

Tanglewylde

HOMEOWNERS ASSOCIATION, INC.



TANGLEWYLDE HOMEOWNERS' ASSOCIATION

ARCHITECTURAL CONTROL COMMITTEE

**DESIGN REVIEW CRITERIA AND ARCHITECTURAL GUIDELINES
PREPARED: 11/24/2010**

Rizzetta & Company, Inc.
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GENERAL PURPOSE

A properly designed and operated procedure for design review and architectural control in a community yields substantial benefits to all residents of that community. This procedure can create and preserve an attractive and livable community, preserve property values and minimize major problems in the form of misunderstanding and controversy among neighbors. To be effective, an essential element of design review and architectural control is the recognition by all members of the community that this procedure is a benefit and not a burden.

ARTICLE VI of the DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS FOR TANGLEWYLDE (the "Declaration" or "ECC&Rs") provides for the review and written approval of all exterior changes and modifications to all lots and residential units prior to the commencement of any construction or work. Furthermore, ARTICLE VI authorizes the establishment of a ARCHITECTURAL CONTROL COMMITTEE ("ACC") as a committee of the Board of Directors ("Board"). "The ACC may adopt such further rules and regulations as it deems necessary to carry out its functions and purposes hereunder provided all such rules and regulations shall be filed with and made a part of the Association's minutes".

The purpose of the ACC is to carry out the responsibility of the Board to assure that no exterior modification or changes shall be made to residential units, or improvements upon Lots unless they conform to the Declaration and that such changes will:

1. assure harmony of external design, materials and location in relation to adjoining or neighboring homes or other buildings and topography within the Property.
2. protect and conserve the value and desirability of the properties as a residential community.
3. be consistent with the provisions of the Declaration; and
4. in the opinion of the ACC and the Board of Directors, conform to and/or enhance the aesthetic appearance of the properties and the community in general.

SCOPE OF DESIGN REVIEW CRITERIA AND ARCHITECTURAL GUIDELINES.

No construction, modification, alteration or other improvement of any nature whatsoever, except interior alterations not affecting the external structure or appearance, shall be undertaken on any Residential Unit or Lot or other parcel of land, unless and until the plans of such construction or alteration shall have been approved in writing by the ACC.

An Alteration Application must be completed fully with any and all accompanying plans, specifications, dimensions, color samples, Lot survey and such other information or samples as the ACC may reasonably require. The Application will not be considered complete and therefore not accepted for review until all such information has been submitted. Delays and even denial of the request can occur when the ACC does not have enough detailed information to make an informed decision.

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OBJECTIVES AND PURPOSE OF ARCHITECTURAL REVIEW

The ACC evaluates all properly completed Alteration Applications on the merits of the individual request. Design approvals or denials are not based on subjective elements, but on the following criteria:

Conformance with Covenants and Design Guidelines: All applications are reviewed to confirm that the project is in conformance with the Declaration and approved Design Guidelines.

Design Compatibility: Compatibility is defined as similarity in architectural style, quality of workmanship, use of similar materials, color or 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. Any changes to the exterior no matter how minor must be approved by the ACC.

Materials: Continuity is established by the use of the same color or colors and compatible materials as were use in the original construction.

Relation to the Natural Environment: To prevent the unnecessary removal, destruction, contamination or otherwise harmful effects on the natural landscape or of the existing man-made environment.

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

APPLICATION FOR EXTERIOR CHANGE OR MODIFICATION

A homeowner wishing to make an exterior change or modification to his dwelling, unit or Lot must apply for and receive written approval for such change or modification even for Pre-Approved material Exhibits prior to the start of any construction for the project.

Application is made by completing the **Alteration Application** and submitting it to the management company for the Tanglewylde Homeowners Association. A copy of the Alteration Application is attached to these Guidelines.

The ACC may grant blanket approval to routine alterations that meet specific criteria. In such cases, a homeowner may submit a preapproved Certificate of Compliance to demonstrate that the alteration has been made in conformance with the Declaration and the Design Standards.

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Full Alteration Applications Required

Modifications and changes subject to the alteration application approval process include, but are not limited to, the following:

1. painting of a Residential Unit front doors.
2. alterations to a Residential Unit or additions of rooms or porches.
3. alterations or modifications of windows and roof.
4. construction or installation of spas, whirlpools or fountains.
5. installation of fences or privacy walls
6. additions of awnings, shutters, (including hurricane shutters), gates, flower boxes, shelves, statues or other outdoor ornamentation
7. installation of patios, railings or porch enclosures
8. installation of patterned or brightly colored internal window treatment
9. any alteration of the landscaping or topography of the Lot or homesite including, without limitation, the cutting or removal of trees in excess of three inches (3") in diameter at breast height
10. the creation of any pond or swale or similar features of the landscape
11. installation of solar panels or other energy-generating devices
12. installation of skylights, roof exhaust devices, or rain gutters
13. installation of screen or storm doors
14. installation or erection of air conditioning enclosures
15. installation of satellite dish or TV antennas
16. installation of propane tanks
17. installation of outdoor water softeners
18. invisible dog fences
19. planting or removal of plants
20. exterior wall, ceiling and security light fixtures
21. Installation of concrete curbing around plant beds
22. Installation of In-ground flagpoles and Flagpoles attached to homes

ACC PRE-APPROVED MATERIAL FOR ALTERATIONS EXHIBITS

The ACC has Pre-Approved Material Exhibits of certain materials that meet minimum standards for alterations. Alteration applications are still required to be submitted for approval by the ACC. Approved Current versions of Pre-Approved Material Exhibits are available from the association office for the following:

1. Exhibit "A" ACC Approved wall mounted Light Fixtures
2. Exhibit "B" ACC Fence Guidelines
3. Exhibit "C" ACC Approved storm-screen doors
4. Exhibit "D" ACC Approved Tubular Skylight
5. Exhibit "E" Oakstead Mailbox Standards

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General Design Standards

The following standards apply to all modifications of houses and yards in Tanglewylde.

- 1) Structures, decorative items and landscaping may not be added or altered without prior written approval from the ARCHITECTURAL CONTROL COMMITTEE. Review by the ACC may require up to 30 days from the filing of a complete application.
- 2) All improvements and alterations must conform to the Declaration of Covenants, Conditions and Restrictions of Tanglewylde and the Design Review Criteria for Tanglewylde.
- 3) The applicant(s) must furnish plans, specifications, drawings and other information needed to determine conformity with these requirements. In most cases, the necessary information includes a copy of the lot survey with a drawing that shows the dimensions of the improvement and the placement on the lot. The ACC has the discretion to determine what information is needed to review each improvement.
- 4) All work will comply with building codes, setback requirements and all other applicable federal, state and local laws and regulations. The applicant(s) will be responsible for obtaining all necessary permits, variances and approvals. Approval of an application does not constitute a determination that a proposed alteration is permissible under applicable laws and regulations.
- 5) The work will be completed as specified in the application and permit, if applicable. The applicant(s) will be responsible for correcting any unapproved variations from the approved plans and specifications.
- 6) Any unapproved alteration must be removed upon demand by the association. Alterations which do not conform to plans and specification approved by the ACC are unapproved alterations.
- 7) Structures other than fences must conform to the side setbacks of the house on each lot (i.e. structures may not extend past the corner closest to the side lot line).
- 8) Potentially hazardous structures, decorative items and landscaping are prohibited. Potential hazards include, but are not limited to, obstructions of a motorist's view of the streets, sidewalks or driveways.
- 9) Structures, decorative items and landscaping may not encroach on any easements or platted setbacks or adversely affect drainage patterns on any lot or conservation area.
- 10) The contractor may not dump dirt, debris or construction material in any conservation area or storm water system.
- 11) The applicant(s) is personally responsible for prompt correction of incidental damage to public or private property, including grass or plants. Restoration may not be delayed while claims for damage are pending with contractors or insurance/bonding companies.
- 12) Applicants and all subsequent owners of a lot are responsible for maintenance and repair of all structures, decorative items and landscaping added to the lot. Each owner is responsible for disclosing this obligation to prospective buyers of the property. Approval of an application by the ACC does not obligate the association or its agents to maintain, repair or replace an improvement.
- 13) The ACC and the Board of Directors may revise Design Review Criteria from time to time as authorized by the Declaration. Revised standards will be applied prospectively.
- 14) The ACC may grant variances from approved standards for cause. The basis for granting a requested variance must be stated in the application.

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ARCHITECTURAL STANDARDS AND DESIGN CRITERIA

No construction, modification, alteration or other improvement of any nature whatsoever, except interior alterations not affecting the external structure or appearance, shall be undertaken on any Residential Unit unless and until the plans of such construction or alteration shall have been approved in writing by the ARCHITECTURAL CONTROL COMMITTEE (ACC).

A. PATIOS, LANAIS, SCREEN ENCLOSURES & ENCLOSED ROOMS

- 1) Open patios or extensions of lanais may be added to the rear of a Villa. Extension of any lanai or patio area is subject to the elevation and topography of the Lot.
- 2) Patios may be constructed of interlocking bricks or pavers, plain concrete, or concrete surfaced with ceramic tile, thin pavers or spray-on concrete coverings. Surface colors must be compatible with the colors of the dwelling unit.
- 3) Lanais may have screen walls or be enclosed by windows whether glass or vinyl. Screen enclosures shall be white. Screens shall be charcoal color.
- 4) Per Oakstead rules, aluminum kick plates or borders around the base of the enclosure are not permitted. Kick plates will only be considered for doors.
- 5) Roofs on an extended lanai or patio shall match the existing roof of the dwelling unit in type of material and color or may be of the flat aluminum wrapped Styrofoam product "ELITE" or equal. By way of example but without being limited to, no tin, vinyl, aluminum "pan roof", plastic, or canvas roofs shall be allowed.
- 6) Roll up Awnings are not permitted.
- 7) Florida Rooms exterior color may be white or painted to match the color of the house.

B. ENTRIES AND PORCHES

- 1) The front entry area, including front porches, of a Villa shall not be enclosed by screen, vinyl, wood aluminum, or windows whether glass or vinyl or enclosed with any other material. All front porches and front entries shall remain as constructed by the builder.
- 2) The front door can be painted or replaced by the owner with approval of the ACC.
- 3) Ceiling mounted lighting fixtures at entry door may be replaced with fixtures approved by the ACC or match existing. See item "H" below.
- 4) Sidewalk entries – pavers, stamped concrete, thinset pavers are permitted. Colors must coordinate with villa house color.

C. STORM-SCREEN DOORS

- 1) Storm doors may be installed on front entrance doors. Storm door colors shall be white or match the front door.
- 2) Screens and glass panels shall store in the door frame.
- 3) Screens shall be charcoal color.
- 4) See Exhibit "C" for styles approved by the ACC.

D. WINDOW AND WINDOW REPLACEMENT

Windows may be replaced with windows that match the same architectural style as the original design as to number or glass panes, size, color and shape. Screens shall be charcoal color.

E. WINDOW FILMS

- 1) Tinting shall be non-mirror finish

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- 2) No aluminum foil coverings are permitted
- 3) Tinting shall be charcoal color

F. HURRICANE STORM SHUTTERS

- 1) Hurricane panels may be installed on entry doors and windows per the following:
 - a) Permanent track shall match adjacent wall color or be white
 - b) Shall preferably have removable panels
 - c) Roll-down and sliding models shall match wall color
 - d) Accordion panel shutters must match color of adjoining window or door frame
 - e) No Bahama shutters are permitted
 - f) Panels must be in place no earlier than forty-eight (48) hours prior to storm and must be removed within 7 days after a storm or 48 hours after a warning
 - g) Must not be used for security purposes
 - h) You must submit an Architectural Application with a survey showing location for approval prior to installation.

G. SOLAR PANELS

- 1) Panels must be positioned as close to rear section of roof as possible and down along the edge of roof line.
- 2) Shall not be visible from front of house or sides of corner lot
- 3) All plumbing running to and from panels must be painted the same color as house and fascia
- 4) You must submit an architectural application with a survey showing location for approval prior to installation.
- 5) Owner will assume responsible for repairing all leaks in the roof or structure and replacement of the roof in the areas of the panels.

H. EXTERIOR LIGHTING FIXTURES

- 1) Low intensity lighting may be installed anywhere on the condition that it is kept in good repair.
- 2) Wall mounted exterior lighting fixtures by garage door and ceiling mounted lighting fixtures at entry door generally should be 100 Watt Lamp maximum, consistent in size and style with existing lighting fixtures, length should be no smaller than 14.5" and no longer than 23.35" & width should be no smaller than 6.5" and no wider than 9.5". Light fixtures colors shall be compatible with neighborhood. All light fixtures require Architectural approval. Along with your architectural application, submit a picture and description specification of the fixture to the ACC.
- 3) Security light fixtures require Architectural approval. Spotlights, floodlights, or similar high intensity lighting shall not be placed or utilized upon any residential unit which in any way will allow light to be reflected on any other residential unit. Along with your Architectural application, submit a picture of the fixture and a copy of your survey showing the location for approval prior to installation.
- 4) See Exhibit "A" for sample light fixture styles already approved by the ACC.
- 5) Pendant lights in entry ways are permitted. Pendant lights must be no longer than 14" and no wider than 9.5". The pendant light may not hang lower than the lentil of the entry way. Pendant lights may not exceed 100 watt maximum.
- 6) No colored bulbs will be permitted in any fixtures.

I. GARAGE DOORS

Screens or screening are not permitted on the overhead garage door openings.

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J. TUBULAR SKYLIGHTS, ROOF EXHAUST DEVICES OR RAIN GUTTERS

Installation of tubular skylights, roof exhaust devices, or rain gutters may be installed. You must submit an architectural application with a survey showing location for approval prior to installation. Owner will assume responsible for repairing all leaks in the roof or structure. See exhibit "D".

K. SPAS & POOLS

- 1) Above-ground or in ground swimming pools are prohibited. An above ground spa may be permitted if it meets the following criteria:
 - a) Spa size shall not exceed eight (8) feet in diameter or square,
 - b) Location shall be in an enclosed screened porch or screened lanai area on the rear of the Unit.
 - c) No spa shall be made of vinyl, plastic, PVC, rubber or similar materials. Only fiberglass spas installed by a professional spa company shall be permitted.

L. OUTSIDE EQUIPMENT

- 1) Fuel tanks, heaters, generators and other outside equipment may be either behind the Villa or not be visible from the street or adjacent lots. Water filter and softener equipment should be placed inside garage or if outside, must located as discreetly as possible to conceal it from view of street or neighboring lots. Such items may be screened by fencing approved by the ACC or by shrubs or other foliage planted at the front and sides of the equipment. Plants used to hide outside equipment must be capable of growing as tall as the equipment they conceal and must be maintained at that height. Any plants used to screen equipment must be replaced if they do not thrive. If outside you must submit an architectural Alteration Application with a survey showing location for approval prior to installation.

N. Driveways

Driveways and sidewalks must be plain concrete. The apron of a driveway may not be expanded under any circumstances. No pavers, concrete paint/stain or stamped concrete is permitted.

P. Satellite Dishes & Antennas

Installation of a satellite dish or antenna shall be in accordance with the 1996 & 1998 amendments to the Federal Telecommunication Act. Satellite dishes and antennas must be installed in the least-visible place that allows reception of an acceptable signal. The equipment should not be visible from the street. The best location usually is the rear wall of the Villa. If the dish is not attached to the house, the pole should be concealed from view by some form of shrubbery. Satellite may not be attached to roof. If satellite dish is attached to roof, owner will be responsible for any future leakage or repairs.

R. Television Cables

Cables may not be stretched across blank surfaces of walls. Instead, the cable must be buried under ground and/or run along the frame of doors, windows or utility chases. The cable must be primed and painted to match the color of the house trim or body, as needed to minimize visibility.

S. Outbuildings

Sheds and other outbuildings are prohibited. Portable storage units may be placed in driveways no longer than 48 hours, but they must be stored at the storage company's location.

U. Tents and Portable Gazebos

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Tents and Gazebos are prohibited on a lot.

V. Wells

Wells are prohibited on the lot.

W. Landscaping, Trees, Borders, Mulch

- 1.) Landscaping is maintained by the HOA. All trees and shrubs planted by the homeowner will be cared for by the homeowner (trimming & fertilized). If homeowner changes mulch they will be responsible for re-mulching.
- 2.) Any changes in landscaping must be submitted for review.
- 3.) No change shall increase the landscape maintenance contract cost, including but not limited to additional mulch, pruning, fertilization, irrigation, etc. (Adopted 11.23.10)
- 4.) All shade trees must be preserved or replaced. A dead tree must be replaced by a tree of the species. A tree may not be removed without being replaced with a tree of the same size and species. A tree may be transplanted, but a transplanted tree must be nurtured by the owner and must be replaced if it does not thrive in its new location.
- 5.) Any natural colored mulch, rocks or stone may be placed in plant beds and tree rings without prior approval. Other forms of mulch or ground cover may be used with advance approval in writing from the ACC.
- 6.) Installation of concrete curing around plant beds may be installed as long as original layout of the plant beds is not altered. A full application must be submitted to the ACC if a plant bed is to be expanded or if a tree is to be removed from a plant bed.
- 7.) Lawn ornaments can only be placed in flower beds. No ornament may be larger than 2' tall. No ornament may be placed on lawns. No arbors or archways will be allowed.
- 8.) All lawn ornaments must be taken in 24 hours before a hurricane. If resident goes away during hurricane season ALL lawn ornaments must be removed before leaving.
- 9.) Lawn ornaments must be discreet and tasteful in design and shall not detract from the overall appear of the community.

X. Mailboxes

All mailboxes and mailbox posts must conform to the standard incorporated into the declaration. Replacements for mail receptacles may be purchased at retail stores, provided that they are of comparable quality. Owner of lot is Responsible for repair and painting of mail box and post. Flag on mailbox must be gold or silver. Oakstead HOA has governing authority over the mailboxes.
See Exhibit "E".

Y. Play sets or Swing sets

A wood or metal play set or swing set, plastic houses, slides and comparable are prohibited

Z. Garden Hoses

A hose, hose reel, or hose container may be kept at the side of a house.
Portable styles or permanent styles must be located so as to not hinder the landscaper.

AA. Flagpoles

In-ground flagpoles and Flagpoles attached to homes must be used to display flags and banners in an appropriate and lawful manner. Flagpoles per F.S. 720 may not exceed 20' in height. Only American Flags are permitted to be flown – no decorative or sports flags are permitted. American flags must be flown in accordance with Federal Requirements.

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BB. Fences and Walls

- 1) No fence of any kind shall be installed or maintained on any Lot without prior written approval of the ARCHITECTURAL CONTROL COMMITTEE (ACC).
- 2) The addition of a fence to a Lot or dwelling may be approved to help provide privacy. In these requests, the ACC will consider the design, location and specifications to ensure that all elements are consistent with the architectural styling and visual aesthetics of the community. The goal of the ACC is a consistency in the quality of the design, the materials and the placement of any fence. Therefore, it will establish the materials, height and appearance of each type of fence according to its location, purpose durability and the desired visual effect. Fencing will not encroach an easement at the rear of the property.
- 3) Except as installed by the Declarant, the location, type and design of all proposed fences shall be approved by the ACC prior to installation. No woven-wire (field fence), barbed wire or electrical strands shall be used as a fence or part of a fence. All approved fences shall be of a complementary material, design and color to the dwelling.
- 4) The ACC'S approval of any fence may be conditioned upon (without limitation) the installation and continued maintenance of hedges, and continuing maintenance provisions to the fence and landscaping in addition to those set forth herein. Should a fence or the required accompanying landscaping not be maintained as stated herein, or as required by the ACC approval, the Association may require the owner of the fence to remove it upon thirty (30) days written notice to do so. Nothing stated in this section shall be interpreted to mean that the ACC is required or obligated to approve a fence for, or installation on, any Lot, or that because a fence has previously been approved on a specific Lot, that it will be approved for installation on any other Lot.
- 5) The following are the approved fence types for the community.
- 6) PVC: "board to board". Any gates shall be in the same style, materials and color as the fence.
- 7) Color for all PVC fence shall be white only.

CC. General Guidelines for fencing are as follows:

- 1) **Privacy Fences:** Maximum height of a fence, where permitted, is 6 feet and the minimum height is four (4) feet except as may be installed by the Declarant. These fences are PVC "board to board", vertical shadow box or picket. These fences are typically installed between Villa's on side property lines and on rear property lines between Villa's.
- 2) **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 4 feet, from 10 feet from the Villa to the rear property line.
- 3) Fencing may be white PVC with lattice addition on top. Fencing of this style may not exceed either 4' or 6' requirements.
- 4) Generally, a fence has to be behind the front door of the Villa on regularly shaped lots. Fence may not come forward of the rear corner of the house.
- 5) The finished side of the fence must face the neighboring properties.
- 6) Any fence shall be constructed so that it will connect to and with any existing fences on any neighboring Lot(s).
- 7) If a fence abuts a community fence or wall then its height shall not exceed that of the community fence or wall.

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- 8) All fences shall be maintained by the Lot owner (not the Association or the C.D.D.) and kept in good order and repair, clean and in like-new condition.
- 9) Fence styles must be consistent with the pre-approved styles, types and colors.
- 10) All fences shall be built to and conform to all manufactures' specifications.
- 11) The Declarant reserves the right to erect fences and walls outside the scope of these guidelines.
- 12) Homeowner shall be responsible for making certain that any required and necessary governmental permits are obtained.
- 13) Homeowner 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 his or any adjoining Lots.**
- 14) Notwithstanding any other governmental regulations, any side fencing on a typical or regularly shaped **corner lot** shall be **located no more than five (5) feet from the wall of the Villa on that side next to the side street.** Fence set backs on irregularly shaped corner lots will be reviewed on a case by case basis.
- 15) The Board of Directors may, from time to time, revise, amend, alter or otherwise change these Fencing Guidelines per the authority given it in the Association's governing documents.
- 16) The ACC may grant a variance to allow construction of a fence in an easement area that is not needed for routine access to an area. The ACC may attach reasonable conditions to any variance in order to ensure that the purpose of an easement is attainable.
- 17) The ACC reserves the right to impose special conditions on approval of fences on specific lots in Tanglewylde.
- 18) See Exhibit "B".

DD. House Colors

Shall remain as original colors selected for the community

EE. Gutters

- 1) Gutter color must match the fascia of the house.
- 2) Down spouts must match the color of the house.
- 3) Cleaning of gutters shall be maintained by the homeowner.
- 4) Written request must show location of downspouts and how water will be discharged.

FF. Garage Conversions

Are not permitted.

GG. Gas Tanks (butane/heating/cooking)

- 1) Buried, or installed tanks must follow all county and federal safety guidelines.
- 2) Homeowner assumes all liability
- 3) Installed tanks shall be screened by shrubbery similar to our AC units.
- 4) You must submit an architectural Alteration Application with a survey showing location for approval prior to installation to the ACC.

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