

TAMARAC
BY-THE-GULF, INC.

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REVISED
ARCHITECTURAL
RULES AND REGULATIONS

DATE OF ISSUE
DECEMBER 2020

Cover Plus 9 Pages

FOREWORD

In conjunction with the Amended and Restated Use and Deed Restrictions of Tamarac By-The-Gulf, Inc., the purpose and intent of the Architectural Rules and Regulations is to ensure that certain standards of construction design, uniformity and quality will be consistently and equally maintained throughout Tamarac. Adherence to these Rules and Regulations will provide a framework for the planning, design and construction of improvements in accordance with Tamarac's standards, protect and preserve property values, enhance the community's overall environment, protect all of Tamarac's homeowners from damage due to unregulated improvements and construction, and ensure the continuity of the inherent and natural attributes of Tamarac as a desirable community in which to live.

All real property within Tamarac is subject to its Amended and Restated Use and Deed Restrictions whose covenants are a binding agreement between Tamarac's homeowners and the Association limiting use and construction on the property and "run with the land." These Rules and Regulations are enacted pursuant to the authority granted the Board of Directors by the Amended and Restated Use and Deed Restrictions and the Bylaws.

No provision of these Rules and Regulations shall be construed so as to conflict with Tamarac's Amended and Restated Use and Deed Restrictions nor any of the laws of the State of Florida or other applicable state or county building or environmental statutes, ordinances, rules or regulations. The requirements of these Rules and Regulations may be more restrictive than those of any state or county statute, ordinance, rule or regulation, and in any such circumstance the requirements of these Rules and Regulations shall prevail.

1. THE ARCHITECTURAL COMMITTEE

The Committee is constituted and organized pursuant to the authority granted the Board of Directors by the Amended and Restated Use and Deed Restrictions. The Committee consists of three members chosen by the President and confirmed by the Board of Directors as set forth in the Bylaws. The primary functions of the Architectural Committee are (a) to review applications for all exterior improvements and modifications to homes and real property, and (b) to ensure compliance in an aesthetically pleasing and architecturally compatible environment in accordance with the requirements of Tamarac's Amended and Restated Use and Deed Restrictions and these Rules and Regulations.

2. APPLICATION PROCEDURES

a. All exterior alterations and modifications to any home or any sidewalk, driveway, patio, porch or other exterior improvement to property require the written approval of the Committee on application forms provided by the Committee. Applications for any improvement must be submitted to the Committee which will require not only a written description of the proposed improvement, but in most cases may require a drawing and a plat plan or survey as well. Applications must be signed by at least one homeowner (whose name appears on their respective deed) or a person with a valid power of attorney of the titleholder. Every application shall contain the following notice to all applicants:

BY SIGNING THIS APPLICATION THE HOMEOWNER ACKNOWLEDGES THE APPLICATION TO BE TRUE AND ACCURATE WITH RESPECT TO WHATEVER IS REPRESENTED AND OUTLINED. THE HOMEOWNER FURTHER AGREES TO ABIDE BY THE ARCHITECTURAL RULES AND REGULATIONS AND FULLY UNDERSTANDS THAT NON-COMPLIANCE TO THE SPECIFICATIONS IN THE APPROVED APPLICATION MAY RESULT IN FINES, LEGAL ACTION, AND/OR REQUIREMENT TO MOVE OR REMOVE STRUCTURES OR OTHER IMPROVEMENTS WHICH ARE NOT IN COMPLIANCE.

b. No application will be considered for any homeowner who is not a member of the Association in good standing, nor will any application be considered with respect to any property where a continuing violation of the Amended and Restated Use and Deed Restrictions, Architectural Rules and Regulations has been charged by the Committee or the Board of Directors. Nothing in these rules releases the Homeowners' responsibility of obtaining the appropriate Pinellas County permits nor engaging licensed contractors for such work where required.

c. The Committee meets on the first Monday of every month from 9:00 to 10:00 A.M., when practical and when not in conflict with national holidays or special events, to review applications and design documents and to meet with homeowners and respond to questions relating to improvements to property. Applicants must be present in person before the Committee when submitting their applications. When the first Monday falls on a holiday, the meeting will be held on the first Tuesday. Approved applications will be stamped, signed and one copy will be returned to the homeowner and constitute a permit authorizing

the homeowner to commence construction of the improvement described in the application. Copies of the approved application will be filed with the Architectural Committee and distributed to the affected Regional Directors. The Homeowner shall display one copy of the approved application in the front window of the Homeowner's residence. The permit is valid for a period of ninety (90) days from the date of issue. Any requests for the extension of a permit must be submitted by the homeowner to the Committee.

d. Homeowners should not enter into any contractual arrangement with a contractor or builder before obtaining the approved application from the Committee which constitutes a permit for any proposed improvement.

e. Completed projects will be inspected by at least one of the affected Regional Directors and a member of the Committee as soon as practicable, and the final approval of any completed project shall be indicated by a dated signature of a Regional Director and Committee member on the approved application. Copies of the final approved application shall be filed in the Association office and with the Committee.

f. If any completed improvement is found to be in violation of the approved application upon inspection and not corrected within thirty (30) days, or the completion of the appeals process, whichever is later, the violation shall be reported to the Board of Directors for enforcement actions. In the event of a violation of these Rules or the Amended and Restated Use and Deed Restrictions the Board of Directors will assess penalties as prescribed in Section 17 of Tamarac's Rules and Regulations, including the possible assessment of fines of \$100.00 per day up to \$1,000.00 and/or the commencement of judicial procedures to eliminate the violation.

g. All actions taken by the Committee that are in compliance with the Amended and Restated Use and Deed Restrictions and these Rules are final, subject only to such rights that homeowners may have under the Florida Statutes.

h. If a member of the Architectural Committee requires approval to make alterations to his/her property, the following procedure is to be used:

(i) An architectural committee member requiring approval must supply all of the documentation required in subsection (a) listed above to the President of the Board of Directors.

(ii) The President will then appoint two members of the Board to make a recommendation as to approval or denial of said project. (This rule is established to avoid any appearance of a conflict of interest on the part of Architectural Committee members.)

3. ARCHITECTURAL GUIDELINES

a. **Additions:** Additions to the front of the house must be within the foremost existing front lines as described in the survey. Additions to the side of the house shall be set back at least six feet from the property line. Additions to the rear of the house shall be set back at least ten feet from the property line. An Addition must have walls and/or a roof before any setback(s) apply. (These setbacks are county requirements for R-3 Single Family residential dwellings. Variations of these set backs may be approved by application to the Pinellas County Board of Adjustments.)

b. **Building Height:** Building heights of any home in Tamarac shall be limited to single story construction and shall not exceed 25 feet in height measured from the crown of the street upon which the building fronts.

c. **Roofs:**

1. Roofs must be tile, finished white. Tile may be flat, barrel or "S" type. Asphalt and cedar shingles are not permitted. (These requirements will maintain the harmonic concept of the values of the community). Homeowners have the option of installing metal tile instead of cement tile roofs. Metal tile must be made of galvanized steel, barrel or flat type, minimum of #26 gauge and painted white.

2. Replacement of flat roofs on rear porches and rear screened rooms can be with any standard tar down white rolled roofing with felt underlay, TPO or white standing seam metal roofing. The pitch of flat roof may be raised by up to 1 inch per foot of pitch from back to the outside edge.

3. Homeowners who wish to do a simple replacement with no modifications to the roof will not have to attend an architectural meeting as long as the requirements above are followed. No Tamarac permits are required for simple replacement. County building permits are required.

4. Solar panels are allowed and are to be installed on the rear side of the home if possible, and all maintenance and painting of the roof is the responsibility of the homeowner. Architectural Committee approval is required.

5. Skylights are permitted if constructed in such a manner that they cannot be seen from the street upon which the building fronts and Architectural Committee approval is required. Dormers are not permitted.

6. Any reconstruction, alteration or modification of a roof must conform to the style, design, height and shape of the original roof. Flat roofs may be modified to add allowed pitch.

d. **Accessory buildings:** Accessory buildings as described in the current deed restrictions of page 2, section 3, Residential Use, shall be required to abut the rear of the house. They must also be white in color, and the exterior finish must be stucco, similar to the finish on the house itself, and must have one entrance door. The roof line must match the roofline of the house where it abuts. And the building must be installed on a concrete slab. The accessory building is subject to all building setbacks, and easements. No freestanding buildings are allowed. Gazebos and any form of free standing screen enclosure (birdcages) are not allowed.

e. **Sidewalks:** Sidewalks may be constructed of either concrete or pavers and shall not exceed 48 inches in width. This limitation excludes the slabs on which an air conditioner and/or trash cans are situated. Where the sidewalk runs alongside the house as close as reasonably practical, but away from the house due to the design of the house, the space between the sidewalk and the house may be filled with the same material as the sidewalk.

f. **Driveways:** Driveways shall not exceed 20 feet in width. The driveway flare at the street may not exceed 24 inches on either side. Additions or enlargements of the driveway must consist of the same materials as the original driveway. Circular driveways will be allowed where there is no impact or interference with the infrastructure and irrigation lines can be removed or relocated. Since homeowner lots have different configurations and infrastructure placement, each request for a circular driveway will need to be individually designed and subject to Architectural Committee approval.

g. **Porches and Patios:** Porches are traditionally distinguished from patios by reason of having a roof. Porches, patios or a combination of a porch and patio located in the front of the home shall not exceed 160 square feet in area and shall not extend more than eight feet (8') beyond the front lines of the home. Porches

or patios located on the rear side of the home should not violate setback requirement. No porch may be located on the side of the home.

h. Ramps: Ramps may not be constructed of wood.

i. Materials: Sidewalks, driveways, and patios may be constructed of concrete or pavers. If concrete surfaces are painted they are to be painted using Behr Concrete Paint/Stain "Pacific Fog No. PFC-62" or other paint approved by the Board. Paver color choices are limited to one of the shades in the color palette approved by the Committee. The layout design of any paver installation must be approved by the Committee. No stamped driveways are allowed. If driveways are constructed of pavers, they must be rated for vehicular traffic. Driveways may not be constructed using patio blocks or tiles. Porches may also be constructed of tiles approved for exterior installation and of color(s) approved by the Committee. Pavers and patio blocks that are installed on a base and/or secured by mortar are permanent and require Committee approval. Curbscaping requires Committee approval.

j. Awnings: All existing old style metal awnings are permitted and may be repaired or replaced as necessary. The color of these awnings must be painted white, and two accent stripes are allowed on each side that matches the trim color of the door and/or shutters. Fabric awnings are permitted, in which case the trim color must match the predominate color of the fabric.

k. Fencing: Vinyl, and/or iron works and decorative cement block walls shall not exceed 48 inches in height, 48 inches depth and 48 inches width, may be used for trash can enclosures and air conditioner units. Decorative blocks, wrought iron, and white vinyl open slat picket fencing, not to exceed 48 inches in height may be used around patios and front or rear porches and must abut the home. Rear patios, front & rear porches may have a gate not to exceed 48 inches in height and 48 inches in width and must be constructed with materials that are consistent with the type of fencing being used. All materials used must be white. All fencing must be over concrete, pavers, tile, or landscaped beds. Maintenance of gates and/or wrought iron and/or vinyl are the responsibility of the homeowner.

l. Storm Protection:

1. Homeowners may install hurricane shutters/storm panels, which meet Dade County Code/Florida Building Code requirements for wind resistance and strength. Roll down and accordion hurricane style shutters must be white.

Removable style storm panels shall be white or mill finish. Fabric style panels may be used, white color, only. All permanent mounting brackets and framing must be white. Bolts and nuts, etc. used to attach storm protection can be white or mill finish.

2. Plywood may be used for storm protection. Plywood may be installed only when Tamarac is under an official hurricane warning. As soon as the official warning has been rescinded, the homeowner has five days to remove the plywood.

3. Hurricane/storm panels and shutters may be left closed for extended periods when homeowners are out of town, as it is not reasonable to get back in an emergency to close them. When homeowners are in residence all awnings and storm shutters/panels must be opened and/or removed depending on the style, unless we are under a hurricane warning.

m. **Window Replacement:** Homeowners who wish to do a simple replacement of windows that require no modification to the structure need not attend an Architectural Committee meeting but must contact any member of the Architectural Committee who will be able to individually approve the work and issue a simplified Authorization Short Form. The color must be white. No Bow or Bay windows are allowed. Structural modifications require a Permit.

n. **Door Replacement:**

1. Homeowners who wish to do a simple replacement of a door or pre-hung door that require no modification to the structure; need not attend an Architectural Committee meeting. No permit is required. Front doors may be painted white or the trim color that matches the shutters. Front doors may also be natural wood or fiberglass wood-simulated, and may be stained, varnished or finished with clear polyurethane. Maintenance of stained doors is the homeowner's responsibility. Side or back doors must be painted white. Structural modifications require a Permit.

2. Storm doors may be white, black, or match shutter color.

o. **Gutters, Soffit and Fascia Replacement:** Homeowners who wish to repair and/or replace gutters, soffits and/or fascia that require no modification to the structure need not attend an Architectural Committee meeting and no permit is required. The color must be white. Work involving modifications, when

working on soffits or fascia requires a Tamarac permit and a Pinellas County permit. All materials must be white.

p. **Drainage**: Storm water drainage is primarily by use of swales in drainage easements. Swales may be modified where necessary, but deep, narrow ditches that interfere with lawn care are not permitted. An Architectural Committee permit is required. Drain tiles are permitted in Tamarac By-The-Gulf, Inc. as approved by the Board of Directors. An Architectural Committee Permit is required for this procedure. Inspection by the Committee is also required prior to covering the drain.

q. **Pergolas**: Pergolas are allowed if placed in the rear of the home over the patio area. The following are the guidelines for Pergolas:

1. Pergolas must be white vinyl or white metal. Wood is not permitted.
2. A County Permit is required (if necessary).
3. A Permit from the Architectural Committee is required.
4. Sheds are not permitted under the pergola.
5. Pergolas must meet hurricane wind codes.

r. **Street Addresses**: Street address numbers are required on all homes per Pinellas County Ordinance 87-52. They must be clearly visible from the street, and a minimum of 3 inches in height, not to exceed 8 inches in height. The color should be black, metallic, or match the shutters.

s. **Water Conditioners**: Water conditioners may be installed on the exterior side where the water service enters the home. The unit must be installed on a solid, level surface. Both an Architectural and Pinellas County Plumbing Permit are required.

t. **Carport Conversions**: A carport conversion to a garage requires a Pinellas County Building Permit. The new walls must be of a solid concrete, or concrete block, no wood material is allowed. The exterior finish must be white stucco and match the existing finish type. The garage door and any additional windows or doors must be white.

u. **Home Rebuilds**: Any home that is rebuilt must be constructed according to the design of the home prior to the rebuild. The front configuration and roof must be the same, but the sides and rear of the home may have different door and window configurations.

v. **Lattice**: No lattice work is allowed.

This Instrument Prepared
By and Return to:
Joseph M. Murphy, Esquire
DeLoach, Hofstra & Cavonis, P.A.
8640 Seminole Blvd.
Seminole, FL 33772
#6566.38221 Tamarac By-The-Gulf, Inc.

KEN BURKE, CLERK OF COURT
AND COMPTROLLER PINELLAS COUNTY, FL
INST# 2021021500 01/22/2021 08:39 AM
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**CERTIFICATE OF AMENDMENT
TO THE RULES & REGULATIONS
OF TAMARAC BY-THE-GULF, INC.**

THIS IS TO CERTIFY THAT:

1. The Amended and Restated Use and Building Restrictions of Tamarac By-The-Gulf, Inc., is recorded in O.R. Book 11877, Pages 1180, et seq., Public Records of Pinellas County, Florida.
2. The Plat pertaining to Tamarac By-The-Gulf is recorded in Plat Book 63, Pages 12 and 13, Public Records of Pinellas County, Florida.
3. The plat for Tamarac By-The-Gulf First Addition is recorded in Plat Book 63, Page 57, Public Records of Pinellas County, Florida.
4. The plat for Tamarac By-The-Gulf Second Addition is recorded in Plat Book 63, Pages 74 and 75, Public Records of Pinellas County, Florida.
5. The plat for Tamarac By-The-Gulf Third Addition is recorded in Plat Book 64, Page 28, Public Records of Pinellas County, Florida.
6. The attached Revised Architectural Rules and Regulations was duly adopted by the Board of Directors of TAMARAC BY-THE-GULF, INC., at a meeting duly held on December 11, 2020, in accordance with the requirements of the Amended and Restated Use and Building Restrictions for Tamarac By-The-Gulf, Inc., Tamarac By-The-Gulf First Addition, Tamarac By-The-Gulf Second Addition, and Tamarac By-The-Gulf Third Addition.

Executed at Pinellas County, Florida, on this 12th day of January, 2021.

TAMARAC BY-THE-GULF, INC.

By: Valdis Silins
Valdis Silins, Its President

Attest: Susan Glemboski
SUSAN GLEMBOSKI, Its Secretary

Dorothy J. Pretzer
Witness
Dorothy J. Pretzer
Deborah J. Wigginton
Witness
DEBORAH J. WIGGINTON

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me, by means of ✓ physical presence or _____ online notarization, this 12TH day of JANUARY, 2021, by VALDIS SILINS and SUSAN GLEM BOSKI, as President and Secretary, respectively, of TAMARAC BY-THE-GULF, INC., a Florida non-profit corporation, on behalf of the corporation. They are personally known to me or have produced _____ as identification.



Deborah J Wigginton
(Signature of Notary)

DEBORAH J. WIGGINTON
(Name of notary, printed or stamped)

Notary Public
GG 207094

(Serial Number, if any)