

# **Basset Creek Estates Homeowners Association, Inc.**

## **Book of Standards for Community Living**

**Basset Creek Estate Homeowners Association, Inc.**  
**Book of Standards for Community Living**

Seventh Edition  
Revised October 13, 2020

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## DEFINITIONS

**Association** – Basset Creek Estates Homeowners Association, Inc., a not-for-profit corporation created under Florida Statute

**Board** - The Board of Directors of the Basset Creek Estates Homeowners Association, Inc.

**Declarant** -The Declarant creates the community documents thus "declaring" that the community is being developed with specific covenants and restrictions that will be placed upon all of the lots within the development. This term is used interchangeably with Developer.

**Documents** - Collectively the Declaration of Covenants, Conditions and Restrictions of Basset Creek Estates (a.k.a. CCRs), The Articles of Incorporation of Basset Creek Estates (a.k.a. Articles), the By-laws of the Basset Creek Estates (a.k.a. By-laws) and any Supplements or Amendments thereto as recorded in the official public records of Hillsborough County, Florida

**Home site** - Any lot that has a dwelling constructed upon it.

**Landscape Bed** - Bed around the perimeter of the house and/or an island within the lawn. The beds typically contain shrubs, trees, and flowers.

**Lot** - The term of "lot" applies to property with or without a dwelling.

**Member** - Any owner of a home within the community of Basset Creek Estates.

**Owner** - A person or persons who have legal title to a lot within Basset Creek Estates. This term can be used inter-changeably with the term Member.

**SWFWMD** - Southwest Florida Water Management District commonly referred to as "Swift mud".

**Transition** - An event that occurs when 75% of the Home sites within Basset Creek Estates have been transferred to a third party. At transition, two Board members appointed by the Developer will resign and the Members will elect two new Board members who must all be Owners within Basset Creek Estates. Per Florida Statute 720, the Developer may retain one seat on the Board until such time as 90% of all Home sites have been transferred to a third party.

**Turnover** - The Basset Creek Estates Homeowners' Association, Inc. was turned over from the developer to the homeowners on October 18, 2016, per Florida Statutes, 720.307 and Article 111, Section 2.1(B) of the Basset Creek Estates Homeowners' Association Declarations.

**Word "shall"** - Typically used in the phrase "shall be" and means mandatory.

**Word "should"** - Typically used in the phrase "should be" and means recommended.

**Word "may"** - Typically used in the phrase "may be" and means optional.

# Basset Creek Estates Homeowners Association, Inc.

## Book of Standards for Community Living

### **I. Introduction**

The community of Basset Creek Estates is a planned unit development that may be comprised of as many as 300 homes. Mobley Homes, the Developer, has envisioned a community where residents can live, work and play. In order to preserve, protect, and enhance the property values of those who purchase homes within the community of Basset Creek Estates, the Basset Creek Estates Homeowners Association, Inc. (Association) was created. All owners of property within the Basset Creek Estates community are Members of the Association. This Membership includes certain mandatory obligations, financial responsibilities, and a commitment to abide by the deed (use) restrictions and rules of the Association. The purpose of this Book of Standards is to provide an explanation of the Association's governing documents and to give the Members of the Association an overview of how the Association functions in an easily understood format. This book will review the rights and obligations of Members and leaders of the Association and present a compilation of the Association's adopted policies, rules and regulations.

### **II. Mission of the Basset Creek Estates Homeowners Association, Inc.**

- To maintain, protect and enhance the value of the homes and common property within Basset Creek Estates.
- To foster a sense of community among the Members.
- To pursue excellence in all that the Association does.
- To build a community that is based upon principles and values.
- To record and manage this vision through a system of governance that respects this perspective.

### **III. The Governing Documents**

Anyone who purchases a home in Basset Creek Estates should receive a copy of The Declaration of Covenants, Conditions and Restrictions (herein referred to as "Declaration" or "CCRs"), The Articles of Incorporation ("Articles"), The By-laws ("By-laws") and all amendments that may have been made to each of these documents. All of these documents have been recorded in the public records of Hillsborough County. If you did not receive these documents, notify your title company and request that they provide them to you as required by Florida Statute. Copies may be obtained from the management company; however, you will be charged a copy fee for the document package. Documents may also be viewed and/or downloaded from the Hillsborough County Clerk of Court web site or the Basset Creek Homeowners Association website at

www.bassetcreekhoa.com. Following is an overview of the governing documents specific to the Basset Creek Estates Homeowners' Association:

Chapter 720 Florida Statutes Homeowners' Associations	Chapter 720 of the Florida Statutes regulates Homeowners' Associations like Basset Creek Estates and takes precedence over the Basset Creek Estates documents listed below. Anytime that there is a discrepancy between this statute and the Basset Creek Estates documents, the statute will prevail.
Declaration of Covenants, Conditions and Restrictions (CCRs)	The CCRs are recorded in the public records of Hillsborough County. They establish a contract between the Association and the property owners and create obligations which are binding upon the Association and all present and future owners of property within Basset Creek Estates. The CCRs contain the plan of development, the method of operation and the rights and responsibilities of the association and the owners of property within the association.
Articles of Incorporation	Filed with the Florida Secretary of State and as an exhibit to the CCRs, the Articles establish the Association, as a not-for-profit corporation under Florida law.
By-laws	Detail how the Association's internal affairs will be conducted. Included in this document are the requirements for noticing and conducting meetings, voting rights of Members, elections procedures, and job descriptions for officers and committees. This is recorded as an exhibit to the CCRs.
Amendments or Supplements	These are recorded at some point after the CCRs are recorded and may add land or impose additional obligations or restrictions on the property. Amendments may be made to the CCRs, Articles and By-laws by the Developer until such time as the Association is transitioned to homeowner control or they may later be amended by a vote of the Membership as outlined in the CCRs, Articles and By-laws.
Architectural Guidelines	The Basset Creek Estates CCRs require that standards and guidelines for improvements and modifications to the exterior of a home (including structures and landscaping) be developed. The Architectural Guidelines were created jointly by the Board of Directors and the Architectural Review Committee. It is not necessary that they be recorded in the public records of Hillsborough County and can be amended by the Board of Directors at the recommendation of the Architectural Review Committee.
Rules and Regulations	These are adopted by the Board of Directors, to govern the use of property, activities and conduct. An example is Pool Rules. Rules and



Regulations are not recorded in the public records of Hillsborough County.

**Board Resolutions**      Resolutions are adopted, by the Board of Directors, to establish rules, policies, and procedures for internal governance and Association activities, and to regulate operation and use of Common Property.

#### **IV.      The Board of Directors**

The governing authority for the Association is the Board of Directors ("Board"). Currently, there are three Members of the Board, and all board positions are held by Members of the Association.

The Board of Directors is responsible for the administration of the Association. They have the authority to make and amend rules, adopt policy, adopt budgets, assess and collect assessments, hire and fire personnel, appoint committees, purchase insurance and enter into contracts on behalf of the Association. The Board is also responsible for enforcing the CCRs and all rules and policies of the Association. Board Members must act within the scope of their authority and perform their duties with care and diligence when acting for the community. The Board may delegate some duties to the community manager, an employee or to a committee but ultimately the Board is responsible for all decision making.

#### **V.      The Committees**

The Board of Directors has the authority to create committees as it deems appropriate and to assign each committee with a specific task(s). Committees work in an advisory capacity to the Board. They do not have the authority to commit the Board to an expense or required action. Committee members are appointed by and serve at the pleasure of the Board. Committee members may be removed from their duties for failure to perform within the scope of the committee's boundaries. Committees that the Board has, or may, establish are listed in the table below with a description of their duties.

Architectural Review Committee (ARC)	This committee is responsible for reviewing all Architectural Alteration Applications made by residents for changes to the exterior of the home or lot. The committee also reviews Architectural Guidelines and recommends changes and/or additions to the Board for adoption.
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Covenants Enforcement Committee (CEC)	This is the hearing tribunal for the Association and has the authority to recommend monetary fines for Members who are non-compliant with the CCRs and rules of the Association. They also advise the Board on needed clarifications to existing rules or restrictions and may recommend additional rules or document amendments for consideration by the Board.
Community Spirit Committee	The purpose of this committee is to foster a sense of community within Basset Creek Estates by planning community wide events and programs such as seasonal parties, community garage sales, Community Beautification Day, Community Crime Watch Program, etc.
Communications Committee	This committee will assist the Board with communications through newsletter and web-site.

## VI. Meetings

The Annual Membership Meeting is held in the last quarter of each year. A quorum of 30% of all owners (per the Bylaws, Article III, Section 4) is required in order to conduct business. It's important that all Owners complete and mail in their proxy to the management company in order to be counted toward the quorum requirement. A proxy is a written instrument that allows you to be counted in attendance for the meeting and appoints another person to cast your vote on any voting matter presented to the Membership. Any Owner who sends in a proxy and then attends the meeting can request his proxy be returned thereby casting his own votes on all business matters. At a General Membership meeting, Members can make motions and cast votes on all business matters listed on the agenda.

Board of Directors meetings are conducted as needed. A majority of the Board Members must be present to constitute a quorum and to conduct business. Notice of all Board meetings must be given to Members 48 hours in advance of the meeting. Any meeting at which the Board will adopt the budget or approve assessments requires a two-week notification. All Board meetings are open to the general Membership to attend; however, motions and votes are made by the Board Members only. Members may speak to any agenda item during an open discussion period at the beginning of the meeting. If a Member has a business item that they would like to be addressed by the Board, they may contact the management company to request that the item be placed on the agenda. Back up information about the requested agenda item should be made available to the Board Members prior to the meeting and the Member requesting the agenda item should be prepared to address the Board at the meeting.

Committee meetings are held monthly, or as the Committee deems necessary. Members are encouraged to volunteer to serve on committees and are welcome to attend meetings.

## **VII. Budget and Finances**

The Board of Directors is responsible for creating and adopting the annual budget for the Association.

The management company oversees the accounting needs for the Association and prepares a financial report each month. As required by Florida Statutes, an annual compilation, review or audit of the financial statements of the Association is prepared by an accounting firm at the end of each year.

The Board is tasked with levying an assessment on each Owner based upon that Owner's fair share of the anticipated budgetary needs for the coming year. The budget is divided into the expense categories of administrative, banking and accounting, legal and professional, utilities, maintenance and insurance. Administrative expenses include the cost of office expenses (i.e. printing of newsletters, postage, demand and collection letters, dues/licenses, fees, and a Social Committee budget). Banking and accounting expenses include bad debt, collection adjustments and bank charges. Legal and professional expenses include audit tax returns, legal fees (general and collection), and management fees. If the Association is under a contract with a cable company, utility expenses will be included for any monthly fee paid for providing basic cable TV, telephone and internet services to all Members. As long as a contract is in place, it is a contractual agreement between the Association and the cable company that requires all Owners to pay their share of the cable assessment whether they choose to use the service or not. Maintenance expenses may be general maintenance requirements and may be determined from year to year. Insurance expenses include insurance policies in place for the Association including general liability, Directors and Officers liability, and Crime.

The Board is also responsible for the collections of each owner's assessments. A collection policy has been adopted by the Board and is published in the Policies, Rules and Regulations section of this Book of Standards.

## **VIII. Managing the Association**

As noted in Section IV, the Board is responsible for all decision making for the Association but can delegate some duties to others. A community management company has been contracted by the Board to assist in implementing the decisions made by the Board. The management company has assigned a community manager to Basset Creek Estates. In Florida, community managers are required to have a CAM license that is issued by the Department of Business and Professional Regulations and to attend continuing education courses related to community management on an annual basis. The manager reports to the President of the Board and is responsible for overseeing the day to day business of the Association and for implementing the decisions made by the Board. The community manager will work to assist all residents of Basset Creek Estates with their Association related questions and business; however, the community manager takes direction only from the President of the Board.

## **IX. Records Request**

The management company is the keeper of the Association's records. Copies of official records as outlined in Florida Statute 720 which regulates Homeowners Associations can be requested from the management company. The request must be made in writing. The management company is required to respond to the request within a ten (10) working day period after receipt of the request. The management company will arrange an appointment for the Owner to come to its office and review the requested records. There will be a fee for any copies requested. The Records Request Policy is found in the Policy, Rules and Regulations section of this Book and a Request Form can be found in the Forms section.

## **X. Community Development District**

Members of the Association are also members of the K-Bar Ranch Community Development District ("CDD" or "District") - A CDD is an independent special purpose unit of government that is established pursuant to Florida Statutes, Chapter 190. The K-Bar Ranch CDD has issued bonds in order to cover partial costs of infrastructure and amenities within its boundaries and will own, maintain and operate the infrastructure and some amenities.

The CDD is governed by a Board of Supervisors consisting of five members. All meetings of the Board of Supervisors are open to the public and records are available for public inspection during normal business hours. Meeting times and locations are advertised in the *Tampa Bay Tribune* section of the *Tampa Bay Times*.

Owners of property in the K-Bar Ranch CDD have a debt service obligation that runs with the land for a period of thirty years. This is called a long-term bond payment and it is collected as a *non ad valorem assessment* on the Hillsborough County Property Tax bill. There is also an Operations and Maintenance (O&M) assessment included in the *non ad valorem assessment*. The O&M is the cost of administration and maintenance for the CDD and its assets. The O&M assessment may vary from one budget year to the next based upon the anticipated needs of the CDD. The bond portion of the *non ad valorem assessment* is a fixed amount and is tax deductible on your Federal Income Tax Return. Responsibilities of the CDD and HOA are shown in the chart below:

Responsibilities of CDD	Responsibilities of HOA
<ul style="list-style-type: none"> <li>• Operations and maintenance of common properties owned by the CDD to include: Storm water management system</li> <li>• Entry features, walls and monuments Common walls and fences within the community</li> <li>• Signage</li> <li>• Operations and maintenance properties owned by the CDD to include: Pool, cabana, playgrounds, fences, walls and any other structures erected on CDD Property</li> <li>• Landscape and Irrigation Systems</li> </ul>	<ul style="list-style-type: none"> <li>• Enforcement of CCRs and all rules and standards of the Association</li> <li>• Architectural Review</li> <li>• Create committees to foster a sense of community within Basset Creek Estates</li> </ul>

## **XI. Rights and Responsibilities**

# Rights and Responsibilities for Better Communities

## *Principles for Homeowners and Community Leaders*

### **Overview**

More than a destination at the end of the day, a community is a place people want to call home and where they feel at home. This goal is best achieved when homeowners, non-owner residents and association leaders recognize and accept their rights and responsibilities. This entails striking a reasonable balance between the preferences of individual homeowners and the best interests of the community as a whole. It is with this challenge in mind that the Community Associations Institute (CAI) developed Rights and Responsibilities for Better Communities.

Rights and Responsibilities can serve as an important guidepost for all those involved in the community-board and committee members, community managers, homeowners and non-owner residents.

### **Homeowners Have the Right To:**

- A responsive and competent community association.
- Honest, fair, and respectful treatment by community leaders and managers.
- Participate in governing the community association by attending meetings, serving on committees and standing for election.
- Access appropriate association books and records.
- Prudent expenditure of fees and other assessments.
- Live in a community where the property is maintained according to established standards.
- Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
- Receive all documents that address rules and regulations governing the community association - if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
- Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

### **Homeowners Have the Responsibility To:**

- Read and comply with the governing documents of the community.

- Maintain their property according to established standards.
- Treat association leaders honestly and with respect.
- Vote in community elections and on other issues.
- Pay association assessments and charges on time.
- Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
- Request reconsideration of material decisions that personally affect them.
- Provide current contact information to association leaders or managers to help ensure they receive information from the community.
- Ensure that those who reside on their property (e.g., tenants, relatives, friends) adhere to all rules and regulations.

### **Community Leaders Have the Right To:**

- Expect owners and non-owner residents to meet their financial obligations to the community.
- Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association.
- Respectful and honest treatment from residents.
- Conduct meetings in a positive and constructive atmosphere.
- Receive support and constructive input from owners and non-owner residents. Personal privacy at home and during leisure time in the community.
- Take advantage of educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.

### **Community Leaders Have the Responsibility To:**

- Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.
- Exercise sound business judgment and follow established management practices.
- Balance the needs and obligations of the community, as a whole, with those of individual homeowners and residents.
- Understand the association governing documents and become educated with respect to applicable state and local laws, and to manage the community association accordingly.
- Establish committees or use other methods to obtain input from owners and non-owner residents.
- Conduct open, fair, and well-publicized elections.

- Welcome and educate new members of the community - owners and non-owner residents alike.
- Encourage input from residents on issues affecting them personally, and the community as a whole.
- Encourage events that foster neighborliness and a sense of community.
- Conduct business in a transparent manner when feasible and appropriate.
- Allow homeowners access to appropriate community records, when requested.
- Collect all monies due from owners and non-owner residents.
- Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligations to the community.
- Provide a process that residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights - where permitted by law and the association's governing documents.
- Initiate foreclosure proceedings only as a measure of last resort.
- Make covenants, conditions, and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.
- Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders, e.g., Officers, the Board and committees. (Community associations may want to develop a code of ethics.)

Community Associations Institute  
[www.caionline.org](http://www.caionline.org)



# **Basset Creek Estates Homeowner Association, Inc.**

## **Architectural Guidelines, Standards & Criteria**

# BASSET CREEK ESTATES HOMEOWNER ASSOCIATION, INC.

## ARCHITECTURAL GUIDELINES, STANDARDS & CRITERIA

Basset Creek Estates was developed with the intent that homes harmonize with each other and present a pleasing and consistent style. Except as required by the Governing Documents, this style is not the result of a formal architectural code but rather the result of the vision of the original developer.

### **I. Introduction**

The intent of the contents of this guide, as well as the existence of the Architectural Review Committee (ARC), is to provide guidelines and design standards required for maintaining an aesthetically pleasing community. Adhering to these guidelines is beneficial for all involved in that they are meant to protect the investment of the homeowners, as well as portray a quality community of well-planned homes constructed with long lasting materials maintaining high construction standards.

In conjunction with the recorded Documents for Basset Creek Estates Homeowners' Association, these guidelines and design standards are binding on all parties having interest in any portion of Basset Creek Estates, and each homeowner is required to comply with the requirements as set forth. Any failure to comply with these requirements will be subject to remedies provided for in the recorded Documents.

The Architectural Guidelines, Standards & Criteria (Guidelines) provide an overall framework to allow the community to develop and progress in an orderly, cohesive, and attractive manner, implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents. These Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, mode of landscaping and relevant criteria for the construction or addition of improvements of any nature. They also establish a process for judicious review of proposed changes within the community.

These Guidelines have been adopted by the Board of Directors of Basset Creek Estates Homeowners' Association pursuant to the Basset Creek Estates Declaration. The Architectural Guidelines will be enforced by the Architectural Review Committee established under Article VIII of the Declaration.

The architectural review process has been established to maintain the integrity of the architectural and design character of Basset Creek Estates. To this end, the Architectural Review Committee (ARC) will review all proposed additions, improvements, or alterations on homes for conformity with the Architectural Guidelines. Article VIII of the Declaration sets forth provisions with respect to the review process, including transfer of the review function to the Committee once the Declarant Control Period has been completed.

To the extent that any government ordinance, building code or regulation requires a more restrictive standard than that found in these Guidelines, the government standards shall prevail. To the extent that any government ordinance, building code or regulation is less restrictive than these Guidelines and any standards contained herein, or the Declaration, these Architectural Guidelines and the Declaration shall prevail.

Terms such as "good taste" and "sound design" are difficult to define and even more difficult to

legislate, it is the intent of these Guidelines to encourage "good design" by showing examples of the desired result. Elements such as deed restrictions, appropriate attention to scale and/or proportion to the community should be considered with all requests.

Nothing contained in these Guidelines shall obligate any agency, governmental or otherwise, to approve plans submitted, nor shall the approval of the ARC be construed as meeting neither the requirements of Hillsborough County nor any governmental agency required for approval.

The ARC has the right to modify, revise, add, delete or make any changes to this manual by joint resolution with the Board of Directors.

## **II. Aspects and Objectives of Architectural Review**

The Architectural Review Committee evaluates all properly completed Alteration applications. Decisions made by the ARC are not based on subjective elements, but on the following criteria:

**Relation to the Natural Environment:** To prevent the unnecessary removal, destruction or blighting of the natural landscape or of the existing man-made environment.

**Conformance with Declaration and Architectural Guidelines:** All applications are reviewed to confirm the project is in conformance with the Declaration and approved Site Standards.

**Design Compatibility:** Compatibility is defined as similarity in architectural style, quality of workmanship, and use of similar materials, colors, and construction details.

**Location and Impact on Neighborhood:** The proposed alteration shall relate favorably to the landscape, the existing structure, the surrounding homes, and the neighborhood as a whole.

**Materials:** Continuity is established by the use of the same materials and color palette as were used in the original construction.

**Workmanship:** The quality of work shall be equal to or better than the surrounding area.

**Validity of Concept:** The basic concept shall be sound and appropriate to its surroundings.

## **III. Non-Liability for Approval of Plans**

The Declaration (CCRs) Page 20 contains a disclaimer which relieves the Declarant, the Community Association and the Architectural Review Committee of liability or responsibility for the approval of plans and the specifications contained in any request by an Owner. Prior to submitting plans or information for review, the homeowner should read and understand this disclaimer. Certain additions, alterations and renovations may void any existing warranties.

## **IV. Alteration Application**

### **A. General Information**

1. A homeowner wishing to make an exterior change or modification to their

dwelling, unit, home site or parcel shall apply for and receive written approval for such change or modification prior to start of the project.

2. Application is made by completing the Alteration Application Form.
3. A separate Alteration Application shall be submitted for each exterior change or modification.
4. Applications are available from the management company and can be found in the Forms section of this book.
5. The completed request, together with all applicable information, is submitted to the management company.
6. An Alteration Application is not considered complete until accompanied by all of the information necessary for the ARC to make an informed decision.
7. Incomplete applications will be "Rejected" and shall not be considered until resubmitted with the necessary information.
8. The ARC has up to 45 days from the date a properly completed Alteration Application is received by them to take action on that request or it is deemed Disapproved.

## **B. Supporting Documents/Materials**

1. Requests for room additions, extensions, modifications including swimming pools and their screened enclosures, playsets, and fences must include:
  - a) Copy of the stamped plot plan clearly depicting the location, size and measurements of the proposed change and the measurements to the lot boundary lines.
  - b) Contractor drawings.
  - c) List of materials being used.
  - d) Sample of roof shingles if applicable.
  - e) Paint sample if applicable.
2. Requests for exterior dwelling surfaces including painting, installation of pavers or tiles on walkways, driveways, etc.:
  - a) Copy of the stamped plot plan with a sketch of area(s) to be covered such as entry, walkway, driveway, sidewalk, etc.

- b) Sample of proposed material - paver, tile, paint chip.
- 3. Requests for landscaping:
  - a) Copy of the stamped plot plan with a sketch or drawing showing location of landscaping project.
  - b) List of names or types of planting(s) together with approximate location of each. Existing major landscaping should be shown on drawing. Indicate measurements from property lines when installing trees, landscape beds, etc.
  - c) Requests to remove trees shall include a copy of the stamped plot plan depicting the approximate location of all existing trees and their types, along with the trees to be removed and the reason for their removal.

## **V. The Review Process**

### **A. General Information**

- 1. The design and construction review process is a 4-step procedure: Initial Review, Submission of Plans, Construction Commencement, and Inspection
- 2. Thorough and timely submission of information, as well as adherence to the Guidelines set forth in the process, will prevent delays and minimize frustration of all parties involved.
- 3. Questions concerning interpretation of any matter set forth in the Guidelines should be directed to the ARC.

### **B. Initial Review**

- 1. The homeowner shall submit to the ARC an Alteration Application for the modification that is being requested, along with a set of plans (2 sets of plans will be required for new house construction or additions to existing homes).
- 2. Any, and all, Alteration Applications and submission of supporting documentation should be made electronically (via the homeowners online portal which is accessed from the community website provided by the management company at [www.bassetcreekhoa.com](http://www.bassetcreekhoa.com)), or by certified mail, return receipt requested. Facsimile or electronic submission with verification of transmittal will also be acceptable.
- 3. The Information required for the review is as follows:
  - a) Alteration Application with a detailed description of the planned modification

- b) Copy of final plot plan showing the surveyors stamp and the approximate location and dimensions of all improvements, including driveway, irrigation, and swimming pools
  - c) Floor plans if applicable
  - d) Exterior elevations (all sides) if applicable
  - e) Conceptual landscape plan if modification involves changes to the current landscape
  - f) Any other information, data, photos and drawings as may be reasonably requested by the ARC.
4. The ARC shall review the information and indicate its approval, disapproval, or recommendations for change(s) to the plan.
  5. The ARC will review the accompanying documents within 45 days and return one set of plans to the Owner accompanied by a letter indicating the ARC's decision and shall be rendered in one (1) of the following four (4) forms:
    - a) "Approved" - the entire document submitted is approved in total, subject to the existing Architectural Guidelines.
    - b) "Approved with Conditions" - the document submitted is partially approved. The Owner may proceed with the work to be performed as modified, but must comply with any, and all, notations on the submittal, including the existing Architectural Guidelines.
    - c) "Disapproved" - the entire document submitted is not approved and no work may commence.
    - d) "Rejected" - In some cases, additional information may be required in order to make an informed decision. Incomplete applications will be stamped "Rejected" and shall not be considered until resubmitted with all of the necessary information.
  6. Any Alteration Application not approved within 45 days shall be deemed to be disapproved.
  7. No construction or structural improvement, no alteration or addition to any existing structure or site improvement shall be made on any property until the plans and specifications showing the proposed design, nature, type, shape, size, color, materials and location of same shall have been submitted to and shall have received final approval by the ARC.
  8. It is the ARC'S goal to approve all requests in an expedient fashion.

9. For the purpose of a rapid response it is required that each form be limited to one request. The more detail provided with the submittal, the quicker a response may occur.
10. In the case of an incomplete application or the request by the ARC for more information, the applicant will have 15 days to comply with the request. Failure to comply within the 15 days will result in the need for a new application to be submitted.

**C. Submission of Plans to the Building Department**

1. Following the approval of Step 1, the Owner may submit their plans to the Building Department or the required agencies that have jurisdiction for the required permits that may be needed for the modification project. Changes required by the said agencies must also be re-approved by the ARC.
2. City of Tampa Permits
  - a) The City of Tampa requires permits for many types of work done, both inside and outside your house. For further information, contact City of Tampa at (813) 274 - 8211.
  - b) Approval for installation by the ARC of any project, does not negate the homeowner's responsibility to comply with all terms and conditions of any municipal permit or existing codes required for the project, which the owner is responsible for obtaining.
  - c) Permits are required to remove certain types and sizes of trees. A copy of the City of Tampa tree code is available at <http://www.tampagov.net/>

**D. Construction Commencement**

1. Upon completion of Step 2, a copy of the building permit must be submitted to the ARC prior to the Owner beginning construction.
2. If the requested change does not require a building permit, all materials utilized in the improvement must be approved by the ARC before commencement.
3. Any modification to the original ARC application must also be re- approved.
4. Property owner and his/her contractor are responsible for obtaining and complying with all building permits, building codes and setbacks.
5. Access to Common Areas:

- a) All exterior changes and modifications shall be completed in a manner so that they do not materially damage the common areas of the Association, any CDD, or individual Home sites. Nor shall they, in any way, impair the integrity of the improvements on the property subject to maintenance by the Association or CDD.
- b) No homeowner shall permit their contractor to access or otherwise cross the common areas, or another person's Home Site without receiving written permission in advance from the Board, an Officer or the Community Manager. In the case of accessing another person's Home site, permission shall be obtained from the Owner.
- c) Any contractor or installer, other than the record Titleholder of the Lot shall provide the Association with an Insurance certificate listing the Association as a named insured prior to commencing work. Insurance shall meet the following minimum limits: Contractor's General Liability including completed operations: statutory minimum amount. Worker's Compensation: statutory minimum amounts. The Board may establish these amounts.
- d) Homeowners are responsible for any damages to the common areas, right of way areas, other Association property, or the property of any CDD. Homeowner is responsible for restoring, re-grading, repairing and replacing any damaged grass or plants on this or any adjoining Home sites, caused by this construction.
- e) Owners are responsible for all cleanup of any improvement project. All debris, sod, soil, construction, trash, etc. shall be removed from the lot and hauled to the proper waste sites within seven (7) days of the completion of the project.
- f) All homeowners shall be held responsible for the acts of their employees, subcontractors and any other person or parties involved in construction or alteration of the Home site. The responsibilities include but are not limited to the following:
  - (1) Ensuring that the construction site, community properties and roadways are kept clean and free of all debris and waste materials, and that stockpiles of unused materials are kept in a neat and orderly fashion.
  - (2) Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of other personnel on the site.
  - (3) Any contractor or installer, other than the record title holder of the Lot, shall provide the Association with an insurance certificate listing the Association as a name insured prior to commencing work. Insurance shall meet the following minimum limits: Contractor's General Liability (including completed operations): statutory minimum amount Worker's Compensation: and statutory minimum amount in the absence of statutory minimum amounts. These amounts may be established by the Board.



## **E. Final Inspection**

1. The ARC shall have the right to enter upon, and inspect, any property at any time before, during, or after the completion of work for which approval has been granted.
2. Upon completion of the improvement, the Owner shall give notice to the ARC. At this time, it will be reviewed for compliance with these Guidelines and the approved Alteration Application. If the application is conditionally accepted, homeowner shall ensure that all stipulations have been followed.
3. Owner shall make certain any damage to streets, curbs, drainage inlets, sidewalks, street signs, walls, community signage, landscaping, irrigation, etc. is repaired or the damage will be repaired by the Association and such costs will be charged to the Owner.
4. Acceptable completion time frames for projects will be as follows:
  - a) Pool installation 10 weeks
  - b) Fence installation 3 weeks
  - c) House additions 4 months
  - d) If projects will require additional time, the Owner shall contact the ARC with the anticipated completion date.
5. Application approvals are valid for a period of six (6) months. A new Alteration Application must be submitted after that time has elapsed, if the approved project has not commenced.

## **VI. Express Approval**

1. The following items may be approved outside of the Committee meeting or by the Community Manager unless the Owner receives a notice of disapproval or a request for additional information within ten (10) days after submitting the Alteration Application with all applicable documentation:

### Items that DO NOT require inspection upon completion:

- Replace existing screening with identical screening materials previously approved by the ARC/builder.
- Replace existing mailbox with an identical mailbox previously approved by the ARC. (Standard mailbox design is identified in this document.)

- Install low level landscape lighting identical to examples shown in this document.
- Change mulch to approved mulch type as listed in this document.
- Install replacement landscape borders of an approved material style and location as shown in this document.
- Install annuals and perennials in existing landscape beds.
- Replace dead or declining plants in existing landscape beds with identical plants or plants acknowledged as Florida Friendly for Zone 9A.

Items that DO require inspection upon completion:

- Re-paint house exteriors and trims in the identical color previously approved by the ARC/builder.
- Re-surface existing driveways in the identical color/material previously approved by the ARC/builder.
- Replace existing exterior doors (to include garage doors) with identical exterior doors previously approved by the ARC/builder.
- Install replacement satellite dish in the manner and location as approved via the original ARC application and as shown in this document.
- Install replacement solar panel(s) in the manner and location as approved via the original ARC application and as required in this document.

All references in the paragraph to "identical" shall mean that such item shall be replaced with an item that is identical in all respects to the existing item (*i.e.*, the identical style, texture, size, color, type, etc.).

## **VII. Changes or Modifications Made Without Approval**

Owners making changes in advance of receiving approval from the ARC will receive a letter from the Community Manager. The Owner will have fifteen (15) days from receipt of the letter to submit a completed Alteration Application or remove the change. The Alteration Application is not considered complete unless it is accompanied by the applicable processing fees, materials list, plot plan and all those required supporting documents listed in Section V above. Submission of a completed Alteration Application does not guarantee the request will be approved.

Failure to comply with this request could result in monetary fines and legal action. All costs associated with gaining compliance shall be charged to the Owner's account.

## **VIII. Reconstruction**

In the event that a residential structure, or any part thereof, is destroyed by casualty or natural disaster, the Owner must notify the ARC and commence reconstruction within 60 days. The ARC will make every effort to accommodate the Owner in the application process in order to repair or rebuild in a timely manner.

## **IX. Sale of Property**

Owners who offer their house for sale shall advise the Community Manager and bring their house and property into full compliance with all provisions and requirements of the latest edition and revisions of these Guidelines. The Community Manager will issue a certificate of compliance. Non-compliance with this provision must be disclosed on the estoppel letter, which could result in a lower sales price or delay of closing.

## **X. Administrative Fees and Compensation**

As a means of defraying its expense, the ARC may institute and require a reasonable filing fee to accompany the submission of plans and specifications. No additional fee shall be required for re-submissions. If special architectural or other professional review is required of any particular improvement, the applicant shall also be responsible for reimbursing the ARC for the cost of such review.

## **XI. Appeals Process**

In the event that the ARC disapproves any plans and specifications, the applicant may request a rehearing by the ARC for additional review of the disapproved plans and specifications. The meeting shall take place no later than thirty (30) days after written request for such meeting is received by the ARC, unless applicant waives this time requirement in writing. The ARC shall make a final written decision no later than thirty (30) days after such meeting. In the event the ARC fails to provide such written decision within thirty (30) days, the plans and specifications shall be deemed disapproved.

Upon final disapproval by the ARC, the applicant may appeal the decision of the ARC to the Basset Creek Estates Board of Directors within thirty (30) days of the ARC's written review and disapproval. Review by the Board shall take place no later than thirty (30) days after receipt of the applicants request for review. The Board shall make a final decision no later than thirty (30) days after such meeting. The decision of Basset Creek Estates, or if appealed, the Board, shall be final and binding.

## **XII. SITE IMPROVEMENT STANDARDS**

NOTE: These Architectural Guidelines are supplemental guidelines for the recorded Declaration of Covenants Conditions and Restrictions for Basset Creek Estates Homeowner Association, Inc. Additional requirements may be contained in the recorded documents. Applicants are encouraged to review the Covenants in addition to these Guidelines prior to submitting an Alteration Application.

#### **A. Additions to Dwelling**

1. Rain water from a new addition roof or new grade of house terrain must not run on neighboring property as to create a nuisance.
2. The location of all windows in a new addition must not adversely affect the privacy of adjoining neighbors.

#### **B. Air Conditioners**

1. No air conditioners shall be mounted through a window, door or hung on a wall. Air conditioners that are temporarily in place due to electricity outages (hurricane) are allowed as long as they are taken down when power is restored.
2. Replacements of air conditioner components shall be installed in their original location.

#### **C. Antennas and Satellite Dishes**

1. All outside antennas, antenna poles, antenna masts, electronic devices, satellite dish antennas or antenna towers are subject to the approval of the Basset Creek Estates Home Owner Association.
2. The ARC requires that all such items be screened from view and that the installation of the antenna comply with all applicable safety restrictions, including any restrictions as to location and height of antenna as imposed by applicable fire codes, electrical codes, zoning codes, and building codes.
3. All satellite dishes must be no more than 37 inches in diameter.
4. All antenna and satellite dishes should be either ground mounted or mounted on the rear wall or sidewall of the house, no lower than eight (8) feet from the ground.
5. Satellite dishes that are ground mounted shall be installed at no greater distance than eight (8) feet from the house, be located in a mulched bed at least 36 inches in diameter, and preferably in a screened or fenced area.
6. Satellite dishes should NOT be placed on top of roofs, if at all possible.
7. Should you feel that your roof is the ONLY location that will give you proper reception, a full explanation must be submitted with the ARC application along with the proposed location.
8. Installation of a satellite dish shall be in accordance with the 1996 and 1998 amendments to the Federal Telecommunications Act. Placement shall be as inconspicuous as possible.
9. All installations shall meet the minimum wind load requirements of the Southern Building Code (latest edition) concerning wind resistance and other applicable

requirements.

10. Owners shall not permit their antennae and satellite dishes to fall into disrepair or to become a safety hazard, and shall be responsible for their maintenance, repair and replacement, and the correction of any safety hazard.
11. If antennae or satellite dishes become detached, Owners shall remove or repair such detachment within seventy-two (72) hours of the detachment. If the detachment threatens safety, the Association may remove the antennae or satellite dish at the expense of the owner, without prior notice.

#### **D. Architectural Character**

1. The architectural design of any, and all, alterations, additions and renovations to the exterior of any existing house shall strictly conform to the design of the original house in style, detailing, materials and color.
2. The height of any addition to an existing house shall not be higher than the original ridge-line and the proposed eave line must be at the same height as the existing eave line. No alteration or improvements shall be made which provide a roof pitch that varies from the roof originally constructed.
3. All additions to homes shall be built within the building setback lines originally established for Basset Creek Estates or as modified by the Declarant regardless of any more lenient requirements of any local governmental agency.
4. All materials used in maintenance, repair, additions, and alterations shall match those used by the Declarant or Builder as to color, composition, type, and method of attachment. The ARC may allow substitute materials if they deem these materials to be compatible with the theme of the community.
5. No additions, alterations or renovations shall be permitted if it is determined to have a material adverse impact on neighboring properties and/or the community.
6. When any additions, alterations or renovations are performed to an existing house, the established lot drainage shall not be altered. Any Owner or Occupant who changes the existing grading or drainage shall be liable for all costs and expenses of repairing such changes, or any costs, liabilities, damages or causes of action arising out of such changes.

#### **E. Awnings**

1. No awnings (metal, fabric, wood, plastic or other materials) shall be permitted on the exterior of the home except as contained within a back yard screened enclosure.

#### **F. Barbecues/Smokers/Grills/Fire pits**

1. Barbecue grills and smokers may be located or permitted upon the back patio or

rear yard within the side setbacks of a house.

2. If not screened from view of the neighboring property by a fence, barbecue grills and smokers must remain covered when not in use.
3. Built-in barbecue units shall be located within the rear lanai area and designed as an integral part of the house. Their location must be carefully planned to minimize smoke or odors affecting neighboring properties.
4. Outdoor wood burning is prohibited except in a fire pit kept on a concrete or paver surface and located within the rear setbacks of the house. The fire pit must have a wire screen mesh, be freestanding and kept in good working condition. Propane firepits do not require a wire mesh screen as they do not produce embers.

#### **G. Canopies including large umbrellas**

1. The installation of a canopy (fabric gazebo) that is to remain in place for more than seventy-two (72) hours requires approval from the ARC. The Alteration Application must include a picture of the canopy that is being requested, and also a description detailing dimensions and color. Location of the installation must be drawn on a copy of the final survey of the Lot. Approvals will be considered based upon the following criteria:
  - a) Canopies may be installed only in the rear yard of a house or on the patio.
  - b) Rear yard of the house must be fenced.
  - c) Canopies must be bolted into the concrete of the patio or anchored in concrete if located in a grassy area.
  - d) All safety installation instructions by the manufacturer of the product must be followed.
  - e) Dimensions may not exceed 10' x 10' x 10' (at peak height).
  - f) Canopy must be a solid neutral color such as tan. No bright colors or obvious stripes and patterns will be approved. The canopy color must compliment the colors of the exterior of the house.
  - g) Canopy must be maintained. If notified by the community manager that maintenance is needed (i.e. mildewed, stained, etc.), the owner must comply in no less than fourteen (14) days of receipt of the notice, if torn or aged, the canopy must be removed. A new application will be required to install a replacement canopy.
  - h) No lights or other types of illumination, hanging fixtures or decorations may be affixed to the canopy. Exception will be for private parties and such fixtures or decorations must be removed within twenty-four (24) hours of the party.
  - i) In a storm event such as a tropical storm or hurricane warning, where advance notice is given to the community, the complete structure including the canopy and posts, other than the portion anchored in cement, must be removed and

stored in a secure place.

- j) If resident is to be away from the house for a long period of time, especially during hurricane season, the complete structure including the canopy and posts, other than the portion anchored in cement, must be removed and stored in a secure place. A new application is not necessary for reinstallation of an originally approved canopy.
- k) No other type of tent or canopy cover will be approved.
- l) Umbrellas with a diameter larger than ten feet (10') must have approval of the ARC and will be considered on a case by case basis.

#### **H. Car Covers**

- 1. Car covers, including tarps, are not permitted on cars in the driveway or on the street.

#### **I. Carriage Lights**

- 1. Carriage light sizes and locations must harmonize with the front elevation of the house. A picture with color and dimensions shall be attached to the Alteration Application. Lights shall be black, white or natural metal in color.

#### **J. Clotheslines**

- 1. No clotheslines, either permanent, retractable, or temporary, are permitted in the community.

#### **K. Decks and Concrete Patios**

- 1. All decks and patios shall be in the rear yard of the Lot and not visible from the street in front of the house.
- 2. All decks and patios shall be solid poured concrete or concrete pavers in an earth tone color to complement the color palette of the house. Wooden or composite material decks may be considered based on the grade and terrain of the Lot and will be reviewed by the ARC on a case by case basis.
- 3. If the height of a concrete deck is higher than the surrounding landscape (on sides and back), than any exposed concrete wall on the exterior of the deck must be painted to match the color of the home.
- 4. Concrete pavers shall be installed according to manufacturer's recommended specifications and at a minimum over weed block fabric and level tamped sand or similar material.

5. Spaces between concrete pavers shall be sanded or grouted. Grass and weeds shall not be permitted to grow between pavers.
6. The size of decks and patios shall be determined by the available space per Lot and may not cover more than thirty-five percent (35%) of the total Lot area excluding any building, structures and paved areas.
7. Construction of decks and patios shall not adversely affect any designed and approved drainage pattern for this or any other Lot.
8. Deck rails cannot exceed forty-eight inches (48") in height from decking and shall be ornamental aluminum to match the color of the house window frames. Deck rails may not extend past the deck or patio and must have a continuous top rail that is free of decorative finials, spikes and the like to serve as a handrail.

#### **L. Dog Homes, Kennels and Runs, Invisible Fences**

1. All dog homes shall be located in a fenced rear yard.
2. The exterior colors and materials must relate to the exterior of the house in which they are located or blend with the environment. The height of the dog house may not exceed the height of the fence. These are subject to the proper maintenance, care, and appearance as with any structure.
3. Dog homes shall be a minimum of fifteen feet (15') from any neighboring property line.
4. The placement of dog homes must also take into consideration safety concerns, noise minimization, the possibility of offensive odors, etc.
5. Dog runs (partial fencing of an area) and kennels are not permitted.
6. Invisible fences need approval prior to installation.
7. Invisible fencing wiring must be buried no less than six inches (6") inside the lot line. No alterations of the yard grade shall be permitted with the installation of such system.
8. Regardless of the method of restraint used, including invisible fencing, pet owners are responsible for assuring that their pets do not run free. Pet owners are liable for any damage to persons or property caused by their pets.

#### **M. Doors**

1. Doors may be replaced with doors that are similar in style and composition. Requests for replacement doors shall be submitted including pictures and color choices.



#### **N. Driveways and Entrances to Garage**

1. All driveways and entrances to garages shall be concrete or a substance approved in writing by the ARC and of uniform quality.
2. Additional concrete walking area(s) adjacent to the driveway which extends the overall total driveway width not more than four (4) feet (two feet on each side of the existing driveway) will be considered for approval, however, the extension must match the existing driveway in design, material and color. No driveway expansion shall be permitted beyond the external sidelines of the garage.
3. Pavers or tiles on walkway and driveway surfaces are permitted. A sample of the paver or tile shall accompany the request.
4. Concrete driveways may be sealed with a clear sealer.
5. Painted driveways are not permitted.

#### **O. Elevations (change in Facade) including reconstruction**

1. Changes in the outside appearance of the facade will not be permitted unless these features are or were currently offered by the builders as an option.
2. No vinyl siding will be permitted.
3. Cement board or Hardee board may be permitted as an accent on the side upper walls of a two-story house. The accent piece shall not exceed five (5) feet in length measured from the highest peak of the roof and shall be painted to match the body color of the house.
4. All reconstruction, including roofs, shall be of the same or substantially similar material, colors, etc. as the original construction of the house.

#### **P. Elevations (change in Grade)**

1. No owner shall excavate or extract earth (dirt) from a Lot for any business or commercial purpose.
2. No elevation changes shall be permitted which materially affect surface grade of surrounding Lots.

#### **Q. Encroachment and Plantings on Common Grounds**

1. No extension of the landscaping of home sites will be permitted on Association common grounds or any CDD property, including pond banks.
2. Residents shall not put trees, bushes, plantings, bird baths, lawn ornaments, planters, bird feeders, flower pots, picnic tables, furniture, fences, walks, hedge enclosures and other types of groupings on common grounds, Association property

or property owned by any CDD.

#### **R. Encroachment and Plantings on Utility Easements**

1. No structure, planting or other material shall be placed or permitted to remain on Utility Easements, including those utility easements as may be designated on homeowner plats, that would damage or interfere with the installation or maintenance of the utilities or that may change the direction or flow of drainage channels in the easement.

#### **S. Exterior Painting**

1. Unless homeowners are painting the home in the original colors used by the builder, only those colors approved in writing by the ARC Committee may be used. The ARC Committee will approve muted, natural colors consistent with those currently approved within the community.
2. Prior to painting, each Owner must submit to the ARC a color plan showing the color of all exterior surfaces that shall include samples of the actual colors to be utilized and the materials. Alteration Applications submitted without color samples will be returned.
3. No house may have more than three colors (base, trim, accent door colors).
4. The body of the house's base color must have a flat or eggshell finish, no gloss or high gloss finishes are permissible. If an Owner is proposing to paint doors and trims with gloss or high gloss, this needs to be noted on the Alteration Application.
5. Body colors cannot be duplicated, and your selection will be limited by the three (3) homes across the street, the two (2) adjacent and sometimes others within a cul-de-sac.

#### **T. Fences**

1. Fences must have the prior approval of the ARC and shall be built to conform to all manufacture's specifications. Alteration Applications must have signatures of residents whose lots are adjacent to the fence being installed. The purpose of this is to show that the neighbor has been notified that the work will be done, and that workers, materials or equipment may accidentally trespass on their property during the installation. The Alteration Application package must include a plot plan with the location of the fence drawn and a signed Fence & Landscape Addendum (located in the Forms section of this book). It is recommended that aluminum fences be grounded.
2. The only approved fence styles for Basset Creek Estates is 6ft PVC - Tongue and groove and 4ft aluminum picket. Post caps may be flat or Gothic style. Gates shall be in the same style, materials and color as the fence. Color for all PVC fences shall

be white and all aluminum fences in black.

3. 4ft aluminum picket fences can have puppy spikes at the bottom of the fencing.



4. **Privacy Fences:** Maximum height of a privacy fence, where permitted, is 6 feet and the minimum height is 4 feet except as may be installed by the Declarant. These fences are PVC Tongue and Groove and aluminum picket as defined above and are typically installed between houses on side property lines and on rear property lines between houses.
5. **View Corridor Fences:** Fences on lots with view corridors such as ponds and conservation areas or other view enhanced areas or amenities shall be reduced to a maximum height of four (4) feet for either: a) the last twenty (20) feet to the rear property line, or b) the last panel to the rear of the property line depending on the property location as defined in the Community Fencing Plan. In either case, the transition in height shall be gradual over a distance of six (6) feet to eight (8) feet (depending on the width of the fence sections) and not an abrupt change between the heights. The lower height of four (4) feet, maximum, shall also be maintained across the total distance of the rear or side property line abutting the pond or conservation area. The rear fence shall be four (4) foot in height and picket in style.
6. **Community Fencing Plan:** Homeowners that are contemplating installation of fencing should review the current Community Fencing Plan, which identifies allowable fencing for each home based on established Fencing Zones. This Community Fencing Plan is available on the Association's webpage, as an Addendum to the Community Standards.
7. **Corner Lots:** Notwithstanding any other governmental regulations, any side fencing on a typical or regularly shaped corner lot shall be located no more than one-half of the distance between the side wall of the house and the side property line that is next to the side street. The measurement for the distance of this fence shall start at the side wall of the house. Fence set backs on irregularly shaped corner lots will be reviewed on a case by case basis.
8. No fence shall be constructed closer than ten feet (10ft) back from the forward-facing corners of the dwelling (not from a corner column or porch). A variance may be considered based upon unique circumstances of the Lot; however, no fence shall be permitted to extend beyond the front corners of the house in any circumstance.
9. Only the good side of the fence may face outward. No posts or stringers may be visible from the outside of the fence.
10. Fence shall be installed so that it abuts homeowner property line and shall be

constructed so that it will connect to and/or with any existing fences on any neighboring Lot(s). This may require written permission from the Owner of the neighboring fence to replace the corner fence post in order to connect. If the Owner denies permission to connect, then the new fence must be installed in an offset position so that corner posts are not abutting. Alleyways or un-maintainable spaces between fences will not be allowed. Homeowner is solely responsible for making sure that installed fence does not encroach, in any way, on neighboring properties.

- a) It should be noted that this requirement will not apply to any property that has setback requirements (such as wetland conservation areas) as indicated on their plot plans. In these cases, the ARC Committee will approve fencing that complies with the setback requirements of the County.
- 11. If a fence abuts a community fence or wall, then its height shall not exceed that of the community fence or wall. The homeowner's fence shall make a gradual transition in height on the last panel that abuts the community fence or wall.
- 12. Fences shall not be installed flush to the ground, in order to prevent blockage of storm water drainage.
- 13. It is recommended that fences not be installed in drainage or utility easements. However, if the ARC grants permission for a fence to be installed in a drainage easement it is the responsibility of the homeowner to correct any changes in drainage on the Owner's Lot or adjoining Lots at the Owners expense.
- 14. Should the Association or County be required to correct a drainage or utility situation either above or underground on lots affected by easements, the homeowner is responsible for all costs associated with the removal and reinstallation of the fence installed in said easement.
- 15. All fences shall be maintained by the Lot Owner (not the Association or the CDD) and kept in good order and repair, clean and in like-new condition. Maintenance shall include mowing and edging along the fence to maintain grass the same height as the Lot's lawn in general.
- 16. Owner shall be responsible for making certain that any required and necessary governmental permits are obtained.
- 17. Owner shall be responsible for making certain that the location of the fence does not encroach onto any other Lot, Common Area, Association or CDD owned property or easements and does not block, obstruct or otherwise impede the designed drainage flow on this or any adjoining Lots.

#### **U. Flags - Federal, State, Military**

- 1. In accordance with Florida Statutes 720.304, any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and on Armed Forces Day, Memorial Day, Rag Day, Independence Day, and Veterans Day may display in a respectful manner, portable removable official flags not larger than 4 ½ feet by 6 feet, which represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard.

2. Other than outlined above, one flag per house will be allowed. The flagpole must be mounted to the house directly to the left or right of the front door or on the garage centered in the middle of the garage above the garage doors. Flag poles attached to the house may not exceed 5 feet. In ground mounted flagpoles are not allowed.
3. Flags must be flown on a pole in an outward fashion from the house. The American, state of Florida, Military Service, POW or MIA flags which are no larger than 41/2 feet by 6 feet, attached to the house in the above locations shall be permitted without ARC approval.
4. A free-standing flagpole, not to exceed twenty feet (20') in height, may be installed in a location that does not interfere with the line of sight at an intersection, is not within an easement and does not present a hazard to drivers or pedestrians. The pole must be constructed of high-pressure fiberglass or anodized aluminum and be bronze or black in color. Based upon ABC's geographic location, the flagpole must be able to withstand constant or steady wind speeds of 130 mph. An alteration application must be submitted to the ARC showing the location of the installation, color and material composition of the flagpole and the wind speed specifications for the pole chosen. The pole must be installed per the instructions provided with the pole and must be concreted into the ground.
5. The U. S. flag shall be flown in accordance with the requirements of the United States Flag Code. In no instance shall the flag be flown in violation of Section 720.304, Florida Statutes.
6. No other flag of any sort may be displayed along with the United States flag or in lieu thereof except for Military, POW and MIA flags. They shall be no larger than the American flag nor shall they be flown above the American flag.
7. Flags shall be replaced if faded, tattered, or in poor condition.

## **V. French Drains**

1. Installation of French Drains to alleviate water pooling problems around the home may be installed in accordance with the following requirements:
  - a) No drainage equipment will be above ground except for the drain grate that will be flush with the surrounding landscape.
  - b) Landscape above the drainage equipment must be re-sod. No rock beds over drainage equipment will be allowed.
  - c) Homeowners are responsible for ensuring that sprinkler systems are not impacted by the installation of drains. 100% sprinkler coverage of yard must be maintained after installation (except in previously approved xeriscape areas.)
  - d) Drainage equipment cannot be installed on neighboring conservation areas or wetland setback areas on homeowner properties. Also, installation of drains must not negatively impact designated wetland areas or neighboring properties.

- e) Installation of drains must not cause damage to any equipment contained in utility easements.
- f) If homeowner installs a drain grate that will flow water onto sidewalks that comprise part of the green space between homeowner property and city streets, then the homeowner is responsible for keeping the sidewalks clean of dirt, mud, puddled water or anything that causes a safety hazard for pedestrians.
- g) If green space areas (such as sidewalks) are damaged during the installation process, then homeowners are responsible for necessary repairs.

#### **W. Front Entryway**

- 1. Front entry into the home may not be screened but must be left open as constructed by the builder of the home.
- 2. No front entry shall be used for storage (i.e. shoes, sports equipment, gardening equipment, etc.)
- 3. Entry walkways may be extended with pavers matching that of the driveway and walkway to create an entry garden patio. Entry garden patios may be no larger than four feet (4') by six feet (6') in size. Outdoor furnishings such as one outdoor bistro set consisting of small table and two chairs or one outdoor bench may be placed in this area. Alteration Application must include a photo of the furnishings that will be placed in this area. Appropriate materials of outdoor furnishings are concrete, wrought iron or woods such as Teak or Cedar. Plastic or PVC furnishings, umbrellas and sunshades will not be permitted in the front of homes.



**Examples of furnishings that may be used on entry**

#### **X. Front Roof Changes**

- 1. No changes other than skylights will be permitted on any roof which is visible from the front of the house.

#### **Y. Garage**

- 1. No garages shall be enclosed or converted into a living area and must at all times

be used as a garage for car storage or storage of Owners personal property.

2. No screening is allowed temporarily or permanently on garage door openings.
3. Garage doors shall remain closed when the garage is not in use.
4. Stand-alone garages and secondary garages accessible by side or rear yards are not permitted.
5. Replacement of garage doors shall meet current City of Tampa codes at the time of replacement. If there is more than one (1) garage door, all doors must be replaced at the same time if an identical replacement door cannot be obtained. The new doors must match or coordinate with the color of the garage door trim or stucco.
6. Garage doors must be painted the same color as the door being replaced. Design monograms and anything other than a solid door, with the exception of window panes in the top most panel of the door, are not permitted.

## **Z. Garbage and Trash - Screening of Containers and HVAC Equipment**

1. All garbage cans and other garbage containers shall be kept inside the garage or in the rear yard, screened to conceal them from view of neighboring Lots and streets, except on the day of collection.
2. Acceptable screens shall be of material and color compatible with the design of the residence and may include landscaping, or PVC fencing as approved in the community Fencing Guidelines contained in this document.
3. Also permitted is concrete block and stucco walls less than four feet (4') in height and painted to match the body of the house. ARC prior written approval is needed prior to the installation of any screening.
4. All screens, landscape structures or plant materials shall be located a minimum of two (2) feet from the equipment or allow for adequate air circulation around the equipment but may not encroach or trespass on a neighboring property.
5. Overall height of the enclosure, including posts shall not exceed four (4) feet. Overall length shall be kept to the minimum necessary to accomplish the screening. The width shall not exceed six (6) inches outside the concrete slab at any garage side door.
6. If plantings are used for screening, "adequate screening" shall be plantings which initially (i.e. when first planted or installed) screens a minimum of eighty percent (80%) and which completely screens the cans or equipment within one (1) year from the date of approval.
7. Garbage cans shall not be placed outside for pick up earlier than 6 pm the night before scheduled pick up and empty containers shall be removed from sight the same day as pick up. All food refuse shall be placed in an appropriate covered trash receptacle to avoid attack from animals. The Association does not limit the number of covered trash receptacles that are placed at the curb. Plastic garbage bags are NOT considered an appropriate trash receptacle for trash containing food refuse.

Plastic bags may ONLY be used for lawn and landscape or similar trash.

8. Trash may not be accumulated or stored on the exterior of the house.
9. Open burning of garbage and other refuse is not permitted.
10. Oversized lawn trash, such as tree branches, palm leaves, etc., should not be left at curb so long as to become a fire hazard. Once pick-up has occurred, owners are responsible for making sure that any residual lawn trash has been cleared away from sidewalks and driveways and placed in appropriate trash containers.

#### **AA. Garden Hoses**

1. Garden hoses shall be on a hose wrap attached to the house or on a mobile station. Hoses may be neatly coiled on the ground in a flower bed behind shrubbery out of sight from the street, common grounds, or nearby neighbors.
2. Circular (spiral coiled) hoses shall be secured.
3. Hoses that are not earth tone in color (brown, green, etc.) shall be stored completely out of sight.

#### **BB. Gas Tanks (Propane and/or Natural)**

1. No above ground gas or fuel storage tanks are allowed in the community.

#### **CC. Generators**

1. Permanent or hard wired generators may be installed and mounted on a concrete pad outside of the house. These generators are normally hard wired to the house's electrical system and run off of propane.
2. The generator shall be installed on the side or in the rear of the house.
3. Generators shall be screened from view from the street with shrubs or other landscaping under the same guidelines as those for screening swimming pool equipment.
4. The generator may only be operated when there is a power outage or for the briefest possible time to test it as required by the manufacturer.
5. Portable generators shall be stored in the garage and only placed outside during periods of power outage. They shall be operated in accordance with manufacturer's directions and located as far as possible from all adjacent homes.

#### **DD. Gutters and Solar Collectors**



1. All gutters must match the exterior house color, trim color or window frame color.
2. Gutter down spouts must not concentrate water flow onto neighboring properties.
3. Solar collectors must be flush mounted on the roof and whenever possible be located on the rear and side roofs of the house and should not be installed so as to be visible from the street. No yard mounted solar collectors are allowed. Roof mounted solar equipment (excluding the solar panels) must match the roof color. (Note: Roof mounted solar collectors and equipment may void that portion of the roof warranty where the panels are installed.) Wiring from solar panels that crosses the side of the house must be painted to match the house.

#### **EE. Holiday Decorations**

1. Holiday displays in the front entryway and on the front door, along with traditional holiday lighting do not require approval from the ARC. Corner Lots and homes with side yard views may also display holiday displays on side yards.
2. Holiday lights and decorations shall not create a nuisance to the adjacent residents or the community.
3. Holiday lights and decorations to celebrate Christmas, or similar holiday, may be installed commencing on Thanksgiving and shall be removed not later than January 15th of the following year. All decorations for other holidays may be installed no more than thirty (30) days prior to the special day and must be removed within five (5) days after the special day. Brackets, clips and other holders for holiday lights that are installed on a house must be removed at the time that the lights and decorations are removed.

#### **FF. House Numbers**

1. To aid emergency personnel, delivery people and to conform to City and County ordinances, each house shall have a readily visible number permanently attached to the front of the house.
2. The numbers shall be located over the garage door or near the entrance to the front door, in a location clearly visible from the street
3. House numbers shall also appear on the mailbox post in the same size, color and material used throughout the community.
4. House numbers shall match the developer's standard format. The overall height of each number shall not exceed 6.5 inches and not be less than 4 inches in height.
5. For reasons of safety, numbers in script are not permitted.
6. Periodically, offers to paint house numbers on the concrete curbing of the street are solicited. The literature is formatted in a manner to make it appear that the contractor has permission to do this work and is performing a valuable service. Be advised that the Basset Creek HOA does not hire contractors to perform these

services. The Basset Creek HOA is unable to give someone permission to paint on property that neither the homeowner nor the Association owns. Streets are owned and maintained by the City of Tampa.

#### **GG. Irrigation**

1. Irrigation shall be installed in the front and side yards of all homes.
2. The lack of an installed irrigation system does not relieve an Owner of the responsibility of maintaining the lawn and landscaping to the minimally acceptable community standards.
3. In periods of extreme drought and tightened water restrictions, the Association will waive the portions of the community standards requiring the replacement of dead grass and landscaping until the restrictions are lifted. After the restrictions are lifted, all dead grass and landscaping shall be replaced within thirty (30) days.
4. No irrigation shall be installed in rear yards or elsewhere that would be in violation of City of Tampa ordinances.

#### **HH. Lake Slope Maintenance and Erosion Standards**

1. The CDD will be responsible for repairs and maintenance of the lake bank slopes and banks to the water. This includes regular mowing of sod.
2. Owners must ensure that the easement located around the lake banks remains free of any structures or landscaping other than what may have been installed by the developer, in order for the area to be accessed for maintenance. Owners must further ensure that conditions on his/her property will not cause erosion to occur on the lake banks, (i.e. installing drains from gutters or pool backwash.)
3. Erosion control measures will be taken by adjacent Owner and/or CDD/Association. If the erosion occurs because of a condition on the adjacent Owners property, CDD/Association will have the right to take corrective action and charge the cost of all repairs to the Owner as an Individual Assessment.
4. Any area that has deviated from the original slope of the bank will be filled with soil or an appropriate substance.

#### **II. Landscaping**

Article VIII, Section 2 (iv) of the Declaration empowers the ARC to "establish guidelines for approval of landscaping changes...." The addition or removal of any landscaping is a landscape change subject to the power of the ARC to promulgate guidelines. The following Guidelines shall apply:

- I. The addition or removal of landscaping on any Lot requires ARC approval. Owners are responsible to comply with these Guidelines and all applicable City of Tampa

Ordinances. Alteration Applications for landscaping should include a detailed sketch of where plant beds will be located, the names and location of the plants to be installed and a description of irrigation changes that will be made to accommodate the new landscape design.

- II. Maintenance of the lawn and landscaping shall mean at a minimum, upkeep, maintenance and preservation of that which was initially installed by the builder of the house on the Lot. Please refer to the lawn Maintenance Standards found in the Policy section of the Book of Standards.
- III. Any Lot owner who wishes to modify and change the landscaping installed by the builder of the house on his/her Lot, to a xeriscape (see 19 of this section for guidelines) or low water- usage design must first obtain approval from the ARC. The Alteration Application requesting this approval must be accompanied by a landscape design that will qualify as a certified Florida-friendly yard under the Florida Yards and Neighborhoods (FYN) program. Information about this program can be obtained through Hillsborough County's Extension office at (813) 744-5519 or online at [http://hillsborough\\_fyn.ifas.ufl.edu/](http://hillsborough_fyn.ifas.ufl.edu/)
- IV. The ARC encourages all Owners to follow the Florida Friendly Landscaping Principles shown below when making changes to their landscape design.
  - a) Right plant at the right place
  - b) Water efficiently
  - c) Fertilize appropriately
  - d) Mulch
  - e) Attract wildlife
  - f) Manage yard pests responsibly
  - g) Recycle yard waste
  - h) Reduce storm water runoff
  - i) Protect waterfront

## **1. In General**

- a) Certain areas have been designated as open space, wetland or preserve within the Declaration and shall be maintained as permit conditions and in the Declaration. No Owner or Occupant may mow, trim, remove vegetation, fertilize, apply chemicals to, maintain, alter or modify any area not owned by the Owner, including areas set aside as open space, wetland or preserve.
- b) Proposed changes to landscaping require detailed plans indicating any removal and relocation of trees, additional planting of trees and shrubs. Quantity, approximate size and types of plants shall be identified. The landscaping plan must detail the location of beds and planting materials. Most landscaping contractors will prepare this diagram for you. Be sure that plantings are not in area of underground wiring, cables or irrigation pipes. Any required changes to the irrigation system will be at the homeowner's expense. Call Diggers hotline at 1-800-432-4770.
- c) The homebuilder will be installing on each residential lot a landscape package. This package conforms to specific City and County requirements and may not be altered, removed or otherwise destroyed. If original plantings die, they shall

be replaced in substantially the same form and size.

- d) In compliance with City of Tampa ordinances, property owners with property abutting the City's right of ways (streets), are required to maintain the space between the street and the property line of the home. This includes the sod, any street trees and the sidewalk.
- e) Plantings must conform to current City and County requirements. No Owner or Occupant shall plant annual, shrubs or trees that are considered invasive or prohibited to be planted in this County or State.
- f) Some general recommendations for effective landscaping include:
  - (1) Minimize the number of different plants used;
  - (2) Make mass groupings of the same plant - avoid the variegated look of alternating plant types;
  - (3) Consider the ultimate size of each plant; its mature scale, cold hardiness;
  - (4) Plan for efficient watering by grouping plants with similar water requirements together; and
  - (5) Plan for proper Maintenance
- g) Trees and shrubs shall not be planted closer than five (5) feet from back and side property lines unless approved by the ARC.
- h) Trees, hedges, and shrubs that restrict sight lines for vehicular traffic shall be trimmed back or removed.
- i) Landscape architectural features may include such items as benches, planters, yard lights, etc. as an integral part of a landscape design. Drawings must be provided which clearly show the location, size and materials planned for these features. In addition, a photograph of the house and the relationship of the feature to the existing or proposed landscape must accompany the submittal. Landscape architectural features will be located only in the planting beds originally installed by the builder, or as subsequently approved by the ARC.
- j) With the exception of dead trees or plants, no landscaping shall be removed without the prior written approval of the ARC.
- k) No changes in landscaping shall alter the approved drainage plans for the Owner's lot or any adjoining property.
- l) Minimum Quality and Grade: All plant materials shall equal or exceed the standards for Florida No. 1 grade as given in "Grades and Standards for Nursery Plants", Parts I and II, State of Florida, Department of Agriculture current edition and any amendments thereto. All grass sod shall equal or exceed the Standards for Florida Premium Grade or Florida Standard Grade as established by Turfgrass Producers of Florida, Post Office Box 146, Okeechobee, FL 34973 (813) 467-2224.
- m) All plant materials shall also be true to name, size, genus, species and variety as established by the American Joint Committee on Horticultural Nomenclature publication Standard Plant Names and as per the recommendations and

requirements of ANSI Z601. American Standard for Nursery Stock.

- n) Alteration of originally installed landscape beds shall not be altered as to width, curvature and the like without the written approval of the ARC. Originally installed trees and plant materials shall be maintained and may not be replaced without approval.
- o) New installed landscaped beds adjacent to the house shall be at least five (5) feet in from the back and side property lines. Non-adjacent plantings shall be planted in from the property line so that plantings, at maturity, do not extend over the property line. Homeowners shall submit planned dimensional layouts with their ARC application.

## **2. Berms**

- a) Except as installed by the developer or builder, earthen berms, shall not be permitted.

## **3. Buffer Landscaping Between Lots**

- a) Side yards between Lots may be landscaped with plant materials to provide visual screening. Continuous linear runs shall not exceed twenty-five (25) feet in length and must be at least ten (10) feet back from the front corner of the house (same as Fence Guidelines). Normally, no more than one (1) landscape buffer would be permitted on each side of a Lot, however, additional buffers may be considered for a Lot line adjacent to a side street. Curvilinear shrub hedges augmented by ornamental, shade and/or palm trees are preferred.
- b) Buffer landscaping shall not be located any closer than five feet (5') to the property line as measured from the tree trunk or plant material main trunk. Buffer landscaping shall not extend into any front yard setbacks or obstruct the vision and safety of vehicular or pedestrian traffic.
- c) All buffer landscaping shrubs shall be planted and maintained so as to form a continuous, unbroken 80% visual screen, at a minimum height of 48", within one year of installation. To achieve this, it is recommended that shrubs should consist of one predominant species, should be planted 2'6" apart, on center, with each plant having a minimum size of three gallon, 36-inches tall and 18-inches wide at the time of planting and maintained to achieve the minimum height requirement, within the required timeframe.
- d) On view corridors, low shrub material from the rear building set back to the property line shall be maintained at a three-foot (3') height to ensure visibility. The selection of buffer landscaping species shall be made from Florida friendly plants.

## **4. Edging or Landscape Borders**

- a) Poured concrete curbing, concrete edging blocks, scalloped edging blocks, and

black or green plastic edging are acceptable forms of edging. Samples of recommended styles are shown below.

- b) Poured concrete curbing shall be the natural concrete color or a natural earth tone color added to the concrete mix at time of pouring. No painting or staining will be allowed after pouring. A color chip shall accompany the request. Designs other than stone or block may not be used. No white edgings or borders are allowed.
- c) Edging blocks shall be natural concrete color or an earth tone color. A sample of the edging block shall accompany the request.
- d) Edging will be allowed around mulched areas along the perimeter of the house and may be installed around an island which measures a minimum of 150 square feet.
- e) Edging will be allowed around individual trees if installed to a diameter or at least thirty-six (36) inches in order to contain mulch and prevent damage to trees from lawn equipment. However, a minimum distance of six (6) feet shall be maintained between any landscape borders.
- f) Edging shall not be installed around individual street trees, mailboxes, lampposts, along driveways, side or rear property lines.
- g) Black or green plastic edging (standard roll edging) may be installed as long as the grass height covers 90% of the edging.
- h) Wire, decorative plastic, resin and wood borders will not be approved, and railroad ties will not be permitted.

#### SAMPLE OF APPROVED STYLES OF EDGING or LANDSCAPE BORDERS



Styles shown above are poured in place stamped concrete, stone look, retaining wall blocks, Keystone block, and stacked slate/stone. Colors may be muted tones of beige, tan, gray, terra cotta or natural concrete.

### 5. Islands

- a) Landscaping may be grouped in an island to provide a focal point. Islands shall be a minimum of fifteen feet (15') long and three feet (3') wide and shaped in a curvilinear design.

### 6. Landscape Lighting/Flood Lights

- a) Landscape lighting, solar or wired, may only be installed in landscaping beds and along the walk from the front door to the driveway. It may not be installed along the sides of the driveway, adjacent to the sidewalk or between the sidewalk and the street. Individual lights shall be black, white, or natural metal in color (silver, gold, bronze, copper).
- b) Lights shall not be spaced closer than thirty (30) inches on center.
- c) Post mounted lights shall not exceed twelve (12) inches in height, hanger mounted lights shall not exceed twenty-four (24) inches in height from the top of the light fixture to ground level. Lights may not interfere with lawn maintenance
- d) Lighting shall be low level and recessed to shield the source of the light. Low voltage fixtures shall be located and aimed carefully. Tree mounted lights are not allowed.
- e) Junction boxes and other lighting hardware shall be placed below grade or screened by landscape material to minimize daytime visibility.
- f) Lights may not shine onto other properties or onto the sidewalk or street.
- g) Rope lighting is only permitted for holiday use
- h) The following examples shall be eligible for "Express approval".



## 7. Minimum Size Requirements - Plants and Trees

- |   |                    |
|---|--------------------|
| a) Shade trees                          | 2" caliper minimum |
| b) Flowering/Ornamental Deciduous Trees | 3' height minimum  |
| c) Evergreen trees                      | 3' height minimum  |
| d) Shrubs for border landscaping        | 3 gallon minimum   |
| e) Shrubs and Perennials                | 1 gallon minimum   |

## 8. Mulch and Rocks, Stones

- a) Dark hardwood chips or natural color shredded mulch, or rubber mulch in earth tone colors are approved for landscape beds. Stone mulch may be used provided that it adheres to the following standards:

- (1) Minimum size:  $\frac{3}{4}$ " in diameter
- (2) Maximum size:  $1\frac{1}{2}$ " in diameter
- (3) Colors to be earth tone only (buff, beige, charcoal or brown). No red mulch is permitted. No red rocks are permitted. No white rocks or stones are permitted (usually referred to as white marble chips).

Note: Provided that the above guidelines have been followed, no Alteration Application is required when adding replacement mulch, rocks or stones of the same color and material as originally approved.

- b) No decorative rock shall be permitted as ground cover (in place of sod).
- c) Stones, rocks, and boulders shall not be used as bed-edging material and are not permitted on turf areas.
- d) No more than three rocks shall be used as decoration in a landscape and they shall not exceed thirty-six inches (36") in any measurement. Landscape rocks must be located within a mulched landscape bed and may not be used near the street.
- e) Pine straw is not allowed.
- f) No other types are permitted.
- g) All trees shall have a mulch bed that extends a minimum of twelve inches (12") measured from the tree trunk.
- h) Each shrub or vine shall have a mulch bed that has a minimum radius of twelve inches measured from the foliage of the plants.
- i) Shrubs or groundcover planted in mass shall have a continuous mulch bed. All mulch installation shall be a minimum of three inches in depth.

## **9. Plant Material – Acceptable**

- a) Individual plantings of annuals which are seasonal in nature, planted within the original planting bed(s) installed by the builder and do not exceed thirty-six (36") in height, do not require the approval of the ARC. However, plans for all other modifications to any existing landscaping beds, yards, or additional landscape beds must be submitted to, and approved by, the ARC.
- b) Plant materials should be selected and grouped to reflect ultimate growth, maintenance requirements, texture and structural contrast and seasonal color.
- c) Plants shall be grouped together in drifts or masses whenever possible rather than being spaced equally around the property.



- d) Plants must be able to stand up to the rigors of the Florida climate. Tender plants such as Ixora, Croton, Hibiscus, Acalapha, etc., will be allowed as accent plants only, not as base plantings.
- e) Some plants are toxic to children and pets. You should research these issues carefully before selecting plant materials.
- f) Basset Creek Estates is located in Zone 9A. Please refer to your Basset Creek Estates Document CD or the following web site for a list of acceptable plants for the Basset Creek Estates community. This document will also provide you with the best location and environmental conditions for each plant that is hardy in Zone 9A. [http://fyn.ifas.ufl.edu/pdf/FFL Book Zone 9A 081610.pdf](http://fyn.ifas.ufl.edu/pdf/FFL%20Book%20Zone%209A%20081610.pdf).

## 10. Plant Material – Unacceptable

- a) Certain plant species shall not be permitted at Basset Creek Estates because of their nuisance characteristics, exotic origin, pest problems, or high maintenance concerns. The following shrubs, groundcovers, etc. are prohibited for use in the landscape:

(1) Air plant	Catopsos berteroniana
(2) Air Potato	Dioscorea bulbifera
(3) Angel's Trumpet	Datura spp.
(4) Barberry	Barberis spp.
(5) Bromeliads "	Aecmea spp.
(6) Cactus **	Cereus spp.
(7) Cattail	Typha latifolia
(8) Century Plant **	Agave Americana
(9) Coral Vine	Antigonon leptopus
(10) Euphorbia/spurge	Euphorbia spp.
(11) Firethorn **	Pyrocantha coccinea
(12) Glorybower **	Clerodendrum
(13) Kudzu	Pueraria lobata
(14) Pampas Grass	Cortaderia selloana
(15) Potato vine	Ipomoea spp.
(16) Psychic Nut	Jatropha curcas
(17) Vitex	Vitex spp.
(18) Yucca	Yucca spp.

\*\*may be planted within a fenced back yard.

- b) Homeowners should exercise care and not plant any plants, trees, vines, etc. that are known to be invasive or non-friendly to this area. For further information, please check out:  
<http://plants.ifas.ufl.edu/education/district4.html>.

## 11. Ponds and Waterfalls

- a) A plot plan showing the location of the pond and/or waterfall must be submitted with the application. If the pond is being constructed from a kit, a picture is

required.

- b) Design of these features should discourage creation of stagnant pools of water.
- c) Ponds and waterfalls shall be located in a fenced back yard and situated in a manner that does not permit sounds from the pond, waterfall or its equipment to be heard by neighbors.

## **12. Trees – Planting**

- a) The originally installed trees were part of a landscape plan approved by City of Tampa. If relocated, all reasonable efforts must be exercised to keep them alive. If they die, they must be replaced with an Oak or Magnolia tree with a minimum 6-foot height.
- b) Tree staking materials shall be adjusted on a regular basis to maintain a neat appearance and permit plant growth to occur. All staking materials shall be removed within one (1) year after initial installation.
- c) See section 17 below, titled “Vegetable, Herb and Cutting Gardens, Fruit Trees, and Compost Bins” for guidelines on planting fruit bearing trees.

## **13. Trees - Relocation**

- a) Existing trees to be relocated shall be pruned then immediately replanted, firmly secured in the ground by staking and adequately watered and fertilized until well established and rooted. Any relocating of existing trees should be done by a licensed professional who will adhere to nursery standards for relocating.
- b) Any tree relocated due to construction, such as the installation of a swimming pool, shall in addition to the above, be barricaded against the construction activity with silt fencing or other acceptable barrier. Any relocated trees which die within one year of completion of construction shall be removed and replaced with nursery stock approved by the ARC.

## **14. Trees - Removal or Destruction**

Article VIII, Section 2 (iv) of the Declaration empowers the Architectural Review Committee (ARC) to "establish guidelines for approval of landscaping changes..."

The removal or destruction of any tree and distinctive flora is a landscape change and, therefore, subject to the power of the ARC to approve or disapprove the removal or destruction of trees. The following guidelines shall apply to the removal or destruction of trees and distinctive flora:

- a) Trees that have been planted at the direction of the builder/developer to meet City of Tampa development requirements that are located between any street and any sidewalk (hereinafter "street trees") shall not be intentionally destroyed

or removed.

- b) Trees other than street trees which have a diameter in excess of six inches (6") measured two feet (2') above ground level, and distinctive flora shall not be intentionally destroyed or removed except with the prior approval, in writing of the ARC. (From Article IX, Section 11 of the Declaration).
- c) Prior to the written approval of the ARC to remove any tree described above or distinctive flora, the homeowner shall first obtain written approval (in the form of a removal permit along with any conditions for replacing the removed tree or distinctive flora) from the governing City agency or department.
- d) The above requirements pertain to trees and distinctive flora which die, for whatever reason, and unless otherwise approved by the ARC, shall be replaced with the same species and size tree or distinctive flora as the original tree or distinctive flora.

#### **15. Trees - Street Trees**

- a) The City of Tampa has approved a landscape plan for Basset Creek Estates that requires the planting of one or more street trees in the grassy right-of-way easement located directly adjacent and parallel to the back of sidewalks.
- b) Other than street trees, there shall not be any plantings other than sod between the street curb and sidewalk, nor shall landscape borders, decorative curbing or landscape lighting be installed around the tree.
- c) The approved landscape plans for Basset Creek Estates require that each street tree be a *Quercus Virginiana* (Live Oak).
- d) Street trees shall exhibit superior symmetry, form and branching, possess a single central leader, be sound, healthy, vigorous, full and free from disease and objectionable disfigurements.
- e) Once mature, the canopies of street trees shall be maintained at an eight-foot (8') height measured from the ground. At no time shall street trees block the flow of street or sidewalk traffic.
- f) Except as required in e) above, Street trees shall not be pruned and/or shaped except for the removal of dead or diseased limbs.
- g) Removal of the street tree is not allowed. Any street tree that dies or is badly diseased shall be replaced at the lot Owners expense. Approval to remove a street tree and to replace that tree does require ARC approval as well as a county tree removal permit.

#### **16. Trellises, Lattice and Arches**

- a) No more than three trellises will be permitted, and they are not allowed to be placed on the front facade of the house.

- b) Trellises for supporting plants shall be placed within the roof overhang on the side or rear of the house.
- c) Trellises must be constructed of weatherproof material, such as PVC and will be kept in good repair. Wooden and wire trellises will not be approved.
- d) Attaching trellises to the house may void applicable warranties from the home builder. Homeowners are advised and encouraged to consult with the builder before attaching anything to the house walls, fascia, roof, etc.
- e) Trellises must remain plumb, level and structurally sound. If notified by the Association manager that the trellis needs repair or replacement, resident must make repairs or remove the trellis within 45 days.
- f) Arches, pergolas and similar structures may not be installed within the front or side yard of a home. They may be constructed of vinyl or metal and located within a fenced yard no closer than ten feet (10') from the property line. They may not be taller than seven feet (7'), must be anchored in concrete, designed to withstand 130 mph winds and must be an integrated part of the landscape design.



**Examples of approved styles of trellises, arbors and pergolas used for landscaping design element.**

- g) Pergolas used as a shade structure may be made of cedar or tan PVC. If constructed of wood, the wood must be kept treated with a clear sealant to preserve the material and color of the structure. A fabric sling in a neutral color may be installed and must be kept in good condition. Only one such shade structure will be approved. The overall size and height of the structure will be determined by the location and surrounding environment. The structure must be located within the rear setback of the house. The structure must be installed per manufacturers specifications, meet all current building codes and be designed to withstand 130 mph winds.



**Examples of Pergola shade structures**

#### **17. Vegetable, Herb and Cutting Gardens, Fruit Trees, and Compost Bins**

- a) Vegetable, herb and cutting gardens, and fruit bearing trees shall be confined to the fenced rear yard, out of view from the public streets and common areas.
- b) Fruit trees must be planted no closer than 5' from the property line.
- c) They shall be maintained regularly to prevent excessive weed growth.
- d) All plants shall not exceed five feet (5') in height unless the rear yard is fenced, in which case they shall not exceed height of fence.
- e) Gardens shall be properly maintained during the growing season and thereafter, all dead plants, stakes or other materials shall be removed.
- f) Composting is only permitted in commercially manufactured bins designed specifically for suburban composting and must have ARC approval prior to placement of the bin on the Lot. Any such bin shall be covered at all times.
- g) Compost bins shall be located a minimum of fifteen feet (15) from neighboring property lines.
- h) Should an adjacent property owner complain regarding odors, rodents or other animals that are attracted to the bin, the Association will notify the Owner in writing and they must immediately remedy the situation. In the event that the Owner does not abate the problem within ten (10) days from receipt of notice, the Association shall have the right, without further notice to enter the property and remedy the problem. All expenses incurred shall be assessed to the homeowner.



## 18. Xeriscape

- a) Yards will have a band of sod from the sidewalk up to the landscape bed. This band should be curving and of varying width. The minimum sod width will be two feet (2'). There should also be a band of sod not less than one foot (1') in width on either side of the driveway. Side yards will also have a band of sod at the property line that is a minimum of three feet (3') wide. The preferred sod is St. Augustine because it is more aesthetically pleasing.
- b) All plants will be Florida Friendly Plants and chosen from the acceptable Zone 9A plants. The ARC Committee may request documentation of the appropriateness of specific plants requested.



**Examples of Xeriscape Design with bands of sod.**

## JJ. Lawn Furnishings

1. Please refer to Section U. Front Entry of Homes. All other types of lawn furniture shall be located in the rear of the house and not visible from the street in front of the house.
2. Swings and patio style furniture will not be approved for placement in front of the home.
3. For safety reasons all lawn furniture shall be removed when residence is unoccupied for a period of seven (7) days or more unless prior arrangements have been made with a neighbor.
4. All lawn furniture shall be removed upon issuance of any storm warnings of a Tropical Storm Warning or higher.

## KK. Lawns

1. Lawns shall be maintained in accordance with adopted policies that define the minimum community standards.

2. All Lots shall have grassed front, side and rear lawns.
3. The preferred turf for Basset Creek is St. Augustine; however, any turf that is listed as a Florida Friendly grass will be approved with the submission of the appropriate Alteration Application.
4. Rear yards shall be sodded with Bahia and non-irrigated unless dictated otherwise by local municipalities.

#### **LL. Lighting**

1. All exterior lighting shall be consistent with the character established in Basset Creek Estates and be limited to the minimum necessary for safety, identification, and decoration.
2. Owners may not install security spotlights or flood lights unless activated by a motion sensor.
3. No spot lights, flood lights, or other high intensity lighting will be placed or utilized upon any house so that the light is directed or reflected on neighboring property.
4. Bollard light fixtures are not permitted.
5. Enclosures of light fixtures shall be designed to conceal the lamp bulb. Light bulbs may not exceed the manufacturer's recommendation for bulb wattage.
6. Fixtures may be incandescent, metal halide, mercury vapor, or high pressure sodium lamps. Colored lamps are not allowed.
7. No lighting shall be permitted that constitutes a nuisance or hazard to any owner or neighboring resident.
8. Post mount light fixtures shall be permitted in the rear of the house and not visible from the street in front of the house.
9. Rope lighting is only permitted for holiday use.

#### **MM. Lightning Rods and Brushes**

1. Lightning rods and brushes may be installed and shall be done in a manner that is least obtrusive and uses the minimum number to accomplish the desired purpose.
2. Lightning rods shall not be allowed to fall into disrepair. Any lightning rods needing repair or replacing shall be repaired or replaced immediately or completely removed.

## **NN. Mailbox**

1. (Declaration, ARTICLE IX Section 25, Page 25)
2. Only one style, design and color of mailbox is permitted.

APPROVED MAILBOX DESIGN  
MP36 Fluted aluminum post,  
H3 Finial and DB03 Double Bracket, Black  
#1 Rural aluminum mailbox, Black,  
white gold flag and gold vinyl numbers  
Creative Mailbox & Sign Designs (813) 818-7100



3. No items shall be mounted or hung from mailboxes or mailbox posts.
4. Decorative wraps on mailboxes are not permitted.
5. Plantings are not permitted around the mailbox.
6. Some homes may share a mailbox post which has double arms to support two or more mailboxes. Should the post be damaged and require replacement, all homes which share the post will equally divide the cost for a new post and its components to be installed. The cost for the replacement of an individual mailbox and flag will be the responsibility of the homeowner whose address correlates to the box.
7. Mailbox and post must be maintained in a clean and operable condition and numbers on post must not be allowed to become covered by plant materials. Unreadable numbers create a hazard for your house when emergency vehicles need to find your address.
8. Mailboxes are commonly located in the right of way area in front of homes. While homeowners are responsible for maintaining their mailboxes (as noted above), mailboxes are under the jurisdiction of the U.S. Postal Service. Placement of mailboxes is determined by the local Postmaster, based on area mail routes. If a homeowner wishes to have a mailbox moved, the explanation for moving a mailbox must be provided in an ARC application. It must also be accompanied by written approval from both the local Postmaster and any neighbor whose mailbox shares the post.

## **OO. Ornaments**

1. Ornaments or decorative embellishments include those on lawns, landscape beds, entryways and those mounted on the house that are visible from the street or common area.
2. Ornaments shall not exceed thirty (36) inches in any dimension; however, based upon the dynamics of the Lot and home, a variance may be considered (i.e. two-story home on large lot with tall landscape plants).



3. Ornaments of a solid color shall be white, dark green, brown, natural concrete or stone color. If made of metal, they may be the natural color of that metal.
4. Painted or glazed ornaments shall be as close as possible to the natural color(s) of the subject that they are depicting.
5. A maximum of five (5) ornaments and/or potted plants are permitted in front of the house or in the rear of a home that is not screened with a fence or other approved screening such as landscaping.
6. Lawn ornaments include, but are not limited to:
  - a) fountains
  - b) patriotic display items (yellow ribbons, decals, etc.)
  - c) personal items other than furniture are considered lawn ornaments
  - d) plants on hooks
  - e) plaques
  - f) potted plants statues
  - g) stepping stones within a landscape bed
  - h) sun dials
  - i) Tiki torch (Each torch counts as one lawn ornament and may be located only in the rear yard of a home.)
7. For safety reasons, all lawn ornaments shall be removed when residence is unoccupied for a period of seven (7) days or more unless prior arrangements have been made with a neighbor.
8. All lawn ornaments shall be removed upon issuance of any storm warnings of Tropical Storm Warning or higher.
9. No ornaments shall be hung from trees except for bird homes or bird feeders.
10. Ornaments shall not be placed down driveway perimeters, on street catch basins or on utility boxes.
11. Decorative buckets to catch air conditioner water are permitted as long as they are aesthetically pleasing (plastic paint buckets and the like shall not be used).
12. One American flag, one POW and one Military flag and door wreaths (one per door) are not counted as ornaments.
13. Flower pots containing dead plants and empty flowerpots shall be removed from public view immediately.
14. Artificial plants/trees or flower arrangements are allowed on front entryways only.
15. Ornaments and flower pots displayed in sets of two or more will be counted individually. For example, a ceramic duck with two (2) ducklings is three (3) ornaments.

#### **PP. Outbuildings, Sheds and Storage Containers**

1. Sheds, car canopies, and the like are not permitted.

#### **QQ. Parking Restrictions**

1. In compliance with city and county codes:
  - a) Vehicles parked on residential streets shall not block the flow of traffic.
  - b) Vehicles parked in homeowner driveways shall not extend into sidewalks, effectively blocking pedestrian traffic.
  - c) Commercial vehicles shall not be parked for extended times or overnight on residential streets.

#### **RR. Play Structures, Recreational Equipment and Toys**

##### **1. In General:**

- a) All exterior play and recreational equipment, including swing sets, jungle gyms, soccer goals, trampolines, or the like must be located in the rear yard of the property within the side boundaries of the house (as seen from the street) and must be screened from public view. Basketball goals may be located in the front of the house as detailed below.
- a) Acceptable screening includes landscaping and privacy fences.
- b) Trampolines will only be permitted if they have a locked net around the perimeter of the trampoline and located at the rear of a lot that is least visible from any street or common area within Basset Creek Estates. Trampolines without a locking net must be kept within yards which have a six-foot (6') privacy fence and located within the side set back of the house.
- c) All play and recreational equipment must be maintained on a regular basis by the Owner.
- d) Tree houses and skateboard ramps are not permitted.
- e) All play and recreational equipment is to be placed at least five feet (5') in from the property line and within the side set back of the house. Note: The ARC committee will, on a case by case basis, make allowance for those homes that are on curved (or "V" shaped) lots that have a short yard behind the home but larger side yards. Due to the size and constraint of the lot, the requirement to locate equipment within the side set back of the house can be waived so long as the equipment is fully screened from the street.
- f) All portable play and recreational equipment, including toys, must be removed from public view when not in use.
- g) All portable play and recreational equipment shall be removed when residence is unoccupied for a period of seven days or more unless prior arrangements have been made with a neighbor
- h) All portable play and recreational equipment shall be removed upon issuance

of any storm warnings of Tropical Storm Warning or higher. Owners shall take all recommended actions to secure non- portable equipment in storm events to ensure that said equipment does not cause bodily injury or damage to others property.

- i) The ARC requires that all applicants for basketball equipment and trampolines to obtain signatures from neighbors abutting their lot stating that they have no objections to the installation of the play equipment. If neighbors abutting their lot object, the ARC request will be denied.
- j) Basketball equipment and trampolines may not be used between the hours of dusk to dawn.

## **2. Play Structures**

- a) Play structures include, but are not limited to, gym or swing sets, slides, play sets and playhouse, tetherball poles, etc.
- b) A picture and the dimensions of the play structure must be submitted with the Alteration Application. A detailed description of the play structure to include materials, colors and equipment must also be provided.
- c) The overall height of play structures may not exceed twelve (12) feet in height. However, the height may be reduced by the ARC based on the lot size and impact on neighboring lots. This will be determined by a site visit.
- d) Applications for play structures must include a survey showing its intended placement. The structure's visual impact to neighboring lots and/or the street must be buffered as much as possible with approved fencing and/or landscaping.
- e) Canopies and "roofs" should be of earth toned colors - tan, brown, olive or forest green.
- f) It is preferred that play structures be constructed of wood; however, commercial quality metal play sets may be considered for approval by the ARC. There are many pros and cons on the types of materials used in the construction of play structures; therefore, the ARC suggests that you visit [www.outdoorplaysets.net](http://www.outdoorplaysets.net) prior to making your decision on the type of play structure you will purchase. This website evaluates each product type (wood, metal and plastic) and can assist you in making wise choices for your children's play equipment.
- g) The ARC recommends that all play structures meet or exceed the ASTM safety standards.
- h) Play sets may be constructed of wood or heavy-duty metal. If constructed of wood, the material must be pressure treated
- i) #1 grade yellow pine or cedar. Metal play sets must be constructed of thick gauge galvanized powder coated steel to minimize rusting. All plastic components should be a high-density polyethylene to reduce heat retention and discoloration.

- j) The frames of metal play sets must be a solid color and shall be earth tone in color. Patterns and/or designs are not permitted on the framework or attached equipment.
- k) Play structures must be securely anchored and installed in a manner so that strong or tropical force winds, or higher, will not carry it to other properties causing damage or bodily injury.
- l) Play structures must be kept in good condition at all times including repair, painting or staining of the structure and the replacement of any canvas. Metal play sets will not exhibit rust and wooden play sets and canopies will not be allowed to remain in a faded condition. It is the responsibility of the homeowner to maintain the condition and safety of equipment and if at any time, either is compromised, the play set must be removed and disposed of properly.
- m) If the play structure will be buffered by landscape the plant material must be eighty percent (80%) opaque, start at a height of thirty-six (36) inches from the ground and may not exceed seventy-two (72) inches of overall height at maturity and then must be maintained at a height of 72 inches at all times. The landscape buffer installation may not alter the drainage of the lot. The proposed plant material and location of landscape buffer must be submitted to the ARC via the Alteration Application prior to installation.

### **3. Play Structures - plastic and other toys**

Note: This section references toys that are normally purchased for younger children. These play structures and toys are usually constructed with bright colored plastics, which often fade when left in the sun. This type of play structure is easily moved and is considered portable.

- a) Plastic play homes, swings and climbing structures, swimming pools and other toys shall be confined to the back yard and screened from public view either by fencing or landscape as defined above.
- b) Unless screened by a six-foot (6') privacy fence, no more than two (2) of these types of toys shall be permitted to remain out for extended periods.
- c) All other toys and play materials shall be removed at the end of each day.
- d) All play structures and toys shall be removed and secured inside in the event that storm warnings of tropical storm strength winds or higher are posted.

### **4. Permanent Basket Ball Goals**

- a) Backboard must be of white or clear fiberglass or acrylic, not plywood or particleboard and shall not exceed fifty-four inches (54") in width with a maximum offset of two feet (2').
- b) Backboard must be mounted on a commercially produced black in color, pole designed for such purpose.
- c) Backboard or hoops shall not be mounted on homes, garages,



or fences.

- d) Goal, net, and safety padding for poles, if used, must be maintained in good condition.
- e) A copy of the survey showing the location of the goal shall be submitted with the Alteration Application. In most cases, the goal shall be located on the side of the driveway opposite of the front door entry and midway between the sidewalk and garage.
- f) Basketball goals must be securely anchored and installed in a manner so that strong or tropical face winds or higher will not carry it to other properties causing damage or bodily injury.
- g) Required signatures of neighbors on either side are required for approval.

#### **5. Temporary Basketball Goals**

- a) One regulation-size or smaller, professional MOBILE backboard with goal (hoop) may be placed in the front of the house on the driveway surface or used in the rear yard of the home.
- b) Equipment may NOT be used on the sidewalks or on streets within Basset Creek Estates.
- c) Portable basketball equipment must have standard white, gray or clear backboards with black post and base.
- d) All equipment must be maintained on a regular basis by the homeowner. Damaged equipment must be removed from view until repairs are made. Bases, poles and backboards must be kept clean and nets kept in good repair.
- e) If the equipment is not in use, it must be stored in the garage or behind the rear line of the house. The portable goal may not be stored on the side of the house unless screened by a privacy fence. For this reason, it is recommended the set be anchored with sand bags rather than filling the base with water, and/or other materials. Concrete blocks, tires and the like may not be used to anchor the set.

#### **SS. Rain Barrels**

- 1. Rain barrels designed for the purpose of capturing rain from the gutters systems may be used on the side or rear of the house. Screening may be required when located on the side of the house.
- 2. Barrels shall be placed within an existing landscape bed or screened from public view.
- 3. Barrels may not exceed three (3) feet in height and shall be earth tones in color.

**TT. Reflectors**

1. Reflectors are not allowed.

**UU. Roofs**

1. Roofs shall be high-grade architectural (dimensional) shingles or clay tiles.
2. Colors shall be shades and blends of gray, brown, or earth tones that coordinate with the exterior body color of the house.
3. No metal or other materials are permitted.

**VV. Roof Extensions/Covering**

1. No roof extensions (carport or overhang) for a car, boat, equipment or any other purpose will be permitted.

**WW. Screen and Storm Doors**

1. Screen doors, storm doors and security doors will not be allowed on the front door of a home.

**XX. Screen Enclosures, Patios and Sunrooms**

- i. Screen enclosures must meet all lot setbacks as required by the City of Tampa.
2. Screen enclosures will only be approved within the rear set back of homes (as seen from the street). Installation of screen enclosures on front entries and garage doors will not be permitted.
  3. Installation will meet all county and state building codes for homes within "C" Wind Exposure Zones and be designed and built to withstand one hundred and thirty (130) mile per hour winds.
  4. Screen enclosures may have shingled, composite aluminum or screened roofs. Shingled roofs shall match the existing shingles on the house. Screen roofs shall be charcoal in color to match screen walls of the structure. Roofs may also be the "Elite" or equal type composite aluminum roofing. The pitch of the roof shall meet current code requirements.
  5. Framing may be bronze anodized or electrostatically painted aluminum.
  6. Screening shall be charcoal and of standard mesh size. No opaque or decorative screening is permitted. Shades or outdoor drapes must have approval and shall be a neutral color such as white, off white or natural wood.
  7. All support cables; screws and fasteners shall be of non-corrosive material such as stainless steel.

8. Structural gutters may be installed but, where necessary, must be adjusted to tie into existing home gutters - runoff must be directed in a manner that will not negatively affect neighboring property or common property.
9. Aluminum kick plates not to exceed eighteen (18) inches in height will be permitted on screen enclosures and the screen door. Decorative grills may not be installed on screen doors.
10. Sun room walls constructed of concrete block with stucco finish on the exterior may be constructed at a height not to exceed thirty-six inches (36"). All construction must be in conformance with Hillsborough County building codes.
11. Vinyl windows (clear or light grey) will be allowed with frames that match the color of the existing window frames. Sample of light gray tint shall be included with application.
12. Roofline may not exceed the height of the house.
13. If enclosing the side of a covered lanai, the wall must be enclosed with screen to match the other screen walls or built in with the same building materials (i.e. concrete block with stucco finish) and finished to match the existing walls of the home. Aluminum may not be used to fill this area.
14. Screen enclosures and sun rooms may not extend beyond the side of the house.
15. Exterior of the enclosure must be landscaped if not located within a fenced area.
16. Irrigation systems may require modification to ensure one hundred percent ( 100%) coverage of the property. This should be a part of the Alteration Application.

**YY. Sidewalks and Stepping Stones**

1. Sidewalks may be installed from the driveway to the side garage door or fence gate leading to the back yard.
2. Sidewalks shall be poured concrete in a width of 30" to 36". However, they must be located a minimum of five (5) feet in from the property line.
3. Sidewalks shall not interfere with approved drainage of the current or adjacent lots.
4. Stepping-stones are not permitted.

**ZZ. Signs**

1. Real Estate signs for Basset Creek can be purchased through Sign Solutions (813 – 269-5990)
2. "Protected by alarm" signs are authorized in landscaping near the front and rear door. Signs shall not exceed 6 inches by 8 inches.
3. No other signs are permitted, including contractor signs for swimming pools, patio or room additions and the like. A "permit board" displaying a building permit from

the applicable governmental agency is allowed if that agency requires it to be posted conspicuously.



#### Sign Color Specs

1. Sign painted w/ One Shot black
2. Metallic Gold Avery Brand vinyl #A5732-M

### APPROVED "FOR SALE" or "FOR RENT" SIGNS

#### AAA. Skylights and Solar Panels

1. Skylights must be integrated as part of the roof design and require prior written approval from the ARC before installation.
2. Solar water heating panels will require approval by the ARC. Any solar panels and related appurtenances and equipment shall be designed and constructed to appear as an integrated part of the building's architecture. This shall generally mean that the panels shall be roof mounted so that the top surface is flush with the roof surface with all appurtenances recessed into the building's attic.
3. Solar panels must not be installed so as to be visible from the street where at all possible.
4. All pipes on the roof must be of a color to blend with the roof shingles. All pipes installed on any side of the house must be painted to match the color of house.

#### BBB. Storm/Hurricane Shutters

1. Permanently installed shutters may be accordion or roll-up style and must be approved by the ARC.
2. Temporary shutters include Lexan panels or similar, aluminum panels, and fabric



panels. While not advised, if using plywood panels, they should be marine grade and thick.

3. Shutters may be closed or installed 72 hours prior to the expected arrival of a tropical storm or hurricane in the area and must be removed no later than three days after the warning is lifted. Should the panels not be removed, the Association is granted an easement to the property to remove the panels and the cost of labor shall be charged to the Owner. The Association is not responsible for any damages caused by the removal, or for the costs of storage of the panels.
4. In the event of an actual storm event causing substantial damage to the house, homeowner may request, in writing, an extension to this time period if the repairs and restoration of the house require that the panels remain attached for a longer period of time.
5. Shutters may not be closed or installed at any time other than a storm event as described above.
6. Under no circumstances may storm shutters or protective panels be used as a routine security measure.

### **CCC. Swimming Pools and Spas**

1. Any swimming pool to be constructed upon any home site shall be subject to review by the ARC. The design must incorporate at a minimum, the following:
  - a. The composition of the material must be thoroughly tested and accepted by the industry for such construction.
  - b. Pool filter equipment must be placed out of view of neighboring properties and the noise level to neighboring properties must be considered in locating equipment. The need to screen equipment may be necessary. All screening must have the prior written approval of the ARC.
  - c. Pool heating equipment must comply with all applicable building, zoning and fire codes.
2. Pools shall be of the in-ground type. Above ground pools are prohibited.
3. Swimming pools shall not be permitted on the street side of the residence and if on a corner Lot must be screened from the street.
4. Spas or Jacuzzis shall be of the in-ground type with the exception of above ground types not exceeding three feet (3') in height above the existing grade level. They shall be located in the rear yard and screened from street view and the view of any neighboring property.
5. Screening of the pool is required either by fencing the property or by a screen enclosure that totally encloses the pool.
6. Irrigation system must be re-installed to insure one hundred percent (100%) coverage of sodded and landscaped areas of the property.

7. Pool heaters and pool filters shall be screened from view from the street. Owner shall install enough plants to screen pool equipment from view of the street and other properties. Plants shall be the same height when planted as those planted by the builder at the A/C unit. Plants shall be allowed to grow to the height of the pool equipment, then properly trimmed and maintained at that height. Any dead plants shall be replaced immediately with a plant of the same type and similar height.
8. Pool overflow and drainage are required to have a small gravel drain bed (French drain) for chlorinated water to flow into.
9. Under no circumstances may chlorinated water be discharged onto other homeowners' lawns, community streets, or into retention ponds.

**DDD. Water Softeners**

1. Installation usually requires a permit. Please check with the City of Tampa Building Department.
2. Discharge from water softeners shall be routed to an open air sanitary waste line or p-trap may dump into a laundry tub or sewer line with a "P" trap- It shall not drain to the outside open areas.
3. Water softeners shall be screened from view from the street with shrubs or other landscaping under the same guidelines as those for screening swimming pool equipment.

**EEE. Windows - Replacement, Tinting and Treatments**

1. Original installed windows may be replaced with windows of similar style. Replacement window frames shall match existing window frames.
2. Owners may request to install energy conservation films on windows. Window tinting film applied to the interior of the windows shall be gray in color with no more than twenty-one (21%) solar reflectance and no less than thirty (30%) light transmittance.
3. The degree of darkness allowed for non-reflective tinting shall remain with the ARC on a case by case basis. All tinting requests must be accompanied by a brochure or manufacturer's description. All requests must include a sample of the material to be used. This sample will remain with the application and will not be returned.
4. No silver, gold or bronze reflective colors are allowed. No reflective tinting or mirror finishes (to include aluminum foil) will be permitted.
5. Window treatments shall consist of drapery; blinds, decorative panels or other tasteful window covering any window treatments visible to a street shall be white, off-white or other neutral color (i.e. interior shutters in a wood tone).