

To: Members of The Links Homeowners Association, Inc.
From: 2006 Board of Directors
Date: August 23, 2006
Subject: Updated Architectural Guidelines and Rules and Regulations for
The Links

It has been several years since a guidance document was issued to all members of The Links Homeowners Association (HOA), Inc. An update to the previous version is being mailed herewith. This document details:

- The function of the Architectural Control Committee (ACC)
- Planned homeowner projects which require ACC approval
- The method for submission of documents to and obtaining approval for planned projects by the ACC
- Architectural guidelines and design standards for The Links
- Rules and Regulations
- Procedures for rule enforcement

This document was approved by The Links Board of Directors at a regular scheduled meeting on August 15, 2006.

The Links Homeowners Association, Inc.
Architectural Guidelines and Rules and Regulations

Introduction

All property within The Links is subject to the Declaration of Covenants, Conditions, Restrictions, and Easements (herein after referred to as the “Declaration”) as recorded in the official records of Hillsborough County, Florida in O.R. Book 7779, page 57. Prior to the commencement of construction or alteration within The Links, written approval must be obtained from the Architectural Control Committee (ACC). The ACC was created in Article V of the Declaration and is responsible for the adopting, promulgating, amending, rescinding and enforcement of the design standards of The Links.

The intent of the Declaration is to reinforce standards, enhance value, and promote the creation of a neighborhood wherein the architectural elements reflect quality construction and consistency. The purpose of the procedures and forms is to promote consistent enforcement which is congruent with the intent of the Declaration.

These procedures and forms shall not be construed to either impose any requirements in violation of applicable Federal, State, or County regulations or to eliminate or reduce any review requirements imposed by the regulations, code, ordinances, permitting requirements and procedures of Hillsborough County, Florida or any other governmental agency.

In addition to the Covenants, Conditions, and Restrictions in the Declaration, all improvements are subject to applicable Hillsborough County, Florida and State of Florida regulations as they relate to Bloomingdale, including, but not limited to:

- Bloomingdale Development Order
- Bloomingdale Master Development Plan
- Bloomingdale Master Drainage Plan
- Hillsborough County Development Review Ordinance
- Hillsborough County Zoning Regulations
- Hillsborough County Subdivision Regulations
- Hillsborough County Sign Ordinance
- Southwest Florida Water Management District
- Florida Department of Environmental Protection

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Construction or Modification to Existing Property

In order to preserve and maintain aesthetic quality, in accordance with the Declaration of the Links, each homeowner is required to obtain written permission from the Architectural Control Committee (ACC) before undertaking a building program or modification to existing property. This includes building a fence, installing a pool, repainting the exterior of your dwelling, making landscape changes, or making other such modifications to your property.

Your request must include a completed “Alteration Application” and plans for the project as detailed herein. Copies of the Alteration Application form, as included in this document, may be obtained from the Management Company or at the community website, www.thelinkshoa.com.

The request must be submitted to the Management Company for forwarding to the ACC. You will receive written approval/disapproval from the ACC within 45 days after submission. All appeals for disapproved requests should be made in writing and sent to the Management Company for forwarding to The Links Board of Directors. The Board shall respond to an appeal within 10 business days after the next scheduled Board meeting.

All requests will be reviewed for conformity and consistency of external design and general quality with the existing standards of the neighborhood. All requests must also be consistent with the Declaration for The Links.

Prior to submitting your request(s) for construction or modification, you should review the Declaration to ensure your request does not constitute a violation. Also ensure that your request is completed properly. The description must contain sufficient detail to support an accurate assessment by the ACC. Incomplete information may delay the approval process, and consequently, the completion of your project.

If you undertake construction or modification without obtaining required written approval from the ACC, you may be subject to remedies as specified in the Articles of the Declaration. Please refer to Article V, Section 6 which states that if the Board agrees there have been exterior modifications made to a property without approval, the Board shall notify the owners by certified mail giving them 15 days to correct the situation. If corrections are not made, the Association shall have and be entitled to all rights and remedies at law or in equity.

Procedures for Submission of Documents and Obtaining Approvals

No material exterior improvements or changes shall be constructed, erected, placed, altered, or permitted until plans and specifications have received approval in writing from the ACC. The following procedures have been established to facilitate quick response to submittals and to provide the homeowner with the documentation and approvals needed to be in total, legal compliance with the Declaration. Compliance with the Declaration and submittal to the ACC does not negate any requirements of municipal or other governmental agencies for approvals and/or permits.

Submissions for Improvements to Existing Home

1. The Links ACC Submission Form
2. Site Plan (Plot Plan/Survey) showing the location of exiting structures, pools, patios, trees, landscaping, etc.
3. Sketch or construction drawings showing proposed improvements and the relationship to adjacent structures
4. If applicant is a tenant, a notarized letter from the homeowner giving permission must be included in the package
5. Any additional information reasonably requested by the ACC.

Approval Procedures

1. All requests for approval must be submitted to the Management Company for consideration by the ACC. Applicants will receive written approval/disapproval within 45 days after said submittal.
2. The ACC will place any request on hold due to insufficient information. Requests placed on hold will be reviewed when the submittal is complete.
3. Appeal for Denial of Request(s): An appeal of any denial shall be made in writing to The Links Board of Directors, via the Management Company. The Board will respond to the appeal within 10 business days after the next scheduled Board meeting.
4. Changes after approval: Should the applicant/homeowner wish to alter its approved plan, he/she must make written application to the ACC, via the Management Company. Review procedures by the ACC will be as set forth above.
5. After receiving approval for modifications, work must be completed within 120 days of the date the approval was received. If the work is not completed within 120 days of approval, the homeowner must resubmit for reapproval.

ACC Guidelines and Design Standards

For the purpose of further ensuring the maintenance of The Links Community as a residential area of highest quality and standard, all improvements on each lot shall present an attractive and pleasing appearance from all sides of view. The ACC, and if necessary the Board, shall have the exclusive power and discretion to control and approve the construction, remodeling, or addition to any dwelling in the manner and to the extent set forth in the Declaration for The Links Homeowners Association.

Guidelines

1. No structure shall be commenced, erected, or maintained on any lot, nor shall any exterior addition to or alteration thereof be made until the drawings and specifications showing the nature, kind, shape, height, materials, and location of the same have been submitted in writing to the ACC (via the Management Company) for written approval.
2. Drawings and specifications shall be in such form and shall contain such information as may be reasonably required by the ACC including but not limited to:
 - a. A site plan/survey showing the location of all proposed and existing structures on the lot including building setbacks, open space, driveways, walkways, and parking spaces, including the number thereof, tree survey, and lot staked to indicate the location of any and all proposed structures.
 - b. Foundation plan.
 - c. Floor plan.
 - d. Exterior elevations of any proposed structure and alterations to existing structure(s) as they will appear after all backfilling and landscaping are completed.
 - e. Specification of materials, color scheme, lighting schemes, and other details affecting the exterior appearance of any proposed structure and alterations to existing structure(s).
 - f. Plans for landscaping and grading.

Design Standards

1. Conformity and harmony of external design and general quality with the existing standards of the neighborhood.
2. Consistency with the provisions of the Declaration of Covenants, Conditions, Restrictions and Easements of The Links Homeowners Association.
3. Stucco to be used in all places that the house builder used stucco and color to match existing house color.
4. Exterior paint colors are to be compatible with the neighborhood and must be approved by the ACC. Prior approval is needed even if painting same colors.
5. Any landscaping modifications, except within the contours of the existing beds, must be approved by the ACC prior to installation or modification, and plantings will be limited to ornamental/landscaping plants.

Rules and Regulations

1. Each lot is to be used for single-family residential purposes only. Any trade or business use of the property is prohibited. However, a private office may be maintained as long as there are no retail operations or walk-in customers.
2. A “family” shall occupy each lot. “Family” is defined as one or more persons each related to the other by blood, marriage or legal adoption or up to three persons unrelated.
3. No permanent clotheslines are permitted. Portable clotheslines must be stored in the garage when not in use and under no circumstances can they be left on the lot overnight.
4. All mailboxes shall be of masonry construction and consistent with the character of the neighborhood and dwelling. All mailboxes will be placed and maintained to complement the design of its house and the houses in the neighborhood.
5. No structure of a temporary character (e.g., trailer, garage, shed) will be allowed at any time either temporarily or permanently. Basketball hoops on freestanding poles will be allowed, however, they must not at any time block the sidewalk easement. Basketball hoops attached to the dwelling or permanent hoops will not be allowed. “Jungle gyms” will be permitted with written approval from the ACC based on location, width, height, and footprint.
6. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that two dogs, or two cats or other small common conventional household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purposes. Such household pets must not constitute a nuisance or cause unsanitary conditions. All pets must be kept on leashes when outside the home and owners are responsible for cleaning up after pets. Any pets causing or creating a nuisance or unreasonable disturbance shall be permanently removed from the property.
7. No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
8. No sign except for one professional 2-ft x 2-ft sign advertising the property for sale or rent is allowed.
9. The interior of all walls surrounding the perimeter of the subdivision installed by the Developer shall be the responsibility of the owner of the lot on which it is situated. To ensure conformity, the ACC will establish when, how, and with what materials the wall will be repaired.

10. Outdoor cooking grills, if stored on the exterior of a unit, must be properly screened from public view when not in use, either on an enclosed patio or reasonably concealed by landscaping.

11. Fuel tanks and mechanical equipment must be properly screened by landscaping so that they are not visible from neighboring lots and streets.

12. There shall be no above ground pools. The installation of a swimming pool must be approved in writing by the ACC.

13. Each owner must maintain each lot and structure, and landscaping in good repair, including the maintenance of lawn and shrubs. No vegetation on low branches of trees shall obstruct the view at street intersections. The standard lawn at The Links is St. Augustine grass.

14. No radio, television transmission, or reception antennae, or tower or dish shall be erected on any lot or structure. Notwithstanding the foregoing, satellite receiving apparatus or free-standing transmission or receiving towers between 18 inches and 39 inches will be permitted with written approval of the location by the ACC prior to installation.

15. No wall or window type air conditioning units will be allowed.

16. No trucks, trailers, campers, boats, or boat trailers, recreational vehicles, or commercial vehicles over one (1) ton capacity may be parked in any driveway or upon any lot or street for more than 48 hours. Parking permitted during this 48-hour period is only for loading, unloading, or preparing for a trip. Small vans, if used as a personal vehicle, are allowed.

17. All trash, garbage, or other materials shall be kept in containers and/or stored out of sight. Trash, recyclables, and brush shall be placed at the curb no sooner than the evening before scheduled collection.

18. Each owner is responsible for maintenance of the sidewalks in front of their lot.

19. Without the express written approval of the ACC and the written approval of Hillsborough County agencies governing same and proper County permits, no individual water supply systems will be permitted – including individual irrigation systems connected to either wells or lakes.

20. No motor vehicle or boat repair work shall be conducted on any lot in plain view.

21. All lots must have 100% coverage by underground sprinkler systems.

22. All additional landscaping, except within the contours of the existing beds, must be approved in writing by the ACC.
23. No garage can be permanently enclosed or converted to other use.
24. Modification of driveways must be approved in writing by the ACC.
25. Leasing Homes – The Management Company must be notified by homeowners when leasing their homes and furnish the name of the tenant and length of lease. Homeowners remain responsible for tenant's actions.
26. Sale of Homes – The owner is responsible for notifying the Management Company. Florida law requires the seller of a home in a Homeowners Association to furnish all Association documents to the buyer. The Association documents may be obtained from the Management Company at reproduction cost.
27. All screen enclosures must meet guidelines as established by the ACC and receive approval prior to installation.
28. No permanent awning will be permitted, except roll-up or hurricane-type shutters with written ACC approval.
29. Any additions, alterations, and/or changes that are to be made to the exterior of any home or lot must be approved in writing by the ACC. This includes paint color, even if repainting with same colors.
30. Any elevation changes must be approved in writing by the ACC.
31. No lot shall be expanded or divided to accommodate more than one building site per lot. No lot shall be subdivided or its boundary lines changed except with the prior written consent of the ACC. Proper Hillsborough County officials will also be notified.
32. Vehicles shall not be parked across sidewalks blocking pedestrian right of way.

These Rules and Regulations have been approved by the Board of Directors. They are only a synopsis and supplement for easy reference. They do not negate the Declaration of Covenants, Conditions, Restrictions and Easements for The Links Homeowners Association.

Procedures for Rule Enforcement

1. All complaints from owners must be received, in writing, by the Board of Directors through the Management Company.
2. Upon noting a violation, the Board of Directors, through the Management Company, will contact the party responsible in writing, giving them 30 days to correct the violation.
3. If not corrected within 30 days, a second notice will be sent in writing, certified mail, advising a fine may be imposed if the violation is not corrected immediately.
4. If second request is ignored, appropriate action will be taken by the Board, for example:
 - a. The Board may elect to place monetary fines on the owner for each day the violation exists and until such time the violation is corrected.
 - b. The Board may elect to contract to correct said violation and bill the owner the cost of correcting violation plus administrative costs associated with the correction of the violation.
 - c. The Board may elect to begin legal proceedings against owners with uncorrected violations and unpaid fines plus attorney fees and costs.
5. The Association will provide the affected owner with reasonable notice of the violation and a reasonable opportunity to be heard and present such evidence and/or witnesses as deemed necessary, in person and/or through representatives of such owners choosing.

Fencing Rules for The Links

Homeowners may be permitted to add fences to a Dwelling to privatize their Lot as approved by the ACC.

Homeowners are required to submit an Architectural Control Application with a copy of the land survey to indicate the placement of the fence, measurements, style, height, and photos showing the color and the fence. The Architectural Control Committee, prior to installation, shall approve the design, location and type of all proposed fences.

Once an ACC application has been submitted and approved, there shall be no deviations from the plans, specifications and location as approved by the ACC without prior written consent of the ACC; any variation from the original application must be resubmitted for approval. No work shall begin until the Homeowner has received a written approval from the ACC. If the ACC has failed to respond within 45 days from receipt of a complete application, the application is considered not approved. If work has begun prior to approval, the Homeowner may be required to return the property to its former condition at his/her own expense if this application is disapproved wholly or in part; and the Homeowner may be required to pay all legal expenses incurred.

The owner of the Lot on which the fence is located shall maintain all fences in good order, clean and in first-class condition. Should fences or the associated landscaping not be maintained as stated herein, or as required by an Architectural Control Committee approval, the Association may bring an action at law or in equity seeking enforcement of its maintenance requirements and seek the recovery of its legal fees and costs associated with the enforcement process. The board cannot hand pick who is entitled to a fence.

Fence Requirements

Material

Fences shall be constructed of wood or polyvinyl chloride, also known as PVC, only.

Color

Wood fences will be natural in color and PVC fences shall be white or off-white.

Allowed Types

Private: A full privacy fence has overlapping, shadow box, or tongue-and-groove boards.

Gate

Gates must be in the same style as the fence style as approved by the ACC.

Height

Fences will not exceed six (6) feet in height. Fences shall not exceed four (4) feet in height for lots located on a conservation area or golf course.

Front: Fences facing the front of the dwelling shall not exceed six (6) feet in height.

Side: Fences on the side of the property shall not exceed six (6) feet in height as approved by the ACC.

Rear: If the dwelling is on a standard lot with a dwelling behind it, the fence on the rear property line shall not exceed (6) feet in height.

If the dwelling is on a conservation lot or golf course, then the fence on the side and rear property line shall not exceed four (4) feet in height or omitted entirely.

Placement

Setback: Side yard fencing shall not extend beyond the front of the dwelling.

Existing fence: The new fence should attach to the existing (neighbor's) fence and preferably be in line with the existing fence.

Fence posts must be set in the ground in a minimum of 1 foot deep of concrete.

Fence posts must be on the inside if the fence is wood.

Fence Repair

All repairs must be of the same material and pattern as the existing fence unless a full replacement is done.