



*CREEKSIDE*

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*COMMUNITY  
STANDARDS*

UPDATED AND APPROVED  
AUGUST 23, 2010



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# Creekside Community Association

## COMMUNITY STANDARDS

This Community Standards Document is established to assist the Architectural Control Committee (ACC) and Owners with procedures and guidelines through consistent and high quality design standards for the property alteration process. It supports and amplifies the Declaration of Restrictions and Covenants and other governing documents that bind each property Owner. It is provided to residents of Creekside Community Association for their future reference. This document is not intended to address all possible situations, alterations, etc. Please contact the Creekside Community Association Management office with any questions.

It is the intention of the ACC to maintain a high standard of exterior architectural appearance throughout the Creekside Community Association community. The following guidelines have been set up to protect the integrity of the project, the developer's interests and the purchasers' investment in the community. Your adherence to these guidelines will enhance the marketability of Creekside Community Association. *No applications will be accepted from a tenant without the prior written consent of the homeowner. Please contact an ACC member or the management office with any questions.*

Property setbacks, easements and other ordinances must be adhered to and complied with in accordance with Polk County Government.

### **DEFINITIONS**

- "ACC" shall mean the Architectural Control Committee.
- "Board" shall mean the Board of Directors of Creekside Community Association.
- "Declaration" shall mean The Declaration of Restrictions and Covenants for Creekside Community Association.
- "Association" (as defined in the Declaration) shall mean Creekside Community Association, Inc., its successors and assigns.
- "CCR" shall mean Covenants, Conditions and Regulations

# **Article 1**

## **ARCHITECTURAL CONTROL COMMITTEE**

### **1.01 Responsibilities**

In accordance with authority granted to the ACC in the Declaration, specifically paragraph 19.1, the ACC shall be appointed and “shall administer and perform the architectural and landscape review and control functions relating to Creekside Community Association.” In carrying out its duties, the ACC shall review all submittals to assure procedures and standards conform to design guidelines as set forth in these Community Standards and in the Declaration. The Committee shall keep records and shall maintain a file of all alteration application and activity for a period of not less than seven years.

A majority of the ACC shall constitute a quorum to transact business at any meeting. The action of a majority present at a meeting at which a quorum is present shall constitute the action of the ACC. In lieu of a meeting, the ACC may act in writing.

### **1.02 Policy**

All Owners and their contractors must comply with alteration application guidelines and requirements prior to commencement of any work. The ACC will review plans, materials, site plan, colors and/or landscaping plan to ensure compliance with design requirements, policy and procedures of these standards. No alteration requiring the approval process shall be commenced until plans and specifications have been submitted to and approved in writing by the ACC. If said alterations are performed without ACC approval, the Association reserves the right to restore the property to its prior condition directly payable by the homeowner. The Association assumes no responsibility for the structural integrity, safety features, mechanical operation, and permitting or building code compliance of the proposed construction to a lot or a home.

### **1.03 Committee Discretion**

These standards do not cover every possible situation that may require ACC approval. As it applies, the ACC is not authorized to exercise discretion in approving or disapproving a specific proposal as per state statute FS 720. In some special cases Board approval may be needed for a proposal that may conflict with a standard set forth in this document. Board approval does not constitute a precedent for future requests.

## Article 2

# PROCEDURES FOR MANAGING PROPERTY ALTERATIONS

### **2.01 Alterations**

**Any exterior property alteration (to the home or the lot) requires the completion of an “Application to Architectural Control Committee” form that must be approved by the ACC. A copy of a blank application form is included in this booklet.**

Examples of alterations are:

- Awnings
- Brick pavers: location and color
- Changes to the exterior color of the home (painting)
- Driveways: re-construction/resurfacing/painting
- Elevation or grading changes
- Exterior decoration applied above garage doors and fronts of homes
- Fences
- Flag poles, satellite dishes and antennas
- Front door or garage door coverings, such as screen doors or storm doors
- Front door: style and/or color
- Gutters: style, color
- Items in flower beds besides plants
- Lanais, sunrooms and gazebos
- Lighting: placement and size
- Landscaping (refer to Article 4)
- Pools, spas, hot tubs, whirlpools
- Porches, decks and patios
- Roofing
- Screen Enclosures
- Window replacement/changes

### **2.02 Prohibited Items**

Certain alterations/conditions are not allowed within the Declaration. These include, but are not limited to those listed below. They are considered to be in VIOLATION and subject to immediate action by the ACC thru the Violation Procedures.

- Window Air Conditioning Units
- Satellite Dishes over 39.37 in. diameter In accordance with FCC rule 47 C.F.R. Section 1.4000
- Aluminum, metal, plastic, or fiberglass roofs where the roof pitch is equal to or greater than 3/12 unless covered by composite asphalt/fiberglass multi-tab or dimensional shingles
- Wood or asphalt mineral surface roll roofs
- Room additions or sunrooms with exterior finishes of aluminum or metal siding
- Plastic or Artificial flowers
- Window awnings



### **2.03 Application Process**

Listed here is an abbreviated description of the application process. ACC will only process completed applications, including signatures and accompanying plans and specifications, lot plots, colors, pictures, drawings, etc. **Applications must contain all the information necessary for the ACC to make an informed decision or it will be denied.** Within thirty (30) days after receipt by the ACC, the ACC will act on the submission. After review, the original submittal will be retained by the ACC for their files. The resident will receive notification within 10 days of the meeting letting them know if their application had been approved or denied. The ACC will give one of the following responses to each application received. **“Approved”** (project approved as submitted)

**“Conditional Approval”** (subject to conditions noted)

**“Denied”** (reasons noted in the meeting minutes)

**Incomplete Application or Supplemental Information Required-** In the event the information submitted to the ACC is, in the ACC’s opinion, incomplete or insufficient in any manner, the ACC may request and require the submission of additional or supplemental information. The applicant shall, within fifteen (15) days thereafter, comply with the request.

All approved projects must be completed within 6 months, after that time a new application must be submitted.

**The Owner is solely responsible to obtain all required building and other permits** from all governmental authorities having jurisdiction and is responsible for compliance with all applicable building and zoning codes.

### **2.04 Completion**

Approved projects must be completed within 6 (six) months of approval by the ACC. After that time, the ACC’s approval of the application will expire. A new ACC application must be submitted and approved before any further work can begin. The Board or the ACC retains the right, but not the obligation, to extend time frames for applicant to complete the proposed and approved work. A member of the property management team will verify the work has been done in compliance with the ACC’s approval.

### **2.05 Appeal**

In the event the ACC denies any plans, the applicant may request a rehearing by the ACC. If the ACC again denies the applicant’s request, the applicant may appeal to the HOA Board. The decision of the ACC, or if appealed, the Board, shall be final and binding upon the applicant, his heirs, legal representatives, successors and assigns.

### **2.06 Enforcement Process**

Any owner through accepted communication to the Community Association Managers may report violation(s) of any Community Standard or Declaration condition. The policy of the HOA is to have management do property inspections. If Management determines that the alleged violation requires corrective action, Management will then proceed with the approved enforcement process, thru the Violation Procedures and policy as established by the Board of Directors.

## **Article 3**

### **HOME DESIGN AND MAINTENANCE**

#### **3.01 ACC General Standards**

Homes shall be of high quality architectural design that is compatible in external appearance, design and quality with existing structures. "Screened from public view" means using shrubs, trees or an approved material that will prevent the object from being seen from the street. No material alteration, addition or modification to any portion of a home shall be made without the receipt of prior written approval of the ACC.

#### **3.02 Animals/Pets**

No animals or livestock of any kind shall be raised, bred or kept within the community for commercial purposes. Other than vicious breeds and uninsurable pets (i.e. pets that create policy coverage exclusions under insurance policies purchased by the Association or pets that cause increases in insurance policy premiums under insurance policies purchased by the Association), Owners may keep a maximum of two dogs and two cats so long as such pets or animals do not constitute a nuisance. A determination by the Association that an animal is a nuisance shall be conclusive and binding on all parties. When an Owner receives notice of removal of any pet, the pet shall be removed within 48 hours of giving of the notice. No pet or animal shall be "tied out" on the exterior of the home or in the common areas, or left unattended. Pets shall be walked on a leash, in accordance with the leash law. The person walking the pet shall clean up all litter created by the pet during the walk. Each owner shall be responsible for the activities of their pet. Pets are not permitted in any water body in Creekside Community Association.

#### **3.03 Artificial Vegetation**

No artificial grass, plants or other artificial vegetation, shall be placed or maintained upon the exterior portion of any lot. Only exception would be door wreaths which must be maintained and be replaced when faded.

#### **3.04 ATVs**

All-terrain vehicles are not permitted to be driven anywhere in Creekside Community Association. They must be stored in the garage and put on a trailer to be taken out of the neighborhood.

#### **3.05 Awnings**

ACC approved awnings are permitted are on the rear of the home over the Lanai. The color choices must be consistent with the color of the home or trim, and must be neutral in color. (See Community Color book)

### **3.06 Basketball Hoops**

The only allowable residential basket ball goal is a portable goal, which must be stored at the top of driveway after each use and must not be used after 10pm in accordance with Polk County Ord. (noise or nuisance).

### **3.07 Bird House**

One birdhouse and/or bird feeder will be permitted on a revocable and conditional annual basis. If the house or feeder is not maintained or otherwise becomes offensive, the Architectural Control Committee (ACC) has the authority to rescind approval at any time and to require removal of the house or feeder. Birdhouse or feeder may be placed in the rear yard only and may be ground supported or suspended/mounted in a tree. The proposed location shall be at least 5 feet from the property line. If the home site is a corner lot, house or feeder may be located in the side yard common with the street right of way, not closer than 16 feet to the street pavement adjacent to the side yard and not closer than 40 feet to the street pavement adjacent to the front yard. House or feeder may not be suspended from a "street tree" on a corner lot. Ground supported or tree suspended/mounted birdhouses or feeders may not be higher than 6 feet from the ground to the top of the house or feeder. The Committee will consider the size and appearance of the birdhouse or bird feeder as appropriate to the location on a one by one basis, but in no case shall the total of width plus height plus depth of a birdhouse exceed 50 inches, with maximum dimension of 18 inches, any one side or shall the total of width plus height plus depth of a bird feeder exceed 30 inches, with maximum dimension of 18 inches, any one side. If a ground supported birdhouse or bird feeder is not located in an existing planting bed, then the homeowner shall provide and maintain a mulched area at least 2 feet in diameter at the base of the support.

### **3.08 Clotheslines**

The only type of approved clothes line is an "umbrella-type" of clothes line. The umbrella clothes line must be closed when not in use, clothes lines must be maintained and free of rust and discoloration.

### **3.09 Commercial Vehicles**

Commercial Vehicles (vehicles used for work purposes and vehicles with writing on the sides or equipment racks or holders) are not permitted to be parked on driveways in Creekside Community Association. They must be parked inside a garage at all times. The exception to this is a county or government issued vehicle.

### **3.10 Community Yard Sale Events**

No personal, garage/yard sales are permitted. The Community may hold two (2) events each year (spring and fall). Property Management will coordinate these events with volunteers. Signage will be placed on common areas. No signage will be placed on individual property.



### **3.11 Curb Numbers**

Creekside Community Association does not permit painted numbers on curbs.

### **3.12 Drainage**

Roof gutters and downspouts of 6-inch aluminum construction are permitted within the approved color scheme. (See Community Color Book for approved colors). Downspouts shall not direct water onto common areas or neighboring property and must drain according to approved drainage plan.

### **3.13 Driveways**

Any owner changing the appearance to a driveway including a driveway color, finish, topping, pavers or complete replacement must submit an application to the ACC for summary approval. Driveways need to remain free of grease, oil or other stains. Weeds growing through driveway cracks need to be eliminated. Driveways need to be kept free of debris. Driveway reflectors are not permitted.

All paint color, stain color; finishes including embossing and or stamping patterns must be submitted to the ACC and chosen from the approved Community Color Book. All driveways should, if possible, permit a full size (20 foot) car to be parked in the driveway and not interfere with sidewalk access. Any change in size or shape of the driveway must be approved by the ACC. Extensions on either side of driveway may not exceed 2 feet (for a total of 4 feet)

Only concrete or pavers are permitted to line either side of driveway.

### **3.14 Equipment**

Equipment (lawn care, car care, work equipment) is not permitted to be stored in the front of home or sides of home. Any equipment must be stored behind the home, where it is not visible from any street.

### **3.15 Exterior Finish and Colors**

Changes to exterior of home require ACC approval. Exterior surfaces shall be of quality standard stucco compound with a knockdown finish or horizontal siding as originally installed by the builder. This shall apply to any and all parts or attachments to any structure on any lot, including barrier walls. All exterior colors must comply with the approved Community Color Book. Accent colors, not exceeding two (2) per structure, not including front door color, will be allowed. Any change of the existing color to one of the approved community color selections requires the owner to submit an application to the ACC for summary approval stating color selections. Owners wanting to repaint with existing surface colors must also submit an application to the ACC for summary approval. Stacked stone or rock alterations to a home must be chosen from the approved Community Color Book. An owner must submit an application to the ACC for summary approval stating selection. Stone or rock alterations shall be used for accents only to the home.

### **3.16 Exterior Lighting**

Changes to exterior lighting of home require ACC approval. Coach Lights must be the same or very similar to the lights already installed. Lights must be bronze, silver, pewter, black or white in color with clear glass. Light fixtures must be proportionate to home. Lights must be mounted to home, left and right of garage door. Minimum height from ground to the bottom of fixture is 6 feet, maximum. Bulbs may be clear or frosted. Yellow or any other color bulbs are not approved except during the holidays, see holiday decoration C.S.3.30

### **3.17 Fences and Walls**

No wall or fence shall be erected without prior written review and approval of the ACC.

The ACC may permit Owners of Houses on Lots which abut, run along, intersect with or joint the perimeter of any pond, lake, water body or conservation area to install fences up to six (6) feet; however beginning ten (10) feet from the boundary of any pond, lake, water body or conservation area, the fence shall drop or graduate to a maximum height of four (4) feet. No chain link fencing of any kind shall be allowed. Fences shall not be installed flush to the ground so that drainage will be blocked in any way. Due to the Associations maintenance requirements and responsibilities the installation of fences within a drainage easement area is not expected to be approved to the ACC. However, in the event a fence is installed within a drainage easement area, with prior written ACC approval, the Owner is solely responsible for fence repair or replacement if the drainage easement area needs to be accessed or as otherwise provided in Section 15.9 hereof. In addition to ACC approval, Owner must obtain, at his or her own expense, an agreement in writing executed by the Association approving such fence, which agreement may be recorded by the Association in its sole and absolute discretion.

The only allowable type of fence is white vinyl polyvinyl chloride PVC material or other similar materials type fence, black or white powder coated rod iron or aluminum fence, or a wooden fence with a 40 yr. warranty that is treated/stained and well maintained; no chain link fences are permitted.

All screening and screen enclosures shall have the prior written approval of the ACC. All enclosures of balconies or patios, including addition of vinyl windows, shall be approved by the ACC and all decks shall have the prior written approval of the ACC.

### **3.18 Florida Friendly Landscaping Guideline**

SEE SEPARATE GUIDELINES THAT HAVE BEEN ESTABLISHED FOR CREEKSIDE COMMUNITY ASSOCIATION

### **3.19 Fountains/Sculptures**

Only one fountain or sculpture may be placed on the property at the front of the house. Fountains may not exceed 48 inches and height above grade and 36 inches in width. Fountains must be earth tone in color and constructed of ONLY the following materials: concrete, stone, plaster, granite, bronze, aluminum or copper. No other colors or materials are permitted. Fountains and sculptures must not be overtly offensive to another person and shall be in keeping with the standards of the community. Fountains and sculptures shall conform to the home's existing style and design and shall not be distracting. Fountains must be maintained, free of mold and mildew, clean and in working order.

### **3.20 Front Doors/Entryway**

Changes to front doors (style or paint color) require ACC approval. Front doors may be of metal, solid wood or fiberglass and may contain glass portions that may be frosted plain, or etched. Maximum of two decorative items are permitted within the alcove or porch. Only one item may be wall mounted. Item must be maintained in the covered entry and not extend into the walkway. Items not wall mounted are not to exceed 3 feet in height.

### **3.21 Fruit Trees**

Homeowner must maintain and pick up falling fruit. Trees are only permitted to be planted in the backyard; fruit trees are prohibited in the front or side yards.

### **3.22 Garage Doors**

All sections of garage doors, except the upper most section which may contain windows, shall be of standard solid panel construction, which will conceal the contents of the garage. Carports and unattached garages are not allowed in Creekside Community Association. The screening of garage doors requires prior ACC approval screening must be charcoal in color, framing must be white or bronze framed. Wood frame must be painted white. All garage doors must be color compatible with the Home exterior painted with an approved color from the community color book.

### **3.23 Garages**

Garage doors must remain closed at all times, except when vehicle / pedestrian access or an activity requires them to be open i.e. working in garage or yard. No garage shall be converted into any type of living area. Any type of car port is not permitted.

### **3.24 Garbage Cans**

No garbage cans, supplies or other similar articles shall be maintained on any Home so as to be visible from the outside of the Home. Garbage cans must be stored either in the garage or buffered from view, may not be visible from ANY street or cause nuisance to neighbors. Garbage cans and trash containers shall not be placed outside the home for pick up earlier than 5pm on the day preceding the pick-up. Please return all containers to their concealed location no later than the evening of the pick-up day. Burning of trash is not permitted. Trash can lids should be secured to avoid animals, odor, and windblown garbage from affecting adjoining homes. Each resident is responsible for picking up litter on their property and preventing windblown debris from originating from their property.



### **3.25 Garden Hoses**

Garden hose hangers or hose reels should be placed on the side of the home wherever possible. Hoses must be fully retracted and hung neatly when not in use.

### **3.26 Garden/Walkway Lighting**

Any lighting requires approval from ACC. Low voltage garden lights permitted on the home site but only in existing flower and shrubbery beds, and only on a conditional basis. Approval may be rescinded if installation is not maintained... Lights may be placed no closer than eight inches to the edge of the landscape bed. Lights shall not exceed eight inches in height, with white bulbs of 4, 7 or 11 watts. They shall not reflect into adjacent homes, and shall be maintained at all times by Homeowner. Your application must include a placement design, showing the total installed lights and photograph of the lighting to be used.

### **3.27 Generators**

Permanently installed external propane generators may be allowed. All specifications including size, type, location, appropriate screening, etc., must be approved in writing by the ACC. Local, county & state applicable permits and approvals will be required. Such generators would only be allowed to be used during periods of electric power outages.

### **3.28 Glass Block**

The use of glass blocks on an existing home or the use of glass block in an addition to an existing home is subject to approval.

### **3.29 Grills**

Grills must be covered and stored behind the home on patio when not in use.

### **3.30 Heating and Air Conditioning Equipment**

Outdoor air conditioning units shall be placed to minimize noise to adjacent dwellings and shall be screened from view with shrubs and/or approved fencing. Refer to paragraph 3.17 for fencing approval if visible from street.

### **3.31 Holiday Decorations**

Decorations may be displayed no earlier than 15 days prior to and must then be removed no later than 7 days after a holiday. These holidays include: Halloween, Valentine's Day, Easter and Independence Day. Fall decorations may be displayed no earlier than October 1 and must be removed no later than December 1st. Winter/Holiday decorations may be displayed one week prior to Thanksgiving and must be removed no later than January 15th of the following year. Care should be taken when deciding on placement of yard decorations, noting that large snow globes or inflatables may cause dead spots in lawns. All lighting, lighting accessories, extension cords and light clips and decorations shall be totally removed by January 15th. Any lighting that creates a nuisance may be required to be removed (e.g., unacceptable spillover to adjacent Home).

### **3.32 House Numbers**

All house numbers must be clearly readable from the street, but not so large as to be out of proportion to the structure, and compatibility to the overall design of the structure. Numbers should be between 3 - 4-inches in height. All missing house numbers must be replaced by the homeowner within 14 days notice from the Management Company.

### **3.33 Hurricane Shutters**

All temporary storm/hurricane shutters may be installed 48 hours prior to the expected arrival of a hurricane in the area and must be removed no later than three days after the warning is lifted. All permanent mounted storm shutters may be panel, accordion or roll-up style and must be white in color or must match the primary color of the house and approved by the ACC. Shutters may not be closed at any time other than a storm event.

### **3.34 Nuisances**

No obnoxious, unpleasant, unsightly or offensive activities shall be carried on, nor may anything be done, which can be reasonably construed to constitute a nuisance, public or private in nature. Any questions with regard to the interpretation of this section shall be decided by the BOD, whose decisions shall be final.

### **3.35 Painting and Cleaning**

Roofs and/or exterior surfaces and/or pavement, including but not limited to sidewalks, driveways, or lanais shall be pressure cleaned within thirty (30) days notice by the ACC. Homes shall be repainted within forty-five (45) days of notice by the ACC.

### **3.36 Patio and Lanai Area Furniture**

Patio or Lanai furniture located on the front of the home requires ACC approval. The only acceptable furniture for patios, lanais and front porch areas is tasteful, outdoor furniture. Indoor furniture or full size household appliances of any type shall not be placed or stored in front yards, back patios, gardens or flower beds of homes.

No furniture of any type is allowed on driveways.

### **3.37 Play Structures**

The overall height of play sets may not exceed twelve (12) feet in height. Play structures must be crafted in wood or recycled plastic. Aluminum or metal tubing is prohibited. A picture and dimensions of the play set must be submitted with the architectural application prior to approval. All play set must be maintained.

Canopies must be of earth toned colors and properly maintained.

Applications for play structures must include a site plan clearly showing its intended placement. The structure's visual impact to neighboring home sites and/or the street must be buffered as much as possible with approved fencing or landscaping. If the play structure will be buffered by landscape, the plant material must 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. The landscape buffer must be maintained at a height of 72 inches at all times. The landscape buffer installation may not alter the drainage of the home site.

The proposed plant material and location of landscape buffer must be submitted to the committee via application prior to installation.

Fence applications must be submitted in advance of installation of the play structure and only current approved styles are permitted.

### **3.38 Porches, Decks, Screen Enclosures and Patios**

All such structures must be submitted to the ACC for its approval. All structures shall have an appearance consistent with the dwelling and the community. Any porch, patio, screen enclosures or deck shall comply with existing setback governance.

Porches, screen enclosures or decks, which are constructed above ground must be finished to the ground with materials compatible with the deck or the dwelling, free of mold, mildew, weeds and may be screened with landscaping.

Screen enclosures shall be constructed with white or bronze colored aluminum supports and smoke, charcoal or dark brown colored screen material. Enclosures shall not exceed the width and height of the home nor extend beyond the dwelling's existing roofline unless the enclosure is at least 40% of the width of the existing dwelling. All enclosures shall not exceed the height of the home. No porches, decks, screen enclosures or patios will be allowed to have aluminum, metal, plastic or fiberglass roofs where the roof pitch is equal to or greater than 3/12 unless it will be covered by composite asphalt/fiberglass, multibit or dimensional shingles. Any future roof replacement costs, on approved ACC additions, shall be the responsibility of the Homeowner.

Screened in front porch areas are not permitted.

### **3.39 Potted Plants**

Decorative Potted plants are limited to three (3) on driveways, walkways in landscape beds any potted plant must be maintained in good repair.

### **3.40 Rain barrels**

Rain barrels require ACC approval before installation. Rain barrels need to be stored behind the home, not visible from any street. Rain barrels must be neutral or earth-toned in color and may not exceed 36 inches in height. Rain barrels must have a sealed lid, be maintained, free of mold, mildew and cleaned. No other colors are permitted.

### **3.41 Rental of Home**

REFER TO COMMUNITY DOCUMENTS

### **3.42 Repairs**

No major repairs shall be performed on any vehicles upon any portion of the property. All repairs to disabled vehicles within the property must be completed within 12 hours or the vehicle must be moved or will be towed.



### **3.43 Required Repair**

In the event fire or other casualty destroys any Home, the Owner of such Home shall commence removal of debris, reconstruction and/or repair.

### **3.44 Roofs**

In keeping with Creekside Community Association's design, only shingle roofs of the current design are permitted. No barrel, tiled, cedar or wood shake, gravel, tar or metal roofs are permitted.

### **3.45 Satellite Dishes**

The installation of satellite dishes that are less than 39.37" in diameter are allowed on individual homeowner's property. Such installation is only permitted on the rear 1/3rd of the home. All satellites mounted to the home must be no lower than 8 feet from the ground. The homeowner should make every effort to have the dishes installed in the least visible place possible and to incorporate measures to screen or minimize the visibility of the installation so long as this does not unreasonably increase the cost of installation. Exterior antennas, not covered by the FCC rules are not permitted.

### **3.46 Security Lighting**

Security lights mounted on the home are permitted under the following conditions: Homeowner shall obtain and pay for all permits if required by local authority having jurisdiction. Security lights shall be of the simple lamp holder type and not a decorative luminary. Mount holder to the metal soffit under the eave or rake on the roof. Wall mounting not permitted. Maximum of two lamps per holder in any one location. Maximum of four locations on home. Maximum wattage per lamp shall be 150 incandescent. Lamps shall be aimed so as not to illuminate neighbor's homes. Lights shall be turned on by means of a motion detector or other security breach detector. Security Lights may not be left on throughout the night. Homeowner will have to remove if lightening becomes a nuisance to neighboring properties.

### **3.47 Signs and Flags**

No sign, flag, banner, advertisement, notice or other lettering shall be exhibited, displayed, inscribed, painted or affixed in, or upon any part of CREEKSIDE, including without limitation and Home or Lot, that is visible from the outside without prior approval being first obtained from the ACC; provided, however any Owner may display one portable, removable United States flag or Official flag of the State of Florida in a respectful way; provided, further, Owners may also display one (1) official flag of any branch of the Armed Forces in a respectful way. Flags may not exceed four and one half (4 ½) feet by six (6) feet.

Sports flags can be put up day of game only. Small decorative flags would fall under 3.64

Signs displaying the wording “for rent” or “for lease” shall not be approved by the ACC. With the prior, written approval of the ACC, any Owner may display on his Lot one (1) discreet professionally prepared sign not to exceed twenty-four (24’) in width and eighteen inches (18) in height and attached to a 2x4 post no higher than three feet (3) from the ground. Such sign shall contain no other wording than “For Sale”, the name, address, and telephone number of one (1) registered real estate broker, or a telephone number of an Owner or his agent. In no event shall more than one (1) sign ever be placed on any Lot at any one time.

A sign of reasonable size but no more than ten (10) inches x ten (10) inches provided by a contractor for security services may be displayed within 10 feet of any entrance to the home. (Per FS 720.304(6))

Any type of lit up, neon or flashing sign is not permitted anywhere in Creekside Community Association

### **3.48 Solar Heating Equipment**

The addition of any solar heating equipment must be reviewed and approved by the ACC. May not be installed on the front of home or front portion of property.

### **3.49 Soliciting**

Creekside Community Association has a “No Soliciting” policy. No handbills or flyers are permitted to be passed out in Creekside Community Association without the express permission of the HOA Board of Directors or Management Company. If you encounter solicitors, please report them to the Management Company.

### **3.50 Sports Equipment**

No sports equipment including but not limited to basketball backboards shall be mounted in a permanent fashion on a pole or attached to the home or any portion of the property. Portable sports equipment and portable basketball hoops are permitted, but shall be stored in front of garage or in a location screened from view after each use.

### **3.51 Swimming Pools, Spas, Whirlpools, and Hot Tubs**

Swimming pools shall not be above ground. Swimming pools must be of a “built in ground” type pool and must be located behind the home. Pools located on the sides of a home will not be permitted. The perimeter of the pool area shall be enclosed as to prevent access in accordance with governing safety regulations. Pool service equipment must be screened from public view with landscaping and/or approved fencing. Landscaped hedges will be required on corner lots. Freestanding above ground hot tubs must be inside a screened enclosure and screened from public view with landscaping or approved fencing. The homeowner is to maintain the spa in an aesthetic fashion.

### **3.52 Temporary Storage Containers**

Only one POD unit or other temporary storage containers are allowed at a residence no longer than 14 days and must not be placed where it interferes with the sidewalk or roadway. Residents wishing to have a temporary storage container must notify the HOA when the container will arrive and be picked up.

### **3.53 Temporary Structures**

No structure of a temporary character, trailer, tent, or other building is permitted. Pop-up canvas type tents or gazebos are permitted only when in use (for events, parties, gatherings) and may not be stored in yards.

### **3.54 Trailers**

Trailers (flat bed, horse, motorcycle, boat, RVs, etc) are not permitted in public view in Creekside Community Association. Trailers must be stored in garages and garages must remain closed.

### **3.55 Trampolines**

Trampolines require ACC approval. They must be located in the rear of a home and must be fenced in and not visible from any street.

### **3.56 Trespassing**

Each home in Creekside Community Association is privately owned. Trespassing through side yards or backyards is not permitted. For safety reasons, parents are encouraged to keep their children out of neighboring yards. Homeowners reserve the right to notify authorities.

### **3.57 Vehicles and Parking**

All vehicles must be properly licensed with tags clearly displayed. Vehicles shall be parked on paved surfaces only; parking is not allowed on any grass area, the apron of driveways on the street or on the driveways of vacant homes. Under no circumstances will vehicles be allowed to be permanently parked in the pool/cabana parking areas. Campers and boats must be parked inside garages.

### **3.58 Vegetable Gardens**

Any type of fruit or vegetable producing plant must be submitted to the ACC prior to planting. No plants may exceed 6 ft; plants must be weeded and maintained. All gardens must be in back of home and screened from view.

### **3.59 Water Softeners/Conditioners**

Water softeners are permitted outside homes but must be screened from view using landscaping or approved fencing.

### **3.60 Watercraft**

Boats, jet skis, canoes, kayaks and water equipment are to be stored only in garages.

### **3.61 Waterways**

No owner whose Home adjoins a waterway may utilize the waterway to irrigate. The Association may use waterways for irrigation purposes. By acceptance of a deed to a home, each Owner acknowledges that the water levels of all water bodies may vary. There is no guarantee by the developer, builder, or the Association that water levels will be constant or aesthetically pleasing at any particular time. The developer and the Association shall have the right to use one or more pumps to remove water from water bodies for irrigation purposes at all times.

Fishing in any area of Creekside Community Association is prohibited.

### **3.62 Wetlands**

Owners having homes adjoining wetlands or conservation areas are hereby put on notice that the cutting or removal of any vegetation in these areas is strictly prohibited. Answers to any questions about wetlands or conservation areas should be referred to the Association. In the event that the HOA is fined by SWFWMD due to the cutting, spraying or removal of any vegetation, said fine shall be passed on to and paid by the homeowner. Once proven that the homeowner/resident is responsible for the cited violation.

### **3.63 Window Treatments**

No reflective foil, sheets, newspapers or other similar material shall be permitted on any window or glass door except for the period of one week after move in date. Drapes, blinds, verticals and other window coverings visible from outside a dwelling shall be of a neutral color, such as white, off-white or wood tones. Security bars are not permitted on windows. Window tinting is allowed as long as it is gray or smoked colored and must be maintained.

### **3.64 Yard Ornamentation**

Maximum of two (2) yard ornaments less than 36" in height or five (5) no greater than 24" are permitted per yard and must have ACC approval prior to installation. A picture or detailed description of the item must be submitted with the request, along with the proposed location for the structure which shall be located only in a landscaping bed and must blend in with the home. The materials and color used shall be generally subdued and in harmony with the natural surroundings of the home, lot and community. No bright colors, unusual materials offensive or obscene items will be approved.



## **Article 4**

# **LANDSCAPING**

### **4.01 Landscaping Maintenance**

Changes to landscape require ACC approval. All Lots shall be landscaped in a manner that is harmonious, compatible and consistent with the overall landscaping and general appearance of the community. Each Owner shall maintain the landscaping and yard area in an attractive appearance and free from insects and diseases. Landscape maintenance shall include care of trees, shrubs, ground cover, annuals, turf grass and irrigation systems. Turf areas should be regularly cut to maintain consistent appearance of quality. All damaged plant material, including ground cover and sod, shall be removed.

Each Owner shall provide for the timely replacement of lost plants, sod or grass, bark or ground cover, and trimming and pruning of plants to prevent an overgrown look. No weeds, underbrush, refuse or other unsightly growth or objects shall be permitted to be grown or remain upon any Home.

Any replacement trees, shrubs and flowers, planted must have written approval by the ACC. All plants must be maintained in an attractive manner. Residents planting annuals are permitted without written approval by the ACC and do so with the understanding that they are responsible for upkeep and maintenance including removal of annuals when they die. Invasive plants (Brazilian pepper, melaleuca, etc) are not permitted.

Plants and shrubs must be trimmed to a maximum of 36". Hedges may be permitted to grow up to 6' but must be maintained.

Plans to add ANY tree(s), ANY shrub(s), or ANY vegetation which will grow to a height of three feet or taller, first requires the approval from the ACC. Plans to relocate any tree must be submitted to the ACC for approval. Each yard must contain the county mandated tree allocation (refer to Polk County Code) See Approved County Tree List.

#### **4.02 Landscape Edging**

All landscape edging must be approved by the ACC prior to installation.

Approved edging for Creekside Community Association is:

- 1) Professional installed concrete curbing in approved colors. See BOD Community Color Book for approved colors and patterns.
- 2) Stacked brick, block or rock edging. See BOD Community Color Book for approved colors brick sizes
- 3) Properly installed black rubber tube-type edging. Must be properly installed in ground and may not rise up. Improperly installed rubber edging will result in a violation letter.

#### **4.03 Bedding Coverings**

All landscaped plants should be planted with the appropriate topsoil, peat moss and fertilizer mixtures. No bare ground is acceptable. All shrubs, ground cover and tree beds shall have a 2" minimum layer of mulch.

ONLY the following types of cover are permitted as landscape bed coverings: cypress mulch, pine bark mulch, cedar mulch, melaleuka, pine straw, select rubber mulch, river rock, lava rock and white stone. See Color Book for specific photos of approved mulch

#### **4.04 Turf**

Artificial turf will not be approved in Creekside Community Association.