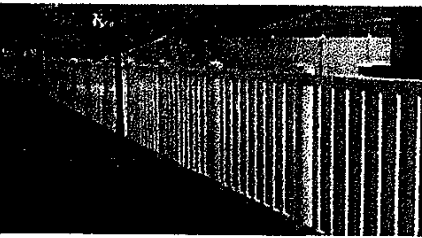
### **Solid Panel White PVC Fence – Preston style**

- 2" x 3 ½" x 95" Top Rail.
- 5" x 5" Posts.
- 72" Fence Height
- Posts Installed 36" In Ground,  
With Concrete Around Each Post.
- 5" Traditional Post Caps – no decorative finials.



The transition from 6ft to 4ft in two panel sections on either side of the fence (if it abuts a conservation area or pond) shall be accomplished by stepping the second to last panel down to a four foot height and continuing across the rear of the lot with the picket style fence as show below.

### **Lexington Picket Style Fence**



This picket fence style to be used only across the rear of the lot if it abuts a conservation area or pond. The picket fence shall not have post caps or decorative finials. The height must be 4ft.

### **Specifications – Alton Fence Style**

- 2" x 7" x 95" Bottom Rail.
- 2" x 3 ½" x 95" Top & Middle Rail.
- 1" x 1" Vertical Pickets with Picket Caps.
- 4.75" Picket Spacing.
- 3 ½" x 3 ½" or 5" x 5" Posts.
- Posts Installed 36" In Ground,  
With Concrete Around Each Post