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Snapper Creek Townhouse Homeowners Association, Inc.

Architectural Control Committee (ACC) Guidelines

2008

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The guidelines are also available in Spanish as a **COURTESY ONLY**

Introduction

Today, many planned communities are essentially self-governing as Condominium Associations or Homeowners Associations. State law provides minimum standards for each but the rules of a particular association may be stronger than the state statutes, if so written.

Homeowners Associations exist for good reason. They allow for the proper maintenance of common areas and permit the enforcement of community appearance standards and rules of behavior for the common good. In communities where people live close to each other, sometimes a greater measure of respect for one's neighbor must be encouraged, in order to have peace and the quiet enjoyment of one's property. It is also desirable for planned communities consisting of town homes or other multiple dwelling units to have uniform exterior appearance standards, not only for greater harmony and beauty, but also for the more practical reason that property values are stabilized or enhanced. Our home is one of the biggest investments we make and it is desirable to have increases in value over time. Control and consistency of exterior appearance aids greatly in achieving these goals, according to real estate experts.

When we purchase in a community with an association, we have the opportunity to elect a governing board that represents us as homeowners. We also agree to abide by the rules set by that board and written down in the governing documents of the association. At Snapper Creek, there have always been committees created and authorized to assist the Board of Directors in governing the community. The Architectural Control Committee (ACC) is one of these. It receives and reviews applications for any kind of alteration or addition to the exterior appearance of a unit and makes recommendations to the Board for approval or rejection of a homeowner's application. Many owners do not understand that the ACC exists to assist them, not to make life harder. The ACC guidelines serve to spell out the options available to homeowners within the overall standards and also can reflect provisions of the Dade County Building and Zoning codes which must be observed, in any case. For example, the obtaining of neighbors permission is part of the permit process, not a special regulation of the ACC. The Association cooperates with County authorities, and in some cases, there are provisions in the Code for relaxing certain standards that might otherwise apply. Therefore, it is to the homeowners' advantage to observe proper procedures by applying to the ACC prior to obtaining a permit for an exterior improvement. Making any alterations or additions without obtaining a permit will result in fines or other action by Dade County but also by the Association, including removal of the non-conforming alteration. Prior approval by the ACC is normally a requirement for obtaining a county permit, so please visit the Association office and obtain information and forms before proceeding.

The ACC meets once each month, normally on the second Thursday at 7:30 p.m. sharp at the Clubhouse. Walk in cases are **not** permitted. Your application must be submitted to the office several days prior to a scheduled meeting in order to allow preparation of the files and agenda. However, all homeowners are invited to attend meetings whether they are on the agenda or not, so feel free to come and ask your questions or just observe the process and learn something new.

Frequently Asked Questions

What is the ACC? The Architectural Control Committee is one of two permanent advisory committees legally established in the Articles of Incorporation as well as the Declaration of Covenants, Conditions and Restrictions of the Snapper Creek Townhouse Homeowners Association, Inc. The ACC operates by and under the governing authority of the Board of Directors.

What does the ACC do? The ACC establishes standards to regulate any and all alterations and / or additions to the exterior colors, finishes, architectural details, accessory items and structures of the Townhouse units and lots and publishes guidelines for the information of homeowners.

Why is this necessary? The Board of Directors has determined that an overall harmony and consistency of appearance within the community, while still allowing for forms of individual expression, is conducive to the maintenance of property values and the common good.

How can you do this, I own my home? Snapper Creek Townhouses is a planned community subject to specific Deed Restrictions approved by the State and County that, in some cases, allow more stringent regulations than are found in the County Building and Zoning codes.

Why can't I paint my house any color I want? The quarterly maintenance fee includes an allowance whereby the Association is responsible for the periodic repainting of the exterior of the units. This is called the paint program. A palette of colors is recommended by the ACC and approved by the BOD after review and input from homeowners. The current paint program colors are uniform throughout the community. In a similar manner, the ACC provides a schedule of approved colors for such things as awnings, hurricane shutters, shingles and burglar bars.

What all does the ACC regulate? Basically, any exterior changes or additions that require a county permit also must be approved by the ACC prior to permit application. The procedures are spelled out in these guidelines. In addition, certain elements that do not require a county permit are also regulated, such as location of satellite dishes. The table of contents lists the most common things that require an ACC application. Items not listed still may be subject to review by the ACC.

How do I get ACC approval? You should read these guidelines and follow the instructions. If you have questions not addressed here, you may attend an ACC meeting and ask questions. The ACC is here to assist homeowners with required procedures. Remember, if in doubt, ask!

Why does my neighbor have a structure you won't approve for me? All applications are reviewed on an individual basis. Generally, these guidelines apply to all. In some cases, homeowners have ignored county and Association regulations and have illegally put up non-conforming structures. The Association or County may or may not have action pending against such violations, but the presence of a non-conforming addition or alteration does not set a precedent.

What if I don't bother with all this permit and approval stuff? The county code provides for homeowners to be cited for violations. If a violation is not rectified, the homeowner can be fined until the alteration or addition is removed at owner's expense. The Association has similar rules that it enforces with full force of law. The ACC cannot and does not waive the requirement for a county permit. Obtaining ACC approval and a permit is the responsibility of each homeowner or their licensed contractor.

How to Apply for ACC Approval

1) Obtain and read a copy of ACC Guidelines and application materials from the office prior to starting any projects and prior to application for Miami-Dade County permits. For most permits, the County requires a letter of approval from the Association.

2) Fill out the ACC Application Form, taking note of the items required to be submitted with the form. There is a checklist on the application form. These include:

-Copy of survey indicating location of proposed improvement

-Scaled drawings of proposed improvement, including plans, elevations and sections, as applicable. Some items only require standard details and specifications bearing a Dade County approval stamp. For other items, such as sheds, a detailed brochure may suffice.

-Persons correcting an existing violation should provide before and after photographs. Photographs of site conditions are also very helpful for the ACC to assess the nature of a proposed improvement.

-Material, color and finish specifications or samples.

-Verification of paid maintenance fee status (generally done by the office prior to preparing the ACC agenda)

-Certain improvements to properties abutting the Canal, such as fence extensions, may require additional permits from S. Florida Water Management authority.

3) Complete the Waiver of Objection form required by Dade County.

4) Submit the application materials--in duplicate-- to the Association office several days prior to the ACC meeting. You need not attend the meeting, but you are welcome to do so.

5) The ACC will review applications filed in a timely manner *prior to meetings*. Homeowners who attend the meeting will be heard first, in order of arrival. ACC members may ask questions of applicants who are present. Insufficient or incomplete information will result in deferred approval of an application until the missing information is supplied.

6) A letter of approval or denial will be sent by the office to the homeowner, following the next BOD meeting at which the ACC recommendations are reviewed.

7) The owner or contractor then takes the Association letter of approval and the Waiver of Objection form to the County Building and Zoning Department to apply for a permit, as applicable.

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1.0 Additions / Enclosed Space

Room additions of fully enclosed living space are limited to, rear yards of units and in some cases can be located inside yards of end units on large lots. Such additions must be professionally designed for architectural integration with the design of the original townhouse and must be of CBS construction or other code approved materials compatible with the original design. Roofs must be asphalt shingles for continuity with the original unit and doors and windows must be of compatible design. The roof pitch must match that of the main unit, e.g. 2 ½: 12.

The maximum size of an addition can vary, relative to the size of the lot versus the amount of coverage allowed by code. Building and Zoning authorities should be consulted in advance of architectural design for official confirmation of allowable sizes and locations, subject to any adjustments (variances) in setbacks allowed for townhouse communities.

1.1 Additions /Patio Roof

This addition is a covered roof with open sides or screening, built on site, generally with wood roof and wood or steel support posts. These improvements must be professionally designed to comply with building and zoning codes, including proper footings and / or slab. Roof covering must be asphalt shingles for continuity with the original unit and colors and finishes must conform to the paint program in effect at the time of construction. The roof pitch must match that of the main unit, e.g. 2 ½: 12. *The normal setback criteria of 20 ft., rear and 12 ft., ea., side may be adjusted, subject to a favorable variance allowed for townhouse communities. An open trellis type of roof framing is not subject to the same setbacks as a covered roof. Some owners elect to have part of their roof framing left uncovered on each side so as to allow a wider overall structure. Building and Zoning authorities should be consulted in advance of design for official confirmation of these and other criteria, as variations in site conditions may affect the criteria. Generally, these additions are limited to the rear yard.*

1.2 Screened Enclosures & Trellises - covered roof type - screened roof - trellises

This category includes pre-fab factory-built metal patio roofs with support posts and may or may not include screened sides and a screen door. Generally, the owner provides factory produced details and specifications certified as approved by M-D County. The setbacks, roof pitch and finish criteria are the same as for field built units (**1.1**) except that factory finish metal roofs are allowed. However, fascia and posts must conform to the paint program.

In addition, *screen* enclosures consisting of extruded aluminum structural members and fiberglass screening are allowed. Colors must be compatible with the paint program. Consult the zoning code for maximum sizes and setbacks--normally 2 ft minimum from property lines and not to extend beyond the wall of an end unit. These additions are generally limited to the rear yard. The top must slope to match the unit roof.

Field-built trellises of wood or metal, including code compliant footings for posts, where applicable, are allowed in some front and side and all rear yards. Trellises in the front are generally repaired or modifications of original builder designs made for historic preservation purposes. Plans must be submitted and the ACC will review trellis designs on an individual basis. Colors and finishes must conform to the paint program. The minimum size of a non - structural wood trellis component is 2"x4".

2.0 Roof Replacement / Roof Related Items

2.0 Roof replacement involves serious issues of safety, insurance and home values. Only licensed and insured roofing contractors should be hired to replace roofs. All roof replacements requires a permit and inspections. The normal roof covering in Snapper Creek is asphalt shingles of a brand and weight approved for Dade County. *Beware of non-approved shingles for sale at some box stores.* The approved colors include beige, light brown, tan, red and combinations of these tones. Gray and green are **NOT** ACC approved colors. A palette of approved colors is available for viewing at the Association office. Upon completion of a new roof, all exposed flashings, fittings, drip strip, etc. must be painted to match the unit trim color or the adjacent stucco wall color, as applicable. *In recent years, code changes have required the use of granular “slate” roll roofing on some Aspen model living room roofs having an insufficient slope for shingles. The roofing used shall be as close to the shingle color used in the same building as possible. To correct a violation, a roof coating formulated for this use may be applied to provide the required color. In some cases, the ACC may approve use of this type of paint on an upper roof-- on a temporary basis—not to exceed 6 months-- in order to prolong life and seal leaks. These applications are reviewed on an individual basis, but are discouraged, in favor of replacement of shingles. Information on approved roof coating color is available at the HOA office.*

2.1 All pre-existing soffit vents shall be maintained after any roof replacement. **Ridge ventilators** of a type and brand approved by M-D County are allowed. **Gas vents stacks** shall be installed according to county code. The presence of different heights of existing gas stacks reflects code changes. **Turbine or passive roof vents must** be located on the rear slope of roofs.

2.2 Satellite dish antennas are permitted and shall be located on the rear of units as viewed from the street wherever possible, except where technical constraints require another unobtrusive location, due to the mounting surface. **Metal tubular TV antennas** are also permitted, to be located at the rear of the units.

2.3 Skylights will be reviewed on a case by case basis. Designs should be low profile type, compatible with the design of the unit and of weather resistant materials. Installation should be by licensed roofer or carpenter experienced in this work. The new style **solar tubular skylights** are encouraged by the ACC for energy conservation. Factory details and specifications are required.

2.4 Solar energy or water heating units will be reviewed on a case by case basis, to be located on rear roof surfaces only.

2.4.1 Clotheslines In compliance with Federal regulations, clotheslines are allowed in the rear yards only and located below the fence top so as to be invisible from outside the property.

2.5 Gutters and Downspouts Gutters and downspouts are encouraged. Seamless aluminum type is preferred and should be professionally installed. **White** and factory applied colors close to the ACC paint program tones are acceptable as superior finishes. Otherwise, the components shall be painted to match the adjacent wood fascia / trim or the stucco, as applicable, so as to blend in with the units. Downspouts should have **splash blocks** installed or other measures to carry runoff away or cause it to percolate into the ground without flooding of property or common areas. Attractive **rain chains** as a substitute for downspouts off of lower roofs are acceptable if proper drainage is provided below. (**White** as approved color 4-25-2013 BOD)

2.6 Rain Barrels In view of water restrictions; the use of rain barrels is encouraged. These should be located in the rear of units to receive water from a diverted downspout.

3.0 Façade and Balcony Alterations

In general, maintaining the original exterior design of the unit **façades** has been considered desirable. However, over time, certain decorative treatments have proven difficult to maintain. Problem areas include decorative wood panels mounted on façades above windows and on the living rooms of Aspen units. The ACC is committed to working with homeowners to suggest alternative materials resistant to rot and termites and other means of mitigating removal of accent materials, such as added landscaping, hanging plants or substituting a pattern of trim strips in lieu of plywood panels. Removal of original accent panels or vertical trim strips without mitigation is unlikely to be approved and owners could be cited for taking this action without first conferring with the ACC.

3.1 Balconies the original design of some units includes a covered balcony with wood posts and horizontal rails. The ACC will review proposals to screen balconies with transparent [black, bronze or gray fiberglass] screening while retaining the original pattern of the posts and horizontal rails. Drawings are required. Enclosure of balconies with panels, solid walls, and / or operable windows or fixed glass to extend interior living space is not approvable. Balconies were designed as exterior terraces and should remain so, avoiding significant alteration of the original architectural design. A permit is required and a zoning variance may also be necessary. The committee is prepared to suggest readily available alternative materials resistant to rot and termites to homeowners needing to repair rotten or termite infested wood, in the interest of historic preservation of the original designs. However, ACC is also open to discuss alternative design approaches utilizing metal posts and vertical picket railings finished in conformity with the current paint program. Homeowners desiring to alter the original balcony design in this manner should confer with the committee in advance of proceeding with any alternations. Drawings are required. (Approved 5-26-2016 BOD)

3.2 Entry canopy as an alternative to fabric awnings, owners may construct a small solid roof canopy projecting over a front entry door. These must be constructed of materials compatible with the architecture of the unit and in compliance with codes. Applications are reviewed on a case by case basis.

4.0 Windows Replacement windows must be architecturally compatible with the unit designs. In current practice, this means that the ACC will approve designs with framing patterns that may vary from the original, due to availability. Generally, replacement windows must fit into the same openings as the originals. In cases where an additional window is requested, as on the rear walls of some units, the new window must match the original in size and placement of the new window must balance the façade. The frames of new windows must match the finish of the other window frames on the same façade. (Façade rule). Thus, the introduction of a new window with a white frame will require the refinishing of the original frames visible on the same side of the unit. Each application is reviewed on an individual basis, in advance of commencing any work. Impact type windows are permitted. Tinting film in bronze *or* gray tones is permitted. Films that create a mirror effect are not approved. *Metal foil, cardboard, plywood and similar materials may not be used to black out windows that are visible from the common areas. Tape applied to window glass in advance of storms must be removed promptly after the storm or storm threat has passed.*[6-1-09]

4.1 Burglar Bars **Burglar** bars are allowed, subject to compliance with safety codes. The bars must be of a simple design and painted to conform with the paint program in effect at the time of installation. Black and white are **not** approved colors.

5.0 Bahama Shutters Bahama style shutters have historically been used in this community and are still approved, subject to code compliance. The ACC will approve supplemental wall and window type AC units in second floor rooms if they are placed in such a way as to be screened by a Bahama shutter of appropriate size or an approved, fixed fabric awning panel of size and angle similar to the Bahama shutter. The awning must conform to ACC guidelines [7.0]. Windows altered to receive approved AC units must be neatly finished with a structurally sound material. Cardboard, plastic film and metal tapes are not approved materials for this purpose.

6.0 Hurricane Shutters Approvable shutter types that are permanently affixed to units include accordion type, Bahama style as per 5.0, Colonial style (sliding shutters). Removable panel type and plywood shutters are also allowed, but must be stored away out of sight when not in use. Fixed channels used for panel shutters must be painted to blend in with the walls. The ACC will review any new shutter styles that may be approved by Miami-Dade County in the future, on a case by case basis. All shutter applications must indicate the color and include manufacturer's details bearing a M-D County approval certification. Approved colors include bronze, ivory, beige. Note: black and white are **not** approved colors. *Note: Accordion shutters must normally be left open when occupants are in residence, unless a storm is threatening. Exception: residents who will be absent for an extended period and wish to secure their windows must notify the HOA office, which maintains a register for this purpose. Upon return, shutters must be opened.* [6-1-09]

7.0 Awnings The ACC regards awnings as a opportunity for individual expression within the overall appearance standards. Approvable awnings are made of woven acrylic fabric or similar synthetic fiber. Plastic coated fabrics are **not** approved, due to tendency to crack and mildew. Awnings made of metal strips or sheet metal or wood are not approved. The ACC approves a palette of color options compatible with the current paint program colors. A sample card is available at the HOA office for viewing. Current approved solid colors include Hunter Green, Natural, Tan, Beige, Persian Green, Verde, Taupe, Medium Bronze and **White**. Approved stripe combinations include Green / Natural and Taupe / Natural. Other colors similar to these will be reviewed on a case by case basis. Approved colors are subject to change with new paint programs. (Colors listed are generic descriptions of fabrics offered by Sunbrella under proprietary names.) Awnings are allowed over windows, entries and in rear yards. *Awnings currently do not require a M-D County permit; they are treated as "temporary structures" and thus more may occupy more rear yard space than permanent structures. Applications should include a shop drawing by the vendor and must specify an approved color. Codes specify that awning fabric must be removed from the metal frames when storms approach. Exposed metal frames must be covered as soon as possible after a storm passes. Retractable awnings are approved, but require ACC application like any other.* [6-1-09] - (**White** as approved color, BOD 4-25-2013)

7.1 Other fabric structures The tent-like "gazebos", consisting of fabric and screen over a metal frame sold at box stores, *do not require a county permit but do require ACC approval. Colors must conform to the awning palette (see 7.0, and structures must be properly maintained.* Visible structures left uncovered or in disrepair are subject to citation and may incur a fine. Canvas umbrellas of approved color are also allowed. *Decorative canvas sails or similar shapes used as shades and secured to a dwelling, tree and /or fence with ropes or cables will be reviewed on an individual basis.* [6-1-09]

The ACC will review applications for site built trellises and orchid houses utilizing shade cloth on a case by case basis and provided that such structures are not significantly visible from outside the yard or are partially screened by landscaping. *Drawings must be submitted for all non-standard structures and colors must conform to the approved awning palette. All fabric coverings, must be removed when a storm threatens, in accordance with county ordinance.* [6-1-09]

7.2 Other fabric structures defined. *For the purposes of these regulations, a factory built carport or boat shelter kit consisting of fabric fitted to a tubular frame as well as pipe frames assembled by residents and covered with a tarp are NOT considered to be awnings, gazebos, umbrellas and thus not approvable, as not compatible in scale or appearance with the residential character of our community.* [6-1-09]

7.3 Canvas Structures limit. *In addition to any approved awnings attached to the walls of a dwelling unit, each property may have up to two additional free standing canvas structures of an approved type; example: one canvas umbrella and one gazebo type shelter. Gazebos are allowed in the rear or side yards only.* [6-1-09]

8.0 Doors The ACC regards **front entry doors** as another opportunity for individual expression. While solid flush doors and panel type doors finished in a paint program color are acceptable, other styles, including natural or stained wood or simulated wood are approvable but must be properly maintained. Front doors may have decorative glass panels. A palette of accent colors compatible with the paint program is also approvable. These include Hunter Green, Gloss Black, and other shades similar to the awning colors (see 7.0) other colors may be submitted for review on a case by case basis. White is approved only as part of a coordinated façade treatment (see below). Stand-alone factory finished white replacement doors should be refinished during the next paint program. **Sliding glass doors** may be replaced by hinged doors with single or multiple glass panels (lights). Due to the current popularity of white French doors and windows, white will be approved subject to the entire door and window frames on the same façade being finished in the same color (“façade rule”). Bronze finish is also approvable. **Screen doors** are permitted on the exterior side of front entry doors, but must be of an architecturally compatible color and finish.

9.0 Storage Sheds the ACC recognizes the need for dry, secure storage outside of the living unit. This must be balanced against the appearance of obtrusive structures highly visible above the fence level. Historically, the ACC has allowed sheds to be seven ft., above grade versus the 6 ft., height of fences. Recently, fewer shed designs of this height have been marketed. Therefore, the ACC will now allow sheds not exceeding 8 ft above grade as viewed from outside the yard. No further height extensions are contemplated and sheds in excess of the new limit are in violation. Permanently installed sheds must be constructed of M-D County approved materials and tied down (anchored) in compliance with codes. ***Sheds require ACC approval prior to applying for County permit.*** Colors must be compatible with the community paint program. Sheds must be located in a side or rear yard and may not be installed to attach to or bear upon a fence. Sheds are normally installed on a 4” concrete slab. *Sheds made of molded or composite materials (plastics) larger than 24 “ x 48” by 30”h are no longer permitted by Miami-Dade County, thus not approvable by ACC.* Site-built, as opposed to pre-fab sheds will be reviewed on a case by case basis, based on professionally prepared drawings. Sheds shall not occupy more that 10% of the open space of a lot. ***A permit is required for all sheds of any type.*** [6-1-09]

9.1 Utility Enclosures Exposed washers and dryers are not allowed in any yard, including the rear. A code-compliant covered enclosure with doors, on a concrete slab--in rear yard only-- must be constructed to house any appliances of this type. Proper water supply and drainage into the sanitary sewer system is required, and must comply with codes. A permit is required.

10.0 Patios / Decks, Patios are allowed in front, side and rear yards. Patios may consist of a poured minimum 4” reinforced concrete slab, with or without tiles, pavers or stamped decorative finish; provided that all slabs stop 24” before of property lines or fence to allow proper drainage of runoff. Loose laid brick or concrete pavers laid in the sand are encouraged as an alternative allowing better percolation of rainfall into the soil. Current code does not require a permit for a poured slab. **Decks** are allowed, subject to proper pressure treated framing and concrete anchoring. Use of recycled polymer and composite wood substitutes is encouraged for easier maintenance. As for slabs, proper drainage is required. **Hot tubs and Spas** are allowed, in rear and side yards, subject to code compliant plumbing and drainage.

11.0 Fences Fences are one of the most prominent accessory structures within the community. Accordingly, uniformity of appearance adds to curb appeal. The approved standard for fences in Snapper Creek is a six foot high wood fence constructed to comply with code. This requires a pressure treated 4x4 posts set at least 2 ft below grade in concrete footings, spaced on 4 foot centers, with (3) horizontal stringers of pressure treated 2x4 wood, on the interior side, finished with dog eared pressure treated 1x6 vertical boards nailed or screwed with galvanized fasteners. NOTE: some box stores sell wood fence slats that are less than the thickness and size required by Dade County. These will fail prematurely and will not be approved. A schematic detail drawing of proper fence construction is attached to the guidelines. An approved alternative fence treatment is the “**board on board**” design which adds visual interest and strength. “**Shadowbox**” design is not approvable. All fences must be finished on the exterior with a covering stain that matches the Association current paint program. Finishing of interior fences is at the option of the homeowner. The rear fences of units fronting on lakes or interior canals may be constructed at a lower height to allow viewing of the water. [See 11.1][6-1-09]

11.1 Special Rear Fence Alternatives-- *allowed only in yards backing up to the lakes*

- A. Full height fence same as front / side fence specs--*see 11.0*
- B. Dogeared slats or board on board as specified for full fence--but max. Height = 36 inches--*see fence illustration handout attached*
- C. Increased spacing between half-height slats--up to the width of one slat (*can be less*)
- D. Shrubs / hedge *in lieu* of a fence-- kept pruned to allow visibility—*see fence illustration handout attached*

Decorative Arch / gate option allowed--already allowed in hedge or fence--see 12.0

Side fence--transition to lower rear fence is encouraged—*see fence illustration handout [6-1-09]*

Not allowed:

Metal pickets
2x2 wood pickets
Lattice
Other non-conforming designs / materials

*Note: All fences require a M-D County permit and ACC approval.
You must apply to ACC prior to erecting any fence, including those in rear yards facing the lake. Rear fences must be finished same as any others--see 11.0 Landscaping is encouraged on interior or exterior of the rear fences [6-1-09]*

The fence diagram handout is attached.

[6-1-09]

11.2 Fence Extensions, Restrictions, etc. *Side alleys* aka side access easements, whether they contain utility lines or not, were designed to provide as much open space as possible within our high density townhouse community. Therefore, effective **February 23, 2017** with the date of this resolution, fence extensions in side and/or rear side yards are prohibited, in conformity with the HOA Bylaws, Declaration of Covenants, Articles of Incorporation and Rules and Regulations. Existing fence extension, alteration or modification previously approved, before February 23, 2017 by the administration may continue in place until they fall into disrepair and/or replacement or repairs are needed. At which time the fence may not be replaced or erected at the same location and the fence must be erected/relocated to the original location not within a side and/or rear side access easement.

Front fences--Fences in front of Aspen, Rain Tree and Pines model units may NOT move forward of the living room walls. Fences in front of Birchwood models will be reviewed on an individual or case by case basis. The fence in front of Birchwood units must have a 2 feet set back from the sidewalk to the fence to allow landscaping. A photo of your unit must be provided at the time you submit the application for review. The photo will be used to identify the model of your unit.

All fences require a Miami Dade County permit after and/or prior ACC approval of application.

12.0 Gates / Solid walls / Mailboxes, etc. Gates in rear fenced yards generally follow the fence construction and appearance, but may be of decorative metal as well. Rear gates are necessary for privacy and security reasons. Front gates are optional, but provide another opportunity for individual expression. Many front gates are of **wood**, like the adjacent fence, but may have shaped tops or have an open grille design, etc. **Metal gates** are approvable, as are decorative metal or wood trellis-type **arches** framing the patio entry. **Solid walls** were original on some Aspen and other units and may replace a wood fence on similar units. The original height of a solid masonry (CBS) wall was approx. 5 ft., above grade--lower than the 6 ft., fence height. New walls must conform to the original design, but may be topped by 12" high metal buckets. Wall construction requires a county permit.

12.1 Mailboxes virtually any design approved or allowed by the US Postal Service is permitted. Decorative metal or wood in accent colors or with painted decorations allows for individual expression. Free standing mailboxes located within the unit owner's property are also acceptable.

12.2 Street Numbers Numerals may be of rustproof metal, wood or composite material, ceramic tile or similar durable materials. Fonts may vary, and sizes may also vary but must be legible from passing vehicles yet not excessive in size. Street numbers should be properly fastened to the front wall or fence and maintained in good condition by the homeowner. Colors are not regulated, but should give good contrast with the back wall.

13.0 Exterior Lighting, Decorative lighting consists of owner-provided wall mounted fixtures next to front or rear entry doors, as well as lanterns on top of gateposts or walls and including free standing decorative post lights on private property. Decorative lighting is not specified, but should be tasteful, proportionate to the setting and weather resistant. Colors should be compatible with the unit finishes. Simple, classic forms compatible with the architecture are preferable to excessively ornate designs not appropriate to the styling of the units. **Functional lighting** includes any spotlights mounted on walls or soffits so as to be visible from outside the property. Spotlights, *or so called security lights*, must be shielded to direct as much light as possible into the yard *so as* not to infringe on neighbors' privacy and peaceful use of their property. *"Shielded" means an opaque plastic or metal cowl or hood around the lamp. Fixtures with exposed reflector lamps only are not approved. [6-1-09]*

13.1 Mercury vapor lights have never been approved by the ACC. Energy efficient styles are encouraged. Replacement of existing fixtures and installation of new lighting requires a licensed electrician and may require a permit. *[6-1-09]*

14.0 Miscellaneous Included are decorative, fabric flags, banners, pennants and windsocks flying from wall mounted staffs or free standing poles on private property. These should be tasteful expressions of individuality. Flying the national flag, especially on holiday and memorial days is encouraged. Wind chimes, bird houses, and feeders are other items that may be visible within yards. All are allowed. Holiday lighting and decorations are encouraged. These should be installed for safe operation and must be removed within a reasonable period following the holiday. No ACC application is required for these items, but timely removal is essential to avoid a citation.

-end-[Revised 03-28-17]