

The Sanctuary at Oak Creek

HOMEOWNERS ASSOCIATION, INC.

RESOLUTION

The following action is taken without a meeting, pursuant to the provisions of Florida Statute 617.0821:

The Board of Directors of The Sanctuary at Oak Creek Homeowners Association hereby approves this Resolution regarding the adoption of rules and regulations, approved by the Architectural Control Committee, as set forth in the attached document. The adoption of these rules and regulations by the Board is permitted by the Declaration of Covenants, Conditions, Restrictions and Easements for The Sanctuary at Oak Creek Homeowners Association, as noted in OR Book 10650, Page 1175, recorded in the Public Records of Hillsborough County, Florida.

The undersigned Directors consent to this action:



Mike Storey, Director

6/1/05

Date



Brad Foster, Director

6/1/05

Date



Nancy Reynolds, Director

6/1/05

Date

THE SANCTUARY AT OAK CREEK **ARCHITECTURAL DESIGN GUIDELINES**

As The Sanctuary at Oak Creek is a deed-restricted Community, the Architectural Control Committee must approve any exterior alterations/additions to the property. Alteration applications must be submitted for any exterior modifications, including, but not limited to, the following:

Pools/Spas, screen enclosures, fencing, landscaping changes (when changes consist of more than 10% of the existing landscaping), landscape curbing, exterior painting, permanent hurricane protection, satellite dishes, swing sets, trampolines and basketball goals.

All exterior modifications/alterations are subject to on site review *prior* to construction. The on site review will be followed by a *written* approval or denial. The owner is responsible for compliance with all State, County and/or local codes.

The following are Board approved guidelines:

FENCES:

1. A copy of the lot survey indicating placement of a fence must be submitted with the request form.
2. No type of fencing is permitted on the front of any lot.
3. The acceptable material is PVC vinyl. PVC fences may be white or tan. Rear fences on conservation lots or lots with water views must have vinyl coated green or black chain link fences.
4. The maximum fence height is 6 ft. with the exception of conservation lots or lots with water views. The side fence must transition from 6 ft. to 4 ft. starting at the back of the home and/or depending upon the angle and proximity of the home and neighboring homes to the water. This 4' fencing must be of the "open picket/plank" PVC type construction.
5. No lattice is permitted.
6. Conservation vinyl coated green or black chain link fencing must be 4' in height and used on the waterway and/or conservation side of the lot.
 - Fencing may not impede the view of water or a conservation area for any adjoining property.
7. Fence posts should be installed on the property line.
8. No fence may be installed on any easement. (Including, but not limited to drainage, utility, or CDD.)
9. Fences must adjoin any existing fence except under easement restrictions.
 - Double fencing is only permitted when adjoining a "grandfathered" fence.
10. On interior lots, fences shall be set back a minimum of 10 ft. from the front facing corners of the house. On corner lots, fences shall be set back a minimum of 15 ft. from the front corners of the house and 10' in from the top of the sidewalk on the street side so as not to obstruct visibility.
11. Fence finials are permitted with approval.
12. All fencing, including those "grandfathered" must be maintained in a consistent and appropriate manner.
13. Replacement of any or part of a "grandfathered" fence must go through the approval process and will be required to meet the above bylaws.

POOLS

1. No above ground pool is permitted.

SCREEN ENCLOSURES:

2. Screen enclosure frames may be white or bronze.
3. Aluminum pan roofs and insulated roofs are permitted.
4. Front screen enclosures are not allowed.
5. Screen doors are not permitted on the front of homes.

SPORTS EQUIPMENT

1. No permanent sporting structures are permitted in the front or side lot of any home. All temporary equipment must be stored out of sight when not in use (i.e. basketball goal, soccer goals, trampolines, etc).

EXTERIOR PAINTING:

2. Color samples must be submitted for approval prior to painting the exterior of your home. Please specify on each sample the body, trim and door color.

STORAGE SHEDS: Storage sheds are **not** permitted in the community.

9/15/05.

**THE SANCTUARY AT OAK CREEK
ARCHITECTURAL DESIGN GUIDELINES**

June 1, 2005

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not part of the Common Property for the purpose of its access to the Property and the access to the Property of any of its successors and assigns.

Section 6. Boundary Wall. Declarant reserves the right (but not the obligation) to construct a wall, fence, hedge or other improvement ("Boundary Wall") along the perimeter of the Property, along all or any part of a road or street (whether dedicated to the public or not) within the Property, along any part of the Common Property, or along any other street, road or other boundary of the Property. Such Boundary Wall may be constructed on any undedicated or dedicated rights-of-way, or any Lot of an Owner adjacent to such right-of-way; the Common Property; or any combination thereof. An easement is hereby reserved to the Declarant, and granted to the Association for this purpose, provided that such easement shall not interfere with the buildout of the Property and the provision of access to Lots by curb cuts, driveways and the like. The Association shall maintain, repair and replace, at its expense, the Boundary Walls which are constructed by it or Declarant; provided, however, if such Boundary Wall also serves as a boundary of any Lot, Owner thereof shall maintain the interior surface of such Boundary Wall, unless the abutting Lot is subject to the jurisdiction of a Homeowners Association, in which event such interior surface maintenance obligation shall be that of the Homeowners Association.

Section 7. Reciprocal Easements for Encroachments by Boundary Wall or other Improvements. Reciprocal appurtenant easements are hereby created for encroachments as between any Lots and such portion or portions of the Common Property adjacent thereto, or as between adjacent Lots, due to the placement or settling or shifting of any Boundary Wall or other wall or fence or other improvement constructed or reconstructed thereon (in accordance with the terms of this Declaration), to a distance of not more than one (1) foot on each side of the common boundary (total of two (2) feet) measured at right angles from and running parallel to any point on the common boundary between each Lot and the adjacent portion of the Common Property, or between said adjacent Lots, as the case may be; provided, however, in no event shall an easement for an encroachment exist as to any such encroachment other than a Boundary Wall or other wall or fence if such encroachment occurs as the result of the willful or knowing violation of the Declaration on the part of any Owner or Homeowners Association.

ARTICLE III: ARCHITECTURAL, MAINTENANCE AND USE RESTRICTIONS

Section 1. Approval of Plans and Architectural Control Committee. For the purpose of further insuring the maintenance of the Property as a residential area of highest quality and standard, and in order that all improvements on each Lot shall present an attractive and pleasing appearance from all sides of view, the Committee, consisting of three (3) members appointed by the Board of Directors shall have the exclusive power and discretion to control and approve the construction, remodeling, or addition to the buildings, Dwellings, structures and other improvements of any kind on each Lot in the manner and to the extent set forth herein. No Dwelling, building, fence, wall, utility or yard shed or structure, driveway, swimming pool, swimming pool enclosure, yard ornament, bird bath, bird house, sport/game or play structure, or any other structure or improvement, regardless of size or purpose, whether attached to or detailed from the main Dwelling, shall be commenced, placed, erected or allowed to remain on any Lot nor shall any addition to or exterior change (including repainting) or alteration thereto be made, or shall any change in the landscaping, elevation or surface contour of a Lot be made unless and until building plans and specifications covering same, showing such information as may be required by the Committee have been submitted to and approved in writing by the Committee. In addition, no tree may be removed from any Lot without the Committee's prior written approval. The Committee may require that all architectural, remodeling and landscape plans be accompanied by site plans which show intended work in relation to the Lot lines and also locates the Dwellings on each side of the Dwelling under consideration. The Committee shall have the absolute and exclusive right to refuse to approve any such building plans and specifications and lot-grading and landscaping plans which are not suitable or desirable in its opinion for any reason, including purely aesthetic reasons and reasons connected with future development plans of the Declarant of the Property. In the event the Committee rejects such plans and specifications as submitted, the Committee shall so inform Owner in writing stating with reasonable detail the reason(s) for disapproval. In passing upon such building plans and specifications and lot-grading and landscaping plans, the Committee may take into consideration the suitability and desirability of the proposed construction, the materials of which the same are proposed to be built, the Lot upon which it is proposed to be erected same, the quality of the proposed workmanship and materials, the harmony of external design with the surrounding neighborhood and existing structures therein, and the effect and appearance of such constructions as viewed from neighboring Lots. In addition, there shall be submitted to the Committee for approval such samples of building materials proposed to be used as the Committee shall specify and require.

As a prerequisite to consideration for approval, and prior to beginning the contemplated work, two (2) complete sets of plans and specification must be submitted to the Committee. Upon giving written approval, construction shall be started and pursued to completion promptly and in strict conformity with such plans and specifications. The Committee shall be entitled to stop any construction in violation of these restrictions and any such exterior addition to or change or alteration made without application having first been made and approval obtained as provided above, shall be deemed to be in violation of this covenant and may be required to be restored to the original condition at Owner's cost.

(a) Plans and specifications shall be prepared by an architect registered in the State of Florida. The architect submitting the plans must state in writing that he has visited the site and is familiar with all existing site conditions. This requirement may be waived, in whole or in part, by the Committee upon application of Owner and showing to the Committee a good cause for waiving such requirement.

(b) All structures must be built to comply substantially with the plans and specifications as approved by the Committee.

Section 2. Compliance with Governmental Requirements. In addition to the foregoing requirements, any alteration, addition, improvement, or change must be in compliance with the requirements of all controlling governmental authorities, and Owner shall be required to obtain an appropriate building permit from the applicable governmental authorities when required by controlling governmental requirements. Any consent or approval by the Association to any addition, alteration, improvement, or change may be conditioned upon Owner requesting such approval obtaining a building permit for same, or providing the Association with written evidence from the controlling governmental authority that such permit will not be required, and in that event the Owner requesting architectural approval shall not proceed with any addition, alteration, improvement, or change until such building permit or evidence that a building permit is not required is submitted to the Association.

Section 3. No Liability. Notwithstanding anything contained herein to the contrary, the Committee shall merely have the right, but not the duty, to exercise architectural control, and shall not be liable to any Owner or Homeowners Association due to the exercise or non-exercise of such control, or the approval or disapproval of any improvement. Furthermore, the approval of any plans or specifications or any improvement shall not be deemed to

be a determination or warranty that such plans or specifications or improvement are complete or do not contain defects, or in fact meet any standards, guidelines and/or criteria of the Committee, or are in fact architecturally or aesthetically appropriate, or comply with any applicable governmental requirements, and the Committee shall not be liable for any defect or deficiency in such plans or specifications or improvement, or any injury resulting therefrom.

Section 4. Exemption. Declarant shall be exempt from the provisions of this Article and shall not be obligated to obtain Committee approval for any construction or change(s) in construction which the Declarant may elect to make at any time.

ARTICLE IV: GENERAL LAND PLAN, ANNEXATION AND DELETIONS OF PROPERTY

Section 1.

(a) General Land Plan. The present general plan of development for the Property and THE VILLAGES OF OAK CREEK shall not bind the Declarant to make any additions to the Property or adhere to the general plan of development. Such general plan of development may be amended or modified by the Declarant, in whole or in part, at any time, or discontinued. As used herein, the term "General Land Plan," or words to that effect, shall mean such general plan of development, together with any amendments or modifications thereof hereafter made.

(b) Mergers. Upon a merger or consolidation of the Association with another non-profit corporation its property (whether real or personal or mixed) may, by operation of law, be transferred to the surviving or consolidated corporation or, alternatively, the property of the other non-profit corporation may, by operation of law, be added to the property of the Association as the surviving corporation pursuant to a merger. The surviving or consolidated corporation shall thereafter operate as the Association under this Declaration and administer the covenants and restrictions established by this Declaration upon the Property. No such merger or consolidation, however, shall effect any revocation, change or addition to the covenants established by this Declaration.

Section 2. Annexation to the Property. Land may be annexed to the Property with the consent of two-thirds (2/3rds) of each class of Owners present in person or by proxy at a special meeting of the members called for that purpose and held in accordance with the By-laws, with so long as the Federal Housing Administration is guaranteeing or insuring any loan secured by property subject to

The Sanctuary @ Oakcreek Architectural Control Committee Member Info.

Core Principal & Objective

To apply the Declaration of Covenants, Conditions and Restrictions (Bylaws) and the Architectural Control Guidelines (ACG) as adopted by The Sanctuary at Oak Creek Homeowners Association in a fair and consistent manner.

Role & Responsibilities

- To review/ approve/ deny alteration applications submitted by homeowners and provide appropriate feedback/ recommendations to assist homeowner in complying with bylaws and AC guidelines.
- Able to attend 2/3 of total meetings of the year.
- Provide homeowner a timely response concerning their application or issue.
- Assist BOD in shaping AC guidelines consistent with bylaws & addressing residents needs via amendments to AC guidelines.

Time Commitment

Due to the ACC still in a “start-up” phase, a “true” time commitment has not been determined. However, we do project 3 monthly meetings as follows:

1. Committee meeting to discuss items presented to the committee from BOD & review submitted alteration applications, if any.
2. Perform onsite review of alteration application, if applicable (i.e. Swimming pool/ fence/ landscape)
3. Provide recommendation to Board of Directors during BOD meetings of reviewed alteration applications or other issues.

Length of Service

One year service from Jan – Dec. in line with HOA’s Calendar Year or until member can no longer or chooses not to serve. This allows other homeowners to be involved in the ACC.

Salary & Budget Responsibility

\$0 – This is a voluntary service with no budget responsibility.

Report Structure

The Architectural Control Committee (ACC) reports directly to the BOD.

ACC structure

The ACC is comprised of a total of 5 members from the HOA as follows:

- 1- Committee Chair
- 4- Committee members

A simple “majority vote” will be used when acting upon decisions concerning applications/ issues as presented to the committee in providing a recommendation to the BOD. Quorum count needed for a meeting is 3.

If you are still interested, please contact Runel Garcia via email @ runelg@yahoo.com indicating your interest to be involved with the ACC.

FILE
ASSOCIATION
Sanctuary@oakcreek
ARC



The Sanctuary @ Oakcreek
Architectural Control Committee wants you!

Architectural Control Committee Guidelines - Screen Doors

The Screen Door Guideline for The Sanctuary at Oak Creek was approved by unanimous vote of attending members of Architectural Control Committee at a public meeting held on 04/02/2009.

The Screen Door Guideline for The Sanctuary at Oak Creek was adopted and approved by the Board of Directors at a public meeting held on 05/21/2009.

1. Only "*disappearing*" retractable type screen doors will be approved on the front entrance doors of homes in The Sanctuary at Oak Creek.
2. All hardware used in the application of "*disappearing*" screen doors must be inconspicuous to the front of the home and main door frame. Within 5 days of installation, hardware must be painted the same color as the door and/or trim to which it is attached.
3. All installations & colors must be submitted to the Architectural Control Committee for approval.
4. Failure to submit full/complete proposals will result in the application being denied and work stopped until all items are received.
5. Full details from the company and/or Owner providing and/or doing the labor for installation of the "*disappearing*" screen door must be included in the submission for approval.
6. No graphic prints or images will be allowed or approved on any part of the visible screen and/or frame hardware.
7. When screens are not in active use they must be returned to the enclosure part of the hardware.

3527 Palm Harbor Boulevard • Palm Harbor, FL 34683

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www.melrose-sovereign.com

Addendum

Retractable Screen Door Examples and Vendors

Homeowners are not required to use the vendors listed on this addendum. In addition, no vendor is recommended over another. This addendum is provided for homeowner reference and information only.

Real Screen (A local company - on Highway 301 - has offered a discount to The Sanctuary at Oak Creek residents). 813-671-97891 Eric is the owner.

<http://www.reelscreens.com>

<http://www.thescreenstore.com/>

<http://www.retractablescreensdoor.com>

<http://www.larsondoors.com>

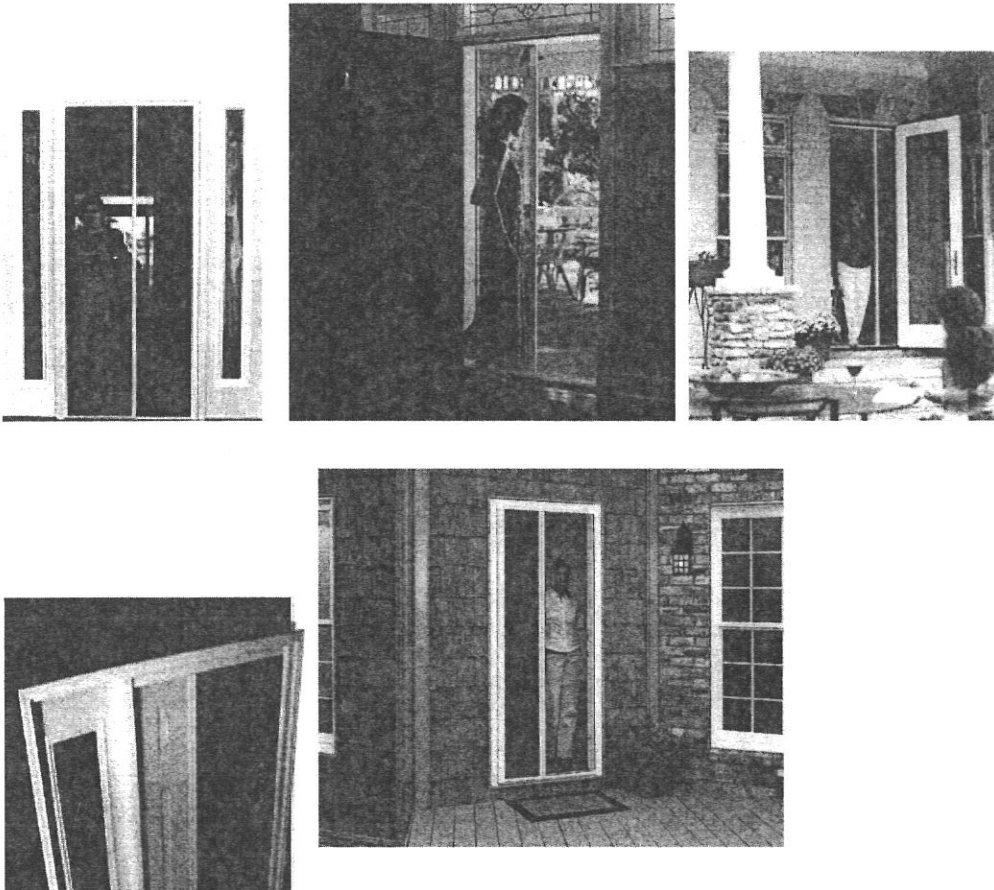
<http://www.phantomcreens.com/index.html>

<http://www.wizardindustries.com/>

<http://www.stoett.com/>

http://www.chiproducts.com/products/retractable_home.asp

<http://alpineretractablescreens.com/index.html>



Sanctuary at Oak Creek

HOMEOWNERS ASSOCIATION, INC.

LANDSCAPE INSTALLATION AND REPLACEMENT GUIDELINES

January 14, 2009

As The Sanctuary at Oak Creek is a deed-restricted Community, the Architectural Control Committee must approve any exterior installations/additions to the property. There is no item(s) in the guideline that will be grandfathered in. This is to ensure the consistency and appearance of the community.

All exterior modifications/alterations applications are subject to on site review **prior** to installation.

All reviews will be followed by a **written** approval or denial.

The owner is responsible for compliance with all State, County, HOA and/or local codes.

The following are Board approved guidelines:

1. **SOD** All portions of road right of ways and the lot shall be sodden, except for conservation areas required to remain natural. To insure a consistent turf color and texture throughout the community, **St Augustine "Floritam" or "Floratine"** must be used. After initial installation, turf areas may not be removed or replaced with any other materials other than sod such as but not limited to mulch, stone, rock, gravel, crushed brick or similar materials without **written approval** of the Architectural Control Committee or The Board of Directors for The Sanctuary at Oak Creek, HOA Inc.
 - Dead, dying or areas of sod and sod that show infestation that have been directed to be removed, attended/treated and or replaced must be replaced with the same. No other type of material may be used as a replacement.
 - ◊**Water restriction times** The Sanctuary Board of Directors recognizes the inability to water the needed amount to stimulate growth of a large area replacement. **However, homeowners must address the area(s) in question i.e.: cut out dead/dying area, treat for infestation to prevent spreading and replace sod. If water restrictions are tight and or there is a current ban or limitation on new sod, contact the ACC/Sanctuary Board of Directors or Melrose Sovereign.**
2. **Mulch**. All landscaped areas shall be top dressed with a minimum of 3" of Grade "A" Cypress or pinebark mulch after watering in. Stone, rock, gravel, crushed brick or similar materials are not allowed as a substitute for mulch or sod without **written approval** of the Architectural Control Committee (ACC) or The Sanctuary Board of Directors at Oak Creek, HOA Inc.
3. **Ground Covers**. Approved ground covers shall be planted in such a manner to present a finished appearance within (3) months. Approved Barrier shrubs shall be planted such that the gap will be closed within the first year of growth.

Landscape Quality and Installation. Trees, shrubs, and all foliage shall be nursery grown in containers and free from disease, insect infestations defects and injuries. Installations should allow adequate area to promote a healthy growth pattern and to accommodate the mature growth requirement of each plant species. Trees shall be maintained in the correct form for their species and have a normal growth habit with well developed and dense foliated branches.
4. **Street Trees**. Absolutely no street trees (Oaks) shall be removed from any lot, without the written permission of the ACC and or The Sanctuary Board of Directors, If required depending on size of Tree written approval from Hillsborough County. **No** tree(s) shall be planted in the maintenance easement (between street and sidewalk) other than the Oaks that are established in Sanctuary. None of which will be permitted without written approval from the ACC and or The Sanctuary Board of Directors. Street trees are required to be trimmed up to minimum of no less than **eight** feet from the bottom to allow for unobstructed pedestrian traffic on sidewalk and unobstructed vehicle traffic street side.

Alteration Applications must be submitted for any exterior modification, including, but not limited to this guideline.

Melrose • Sovereign Companies

3527 Palm Harbor Boulevard, Palm Harbor, Florida 34683

Telephone: 813-854-5033 ■ Facsimile: 813-854-1094 www.melrose-sovereign.com

THE SANCTUARY AT OAK CREEK

ARCHITECTURAL DESIGN GUIDELINES

February 11, 2006

As The Sanctuary at Oak Creek is a deed-restricted Community, the Architectural Control Committee at times must enact additional guidance for the purpose of further insuring the maintenance of the Property as a residential area of the highest quality and standard. The following is such as we believe it will improve the overall appearance of the community for all.

Trash Receptacles/Garbage Cans:

1. Household trash receptacles and yard waste containers must be stored during non-trash pick-up days in such a manner that they are not visible from the street. The suggested storage site is out of view, within the confines of each residential garage. Outdoor storage is allowed on either side of the residence, provided the receptacles are shielded from view by an ACC approved landscape vegetation screen or fence.
2. Trash receptacles must be routinely retrieved from the curb/street the same day pick-up occurs and returned to the approved storage site.

The Sanctuary at Oak Creek

Exterior Color Schemes

Paint colors (exterior walls, trim, shutters, and doors) shall not be materially changed from original colors without the consent of the Architectural Control Committee.

The Architectural Control Committee may take up to 30 days to review an application. Work may not begin until the homeowner has received written approval.

Submission Requirements for Exterior Painting

All applications must include the following items or will be denied without review:

1. A completed ACC Application - which may be found in the "files" section on the Sanctuary Yahoo Website:
<http://groups.yahoo.com/group/oakcreek/>
2. Roof color* is the dominant element of the home. Include the home's roof color in the description detail field of the Alteration Application. A photo of the home is appreciated, but not required.
3. Three (3) separate color scheme selections from The Sanctuary at Oak Creek Exterior Color Schemes binder (in order of preference) must be attached to the application. *Order of preference does not guarantee approval of first selection.*

*Roof color and the color schemes of adjacent homes will be taken into consideration as part of the approval process.