

TWIN PONDS SUBDIVISION  
ACC DESIGN GUIDELINES as of MAY, 2018

**\*ALL PLANS, DESIGNS, AND MATERIALS ARE SUBJECT TO THE APPROVAL OF THE ACC. NO IMPROVEMENTS OF ANY KIND SHALL BE COMMENCED WITHOUT THE WRITTEN PRE-APPROVAL OF THE ACC.**

**\* APPROVAL OF PLANS ARE SUBJECT TO BUILDER CONFIRMATION BY THE DECLARANT.**

1. A Compliance Deposit of \$1,500.00 shall be due and made payable to the Twin Ponds Subdivision Home Owners Association for any new improvement at the time the Application for Approval is submitted to the Architectural Control Committee. The Deposit shall be refunded to the home owner when construction is completed and found in compliance with all the guidelines and pre-approved plans.
2. SIZE – All dwellings shall have a 2,000 square foot minimum, exclusive of porches and garages, EXCEPT for the select lots including Lots 1, 7, 8, & 15-Block A; Lots 7, 8, 9, & 10-Block B; Lots 5, 6, 7, 10, 11, 12, 13, 14, & 15-Block C; and Lots 3, & 4-Block D. Dwellings on said Lots shall require a minimum of 1,800 square feet.
3. SETBACKS – All dwellings and structures shall adhere to the Front, Rear, and Side Setbacks as specified by the subdivision plat. No driveway shall be located nearer than one (1) foot to an interior property line.
4. Garage Doors/Openings of the primary dwelling shall be located on either the rear or side of the home. The door/opening of a detached structure may be front facing as long as the structure is located at least 10 feet back from the front corner of the primary dwelling.
5. Any detached structure or outbuilding shall be constructed in a manner and with the same materials approved by the ACC as to match the dwelling.
6. Headwalls are required at the end of every driveway that requires a culvert and shall be constructed of brick, stone, or stucco, as approved by the ACC, in a manner that matches the design of the dwelling.
7. All mailboxes must be constructed of a material in a manner that compliments and matches the design of the dwelling as approved by the ACC.
8. Brick, stone, stucco and fiber cement board such as James Hardie and Nichiha are acceptable siding materials. Vinyl siding is NOT permitted.
9. The front façade of each home shall have a minimum of 1/3 of its surface square foot area in either brick, stone, or a combination of the two. Cultured or manufactured stone may be acceptable upon approval by the ACC.
10. Air conditioner and trash receptacles shall be screened from view from the street in a manner that compliments the design and materials of the dwelling and is approved by the ACC. Pool pumps and equipment should be screened as well.
11. All propane and septic tanks shall be buried and unexposed.
12. Fences located within the property lines shall have a height between 3'-4'. Privacy fences not to exceed 6'-8', shall not be allowed along any street frontages, or front or side property lines, except where the fence is 10' or more behind the face of the principal dwelling. Privacy fences are not allowed on any Pond or Lake lots. NO chain link fences are allowed.
13. A minimum amount of sod and landscaping, as determined by the ACC per lot, is required to comply with the ACC to complete the home and request a refund of the compliance deposit.
14. Construction of the home, including landscaping, driveways and walks, must be completed within twelve (12) months of ground breaking.
15. **NO MOBILE, MANUFACTURED, MODULAR, or SYSTEM BUILT HOMES OR STRUCTURES PERMITTED. ALL HOMES AND STRUCTURES MUST BE "STICK BUILT" ON-SITE AND BE DEEMED BY THE ACC TO BE IN HARMONY WITH THE REST OF THE SUBDIVISION.**

Application for Approval of the  
TWIN PONDS SUBDIVISION  
Architectural Control Committee

Lot \_\_\_\_\_ Block \_\_\_\_\_ Date Plans Submitted \_\_\_\_\_

Property Owner Information:

Name \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Builder Information:

Business Name \_\_\_\_\_ License # \_\_\_\_\_

Address \_\_\_\_\_ Zip Code \_\_\_\_\_

Contact Name \_\_\_\_\_ Phone Number \_\_\_\_\_

Required Submissions Attached:

\_\_\_\_\_ Architectural Guideline Compliance Deposit of \$1,500.00/Check # \_\_\_\_\_  
(Made payable to Twin Ponds Subdivision Home Owners Association)

\_\_\_\_\_ Complete sets of Home & Site Plans as described in the attached instructions  
(Plans should be to scale)

\_\_\_\_\_ Product & Material Samples for all Exterior Elements & Paint Colors w/accompanying list  
describing the product and location to be used.  
(Samples will be returned to owner after ACC review)

\_\_\_\_\_ Copy of Builder's License & Workers Comp and Liability Insurance

ALL APPLICATIONS/SUBMISSIONS & DEPOSITS SHOULD BE DELIVERED TO:

Architectural Control Committee Chair – Tom Vieth  
c/o Danny Hayes  
Kirby Management  
3968 N. Monroe St.  
Tallahassee, FL 32308  
(850) 562-8708  
KirbyManager@gmail.com

The undersigned hereby acknowledges receipt of the Twin Ponds Subdivision Design Guidelines, as well as the Declaration of Covenants, Conditions and Restrictions for the Twin Ponds Subdivision, and grants permission for the Architectural Control Committee to enter the premises for the purposes of inspecting the lot and construction, and to conduct a final inspection.

LOT # \_\_\_\_\_, BLOCK \_\_\_\_\_

PROPERTY OWNER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PROPERTY OWNER PRINTED NAME: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ EMAIL: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

BUILDER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

BUILDER PRINTED NAME: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ EMAIL: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

## APPLICATION PROCEDURE

Each applicant shall submit an application to the Architectural Control Committee (ACC) with respect to any proposed improvement or material change in an improvement, together with the required information and fee as established by the ACC. The application shall include such information as may be required by the application form adopted by the ACC.

1. The applicant shall submit all documents listed below to the ACC:
  - $\frac{1}{4}$ " scale elevations (all) showing:
    - A. All exterior openings
    - B. Exterior finishes and materials
    - C. Finished floor elevations, ceiling heights, exterior grade, eaves, roof ridges and pitch, (all dimensioned)
  - $\frac{1}{4}$ " scale floor plan showing:
    - A. All rooms, porches, landings, stairs, windows, exterior doors with swing, overhangs of floors and roofs shown in dash lines
  - Typical wall section at  $\frac{3}{4}$ " scale showing:
    - A. Floor and ceiling heights, foundation, floor, wall and roof, window head and sill heights, porch foundation, wall, pier screening, deck and framing, ceiling trim, columns, railings, eaves and roof (porches included), roof pitches, interior and exterior finishes and materials
  - $\frac{1}{16}$ " or 1" to 30' scale site and grading plans with or showing:
    - A. North arrow
    - B. Accurate dimensioned property lines and dimensioned footprint of home and distance between proposed structures and property lines
    - C. All easements, setbacks, utilities, curb inlets, driveways, sidewalks, streetlights, buildings, structures, pools, fences, erosion control, drainage improvements, roof overhang (dash lines)
    - D. Existing one foot contours, proposed changes to grades
  - Preliminary tree survey showing:
    - A. All trees with 6" or greater caliper including trees that encroach
    - B. Tree protection and removal plan
  - Preliminary landscape plan – minimum  $\frac{1}{8}$ " scale showing:
    - A. Landscaped areas including species, quantity and size
    - B. Hardscape areas including driveways, walks and pools
    - C. Fences, mailboxes and headwalls with dimensions, materials and design
    - D. Location of all exterior equipment including electrical meter, air conditioning condenser, propane tank, pool equipment, trash and recycle containers
    - E. Location of septic tanks and drain fields

- Exterior details (including finishes and materials) showing:
  - A. Eave and cornice detail
  - B. Chimney details
  - C. Column details
  - D. Porch and railing details
  - E. Window head, sill and jamb details
  - F. Door and door frame details
- Product and material samples for all exterior elements and proposed colors.
- A proposed time schedule for completion, all as reasonably specified by the ACC
- Copy of septic tank permits when issued

2. Architectural Guideline Compliance Deposit:

At the time of submission of the preliminary plans, the sum of \$1,500.00 shall be required to be deposited with the Twin Ponds Subdivision Home Owners Association to assure completion of the plans as approved.

3. ACC Response to Application:

No later than thirty (30) days after receipt of all information required by the ACC for final review, the ACC shall approve or deny the application in writing. The ACC shall have the right to refuse to approve any plans and specifications which are not suitable or desirable, in its sole discretion, for aesthetic or any other reasons, or to impose qualifications and conditions thereon. In approving or disapproving such plans and specifications, the ACC shall consider the suitability and aesthetics of the proposed improvements, the materials of which the improvements are to be built, the site upon which the improvements are proposed to be erected, harmony with the surrounding area, and the effect on adjacent or neighboring property. In the event the ACC fails to respond within thirty (30) days, the plans and specifications will be deemed approved if written notice by the applicant has been given to the ACC stating that no action was taken for thirty (30) days and requesting immediate action within ten (10) days, and the ACC fails to approve or disapprove within said ten (10) day period.

Construction of all improvements shall be completed within the time period set forth in the application and approved by the ACC, not to exceed 12 months.

4. Resubmission:

- A. In the event that the ACC disapproves any plans and specifications, the applicant may request a rehearing by the ACC to re-review the disapproved plans and specifications and to suggest modifications necessary to make the proposed plans compliant with the intention of the Twin Ponds Subdivision Design Guidelines. The meeting shall take place no later than twenty (20) days after written request for such meeting is received by the ACC, unless applicant waives this time requirement in writing. The ACC shall make a final written decision no later than thirty (30) days after such meeting.

- B. Upon continued disapproval, and unless the members of the Board and ACC are the same, the applicant may appeal the decision of the ACC to the Board within thirty (30) days of the ACC's written review and disapproval. Review by the Board shall take place no later than thirty (30) days subsequent to the receipt by the Board of the applicant's request. Plans that are deemed inappropriate shall be withdrawn from further consideration by the Board. The decision of the ACC, or if appealed, the Board, is final and binding upon the applicant, its heirs, legal representatives, successors, and assigns.
5. Construction: Construction Activities after ACC Approval
- A. No home or other material structure shall be constructed on any lot except by a contractor licensed in the State of Florida, or a homeowner/builder.
  - B. Each applicant shall deliver to the Twin Ponds Subdivision Home Owners Association copies of all construction, building and septic tank permits as and when received by the applicant.
  - C. Inspections: There shall be a minimum of two site inspections by the ACC during the construction process. The first inspection shall occur prior to the pouring of footers or slab and the second inspection shall take place prior to occupancy, but no later than ten (10) days after receipt of the certificate of occupancy. Either owner or contractor shall request and schedule the inspections with the ACC, but the ultimate responsibility for obtaining the required inspections rests with the owner. Failure to schedule inspections may result in any or all of the following:
    - a. Fines to the owner
    - b. Correction of any work that is not in compliance with the approved plans; and
    - c. The contractor not being permitted to perform future construction activities in Twin Ponds
  - D. The Compliance Deposit shall be refunded to the home owner after a Certificate of Occupancy has been delivered and when all work is found in compliance with the approved plans. If home owner does not complete home in compliance with the approved plans, the ACC has the authority to use the funds in the submitted Compliance Deposit to bring work into compliance. If the funds in the Compliance Deposit are insufficient, a lien may be placed on the home.