

Architectural Control Committee (ACC) Guidelines JUNE 2021

This document provides Architectural Control Committee (ACC) guidelines for owners regarding alterations to and overall appearance of homes and lots. The purpose is to ensure all properties are kept attractive, outside aspects are properly maintained, and any construction follows ACC construction guidelines. It includes the most commonly requested alterations and maintenance issues affecting appearance. ACC members regularly review properties to respond to owner requests and to evaluate Restrictive Covenant issues observed. ACC approval forms are required for all the alterations enumerated below. In many cases this is only to help the ACC to monitor contractors, not project approval per se.

When Restrictive Covenant violations are noted, the ACC will normally send the owner a letter informing of the issue. The letter will ask for cooperation in resolving the violation, and state how long the owner has to comply. If the owner does not remedy the violation within that time, the matter is referred to the Board of Directors to begin the legal process to enforce the Restrictive Covenants. This follows the direction of the Architectural Control and Covenant Violations Toolkit.

The ACC operates with consistency and transparency. Consistency means that all change requests and violations are evaluated with the same current standards and over time. The same enforcement is used for the same rules. This is to ensure “fair” treatment of all owners. Transparency means that ACC members participating in a decision are identified to owners, owners may discuss planned alterations before or after submitting an application to the ACC, and all documents relating to ACC operations and decisions are available for examination by the owner. ACC violations are those observed from the sidewalk; ACC members will not enter your property searching for violations. The ACC strives to respond to owner requests within three days.

Common owner requests for alteration:

Outside painting

The ACC must approve house painting even if there is no change in base color. The ACC does require a 3 x 3 foot swatch of paint on you house to ensure the color is compatible with other houses in the community. Same color or neutral colors are always approved. The ACC may suggest selecting a color complementary with the roof. Driveway painting also requires ACC approval; this is only to ensure that sidewalks and drive aprons are not painted.

Tree removal

Prior to 2006 the ACC was very stingy when it came to approving tree removals. Following Board guidance, it wished to preserve as much “woods” as possible. Due to considerable tree damage from three hurricanes and with Board concurrence and owner fears, after 2006 the ACC changed its guidance on tree removal. Sand pines (our common short-needle pine) have shallow roots and are a danger to homes and persons. Turkey oaks are not attractive and do not add to landscape appeal. Removal of either of these or any trees that pose a potential danger to a house will usually be approved. Removal of any trees that overhang pool enclosures, are planted over a septic drain field, are very messy due to droppings or causing property damage will be approved. Hernando County must approve removal of any specimen (18" diameter) or majestic trees (36" diameter). Trees requested for removal must be marked by colored tape. The ACC may make approval dependent of the owner planting a replacement tree. Remaining stumps must be removed or ground. Owner is responsible if any HOA property is damaged by heavy equipment. Removal of dead trees is always approved (and required). The ACC will check back to ensure that stumps are properly ground to yard level.

Landscaping

All existing homes were properly landscaped with shrubs and trees before the ACC approved construction plans and before a COE was issued by the county. The ACC does require landscaping and any house with sparse or none will be asked to replant shrubs to comply.

Install a fence

Fences are allowed within certain constraints. These constraints include the height, composition and placement of fences as enumerated in the attached “Architectural Control of Fence Construction in Lake in the Woods.” These constraints may be adjusted for corner lots or lots adjacent to woods or the HOA perimeter. A schematic showing the proposed fence placement and property setbacks must be included with the ACC application form.

Replace septic drain field

Septic drain field repair may cause damage not only to owner’s lawn but to HOA property. The HOA does require an approval form to only to address these issues. The repair usually involves heavy machinery driving over the sidewalk, frequently cracking it. Owners are responsible for repairing such damage. Owners **must** also replace sod in the disturbed area. The ACC does have a separate Septic Drain Field Repair approval form.

Sinkhole repair

Sinkhole repair does not usually affect house appearance. However, the ACC does require an approval form to address potential liability issues. Specifically, the repair company must utilize visqueen under grout delivery trucks to ensure there is no oil dripping on our streets. In addition, hay bales must be installed in the curb to ensure that runoff does not enter our lakes

or drainage system. This **is in addition to** any containment devices the contractor uses. Contractors are also required to maintain a workman-like work area, cleaned up after each day. Owners are required to ensure their contractors follow these guidelines. The ACC does have a separate Sinkhole repair approval form.

Other structures

Gazebos, permanent above ground BBQ grills, planters, etc. are acceptable. These and similar additions may be approved. Gazebos must follow all set-backs. These other structures are approved on a case-by-case basis and owners are encouraged contact the ACC prior to submit a Alteration Request. Schematics and county permits may be required. Such structures must not intrude into HOA utility easements (7 ½ feet from every property line).

Common Restrictive Covenant violations:

Mildew on drives, walkways, roofs and walls

Mildew is perhaps the most prevalent and most unsightly issue affecting the appearance of homes in our community. If you as an owner notice any large patches on your property in any of the above four areas you must get them cleaned. The ACC defines "large patches" as any contiguous area of mildew larger than 100 square feet.

Poor lawns

The second most common covenant violation affecting property appearance is poor lawns. Poor lawns include lawns comprising mostly weeds and little to no lawn grass, excessive weeds, or bare spots. The ACC recognizes that all lawns contain some weeds. However, lawn areas comprising weeds or bare spots of 100 square feet or more as visible from the sidewalk are not acceptable. Any lawn that is not treated with fertilizer and weed control twice a year or not heavily watered one day per week is certain to be a poor lawn. All properties have an in-ground irrigation system. Lawns must be maintained on a regular basis or they absolutely will degrade into a poor lawn eyesore.

Weeds

Weeds in mulched or garden areas or under hedges or shrubs are unsightly and must be removed. Over-grown weeds in these areas are especially noticeable and must be controlled.

Trailer/boat storage

This has been a persistent issue. Trailers, boats and other water craft must be garaged or not stored outside on your property. Residents are allowed limited time to keep such on their property in order to accomplish cleaning, provisioning or repair. Normally, after 72 hours a Violation Notice will be issued if this time limit is exceeded.

Visible damage/junk/trash

Visible damage to outside lights or other house features must be repaired as soon as possible. Occasionally residents pile up "junk" or other trash with the intent to bring same to the dump. The ACC will ask you to remedy these violations as soon as they are identified.

Dead trees/tree stumps

You are obligated to remove dead trees and their stumps. Please complete an approval form for ACC use to monitor any damage to HOA property. If your lot backs up to an HOA border and the dead tree is within 7 1/2 feet of that border, removal is probably the obligation of the HOA.