

THOROUGHbred LAKES HOMEOWNERS
ASSOCIATION, INC.

ARCHITECTURAL CONTROL COMMITTEE (ACC)
FOR EXTERIOR CHANGES

DESIGN AND DEVELOPMENT GUIDELINES

Revised 03/27/18

**THOROUGHbred LAKES ARCHITECTURAL
CONTROL COMMITTEE DESIGN AND
DEVELOPMENT GUIDELINES**

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**THOROUGHbred LAKES
ARCHITECTURAL CONTROL COMMITTEE
DESIGN AND DEVELOPMENT GUIDELINES**

7. ARCHITECTURAL CONTROL FOR EXTERIOR CHANGES

- 7.1 Purpose- The APPROVING PARTY shall have the right to exercise architectural control over all IMPROVEMENTS, to assist in making the entire SUBJECT PROPERTY a community of high standards and aesthetic beauty. Such architectural control may include all architectural aspects of any IMPROVEMENT including, but not limited to, size, height, site planning, set-back exterior design, materials, colors, open space, landscaping, waterscaping, and aesthetic criteria.
- 7.4 OWNER to Obtain Approval- No OWNER shall make any IMPROVEMENT, and no OWNER shall apply for any governmental approval or building or other permit for any IMPROVEMENT from the APPROVING PARTY.
- 7.3 Request for Approval- Any request for approval by the APPROVING PARTY of any IMPROVEMENT shall be in writing and shall be accompanied by plans and specifications or other details as the APPROVING PARTY may deem reasonably necessary in connection with its determination as to whether or not it will approve same. The plans and specifications submitted for approval shall show the nature, kind, shape, height, materials, color, and location of all proposed IMPROVEMENTS. If the APPROVING PARTY deems the plans and specifications deficient, the APPROVING PARTY may require such further detail in the plans and specifications as the APPROVING PARTY deems necessary in connection with its approval of same, including, without limitation, floor plans, site plans, drainage plans, elevation drawings, and descriptions or samples of exterior materials and colors, and until receipt of the foregoing, the APPROVING PARTY may postpone review of any plans submitted for approval. The APPROVING PARTY shall have the right to charge a reasonable fee to any PERSON requesting architectural approval, including where applicable the fee of any architect or engineer hired by the APPROVING PARTY to review any plans or specifications, provided that the APPROVING PARTY shall not be required to use the services of any architect or engineer in connection with its exercise of architectural approval. The APPROVING PARTY shall not be obligated to review or approve any plans and specifications until such fee is paid. Approval of any request shall not be withheld in a discriminatory manner or in a manner which unreasonably prohibits the reasonable improvement of any property, but may be withheld due to aesthetic considerations.
- 7.4 Approval- The APPROVING PARTY shall notify the OWNER of its approval or disapproval or that the APPROVING PARTY requires additions to the plans and specifications or other materials, by written notice within 30 days after request for such approval is made in writing to the APPROVING PARTY, and all documents, plans and specifications, and other materials required by the APPROVING PARTY in connection with such approval have been submitted. In the event the APPROVING PARTY fails to disapprove any request within such 30 day period, the request shall be deemed approved and upon request the APPROVING PARTY shall give written

notice of such approval, provided the party requesting such approval pays any fee charged by the APPROVING PARTY in connection with the approval. In consenting to any proposed IMPROVEMENT, the APPROVING PARTY may condition such consent upon changes being made and any such approval shall be deemed a disapproval unless and is deemed to have approved, any IMPROVEMENT, the OWNER requesting approval may proceed to make the IMPROVEMENT in strict conformance with the plans and specifications approved or deemed to have been approved, subject to any conditions of the APPROVING PARTY's approval, and shall not make any material changes without the approval of the APPROVING PARTY. If the APPROVING PARTY approves any IMPROVEMENT, same shall not require the APPROVING PARTY, or any subsequent APPROVING PARTY to approve any similar IMPROVEMENT in the future, and the APPROVING PARTY shall have the right in the future to withhold approval of similar IMPROVEMENTS requested by any other OWNER.

- 7.7 Remedy for Violations- In the event this section is violated in that any IMPROVEMENT is made without first obtaining the approval of the APPROVING PARTY, or is not made in strict conformance with any approval given or deemed given by the APPROVING PARTY shall specifically have the right to injunctive relief to require the applicable OWNER to stop, remove and/or alter any IMPROVEMENT in a manner which complies with the requirements of the APPROVING PARTY, or the APPROVING PARTY may pursue any other remedy available to it. If DECLARANT is the APPROVING PARTY, then in connection with the enforcement of this section, DECLARANT shall have all of the rights of enforcement granted to the ASSOCIATION pursuant to this DECLARATION, including but not limited to the right to impose fines, and to assess and lien for costs and expenses incurred in enforcing this section, except that any fines shall be paid to the ASSOCIATION. In connection with the enforcement of this section, the APPROVING PARTY shall have the right to enter onto any LOT and make any inspection necessary to determine that the provisions of this Paragraph have been complied with. The failure of the APPROVING PARTY to object to any IMPROVEMENT prior to the completion of the IMPROVEMENT shall not constitute a waiver of the APPROVING PARTY's right to enforce the provisions of this section. Any action to enforce this Section must be commenced within 1 year after notice of the violation by the APPROVING PARTY, or within 3 years after the date of the violation, whichever occurs first. The foregoing shall be in Addition TO any other remedy set forth herein for violations of this DECLARATION to the contrary, the APPROVING PARTY shall have the exclusive authority to enforce the provisions of this Paragraph.

**FOR THE COMPLETE DOCUMENTATION FOR ARCHITECTURAL CONTROL,
PLEASE REFER TO YOUR HOMEOWNER DOCUMENTS, DECLARATION OF
COVENANTS AND RESTRICTIONS, SECTION 7.**

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POOL AND SPA

Approval Criteria:

1. All pool/spa equipment (pump, filter and heater) must be placed on the lot in a location so as not to be a disturbance to the adjoining neighbor. Also a hedge must be installed around the equipment to screen the view from the street and the adjoining neighbor.
2. There shall be no storage of material or debris during construction, which is visible from the front of the home.
3. No change in the condition of the soil or level of the land on any portion of the property shall be made which results in any permanent change in the flow or drainage of surface or subsurface water within Thoroughbred Lakes or which detrimentally affects any adjoining residence.
4. Pools must be installed below grade. No above ground pools are permitted. Above ground portable spas are permitted.
5. Access for construction shall be within the boundaries of the lot under construction. No access for any reason shall be via a common association area or a vacant developer Lot.
6. All pools and spas require an enclosure whether it is a fence or screen. Applications for this enclosure must accompany the pool-application.

Note: A \$1,000.00 security deposit check must be included with the application.
(See notes on the application form).

Approved:_____ Date:_____

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LANDSCAPING

Approved Criteria:

1. Landscape material must be consistent with others in the neighborhood and be of the type suitable for South Florida.
2. If existing trees are to be removed, they must be replaced with the same quality, quantity and size as the tree that is removed.
3. If existing shrubs are to be removed, they must be replaced with shrubs sufficient enough to complete a planting bed of the same square footage.
4. All newly planted trees should be placed on the lot in such a manner that the trees will not shed leaves onto the neighbor's property and can be trimmed and maintained without accessing the neighbor's property. All tree roots must be properly root pruned to prevent intrusion and damage to adjoining lot.
5. Hedges- no hedge (as hereinafter defined) on any Lot shall exceed five (5') feet in height and no hedges are permitted on lots adjacent to the lake. If the written consent of both Lot owners is obtained, the portion of the hedge on such side lot line may be maintained at five (5') feet. For the purpose of this rule, Dwelling Units include only air-conditioned living space. A hedge is defined as any three (3) or more plant shaving woody stems which are planted closely together and form a barrier.
6. No change in the condition of the soil or level of the land (Berming and Planting) on any portion of the property shall be made which results in any permanent change in the flow or drainage of surface or subsurface water within Thoroughbred Lakes or which detrimentally affects any adjoining residence.

Approved:_____ Date:_____

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PORCHES

Approved Criteria:

1. Porch roofs must be the "Built-Up" type (wood Frame) or conventional roof truss and tile. Aluminum roofs are not permitted within Thoroughbred Lakes.
2. Porch Materials must be of the same type and appearance as the main structure of the home i.e., stucco, fascia and tile.
3. The porch paint colors must match the existing house paint colors. The porch fascia must be painted the same color as the house fascia and the porch stucco must be painted the same color as the house stucco.

Approved: _____ Date: _____

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FENCES

Two styles of fence are currently permitted within Thoroughbred. The white PVC fence on interior home sites and on lake home sites, white aluminum railing may be permitted,

Approved Criteria:

1. Maximum Height 5'.
2. Interior fence construction method must be "Post Incorporated". Fence structure must be good both sides.
3. Both fence materials must remain natural and may not be painted or stained.
4. Both fence materials must have one (3') gate for access of lawn mowers.
5. For lake home sites, the fence may not extend into the Lake Maintenance Easement or Lake Slope Easement.

NOTE: Homes which are constructed on Zero lot lines must provide a gate in a location, which will enable the adjoining neighbor to properly maintain their. home.

Approval will remain in effect as long as the fence is maintained and in good condition-and appearance.

Approved: _____ Date: _____

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EXTERIOR REPAINT

Approved Criteria:

Approval subject to the following:

1. Colors must be in unison with other homes in the neighborhood.
2. Colors must be selected from the approved paint schemes or approved by the Architectural Control Committee.
3. Colors may not be exactly the same as a home on either side of the residence.

Note: Approval required only if the home is to be painted a color other than the color originally painted by the Developer.

To assist in the selection and approval process, the ACC shall provide a Pre-Approved Paint chart.

Approved: _____ Date: _____

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GUTTERS AND DOWNSPOUTS

Approved Criteria:

The gutters and downspouts may be white or painted to match the trim or body color of the home.

Note: Approval will remain in effect as long as the gutters and downspouts are properly maintained, i.e.; free of peeling paint and rust and properly attached to the house.

Approved: _____ Date: _____

**THOROUGHbred LAKES
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STORM SHUTIERS

Approved Criteria:

- A. Removable Panels- as installed by Declarant

Due to the fact that the storm panels are aluminum corrugated and not decorative, they may only be installed during severe weather emergencies and must be removed promptly after the emergency passes. The panels must be stored inside the home or garage.

The header and sills if removable, should also be installed only during emergencies and promptly removed after the emergency passes. In the event any tracks and/or hardware are permanently attached, they must be painted to match the existing stucco color.

NOTE: Removable panels, which meet the above criteria, may be used on all openings and on all sides of the home.

- B. Accordion (folding) shutters - may be white or a color similar to the body paint color of the home as approved by the Architectural Control Committee.

The folding slats must be of the type that when fully stacked on each side of the opening the slats total 1" per foot in thickness. The slats, which are usually aluminum, may be white or a color similar to the body paint color of the home and must be approved by the Architectural Control Committee.

Approved: _____ Date: _____

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DRIVEWAYS

Approved Criteria:

Interlocking pavers are permitted in the area between the street and the garage provided that:

1. The color of interlocking pavers must be consistent with the existing pavers.
2. No change in the condition of the soil or level of the land on any portion of the property shall be made which results in any permanent change in the flow or drainage of surface or subsurface water within Thoroughbred Lakes or which detrimentally affects any adjoining residence.

Approved: _____ Date: _____

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PATIOS AND SCREEN ENCLOSURES

Approved Criteria:

Patios-

Concrete interlocking pavers, stamped concrete and patios are permitted provided that:

1. Pavers must match existing or be submitted for approval.
2. The color of the stamped concrete must be submitted for approval.
3. Concrete must be stained and the color must be submitted for approval.
4. No change in the condition of the soil or level of the land on any portion of the property shall be made which results in any permanent change in the flow or drainage of surface or subsurface water within Thoroughbred Lakes or which detrimentally affects adjoining residence.

Screen enclosure / Front Entry Screen Enclosure –

1. The screen enclosure frame must be the same color as the existing house window frames or bronze.
2. The screen fabric material should be the same color as the existing house window screens.

Front Entry Screen Door -

1. Must be submitted for approval.

Approved: _____ Date: _____

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PLAY STRUCTURE AND SWINGSETS

All play structures and swing sets must be placed in the rear yard and out of view from the street for all standard rectangle shaped lots. Structures should be less than 10' in height or submitted for approval.

Structures must be properly maintained and in good appearance at all times.

Playstructures must be screened from the roadway view with approved natural hedging or approved fence material where appropriate.

NOTE: Photo of structure must be submitted with application and exact location noted on the survey.

Approved: _____ Date: _____

ADDITIONAL PROVISIONS

In order to preserve the values of Thoroughbred Lakes, the following additional provisions shall be applicable and are specifically addressed in the Declaration of Protective Covenants, Restrictions and Easements for Thoroughbred Lakes.

1. No Temporary Buildings. No outbuildings (including doghouses), portable buildings, temporary or accessory buildings or structures, storage buildings shall be erected, constructed or located upon any Lot for storage or otherwise.
2. Clothes Lines. No outdoor clothes drying lines or related facilities shall be allowed within any portion of the Residential Property without the prior written consent of the Board, which consent may be withheld in the sole discretion of the Board.
3. Antennas. No radio or television installation may be permitted on a Lot, which interferes with the television or radio reception of another Lot. No exterior antenna, aerial, satellite dish or other apparatus for the transmission of television, radio or other signals of any kind shall be placed, allowed or maintained upon any portion of a Lot without the prior written consent of the Board. The Board shall not prohibit or deny approval to any of the foregoing, which are not permitted to be prohibited by applicable law. Notwithstanding the foregoing, the Board shall have the right to promulgate and regulate standards and guidelines restricting or limiting the dimensions, including the diameter, height and length of any improvement and the location in which any of the foregoing improvements may be erected on the Property. If such improvement is permitted, the Board may, in its discretion, require that parallel shrubbery or other improvements, at the discretion of the Board, be installed to camouflage the presence thereof.
4. Basketball Poles. No permanent basketball poles in the front of any residential property.
5. Signs. No sign, advertisement, notice or other lettering (except street numbers in front of Lots or names and addresses on mailboxes) shall be exhibited, displayed inscribed, painted or affixed in, on or upon any part of the Property without the written consent of the Board. The Board shall have the right to prohibit any signs offering property for sale or rent, or limit the size of such sign. No owner shall cause any sign, advertisement, notice or other lettering to be affixed or attached to, hung, displayed or placed on the exterior walls, doors, patios, windows or roof, unless approved by the Board.