



Cypress Preserve of Pasco County Homeowners Association, Inc.

Rules, Regulations and Architectural Guidelines

As adopted by the Board of Directors

_____ (date)

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INTRODUCTION

To ensure that our community will always be an attractive and desirable place to live, architectural standards must be maintained. These standards are generally outlined in the Declaration of Covenants, Conditions, and Restrictions ("DCCR"), a copy of which should have been provided to each Homeowner upon the purchase of their property in the Association. The DCCR, Bylaws, Articles of Incorporation, and the Rules, Regulations and Architectural Guidelines ("Guidelines") are collectively referred to herein as "Governing Documents". These Guidelines should be used as a *supplement* to the DCCR, Bylaws, and Articles of Incorporation. It is recommended that every homeowner read the Governing Documents for a full understanding of the rules, processes, and restrictions that apply to our community.

Architectural standards benefit all residents and all residents share the responsibility to comply with, support, and contribute to them. These Rules and Guidelines are not intended to unnecessarily constrain or restrict Homeowners. Instead, the purpose of the Rules and Guidelines is to protect each Homeowner's investment and ensure that we can all take pride in our community.

The goal of these Guidelines is to provide specific, yet easy to understand guidance concerning architectural changes and other rules that may only be generally expressed in the DCCR, Bylaws, and Articles of Incorporation. As with the other Association documents, this document is intended to be a part of each Homeowner's permanent records.

We look forward to working with residents to keep Cypress Preserve an attractive community.

Sincerely,

MEMBERS OF THE BOARD OF DIRECTORS

ARCHITECTURAL CHANGE REQUEST REVIEW PROCESS

Application - Prior to beginning an exterior change or construction, including, but not limited to, changes in colors, Homeowners, if so required by the Governing Documents, shall submit an Application for the addition, alteration, or improvement to the Board of Directors (the "BOD") for approval. The Board of Directors may solicit input from the Covenants Committee (the "CC") prior to final approval. Homeowners must use the provided Architectural Change Request form (copy attached as Exhibit A) in submitting the Application. The Application must be complete for review and consideration by the Board of Directors. Incomplete Applications will be returned to the Homeowner for the required information. The BOD has sixty (60) days to review a complete Application. If an Application is returned to the Homeowner for any reason, the sixty (60) day review period will begin upon the BOD'S receipt of the revised Application. Oral requests will not be considered and may not be relied upon by any Homeowner. **If an item is not covered in the Governing Documents, the Homeowner must submit an Application prior to commencement of work.**

Voting - The BOD meets within sixty days as noted above to review and vote upon architectural change requests submitted by the Homeowners. A request is approved or denied by majority vote of those present. Decisions of the BOD generally are based upon the DCCR and these Guidelines. For unusual circumstances, for other good cause, exceptions to the Guidelines may be made without creating a precedent.

Homeowner Notification - The HOA's management company will notify the Homeowner in writing as to the decision of their request. This written reply will consist of a copy of the Application bearing approval or disapproval, an explanation of any restrictions or contingencies, or an explanation as to why the request was denied.

Approved Architectural Change Requirements - If a request is approved, the Homeowner may immediately begin to implement the change. The change must begin within 6 months and be completed within 12 months of the approval date. If the project is not begun or completed as specified, the approval is considered lapsed and the Homeowner must reapply for the change.

Approval of any change is not to be construed as approval of the structural integrity of the alteration or addition, nor does it relieve the Homeowner from acquiring the necessary permits and approvals from County or State agencies.

No alterations or additions shall be made which change the drainage patterns or cause runoff onto common areas, adjacent lots, or streets. Homeowners are responsible for any drainage or runoff damage caused by an architectural change.

Reconsideration / Appeal - With new relevant information the Homeowner may appeal the decision in writing, via the HOA's management company, within 15 days of the date on the notification letter of the decision. Any appeal to the BOD must provide information to the BOD as to how the Application for an architectural change was not reviewed in accordance with the DCCR and these Guidelines. A hearing shall be scheduled if specifically requested by the Homeowner or Board. Pending the appeal or hearing, the Board will communicate its decision in writing after deliberation at the next scheduled meeting. Neighbors and other community members who have a registered complaint concerning an Application may be notified of the request for reconsideration and/or invited to the appeal hearing.

Unapproved Changes - Homeowners will receive written notification of a violation if the Homeowner has implemented an architectural change prior to obtaining permission from the BOD, or has otherwise violated the

Governing Documents. This notification will state the violation, and, if applicable, provide a date by which the Homeowner must either: (1) bring their property back into compliance (i.e., original condition); or (2) apply for the change. If, after review of the Application the BOD denies the change, the Homeowner must bring the property into compliance in accordance with the Governing Documents, unless the Homeowner: (1) appeals the decision to the BOD, or (2) requests a hearing to reconsider its decision on the Application as set forth above. Under this circumstance, a Homeowner can request reconsideration only once per application. Homeowners who have corrected a violation and brought their property into compliance must provide written notification of the correction to the BOD.

ENFORCEMENT

It is the sincere hope and expectation of the HOA that members of the community abide willingly to these Guidelines as a demonstration of mutual respect for their neighbors and the community as a whole. However, in the event that a Homeowner does not abide by these Guidelines, the HOA is empowered by the Governing Documents to utilize numerous methods, including, but not limited to, legal action, to enforce these Guidelines. If a Homeowner is found in violation of these Guidelines, the following process will be followed:

1. The Homeowner will be sent a letter from the HOA's management company describing the violation and requesting that the Homeowner bring their property into compliance or, if applicable, submit an Application for the change to the BOD, within 30 days of the letter.
2. If, after 30 days, the Homeowner has not brought their property into compliance, submitted an Application, or provided a reasonable explanation for the delay in bringing their property into compliance, the HOA's management company shall provide the Homeowner with a second letter, sent certified mail, with the following information:
 - a. Identification of the violation;
 - b. Enforcement options open to the BOD;
 - c. Opportunity for a hearing if requested within five (5) days of sending of the second letter. If a hearing has been requested, a hearing date shall be scheduled and notice sent to Owner and any other parties; and
 - d. Opportunity to acknowledge violation within five (5) days of sending of the second letter and correct the violation, submit an Application to the BOD, or in lieu of requesting a hearing.
3. If a hearing is timely requested, it shall be held by the BOD at which hearing the owner may present any and all defenses and has the right to be represented by counsel.
4. Subsequent to the hearing or if no hearing is timely requested and the Homeowner's property is not brought into compliance by the specified date, the BOD shall review the violation and determine the enforcement options. Enforcement options open to the BOD include, but are not limited to:
 - a. Fines and/or liens on property;
 - b. Removing or correcting the violation, of which the Homeowner shall be responsible for all costs;
 - c. Arbitration and legal enforcement; and
 - d. Suspension of common area privileges.

The HOA reserves the right to inspect Homeowner property for compliance with the Governing Documents. The HOA has the right, upon resolution of the BOD, to enter upon the Homeowner's property and take steps to remove or abate the violation. Any costs incurred by the HOA for bringing a property into compliance may be assessed against the owner of the property, and a statement of the amount shall be rendered to the Homeowner. The assessment is due upon receipt. This assessment may become a lien on the lot until removed by payment. Alternately or simultaneously, the BOD may turn the matter over to legal counsel for resolution. If the court or arbiter rules in favor of the HOA, the Homeowner is obligated to pay the HOA for all legal and any additional enforcement-related costs.

ARCHITECTURAL GUIDELINES

Below are the Guidelines for the community. It is impossible to draft Guidelines which will cover all possible exterior changes. The BOD will review, on a case-by-case basis, requests that are not covered by the Guidelines. Emphasis will be placed on proper scale, materials, and impact on neighboring properties. The BOD may exempt a Homeowner from these Guidelines for unusual circumstances without creating precedent for the community at-large. For instance, given their unique location to other homes, change requests for corner lots may be reviewed on a slightly different basis than non-corner lots.

Please keep in mind that these Guidelines are a supplement to the DCCR, and are intended to add clarification to the DCCR. If a restriction speaks for itself as written in the DCCR, it might not be reiterated here.

Homeowners are responsible for obtaining all required governmental permits prior to implementing a change.

Air Conditioners/Heat Pumps

- Window air-conditioning units are strictly prohibited.
- An approved application is required for any heat pump or central air conditioner that is added to the home after original construction.
- The size of any proposed unit should be appropriate for the setting.
- Heat pumps / central air conditioners that have an approved architectural application do not require a new application for replacement as long as they are the same size, appearance, and are placed in the same location.
- There is no requirement for an approved architectural application for replacing heat pump /central air conditioning units as long as they are the same size, appearance, and are placed in the same location.

Antennae and Satellite Dishes

- An approved Application is required for the installation of all television aerial (but not radio antenna) and other devices intended to receive telecommunications signals such as direct broadcast satellite (DBS), television broadcast, and multipoint distribution service (MDS) (collectively referred to as "Antennae").
- Every effort should be made to locate the Antenna so that it is not seen from the street, and, if on the ground, installed as close to the home as possible without precluding reception of an acceptable quality signal. Landscape screening may be required as long as there is no interference with an acceptable signal.
- Antennae shall be of a standard manufacturer color, such as gray, brown, or off-white.
- Antennae situated entirely within a dwelling unit, and not visible from the exterior, are permitted without application.

Attic Ventilators

- An approved application is required for all attic ventilators not installed during original construction.
- Attic ventilators will be installed on the roof on the rear side of the house (that side facing away from the road).
- Attic ventilators will be painted flat black or a flat finish that matches the color of the roof.
- Attic ventilators will not extend more than twelve (12) inches above the roof surface and not extend above the highest point of the roof.

Awnings, Sun Trellises, Superstructures

- An approved Application, with a complete description and picture of the item, must be submitted and completed for awnings, sun trellises, and superstructures. Only awnings that are retractable will be considered.
- Fabric is the preferred material for awnings. Metal, plastic, vinyl, or other materials will generally not be approved.
- Only rear yard installations will be considered for awnings, sun trellises and superstructures.

Boats/Trailers/Trucks/RVs/Vehicle Repairs

- Boats, buses, trailers, commercial vehicles (including vans used for commercial use and vehicles displaying commercial signage), trucks (as defined by the Florida Department of Motor Vehicles and/or by common usage, except for light pick-up trucks of three quarter ton capacity or less used for non-commercial purposes), junk vehicles, unlicensed, unregistered or inoperable motor vehicles, campers, RV's, machinery or equipment of any kind of character (except for such equipment and machinery as may be reasonable, customary or usual in connection with the use and maintenance of any dwelling), or any similar items may not be stored on the common areas, driveways, or any portion of any lot for any time, other than in garages.
- Guests using campers or RV's may park such vehicle in a Homeowner's driveway for not more than eight (8) hours.
- Major vehicle renovation or repair on any property within the community is prohibited.

Doors and Windows

- An approved Application is required for any changes to exterior doors or windows. Replacement of items originally installed with similar products does not require application.

Driveways and Driveway Aprons

- Driveways and driveway aprons may not be changed in size or location and must be uniform and consistent.
- Driveways shall not be stained or colored.

Flags & Flagpoles

- American flags may be displayed in accordance with the provisions of the Federal Flag Code. When a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during hours of darkness. This means that there is either a light directly upon the flag or that there is sufficient local lighting to make the flag easily visible at night. (USC 36, Chap 10, Sec 173)
- One permanent, free standing flagpole is authorized on either front or rear lots and should be located as to minimize its impact on neighboring properties. Free standing poles can be no less than fifteen (15) feet and no more than twenty (20) feet. An architectural change application is required.
- The usual size of flag for home use and these flag poles is three feet (3') x five feet (5').
- One temporary flag pole staff, which does not exceed six (6) feet in length can be attached at an incline to the front wall or pillar of the house, does not require an architectural change application.

Fences

- An approved Application is required for all fences.

- The only allowed styles of fencing is tan pvc privacy fence, tan pvc picket fence or the black aluminum picket fence as shown in examples attached hereto as Exhibit "A".
- For lots that have a lake located behind the lot, the maximum height of the fence for the rear side yard as well as the rear yard line is four (4') feet. Lots are shown on site plan attached as Exhibit "B".
Additionally, the fence needs to transition from the panel located adjacent to the rear of the home down to the 4' height within 8' as shown on example drawing attached as Exhibit "C". The only style of fencing allowed in the side and rear of these lots will be either the tan pvc picket or black aluminum picket fence.
- Fencing shall be constructed on the property lines and enclose the entire rear yard with the exception of lots having extenuating circumstances such as an wetland line or prohibitive easement.
- Fencing must not interfere with the flow of drainage in swales or within surface drainage easements. A homeowner who installs a fence within an easement does so at their own risk and the association assumes no responsibility.
- Fencing may not be installed in a front yard.
- Corner lots may not install fencing in the utility easement along the roadway.
- Invisible pet fences are prohibited. Per the DCCR, pets are not allowed to run free for any amount of time and need to be secured to a leash whenever they are outside the dwelling.
- Fence applications shall include:
 - Site plan or other scale drawing of the property. The drawing should show the dimensions of the property and all improvements, easements, existing neighboring fences and proposed fence.
 - A drawing or photograph of the fence design, including dimensions, materials and color.

Garages

- Garage doors shall remain closed when the garage is not in use. Garage doors may not remain open overnight.
- Designs that alter the appearance of the garage require an architectural change application.

Garden Hoses

- Garden hoses in the front of the residence will be coiled neatly and contained within a box or on a hanger.
- Gardens hoses will not be left out uncoiled in the yard, or must be obscured from street view.

Generators

- An approved county permit must accompany the architectural application and a copy of the final county inspection must be submitted post-installation.
- Generators will be installed in accordance with county code and manufacturer specifications.
- Generators not installed in the rear of the home may require either landscaping, fencing or screening to screen them from view.

Grills and Fireplaces

- An approved Application is required for all permanent grills or fireplaces.
- Permanent grills or fireplaces may not exceed seven (7) feet in height and may require natural screening to obscure the view from the street.
- Temporary (moveable) grills must be stored behind the house or in the dwelling when not in use, and be of sufficient safety standoff distance from the house when in use.

Hot Tubs/Spas

- An approved Application is required for an outside hot tub or spa. The Application shall include the following information:
 - A site plan showing the location of the hot tub or spa and its relationship to existing structures, drainage, and property lines. Adequate drainage must be carefully evaluated for site selection approval.
 - Dimensions, type and color of proposed materials.
 - Proposed screening and landscaping plan.
- Hot tubs and spas shall be located only behind the dwelling on the patio.
- No more than one hot tub/spa will be permitted per property.
- Hot tubs and spas shall be of a material and color that will blend with surrounding structures.
- A childproof cover is required.
- Special soundproofing may be required because of the close proximity of homes to each other.
- Any landscaping added for buffering would need to be paid for by the applicant as well as modifications to the community irrigation system.

Hurricane Shutters

- Hurricane shutters or other protective devices visible from the outside of the dwelling require Application and approval.
- Applicant must submit the style of shutter and locations the shutters would be installed.
- Panel shutters would need to be clear. Accordion or roll-up shutters are preferred.
- Shutters may be closed or installed 48 hours prior to the expected arrival of the hurricane or upon announcement of a Hurricane Watch for Pinellas County. Shutters shall be opened or removed within 72 hours after the Hurricane Watch has been lifted.

Irrigation Systems

- An approved application is required for an irrigation system.
- Irrigation systems may not be installed in any common areas. Irrigation systems installed in any easement area are the responsibility of the homeowner and the homeowner will be responsible for any damage caused by construction in the easement area.
- Homeowners are responsible for coordinating with a neighbor that may be affected by the installation of the sprinkler system and ensuring that the installation is within their property lines.

Landscaping and Lawns

- An approved Application is required for hardscaping, brickwork, stonework, structures, etc.
- An Application is not required for placing shrubs, trees, lawn, flowers including freestanding flowerpots. The planting of hedges or rows of plants used as a blockade or screen requires an approved Application and should consider full growth and size when planting, prior to placement within the homeowner property.
- No tree, hedge or landscape feature can be placed in a location where it will obstruct sight-lines for traffic on community streets, neither at the time of planting nor as the plants grow.
- No planting or structure may interfere with any easement or the flow of any stormwater drainage.
- Lawn edging may be used in yards and shall be as unobtrusive as possible so as to not disrupt the surrounding aesthetics.
- Retaining walls require an architectural change application. Retaining walls will not interfere with drainage patterns. Generally, retaining walls will be no higher than three (3') feet.

Lawn Furniture

- All lawn furniture not maintained on a patio must be maintained within the rear yard or that portion of the lot that is screened from public view.
- Lawn furniture is not allowed to remain overnight within any front or side yard of any lot or in the common areas.
- Concrete, metal, wood or wrought iron benches not on a patio are considered lawn ornaments, and must meet the Guidelines listed under "Lawn Ornaments".
- Bench size shall be limited to one (1) bench seating up to three (3) people.

Lawn Ornaments

- An approved Application is required for any lawn ornament, potted plants/flowers, statuary, or bench. The Application must include a complete description of size, location on lot, materials, color and design. A drawing or picture should be included.
- Plastic ornaments are not allowed.
- Front and side yard ornaments are:
 - Restricted to a total of two ornaments per lot;
 - Of a color that is consistent with the house trim or of a neutral /natural color;
 - Lawn ornaments and statuary shall be no larger than one foot in height.
 - Placed in flower or shrub beds directly next to the house.
- Holiday ornaments are allowed during holiday seasons. They may be installed one month prior to the holiday and must be removed one month after the holiday. Holiday lighting must follow the Guidelines stated under "Lighting."
- Ornaments placed in the rear of the house are:
 - Restricted to a total of four (4) ornaments per lot;
 - May not exceed two (2) feet in height; and
 - Of a color consistent with the house trim or of a neutral/natural color.
- Single family birdhouses and small feeders (bird and squirrel) in the rear yard are not restricted. However, large birdhouses, bird hotels, and large decorative feeders are considered lawn ornaments and require an Application.

Lighting Exterior

- An approved Application is required if a change in style, shape, color, or positioning of existing lighting or if additional light fixtures or walkway lighting are to be installed.
- All fixtures are to be of similar color and style.
- Exterior lighting and light fixtures will be hard wired so there is no visible wiring or conduit.
- Lampposts (including globes) must have a single fixture and be no larger than seven (7) feet in height.
- An approved Application is not required if replacing an existing light fixture with one similar in size, shape, and color to an original or previously approved fixture.
- All exterior lighting will be installed so as not to shine on adjacent property or public space. The BOD may require relocation or other mitigation if such lighting is deemed to be a nuisance by the BOD.
- Permanent walkway lighting must be an inconspicuous size and design. It should not be easily noticed from the curb during daylight. Only low-level lighting will be considered. This restriction does not apply to the approved security or floodlights.

- Temporary decorative holiday and festive lighting does not require approval. However lighting shall be installed no earlier than one month prior to use and must be removed within one month after the holiday or function or by January 15th after the Christmas Holiday.
- Permanent party lights, fluorescent lights used outdoors, and large bug lights are prohibited.

Painting and Staining

- Repainting the existing color scheme of the dwellings, including, without limitation, exterior walls garage doors, shutters or trim, does not require an application for approval.
- Repainting or staining in a color different from the existing color requires an approved application.
- Applications for painting or staining must include a sample of the color.

Patios

- An approved Application is required for construction of a patio.
- Patios shall be no higher than six (6) inches above the ground and are only allowed on the rear of the dwelling.
- Materials allowed are reinforced concrete, flagstone or brick. If brick or flagstone is used, a sturdy barrier must surround the perimeter of the patio unless the brick is at ground level.
- Patios must not affect the drainage on any property.
- No additional porch/patio areas can be constructed on the front or side of the dwelling.

Play Equipment, Basketball Backboards, Play Structures, Etc.

- Play equipment such as bikes, wagons, skateboards, etc. are not allowed to remain overnight within any driveway, front yard, or side yard. Basketball backboards must be portable and stored in the garage when not in use. Trampolines are prohibited.
- An approved Application is required for permanent play structures such as play sets, swing sets, play houses, and jungle gyms. Structure should be no higher than twelve (12) feet.

Roofing

- Changes in roofing materials (from asphalt shingles) and or changes in color when roofing is replaced require an approved application.
- When replacing roofing, every effort should be made to replace the roof with matching materials.
- Villa owners are responsible for maintenance and replacement of the roofing for their individual unit. However, since only one-half of the roof can't be replaced, it is the owner's responsibility to coordinate the timing of the replacement with the attached unit property owner(s) when roof replacement is necessary. Each property owners shall only be responsible for paying for their portion of the roofing being replaced. The homeowner's association does not reserve funds for future roof replacement, this is the responsibility of the property owners.

Screened Porch

- An approved Application is required for screened porches. The Application must show the location desired as well as the color scheme selected. Roof shingles must match those on the house.
- Screened porches and steps may not protrude from the side of the home.

- Any lattice, sun shields, privacy screens, benches and other decorative items must be outlined in the Application and will be reviewed on a case by case basis.
- Screening must be of a non-rusting type.

Security Doors and Windows

- Security doors will only be allowed on rear doors and not visible from the street.
- Security windows will only be allowed on the interior and screened by curtains or blinds so that they are not visible from the outside of the home.

Sheds

- Sheds are prohibited in this community.

Solar Panels

- An approved Application is required for solar panels.
- Solar panels may only be installed on the rear roof of the house (that portion of the house facing away from the street). No solar panels will be approved that face the street.
- A picture of the proposed solar panel, dimensions, color and a plan showing where it is to be installed must be submitted with the Application.

Swimming Pools

- In ground only swimming pools require an approved Application. Submit a plan showing the location of the pool along with type of pool, proposed screen enclosure and/or required fencing around pool.
- Swimming pools may only be constructed in the rear of the home.
- Above ground swimming pools are not allowed.
- Children's wading pools in rear yards are allowed and do not require an approved application.

Vegetable Gardens

- An application is not required for vegetable and fruit gardens, but they must be placed in the rear yard and be inconspicuous from the street.

Water Features

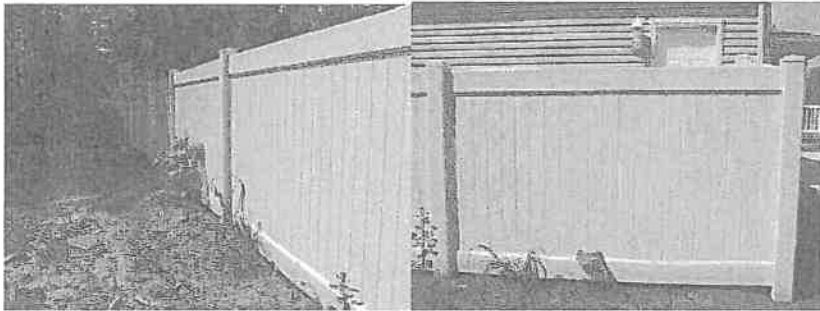
- An approved Application is required for water features (example: lily ponds, water gardens, fountains, etc.), rain barrels, bird baths, etc.
- Water features must be installed in the rear yard, and be restricted to daylight hours of operation.

Windows

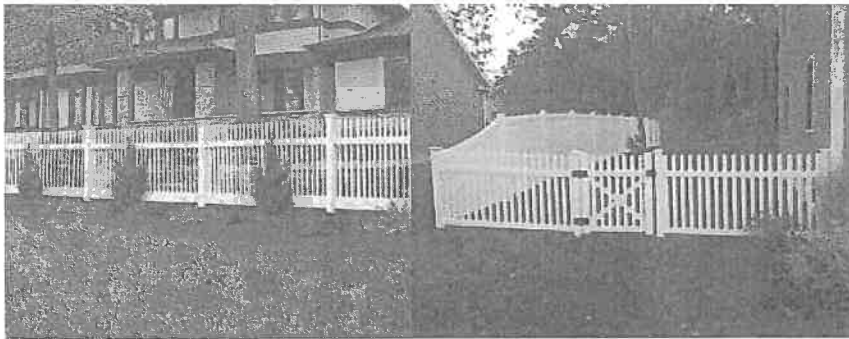
- An approved Application is required for window flower boxes.
- An approved Application is required for window film tinting. Mirrored tinting is not allowed. Specify color. If clear UV tinting is desired, an application is not required.

Examples of Approved Fence Styles:

6' Privacy – Tan PVC T&G Fence



4' Tan PVC Picket Fence



Black Aluminum Picket Fence (flat or picket top)

