

TRIPLE CREEK HOMEOWNERS ASSOCIATION, INC.

A RESOLUTION OF THE BOARD OF DIRECTORS
AMENDING ARCHITECTURAL GUIDELINES

Whereas, the Articles of Incorporation and the Declaration of Covenants, Conditions and Restrictions for Triple Creek ("Declaration") provide that the Triple Creek Homeowners Association, Inc., (the "Association") is responsible for the management and operation of the community and for the enforcement of the covenants and restrictions governing the community; and

Whereas, the Articles of Incorporation and the Declaration authorize the Association to adopt reasonable rules and regulations concerning the community; and

Whereas, Section 4.1 of the Declaration states that no modifications may be made to a lot except in compliance with the Association's Architectural Guidelines; and

Whereas, Section 4.3 of the Declaration authorizes the Association to make and amend Architectural Guidelines to benefit, enhance and protect the value of the lots within the community; and

Whereas, the Board of Directors deems it appropriate to update and amend the Associations Architectural Guidelines;

NOW, THEREFORE, be it resolved by the Board of Directors as follows:

1. The above recitations are incorporated herein and made a part hereof by reference.
2. The following amendments are hereby made to the Architectural Guidelines for Triple Creek (new language is double underlined and deleted language is stricken through):

SECTION V – ARCHITECTURAL STANDARDS

F. Roofs

1. **Materials** – Only architectural asphalt shingles ~~are permitted~~ and roof systems recognized by the Florida Building Code which meet ASCE 7-22 standards are permitted.
 - i. Homeowners wishing to install any roofing material other than asphalt shingles shall submit with their application proof that the roofing system of choice meets ASCE 7-22 standards.
 - ii. All roofing must match or complement the existing color scheme of the community and be of the "shingle" style. Bright or reflective colors are prohibited. Any roofing material that is potentially reflective must have a non-reflective finish to minimize glare. Roofing material shall not have exposed hardware (e.g. screws) unless it is required to meet ASCE 7-22 standards.

or Standing Seam

2. **Roof Replacement** - Any Lot Owner replacing their roof must submit an application to the ARB for approval if they change the color or material from what was initially installed on the home. If a Lot Owner is replacing the roof with identical color and material roofing, then the Lot Owner is not required to submit for ARB approval.
3. **Emergency Approvals** - In emergency situations, the ARB may approve roof replacements as part of repairs due to damage outside of normal meeting cadence. The Lot Owner should contact Association Management to escalate the application.
4. **Damage and Tarps** - Tarps are permitted on roofs when damage occurs, but must be maintained and not become tattered, torn, or otherwise dilapidated. Tarps are not an acceptable sustained roofing material, and all tarps shall only be in place until appropriate repairs are scheduled with the insurance company and licensed contractor. The Association may request proof of ongoing insurance claims while the tarp is in place.

N. Fences

Fences are permitted only on the rear and rear portions of the side yard of Lots, as follows:

1. **Fence Location**
 - a. Fences shall not be installed any closer to the street than the side building setback line and no closer than twenty (20) feet from the front corner of the house. The front corner is determined where the house's first floor, continuous side elevation, ends on each side of the home. This does not include front porches that are built into the home.
 - b. If fencing is placed on property lines, it must be contiguous to any existing neighboring fence – no double fencing between homes is allowed. Double fencing is two parallel lengths running on adjoining Lots. Only the front of the fence may face outward from a lot. No posts or stringers may be visible from the outside of a PVC fence.
 - c. Fences on corner lots require coordination with the ARB due to their unique layout and concerns for vehicle visibility/safety and compliance with existing easements and County building code setback requirements. Corner lots may be subject to more stringent rules regarding setbacks in order to preserve vehicle visibility and community safety.
 - d. It is not recommended that fences be installed within easements. However, if the ARB may approve a fence to be installed within an easement, it is the responsibility of the Owner to correct any changes in drainage on the Owner's Lot or adjoining Lot(s) at the Owner's expense. Any fence installed within an easement shall be installed at

the Owner's risk. Neither the Association, the County, nor any other such party having rights or obligations to conduct maintenance or repairs within the easement shall be responsible to the Owner for damage to any such fence which occurs during the course of any such maintenance or repairs, or to reinstall any such fence or portion thereof caused to be removed in connection therewith.

e. Under no circumstance may a fence be installed past any conservation (wetland or other) setback lines on any Lot within the Community.

f. An owner may not tie their fence into an existing fence located on an adjacent property without the written consent of the owner of the fence that is being tied into. For the purposes of this rule, "tying into" a fence is defined as:

- Physically connecting or attaching any part of a new fence to an existing fence that is located on another property.

Homeowners wishing to tie their fence to an existing fence on an adjacent property must provide written consent from the neighboring property owner to the ARB as part of their application. Failure to obtain proper consent and ARB approval may result in the removal of the fence at the homeowner's expense.

g. For properties with rear-loading garages or driveways, the installation of fencing or fence gates across the driveway is prohibited.

2. Fence Height and Lot Restrictions

a. Fences in a Lot's rear yard that abuts the central lake (Boggy Creek Lake) shall be black aluminum material, be picket-type construction, and be four (4) feet high for all sections.

b. All other Lots may install fences consisting of either black aluminum picket, or white vinyl picket or privacy style fence, to a minimum height of four (4) feet and a maximum height of six (6) feet. Combining aluminum and vinyl fence on the same Lot is not permitted.

c. ~~All Lots abutting any conservation area (wetland or otherwise), or other body of water, shall be limited to a maximum height of four (4) foot picket style fencing for the rear yard portion of the fence (the property line parallel to the abutment). In such instances, a transition section shall be used to bring the higher fencing down to match the rear portion of the fence.~~

All Lots abutting any conservation area, or any body of water, shall be limited to a maximum height of four (4) foot fencing for the portion of the fence along any Lot boundary line that abuts the conservation area or body of water.

- i. For Lots abutting any body of water (whether the body of water be in a conservation area or not), the portion of the fence along the Lot boundary line that abuts the body of water shall be four (4) foot picket-style only.
- ii. For Lots abutting conservation areas not containing bodies of water, the portion of the fence along the Lot boundary line that abuts the conservation area not containing a body of water may be either four (4) foot picket or four (4) foot privacy-style fence.
- iii. In such instances, a transition section shall be used to bring the higher fencing down to match the lower portion(s) of the fence.
- d. Fence transition sections from a lower section to a higher section shall be gradually sloped at the top over a length of six (6) feet.
- e. All fences abutting a common area or Association/CDD maintained fence or wall, as determined by the Association, shall not be higher than the Association/CDD fence/wall at the intersection of the two structures.

3. **Fence Material Specifications**

a. **Aluminum Fences**

- i. Aluminum fences shall only be black in color.
- ii. Aluminum fences shall be “flat top” picket constructed. Exposed finials (e.g., spears) or picket tops are not permitted.
- iii. A “puppy guard,” or “short picket” option, permanent or removable, is allowed for all aluminum fences - this is double picketing on the lower portion of the fence. Removable puppy guard fencing shall be integrated as part of the fence, i.e. no chicken wire or other similar material shall be placed along the fence.
- iv. All gate and similar hardware shall be black for aluminum fences.

b. **Vinyl Fences**

- i. Vinyl fences shall only be white in color.
- ii. Vinyl fences shall be “flat top” picket or privacy constructed as determined by Lot location and orientation above. Individual

panels mixing picket, decorative, or lattice-type and privacy elements are not permitted. Exposed picket tops are not permitted.

- iii. Post caps shall be pyramid-type only. Spiked or large decorative caps are not permitted. It is recommended to secure post caps with either glue or screws to prevent them from blowing off during severe storms and hurricanes.
 - iv. Post caps featuring built-in lights require ARB approval and are subject to the general guidelines of the Exterior Lighting section.
 - v. All gate and similar hardware shall be black or white in color for vinyl fences.
- 4. No paints or stains are permitted on fences after installation.
 - 5. Refer to Exhibits C, D, and E for additional information.

SECTION VII – SITE ELEMENTS

A. Flagpoles and Flags

- 1. Homeowners may erect a freestanding flagpole no more than twenty (20) feet high on any portion of the Lot as long as the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement or conservation setback.
- 2. Homeowners may further display, in a respectful manner, from that flagpole one official United States flag, not larger than four and a half (4-½) feet by six (6) feet and may additionally display one other flag permitted under Section 720.304(2)(a) of the Florida Statutes as amended from time to time. Such additional flags must be equal in size to, or smaller than, the United States flag.
- 3. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents. Flagpoles must be submitted to the ARB for review, including location and height.
- 4. Homeowners are permitted to install one (1) house-mounted flagpole so long as the pole is a maximum of six (6) feet in length and is mounted inside a pole bracket that is properly anchored to the home. Installation of a house mounted flagpole requires ARB approval.

5. Homeowners may display, in a respectful manner, up to two (2) of the portable, removable flags, not larger than four and a half (4-½) feet by six (6) feet, as listed in Section 720.304(2)(a) of the Florida Statutes as amended from time to time.
6. Garden type flags are not subject to these regulations. However, garden flags that advertise a home for sale or rent, advertise a business, are political in nature, or are determined to be obscene or vulgar, in the sole discretion of the Board of Directors, are prohibited.

T. Signs:

1. Permitted Signs:

- A. Signs required to comply with or obtain the benefit of applicable laws (e.g. beware of bad dog signs).**
- B. Signs indicating that the Lot is receiving security services.**
- C. Celebratory signs**
 - i. Celebratory signs (e.g., birthday, graduation, sports all-star) with dimensions no larger than the standard 18" x 24" may be displayed for up to 14 days.**
 - ii. Large celebratory signs (e.g. yard displays, banners) with any configuration that results in a cumulative dimension greater than 18" x 24" may be displayed for up to 48 hours.**
 - iii. The Association reserves the right to require the removal of any celebratory sign that, in the sole discretion of the Board of Directors, is deemed to be obscene or vulgar, or does not otherwise fall into the category of a celebratory sign.**

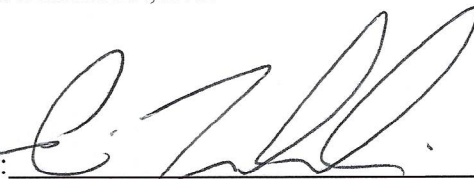
2. Prohibited Signs: All other signs including, but not limited to, the following are strictly prohibited:

- A. For Sale/Rent Signs: Signs advertising the sale, lease, or rental of property.**
- B. Political Signs: Signs endorsing or opposing political candidates, parties, or issues.**
- C. As used herein, the term "signs" shall include banners, posters, and other media used to display messaging.**

3. The foregoing amended guidelines shall supersede and replace the prior guidelines relating solely to the above structures and site elements. All previously adopted guidelines relating to other structures and site elements shall remain unchanged effective.
4. All owners, tenants, family members, agents and invitees shall be governed by and shall comply with the terms of this Resolution, the Association's governing documents, and any provision of the Florida Statutes as amended from time to time, and the provisions of all such documents shall be deemed to be incorporated herein. The Association may enforce the provisions of this Resolution by appropriate means, including, without limitation, the expenditure of funds of the Association, the employment of legal counsel, the commencement of legal actions, and the levying of fines and/or suspension for any violations in accordance with the Florida Statutes, as amended from time to time. In any proceeding relating to the enforcement of this Resolution, the prevailing party shall be entitled to recover the costs of the proceeding and reasonable attorney's fees from the non-prevailing party, including costs and fees incurred in pre-suit enforcement efforts, and on appeal.
5. The failure of the Association to enforce this resolution shall not constitute a waiver of their right to do so thereafter.

IN WITNESS WHEREOF, the Board of Directors has adopted this resolution at a duly called, noticed and convened meeting held this 17 day of October, 2024, and shall become effective immediately.

TRIPLE CREEK HOMEOWNERS
ASSOCIATION, INC.

By: 
(Signature)
Eric Lewandowski, President
(Printed Name and Title)