

AMHERST VILLAGE

Property Owners' Association

Architectural Control Board (ACB)
Operating Procedures and Criteria

October 12, 2023

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Section 1 – Responsibilities

The Architectural Control Board (ACB) is a committee appointed by the Board of Directors of the Amherst Village Property Owners Association, Inc. (POA). Its role is to administer policies and procedures designed to ensure compliance with the Declaration of Covenants, Conditions, Restrictions and Easements for Amherst Village (CC&Rs), the Declaration of Covenants and Restrictions for Hampton Hills, and the Amended to and Complete Restatement of Declaration of Covenants and Restrictions for Terra Vista Property Owners Association, Inc. (hereinafter Terra Vista CC&R).

The functions that the ACB is charged with administering include:

1. Administer the process outlined in Section 2, Exterior Change Requests, so that requests from homeowners are reviewed in a timely manner and so that any approved additions or modifications to homeowner properties or homes are in compliance with the Amherst Village and Terra Vista CC&Rs.
2. Attempt to monitor all resales and rentals of homes. The ACB solicits the cooperation of homeowners in notifying the ACB when new homeowners or renters have moved into a home. The ACB will meet with the new homeowners/renters, to show them where they can view the CC&Rs and introduce them to the ACB and its responsibilities.
3. Monitor the construction of improvements. Prior to the construction of an improvement or addition, all homeowners shall provide the plans to the ACB to ensure that the plans meet the requirements of the Amherst Village CC&Rs.
4. Administer the process outlined in Section 4, Resolution of Violations, so that violations are resolved in a timely, results-oriented manner.
5. A quarterly drive-around will be performed to note any neglect, maintenance issues, violations, or overt changes made without proper ACB submittal.

It should be noted that the ACB is made up of three to five of our neighbors who have volunteered their services for the purpose of helping to ensure that Amherst Village is a friendly, peaceful, and harmonious place to live. Normally, the ACB only initiates the process of resolving violations after they receive a complaint from a homeowner. The identity of the homeowner making the complaint will be kept in confidence, if possible.

Please keep in mind, one reason for buying in a Deed Restricted Community is that the CC&Rs help to ensure that the neighborhood maintains its distinctive style and character. It is the goal of the ACB to help facilitate this. Adhering to the procedures set forth herein will help to make that easier and promote a beautiful and peaceful neighborhood we all can enjoy.

Section 2 – Exterior Change Requests

The largest responsibility of the ACB is the administration of the process for property owners to obtain approval for additions, improvements, and/or modification to their properties. All approved requests must be in compliance with the Amherst Village and Terra Vista CC&Rs and the property owner must take into account any limitations due to easements or other features on the property.

A property owner desiring to add to or modify the exterior of his/her property must first submit a Request for Change form (see Exhibit A) to the ACB or to the POA administrative offices. The property owner should provide a brief, written description of what work/project is planned and attach a copy of the site plan (including distance to property lines, when applicable) that clearly illustrates all changes/additions that are planned. It is preferred that the request be emailed to a member of the ACB. The form must be completed in sufficient detail i.e., specific location(s), dimensions, colors, materials etc., to enable the ACB to properly review and assess the request. Landscape plans should include a drawing with a list of plant names, showing the nature, kind, shape, height, materials and location of the same. Replacement of plants with similar plant materials does not require ACB approval. Replacement of mulch with rocks does require ACB approval. Landscape plans shall also include any lighting information.

When a request is submitted to the ACB, the committee members will review and assess the request and, based on that assessment, either approve or disapprove the request. Approval requires that a majority of the ACB members agree to approve the request. Any response to the request will be provided within 30 days of receipt of all required information.

If the request is approved, the ACB will note any applicable conditions or restrictions to provide the property owner with details as to what has been approved and any conditions that may apply to the approval.

Once a request has been approved or disapproved, a copy is emailed to the property owner and to the Amherst Village POA administrative offices.

If a request is disapproved, the property owner may appeal the decision in writing to the Board of Directors of the Amherst POA within 30 days of the ACB's decision. An ACB representative familiar with the specific request will be available to review an appeal with the Board.

Section 3 – Restrictions and ACB Criteria

The restrictions and the Architectural Control Board are addressed in the Declaration of Covenants, Conditions, and Restrictions for Amherst Village, the Declaration of Covenants and Restrictions for Hampton Hills, and the Amended to and Complete Restatement of Declaration of Covenants and Restrictions for Terra Vista CC&R. As mentioned therein, the ACB may establish specific architectural criteria and standards for improvements. Except for those exceptions stated herein, **no changes to the exterior of the property or home are permitted without approval of the ACB.** The ACB criteria are defined as follows:

1. A list of approved paint colors/color combinations exists for each home's exterior, trim, door, roofing, pavers, etc. All new painting needs preapproval from the ACB, including repainting using the existing colors. If the homeowner's specific existing colors are unknown, he/she may choose to use the current list of approved paint colors/color combinations.
2. No driveway or walkway surface shall be colored, without prior ACB approval. The ACB maintains a list of acceptable driveway stain colors. In addition, driveways may not be expanded, or have inserts or images applied, without prior ACB approval.
3. No fences, walls, or hedges shall be constructed on any lot without prior ACB approval. Fences must be of dark metal composition of acceptable quality and have masonry columns at the corners and at lengths of the fences as indicated by the ACB, subject to the design of the lot, to be determined on a case by case basis. No plastic or vinyl fence material is permitted whatsoever, except for rear boundary fencing installed on some lots by Terra Vista Property Owners Association, Inc. No fences will be approved for lots backing up to the golf course or ponds/waterbodies.
4. No lattice fencing/screen of any kind will be allowed. Existing lattice should be replaced with shrubbery.
5. Exercise equipment including, but not limited to, swing sets, basketball hoops, and trampolines will not be permitted on any part of a lot.
6. Yard games are permitted, only when in use, and they should be removed immediately after use.
7. Putting greens require pre-approval. They may only be placed in the back yard and may use artificial grass, but artificial grass may not exceed 10% of the backyard square footage.
8. No open burning or ground fires are permitted. "Open burning" or "ground fires" are defined as the outdoor burning of yard waste, which includes leaves, weeds, brush, stumps, tree trimmings, grass, shrubbery, or other vegetative debris, directly on the lawn or in earthen holes. All fire pits, chimineas, or other wood burning devices will not be approved by the ACB. Liquid propane or gas firepits/devices are allowed but require pre-approval by the ACB.
9. Small seasonal decorative flags may not be larger than 1.5 feet wide by 1 feet high and are for seasonal display only. These may be placed in a holder that is mounted near an entryway door. Only one such flag per residence will be permitted. Holiday decorations are permitted, e.g., Christmas lights for *seasonal display*, but should be taken down within a reasonable timeframe.
10. Landscape changes require ACB approval:
 - a. Trees should generally be planted at least 5 feet inside the property line. Shrubs should not be planted beyond property lines. The ACB will take into account utility and drainage easements when considering landscape changes. No structures will be approved that are less than 5 feet from the side and rear property lines or less than 15 feet from the front property line. Property owners, and not the POA or ACB, are responsible for any drainage issues or damage to adjacent properties which may result from their modifications.

- b. In planting beds, only vegetative mulches may be used. Synthetic mulch of all kinds, including but not limited to mulch made out of rubber tires and recycled plastics, is prohibited. Use of stone material is not permitted without prior approval, and color choices may be limited by the ACB.
- c. Concrete or plastic curbing around planting beds may not be installed without prior ACB approval. The ACB reserves the right to require that the curbing be of colors harmonious with the home's exterior colors.
- d. The ACB may, at its discretion, specify a reasonable timeline for completion of landscape work.
- e. Yards, including lawns and landscape, should be neatly maintained. Replacement of dead shrubs or plants does not require ACB approval.
- f. Free-standing sculptures and yard ornaments, etc. that can be seen from the street require preapproval. The items should be of neutral tones (e.g., browns, tans, rust and gray) that complement the exterior paint colors of the home. Preferably, they depict nature in a tasteful fashion and may be no larger than 3.5 feet high by 2 feet wide. Unacceptable items include weather stations, wind gauges or spinners, deer, mythical figures, fairies, and garden gnomes. For garden art and plant hooks, placing them in plant beds or near the front entryway is recommended. The decision as to whether an item is acceptable for display ultimately rests with the ACB. Ornamental items must be kept in good condition. If any item begins to look worn, faded, ragged, or dilapidated, the ACB can request it be removed and/or replaced.
- g. Flower pots must be filled with live plants. Note: Empty nursery pots left outdoors are not permitted. These must be stored in the garage.
- h. Bird houses and feeders may only be placed in the back yard of the property. Bird feeders foster rodents and are discouraged.
- i. Decorative iron work attached to the exterior of the home is subject to ACB approval and must look proportional to the space in which it is displayed. Acceptable colors are brown, bronze, or black.

11. Exterior changes require ACB approval:

- a. Lanai extensions, garage door screens, storm, and screen doors, rain gutters and downspouts, and screened enclosures at exterior entry doors require ACB pre-approval and must be in harmony with the color scheme and materials used on the home. Construction must be of good quality.
- b. Solar panels are permitted, but placement is subject to ACB approval within the parameters set forth by Florida Statutes.
- c. New exterior lighting post-construction requires pre-approval by the ACB. The ACB only approves warm white 75-watt bulbs, 2700K to 3000K, and for low voltage lamps, 3-5 watts maximum, 2700 to 3000K. Lighting must not be projected onto the street and/or neighboring properties. Security lighting may be used with higher wattage so long as the lights are 2700K to 3000K and set on motion detectors. **RGB LED and LED strip lighting is only allowed during the Holiday season from Thanksgiving through January 7, and must be integrated into the overall seasonal display scheme. See Exhibit "C" for additional information.**
- d. Satellite dishes are permitted but shall be blocked from view with shrubbery.
- e. In addition to the permitted flags described in Section 3, Paragraph 9 above, any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps,

or Coast Guard, or a POW-MIA flag. Moreover, any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 4 ½ feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks and other applicable governmental regulations, including, but not limited to, noise and lighting for Citrus County and all setback and locational criteria contained in the CC&Rs.

12. General Maintenance/Upkeep:

- a. Mechanical equipment such as AC units, pool equipment, and satellite dishes must be shielded with shrubbery (not fencing material) from the street and the golf course.
- b. Brooms, mops, garden tools, wheelbarrows, and similar items shall not be stored outside the home where they are visible from the street.
- c. Trash bins must not be stored where visible from the street.
- d. Roofs, home surfaces, driveways, pavers, and walkways shall be kept reasonably clean and free of mildew/algae, debris.

EXHIBIT A

AMHERST VILLAGE PROPERTY
OWNERS ASSOCIATION, INC.
ARCHITECTURAL CONTROL BOARD (ACB)
2541 N Reston Terrace. Hernando Fl. 34442
Contact: Margaret Lamb
architectural@villageservices.net
352-746-6770

REQUEST FOR CHANGE FORM

All necessary documentation/information must be provided promptly. This application expires 30days after receipt.*

Today's Date: _____

Homeowner's Name and signature

Homeowner's Address:

Homeowner's Phone #:

Homeowner's Email Address:

*Provide a brief but specific, written description of what work/project you are planning.

*Attach a copy of your site plan, including distance to property lines (when applicable) that clearly illustrates all changes/additions you are planning.

*Include contractor specs, pictures of product, diagrams, color selections, materials, plant names, etc.

*Additional information may be required for certain projects. You will be contacted via e-mail if necessary. The ACB will start the review process when all the information has been submitted

APPROVED _____ DISAPPROVED _____ Date: _____

Exhibit B – Letter to Residents

TO: Residents of Hunt Club, Foxfire, and Bellamy Ridge
RE: Amherst Village Architectural Control Board (ACB)

1. **PURPOSE:** The purpose of this letter is to share with your information about the ACB and its function, as well as to describe the procedures for requesting changes to the exterior of your home and/or landscaping.

2. RESPONSIBILITIES:

ACB:

- 1) Support you and the POA by reviewing all “Requests for Change” that you wish to make for improvements, additions, or changes to the exterior of your home and/or landscaping.
- 2) Ensure that homeowners and the POA are informed of matters which are in non-conformance to standards. *

Homeowner:

- 1) Submit for approval a “Request for Change” form to the ACB for any exterior home and/or landscaping changes prior to initiating any work.
- 2) Maintain your property in a neat and attractive condition, including but not limited to: mold removal from roof, driveways, and home walls; grass cutting and edging; vegetation/shrubbery cutting; and debris removal, to maintain the prevailing standards of appearance in the community. *

* **Note:** Please refer to the “*Complete Restatement of Declaration of Covenants, Conditions, Restrictions and Easements for Amherst Village,*” dated December 31, 2019, and “*Declaration of Covenants and Restrictions for Hampton Hills and the amended to and complete restatement of Declaration of Covenants and Restrictions for Terra Vista Property Owners Association, Inc.*” dated February 17, 2017 for more detailed information. (These documents were given to you at or before closing and can also be found at the Amherst Village website: <https://amherstvillage.nabrnetwork.com/>)

3. “REQUEST FOR CHANGE” PROCEDURES.

- a. Homeowners will complete a “Request for Change” form (enclosed), which shall **include** a site plan with the changes/additions clearly shown and forward it to Villages Services, attention of Margaret Lamb located at 2541 N Reston Terrace, Hernando, FL 34442 or via email to architectural@villageservices.net. Please remember to upload any of your forms, photos etc. Submit electronically online at www.amherstvillage.nabrnetwork.com.
- b. The ACB will meet and review your “Request for Change” and within 30 days inform you via USPS or email of its decision (approve, approve with conditions, or disapprove).
- c. In the event that your “Request for Change” is disapproved, you have the right to appeal to the Amherst Village POA Board. The point of contact (POC) for the Amherst Board is Geri Bond, Community Association Manager of Amherst Village POA, and she may be reached via email at g.bond@villageservices.net or via telephone at (352) 746-6770.

EXHIBIT C

The following lights are not allowed on the exterior of homes (including front, sides, rear, roof, soffits, lanais, pools, or yards):

- Any light that has a warmth value greater than 3000 Kelvin
- Neon lights
- Neon LED strip lights
- RGB (Red-Green-Blue) LED lights, except during Holiday season as defined below
- LED strip lights (single-color or color-changing), except during Holiday season as defined below
- Addressable RGB (50 different colors all at once)
- Lights accompanied by music
- Lights aimed at the street or neighbor

Types of lights allowed:

Light fixtures

- Incandescent lamps: Up to 75 watts each with a maximum of 3000 Kelvin warmth (warm white)
- LED lamps: Up to 10 watts each with a maximum of 3000 Kelvin warmth (warm white).
- Color RGB LED and LED strip lighting is allowed during the Holiday season only (“Holiday season” is from Thanksgiving until January 7) and must be incorporated into an overall holiday season decoration scheme*.

Accent lights are only allowed in-ground and projecting to the body of the house or onto the ground (path lights) or trees/shrubs but not to the right-of-way nor to the neighbors. The following type of lights are allowed:

- LED lamps: Up to 3-5 watts per lamp. Maximum number of lamps is 10 lamps per 40 linear feet along the home
- Must be Warm White and not exceed 3000 Kelvin
- Brightness not to exceed 40 Lumens per lamp

String Lights are allowed within lanais and in warm white only; 2 LED watt maximum per light bulb (lamp), dimmable and not flashing. Installed no closer than 3 ft between bulbs. 3000 Kelvin maximum.

Security lighting may be used with higher wattage so long as the lights do not exceed 2700K to 3000K and are only used in motion detector mode. RGB LED and **LED strip lighting** lighting is not allowed as security lighting.

***Holiday lights** (incandescent or LED lamps, or RGB LED, or LED strips, as described above) are allowed for seasonal display, but should be installed no earlier than Thanksgiving and taken down by January 7.