

ARCHITECTURAL COMMITTEE

SANDPIPER POA

POLICIES & PROCEDURES

GUIDELINES TO INTERPRETATION AND APPLICATION OF THE DECLARATION OF COVENANTS AND RESTRICTIONS

These Guidelines supersede all previous instructions and directions, to clarify the Declaration of Covenants. Together they form the basis for response by the Architectural Committee to the requests submitted by the owners for any exterior changes to their homes.

I. GRANDFATHERED CHANGES

Changes in appearance to homes that occurred without specific approval, that were “GRANDFATHERED” into acceptance by the Sandpiper POA Board, will not be the criteria for approval of repeated “new” changes to additional homes, their existence does not set a precedent.

II. CHANGES THAT MAY OCCUR AND ARE NOT COVERED IN THESE GUIDELINES

ALL INTENDED CHANGES THAT ARE NOT LISTED ON THE FOLLOWING PAGES MUST BE SUBMITTED PRIOR TO PROCEEDING WITH CHANGE.

The Architectural Committee will review these Guidelines annually and any changes will be issued with the approval of the Board of Directors and new Guidelines given to all property owners.

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ARCHITECTURAL AND APPEARANCE COMMITTEE

COMPLAINT PROCEDURES

1. When a written complaint (Form AP-1/2002 Revised 3/23/20) is received, the Office staff will assign it a number, log it in and provide the Committee Chairperson (may be the POA Board member assigned to oversee the committee) with the written complaint so that the committee can verify its validity. After the investigation they will:
 - a. If the complaint is “judged” not valid, the Committee Chairperson will make a notation on the original complaint, return it to the office for filing and will report this to the committee at its next meeting.
 - b. If the complaint is judged valid, the committee chairperson will contact the homeowner. This first contact should be made by phone, text or email. A record of this contact should be kept in an on-going log. The intent of this first contact is to encourage the homeowner to agree to rectify the issue. A reasonable amount of time of 14 days to correct the issue should be allowed.
 - c. If contact cannot be made or no agreement can be reached, a letter should be sent to the homeowner explaining what must be done to correct the violation and the time allowed to correct it. A copy of the letter should be placed in the homeowner's file.
2. If the violation continues to exist and there is still no response, a second letter should be sent outlining what will happen if the violation continues to exist. This includes notice of penalties, fines and removal of privileges and rights.
3. If there is still no response or the homeowner refuses to correct the violation, the issue will be turned over to the POA Board of Directors.

ALTERATIONS REQUIRING REVIEW AND APPROVAL BY THE ACC

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

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

Alterations **requiring** approval include:

- Additions or alterations to the exterior of a home
- Awnings: fabric, solid or striped
- Driveways: Expansions, repaving and paver installations
- Exterior painting: house and or driveway
- Replacement of fascia and soffit
- Lanais: any changes such as screen to window conversions
- Major landscape changes
- Patios
- Propane Tanks
- Rain Barrels
- Relocation of Heat Pumps/Air Conditioners
- Installation of mini-split A/C – Heat Pump Systems
- Removal of trees taller than 20 feet
- Roof Replacement (Asphalt, Fiberglass shingles, Metal shingles, Standing seam not permitted)
- Satellite Dishes
- Screen Rooms

- Swimming pools and hot tubs
- Windows and Doors
- Window protection
- Installation of installed generators

Alterations which **will not** require approval are:

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

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

Reference:

Covenant, Articles V & VI

By-Laws – Article IX

ARCHITECTURAL CHANGE GUIDELINES

The following further clarifies Sandpiper's Covenant, Article V and VI and By-Laws, Article IX, that form the basis for responses by the Architectural & Appearance Committee to requests submitted by homeowners for approval of any EXTERIOR changes to their homes and / or property.

NOTE: All current building codes and property line setbacks of the City of Lakeland must be adhered to.

ALL changes to the exterior of the home require prior approval. An Architectural Change Request Form **MUST** be submitted to the Architectural Committee prior to making the change. (AR-1/2004)

I PORCHES, LANAIS, CONCRETE PATIOS

- a. All designs for lanai enclosures shall provide for a knee wall to be at least 18 inches in height and built to match the construction of the home (vinyl on the East side and stucco on the West side).
- b. Hard roof additions at Sandpiper West must be 15 feet from the rear property line and 5 feet from the side property line. Soft roof enclosures may be 5 feet from the rear and 5 feet from the side property lines.
- c. Any hard roof additions at Sandpiper East must be 20 feet from the rear of the property line and 7 feet from the side property line. Soft roof enclosures may be 5 feet from the rear and 7 feet from the side property lines.
- d. All concrete porches, slabs, driveway extensions, pathways, and/or modifications to existing concrete must be approved. This applies to any area where concrete will be permanent.

II GROUND COVER GUIDELINES

- a.) The intent of the Architectural and Appearance Committee is to maintain Sandpipers' Community standards.
- b.) River rock, gravel, mulch are to be used only for accent purposes in flowerbeds and should not be used as the primary ground cover.
- c.) Grass is to be used where grass is customarily used and river rock, mulch, and other such materials can be utilized only within beds in and around plants and bushes for decorative purposes and weed control. River rock, mulch and other such materials are not to be utilized in lieu of grass. Grass or a green substitute should be the major component of the landscape.

III RAIN BARREL GUIDELINES

- a.) Rain Barrels must be located in the rear of the house. Installation at the front of the house is not allowed.
- b.) If above ground, the rain barrel and components must be painted the same color as the body of the house.
- c.) A 50-gallon sealed barrel is the maximum size allowed and should be fitted with an overflow outlet and spigot.
- d.) If necessary, the barrel can be elevated a maximum of 18" above ground level for ease of drainage. The barrel must be properly secured to the house to prevent tipping over. A full 50-gallon barrel of rainwater will weigh in excess of 400 pounds.
- e.) Standing water will attract and breed mosquitoes, therefore all holes and gaps must be sealed.
- f.) A maximum of two barrels may be manifolded to increase capacity.
- g.) To avoid an unpleasant appearance, the rain barrel(s) should be concealed with shrubbery or a vinyl enclosure.
- h.) All system components shall be suitable for their intended use.
- i.) Larger size rain barrels, tanks, and cisterns must be installed underground.
- j.) Before installation prepare and submit an Architectural change request form with detailed plans for approval by the Architectural & Appearance Committee.

IV CONCRETE & PAVER DRIVEWAY GUIDELINES

- a.) Installations usually require city permits to assure driveway or driveway expansions are constructed to code.
- b.) A new driveway or the expansion of an existing driveway must not encroach upon the 5 feet side property line setback in Sandpiper West and the 7 feet side property line setback in Sandpiper East, according to Lakeland City Building Codes.
- c.) Parking of more than two vehicles per lot or for vehicles not used on a frequent basis shall require special arrangements.

NOTE:

* All current building codes and property line setbacks of the City of Lakeland must be adhered to.

DESIGN STANDARDS

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

- **Additions or Alterations**
 - No alterations to, or changes in the exterior appearance of the home of any property owner, including but not limited to, the addition of rooms, porches, window air conditioning units or enclosures, shall be permitted except with the prior approval of the Committee. Exterior appearance of change must match the appearance of the existing structure. Additions or alterations to block houses must be constructed with block; those on vinyl sided houses should be constructed with vinyl. Color should match the existing structure.
- **Awnings (Canvas), striped or solid**
 - The color of the awning must be compatible with the colors of the house. A color sample of the awning must be included with the approval request. Replacement of existing awnings does not need approval if the color remains the same.
- **Driveway Expansions**
 - Driveway expansion must maintain a 5-foot separation between landscape borders, trees and structures to allow access by lawn maintenance equipment. Property setback rules must be adhered to.
 - A sketch of the proposed expansion including distances from property lines and structures must be submitted with the approval request. The ACC must review all driveway expansion requests. A City permit will usually be required.
- **Exterior Painting**
 - All exterior paint colors must be approved, except for minor touch-up of the original color. This requirement applies to exterior walls, doors, shutters, driveways, trim and other appurtenant structures. Paint a small test area to ensure the color is correct. Refer to the Sandpiper Paint Guidebook.
- **Fences**
 - No perimeter fences are allowed. All fences must be approved by the ACC and no fence shall be taller than 48 inches. Fences should not be used to contain a pet in lieu of walking on a leash.
- **Lanai's**

- o Lanai's, if possible, should be in the rear yard. Lanai's may be in the side yard if a location in the rear yard is not practicable and there is insufficient set-back distance. Lanais with a hard roof in Sandpiper West must be at least 15 feet from the rear property line and 5 feet from the side property line. Lanais with a hard roof in Sandpiper East must be at least 20 feet from the rear property line and 7 feet from the side property line. Lanai's must meet the requirements of the City of Lakeland.
- **Major Landscape Changes**
 - o A sketch plan with dimensions showing the locations of the proposed changes must be submitted for review. The plan must indicate the type of landscaping proposed including all elements of the design.
 - o Grass must be the predominant coverage. Rock, gravel, mulch, and manufactured materials may be used for accent and decorative purposes. However, this usage must be modest and must not be used in lieu of grass. ACC will determine if rock or other manufactured materials are acceptable. Landscaping beds must allow a minimum clearance of 5-feet around and between landscape beds to allow passage of lawn mowing equipment.
- **Patios**
 - o Patios in Sandpiper West must be at least 5-feet from the rear property line and 5-feet from the side property line.
 - o Patios in Sandpiper East must be at least 5-feet from the rear property line and 7-feet from the side property line.
- **Relocation of Heat Pumps/Air Conditioners**
 - o Heat Pumps/Air Conditioners must not be located where they will interfere with the peaceful enjoyment of a neighbor's property. Every effort must be made to shield the units from street view.
- **Satellite Dishes**
 - o Satellite Dishes, if possible, should be located on the rear portion of the roof and may not exceed 36 inches in diameter.
- **Screen Rooms**
 - o Screen Rooms in Sandpiper West must be at least 5-feet from the rear property line and 5-feet from the side property line.
 - o Screen rooms in Sandpiper East must be at least 5-feet from the rear property line and 7-feet from the side property line.
- **Swimming Pools and Hot Tubs**
 - o Swimming Pools and Hot Tubs must comply with the building codes of the City of Lakeland.
- **Villas – Common Ground**

- o No changes, modifications or additions can be made without the written consent of the POA Board of Directors. The Villas have a mutual agreement with each Villa owner that allows them to utilize five (5) feet from their slab to plant flowers, small shrubs and other personal interest items. All requests to plant, enlarge a patio, or put in any walkways beyond the 5-feet will be directed to the POA Board of Directors.
- **Window Protection**
 - o Window Protection for homes adjacent to the golf course is allowed. The design of the protection material must be included with the approval request.
 - o Hurricane window protection systems are allowed. The specifications for the proposed system must be included with the approval request. Hurricane protection systems may only be in place during the hurricane alert, except for permanently installed hurricane screens. Plywood window coverings must be removed immediately after the storm.

USE RESTRICTIONS

- **Flags and Flagpoles**
 - o One (1) flagpole per house is allowed, with a maximum height of 25-feet and displaying no more than 2 flags, each measuring 3-feet x 5-feet maximum.
 - o Confederate flags or flags of a political or religious nature are not permitted.
- **Garbage Containers**
 - o The preferred storage location for all garbage containers is inside the garage. Containers may be stored outside in the rear of the residence, or alongside and adjacent to the residence. Measures must be taken to block their appearance from the street and the neighbors. This would usually entail concealing from 3 sides. Enclosures are to be of minimum size to conceal only the garbage containers and must not be used to store other items such as garden tools. Enclosures must be sturdily constructed and anchored so as not to fall apart or collapse during the first windstorm. Pre-made garbage container enclosures may be acceptable but must be approved by the ACC.
- **Villa Garbage Containers**
 - o Residents of villas at 6380 and 6381 Egret Drive may store garbage containers in the front of their units if the containers do not fit within the garage. The garbage containers must be concealed from view and must be sturdily constructed enclosures while not creating an impediment for

emergency service personnel in the performance of their duties. These must be placed within the extension of the homeowner's footprint.

- **Guests**

- Guests must park in the homeowner's driveway, or in designated areas with prior approval from the POA office.
- Guests may park in the street except between the hours of midnight and 6 AM. Homeowners are responsible for their guests' Conduct.
- An adult must accompany children under the age of 16 to all Sandpiper facilities.

- **Holiday Decorations and Lighting**

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

- **Appearance of Home**

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

- **Maintenance of Property**

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

- **Parking**

- Any vehicle parked in Sandpiper including those parked on driveways must display a current registration. Motor vehicles must run and be drivable. Driveways are not to be used for long-term storage of vehicles.
- Parking is not permitted on City streets within Sandpiper between the hours of Midnight and 6 AM. Violators can be ticketed and fined by City Police.

- Overnight parking in common areas is forbidden without prior approval from the POA office.
- Parking on lawns is prohibited.
- Golf carts may be parked on slabs adjacent to, or behind, the homeowner's residence.
- **Recreational Vehicles**
 - A recreational Vehicle is defined as any motorized or towed vehicle that contains sleeping and /or cooking accommodation, and provides movable living quarters, regardless of size and number of wheels and axles
 - Recreational vehicles may be parked in the driveway for a maximum of **48** hours to charge batteries, clean, load and unload the vehicle. They may not be moved to another driveway to extend the 48 hours.
 - Recreation vehicles parked in driveways may not extend into the street.
 - Travel trailers, recreation vehicles, boats and trucks may not be parked on the lawn at any time.
 - A guest may park a recreational vehicle in a resident's driveway for a maximum of 48 hours.
 - No one may sleep in a vehicle parked on a resident's property or in any common areas.
 - Repairs of motor vehicles, boats, recreational vehicles, etc. on resident's property is prohibited.
- **Pets**
 - Pets must not be allowed to run free.
 - Pets may not be placed in a pen or tied and left outdoors unattended.
 - Pets (except service animals) are not permitted in any facility recreational venue.
 - Owners are responsible for the pick-up and disposal of pet waste. It doesn't matter whose property your pet uses, you must still dispose of the waste. Pet owners are encouraged to walk their pets on common properties if possible.
 - The POA may require a resident to remove a pet from his/her property if the pet becomes a nuisance due to odor, unacceptable behavior or excessive barking.
- **Pods and Dumpsters**
 - The utilization of pods and dumpsters shall be limited solely for moving in or out of a home or for house renovation and clean-out; and not for a period of more than one week. For renovations, the ACC may determine a longer period of time if requested.
- **Signs**
 - No more than two "For Sale" or "For Rent" signs, not larger than 18 inches by 24 inches may be displayed from interior windows. If a sign cannot be

seen through the window, contact the ACC to identify an alternate location.

- A small (12 x 12" maximum) sign that states the property is protected by a security alarm system may be displayed in a front planting bed.
- A contractor may display a sign advertising their business only during the hours that workers are on site and working but must be removed at the end of the workday.
- Political signs and banners are prohibited.
- There must be no signs or advertising indicating that a business is being operated on a homeowner's or renter's property.
- **Sheds**
 - Sheds are not permitted in Sandpiper. However, a "Rubbermaid" type cabinet can be approved if located in a hidden location behind the home. Permission from the ACC is required.

APPLICATION AND REVIEW PROCESS

- According to the Covenant, Article V, the Property Owners Board of Directors will annually appoint an Architectural Control Committee. This committee will elect a chairperson, vice-chair and secretary. One member of the Board of Directors will also be present as a liaison. Minutes will be taken at every meeting.
- Any exterior changes that require review and approval by the ACC are to be made in writing on Forms AR-1/2004 and submitted to the POA office. Any surveys, contractor drawings, examples of materials, etc., that will clarify the change for the ACC will be appreciated. All requests should state when the job is expected to begin, and the homeowner should allow two weeks for approval/denial. If the change is unclear, the matter will be held over until clarification is received.
- Any exterior paint selections must be submitted in writing on Paint Request forms and submitted to the POA office. The Sandpiper Paint Color Guide should be used when choosing paint colors. Paint swatches must be submitted for ACC's clarification.

Committee Operating Procedures

The Architectural Control Committee currently meets the second and fourth Tuesday of every month in the POA conference room at 1:00 PM.

All requests will be reviewed during the ACC meetings. If any resident would like to attend, or present their proposed change, they are welcome to attend the meeting. If a request is denied, the committee will notify the resident and explain the reason for the denial. The ACC is bound by the Covenants and By-Laws and by the rules and restrictions approved by the Board of Directors. The goal of the committee is to maintain appearance standards in Sandpiper and try to achieve fairness and consistency when approving upgrades to a property.

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

The ACC will review all requests and appearance complaints made in writing to the office. At least 4 members of ACC must initial all approved requests and compliance

letters. The Board Liaison is not allowed to vote but is considered an invaluable resource for guidance with difficult cases.

A complaint must be in writing and signed (although that information will not be released). If possible, a picture should be submitted with a complaint.

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

FINES REGARDING ARCHITECTURAL VIOLATIONS

OR USE

RESTRICTION VIOLATIONS

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

- o In accordance with Florida Statutes, Section 720.305(2)(a)(b)(2017), the Board shall have the right to levy a fine of \$100.00 per day, up to a maximum of 10 days, per violation against any homeowner or any tenant, guest or invitee who violates an covenants, restrictions, rules, regulations or guidelines, including without limitation with respect to any Architectural Control Committee Standards and Guidelines as adopted or promulgated by the Board of Directors.
- o If the violation is not corrected within 30 days of written notice, the fine levied (\$100) shall be increased in accordance with the following schedule:

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

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

Fines shall not be construed to be an exclusive remedy; and shall exist in addition to all other rights and remedies to which Sandpiper Golf and Country Club may be otherwise legally entitled.