

Whispering Oaks Preserve Homeowners Association, Inc.



Book of Standards

Second Edition

Whispering Oaks Preserve Homeowners Association, Inc.

Book of Standards for Community Living

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DEFINITIONS

Association – a not-for-profit corporation created under FL Statute Chapter 617 and Chapter 720.

Board – The Board of Directors of the Association is comprised of three members who have been appointed by the developer or who have been elected by the membership of the Association.

Declarant – The Declarant creates the community documents thus “declaring” that the community is being developed with specific covenants and restrictions that will be placed upon all the lots within the development. Although the Declarant may not be the developer of the community, this term is often used interchangeably with the term Developer.

Documents – Collectively the Community Declaration (a.k.a. CCR’s), The Articles of Incorporation (a.k.a. Articles), the By-laws (a.k.a. By-laws) and any Supplements or Amendments thereto as recorded in the official public records of Pasco County, Florida.

Governing Documents – the recorded documents as described in the above definition plus any architectural guidelines, policies and rules adopted by the Board of Directors.

Home – a dwelling that has received a Certificate of Occupancy and is or can be lived in by the Owner or his lessee.

Homesite – Any lot that has a dwelling constructed upon it.

Landscape Bed - Bed around the perimeter of the house and/or an island within the lawn. The beds typically contain shrubs, trees, and flowers.

Lot - The term “lot” applies to property with or without a dwelling.

Member – Any owner of a lot within the community of Whispering Oaks Preserve.

Owner – A person or persons who have legal title to a lot within Whispering Oaks Preserve. This term can be used inter-changeably with the term Member.

SWFWMD - Southwest Florida Water Management District commonly referred to as “Swiftmud”.

Transition (a.k.a. Turnover) – An event that occurs within 90 days after 90% of the Homesites that can be built within the Association have been transferred to a third party. At transition, all Board members appointed by the Developer will resign and the Members will elect new Board members who must all be Owners.

Word “may” – Typically used in the phrase “may be” and means optional.

Word “shall” – Typically used in the phrase “shall be” and means mandatory.

Word “should” – Typically used in the phrase “should be” and means recommended.

THE HOMEOWNERS ASSOCIATION

Introduction

The community of Whispering Oaks Preserve is a planned community that will be comprised of 587 homes. As developer of the community, M/I Homes of Tampa, LLC has envisioned a community where residents can live, work and play in harmony with their neighbors.

To preserve, protect and enhance the property values of those who purchase homes within the community of Whispering Oaks Preserve, the Whispering Oaks Preserve Homeowners Association (Association) was created. All owners of property within Whispering Oaks Preserve community are Members of the Association. This Membership includes certain mandatory obligations, financial responsibilities, and a commitment to abide by the deed (use) restrictions and rules of the Association.

The purpose of this Book of Standards is to provide an explanation of the Association's governing documents and to give the Members of the Association an overview of how the Association functions in an easily understood format. This book will review the rights and obligations of Members and leaders of the Association and present a compilation of the Association's adopted Architectural Guidelines, policies, rules and regulations.

Mission of Whispering Oaks Preserve Homeowners Association

- To maintain, protect and enhance the value of the homes and common property within Whispering Oaks Preserve.
- To foster a sense of community among the Members.
- To pursue excellence in all that the Association does.
- To build a community that is based upon principles and values.
- To record and manage this vision through a system of governance that respects this perspective.

The Governing Documents

Anyone who purchases a home in Whispering Oaks Preserve should receive a copy of the of The Declaration of Covenants (herein referred to as "Declaration" or "CCR's"), The Articles of Incorporation ("Articles"), The By-laws ("By-laws") and all amendments that may have been made to each of these documents. All these documents have been recorded in the public records of Pasco County. If you did not receive these documents, notify your title company and request that they provide them to you as required by Florida Statute. Copies may be obtained from the management

company; however, you will be charged a copy fee for the document package. Documents may also be viewed and/or downloaded from the Pasco County Clerk of Court website.

Following is an overview of the governing documents specific to Whispering Oaks Preserve Homeowners Association:

Chapter 720 Florida Statutes Homeowners' Associations	Chapter 720 of the Florida Statutes regulates Homeowners' Associations like Whispering Oaks Preserve and takes precedence over the Whispering Oaks Preserve documents listed below. Anytime that there is a discrepancy between this statute and Whispering Oaks Preserve documents, the statute will prevail.
Declaration of Covenants, Conditions and Restrictions (CCR's)	The CCR's are recorded in the public records of Pasco County. They establish a contract between the Association and the property owners and create obligations which are binding upon the Association and all present and future owners of property within Whispering Oaks Preserve. The CCR's contain the plan of development, the method of operation and the rights and responsibilities of the Association and the owners of property within the Association.
Articles of Incorporation	Filed with the Florida Secretary of State and as an exhibit to the CCR's, the Articles establish the Association, as a not-for-profit corporation under Florida law.
By-laws	Details how the Association's internal affairs will be conducted. Included in this document are the requirements for noticing and conducting meetings, voting rights of Members, elections procedures, and job descriptions for officers and committees. This is recorded as an exhibit to the CCR's.
Amendments or Supplements	These are recorded at some point after the CCR's are recorded and may add land or impose additional obligations or restrictions on the property. Amendments may be made to the CCR's, Articles and By-laws by the Developer prior to the transition of the Association to homeowner control or by a vote of the Membership as outlined in the CCR's, Articles and By-laws.
Architectural Guidelines	Whispering Oaks Preserve CCR's require that standards and guidelines for improvements and modifications to the exterior of a house (including structures and landscaping) be developed.

	The Architectural Guidelines were created jointly by the Board of Directors and the Architectural Control Committee. Guidelines are not recorded in the public records of Pasco County and they can be amended jointly by the Board of Directors and the Architectural Control Committee.
Rules and Regulations	These are adopted by the Board of Directors to govern the use of property, activities and conduct. Rules and Regulations are not recorded in the public records of Pasco County.
Board Resolutions	Resolutions are adopted by the Board of Directors to establish rules, policies, and procedures for internal governance and Association activities, and to regulate operation and use of Common Property.

The Board of Directors

The governing authority for the Association is the Board of Directors ("Board"). Currently, there are three members of the Board and all are appointed by the Developer. At the time that 50% of the total number of Homes that can be built within Whispering Oaks Preserve have been conveyed to someone other than a builder, one Member will be elected to the Board. Within ninety (90) days after 90% of the total number of homes that can be built within Whispering Oaks Preserve have been conveyed to someone other than a builder, the control of the Association's Board will be transitioned to the Owners of homes within Whispering Oaks Preserve. When the transition occurs, all board positions will be held by Members of the Association.

The Board of Directors is responsible for the administration of the Association. They have the authority to make and amend rules, adopt policy, adopt budgets, assess and collect assessments, hire and fire personnel, appoint committees, purchase insurance and enter into contracts on behalf of the Association. The Board is also responsible for enforcing the CCR's and all rules and policies of the Association. Board Members must act within the scope of their authority and perform their duties with care and diligence when acting for the community. The Board may delegate some duties to the community manager, an employee or to a committee but ultimately the Board is responsible for all decision making.

The Committees

The Board of Directors has the authority to create committees as it deems appropriate and to assign each committee with a specific task. Committees work in an advisory capacity to the Board and do not have the authority to commit the Board to an expense or required action. Committee Members are appointed by and serve at the

pleasure of the Board. Committee Members may be removed from their duties for failure to perform within the scope of the committee's boundaries. Several of the committees that may be formed in Whispering Oaks Preserve are listed below with their duties.

Architectural Control Committee (ACC)	This committee is responsible for reviewing all Architectural Modifications Requests made by residents for improvements to the exterior of the house or lot. The committee also reviews Architectural Guidelines and recommends changes and/or additions to the Board for adoption.
Covenants Enforcement Committee (CEC)	This is the hearing tribunal for the Association and has the authority to approve monetary fines imposed by the Board of Directors on Members who are non-compliant with the CCR's and rules of the Association. They may also advise the Board on needed clarifications to existing rules or restrictions and may recommend additional rules or document amendments for consideration by the Board.
Community Spirit Committee	The purpose of this committee is to foster a sense of community within Whispering Oaks Preserve by planning community wide events and programs such as community garage sales, Community Beautification Day. The committee will also assist the Board with communications.

Meetings

An Annual Membership Meeting is held each year. A quorum of 10% of all Owners is required to conduct business. It's important that all Owners complete and mail in their proxy to the management company to be counted toward the quorum requirement. A proxy is a written instrument that allows you to be counted in attendance for the meeting and appoints another person to cast your vote on any voting matter presented to the Membership. Any Owner who sends in a proxy and then attends the meeting can request his proxy be returned thereby casting his own votes on all business

matters. At a General Membership meeting, Members can make motions and cast votes on all business matters listed on the agenda.

Board of Directors Meetings are conducted as needed. A majority of the Board Members must be present to constitute a quorum and to conduct business. Notice of all Board meetings must be given to Members forty-eight (48) hours in advance of the meeting. Any meeting at which the Board will adopt the budget, approve assessments or adopt rules requires a two-week notification. All Board meetings are open to the general Membership to attend; however, motions and votes are made by the Board Members only. Members may speak to any agenda item during an open discussion period at the beginning of the meeting. If a Member has a business item that they would like to be addressed by the Board, they may contact the management company to request that the item be placed on the agenda. Back up information about the requested agenda item should be made available to the Board Members prior to the meeting and the Member requesting the agenda item should be prepared to address the Board at the meeting.

Committee Meetings are held monthly or as needed. Members are welcome to attend meetings and are encouraged to volunteer to serve on committees.

Budget and Finances

The Board of Directors is responsible for creating and adopting the annual budget for the Association.

The management company oversees the accounting needs for the Association and prepares a financial report each month. These reports are provided to Members upon request.

The Board is tasked with levying an assessment on each Owner based upon that Owner's fair share of the anticipated budgetary needs for the coming year. The budget includes the cost of management, legal and accounting services, office expenses (i.e. printing of newsletters, postage, costs associated with leasing a space to conduct the Annual Membership Meeting), insurance and social activities. Insurance policies in place for the Association include Property and Casualty, General Liability, and Directors and Officers Liability.

The Board is also responsible for the collections of each Owner's assessments. A collection policy has been adopted by the Board and is published in the Policies, Rules and Regulations section of this Book of Standards.

Managing the Association

As noted above, the Board is responsible for all decision making for the Association; however, they can delegate some duties to others. The community

management company has been contracted by the Board to assist in implementing the decisions made by the Board. The management company assigns a community manager to Whispering Oaks Preserve. In Florida, community managers are required to have a CAM license that is issued by the Department of Business and Professional Regulations and to attend continuing education courses related to community management on an annual basis. The community manager will work to assist all residents of Whispering Oaks Preserve with their Association related questions and business; however, the community manager takes direction only from the President of the Board.

Records Request

The management company is the keeper of the Association's records. Copies of official records as outlined in Florida Statute 720 which regulates Homeowners Associations can be requested from the management company. The request must be made in writing and sent to the Association's address via certified mail. The management company is required to respond to the request within a ten working day period after receipt of the request. The management company will arrange an appointment for the homeowner to come to its office and review the requested records. There will be a fee for any copies requested. Please refer to the Records Request Policy located in the Policy section of this Book of Standards for additional information.

From Good to Great

Community Associations Institute is a national organization for professionals and volunteers who work with community associations. Their brochure "From Good to Great" is printed on the next few pages. Contents include The Rights and Responsibilities for Better Communities, Community Governance Guidelines and Model Code of Ethics for Board Members.



From Good to Great

RIGHTS AND RESPONSIBILITIES

Perhaps the greatest achievement for any association is creating and sustaining a sense of community among residents and leaders. This goal is best achieved when homeowners, non-owner residents and association leaders recognize and embrace their rights and responsibilities. It was with this goal in mind that CAI developed Rights and Responsibilities for Better Communities. These principles can serve as an important guidepost for board and committee members, community managers, homeowners and non-owner residents.

Rights and Responsibilities for Better Communities Principles for Homeowners and Community Leaders

Homeowners have the right to:

1. A responsive and competent community association.
2. Honest, fair and respectful treatment by community leaders and managers.
3. Participate in governing the community association by attending meetings, serving on committees and standing for election.
4. Access appropriate association books and records.
5. Prudent expenditure of fees and other assessments.
6. Live in a community where the property is maintained according to established standards.
7. Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
8. Receive all documents that address rules and regulations governing the community association—if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
9. Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

Homeowners have the responsibility to:

1. Read and comply with the governing documents of the community.
2. Maintain their property according to established standards.
3. Treat association leaders honestly and with respect.
4. Vote in community elections and on other issues.
5. Pay association assessments and charges on time.
6. Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
7. Request reconsideration of material decisions that personally affect them.
8. Provide current contact information to association leaders or managers to help ensure they receive information from the community.
9. Ensure that those who reside on their property (e.g., tenants, relatives and friends) adhere to all rules and regulations.

EVERY COMMUNITY has its own history, personality, attributes and challenges, but all associations share common characteristics and core principles. Good associations preserve the character of their communities, protect property values and meet the established expectations of homeowners. Great associations also cultivate a true sense of community, promote active homeowner involvement and create a culture of informed consensus. The ideas and guidance conveyed in this brochure speak to these core values and can, with commitment, inspire effective, enlightened leadership and responsible, engaged citizenship.



Community leaders have the right to:

1. Expect owners and non-owner residents to meet their financial obligations to the community.
2. Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association.
3. Respectful and honest treatment from residents.
4. Conduct meetings in a positive and constructive atmosphere.
5. Receive support and constructive input from owners and non-owner residents.
6. Personal privacy at home and during leisure time in the community.
7. Take advantage of educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities and as approved by the association.

Community leaders have the responsibility to:

1. Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.
2. Exercise sound business judgment and follow established management practices.
3. Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
4. Understand the association's governing documents, become educated with respect to applicable state and local laws and manage the community association accordingly.
5. Establish committees or use other methods to obtain input from owners and non-owner residents.

6. Conduct open, fair and well-publicized elections.
7. Welcome and educate new members of the community—owners and non-owner residents alike.
8. Encourage input from residents on issues affecting them personally and the community as a whole.
9. Encourage events that foster neighborliness and a sense of community.
10. Conduct business in a transparent manner when feasible and appropriate.
11. Allow homeowners access to appropriate community records when requested.
12. Collect all monies due from owners and non-owner residents.
13. Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligations to the community.
14. Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights—where permitted by law and the association's governing documents.
15. Initiate foreclosure proceedings only as a measure of last resort.
16. Make covenants, conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.
17. Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders, e.g., officers, the board and committees. (Community associations may want to develop a code of ethics.)





GOVERNANCE GUIDELINES

CAI developed the Community Association Governance Guidelines to help community association boards govern fairly, responsibly and successfully. Embracing these 12 basic principles can help any association board increase harmony, reduce conflict and build a stronger, more successful community.

Community Association Governance Guidelines

1. **Annual meetings.** Conduct at least one membership meeting annually, providing at least two weeks notice to homeowners and more than two weeks if specified in the governing documents or dictated by state statute.
2. **Assessments.** Collect assessments and other fees from homeowners in a timely and equitable manner and in accordance with state statutes and board-approved procedures.
3. **Communication.** Provide at least one form of regular communication with residents, and use it to report substantive actions taken by the board.
4. **Conflicts of interest.** Disclose all personal and financial conflicts of interest before assuming a board position and, once on the board, before participating in any board decisions.
5. **Elections.** Hold fair and open elections in strict conformance with governing documents, giving all candidates an equal opportunity to express their views and permitting each candidate to have a representative observe the vote-counting process.
6. **Financial transparency.** Share critical information and rationale with residents about budgets, reserve funding, special assessments and other issues that could impact their financial obligations to the association. Give members an opportunity—before final decisions are made—to ask questions of a representative who is fully familiar with these financial issues.
7. **Foreclosure.** Initiate lien and foreclosure proceedings only as a last step in a well-defined debt-collection procedure—and only after other, less-disruptive measures have failed to resolve a serious delinquency issue in a specified period of time.
8. **Governance and the law.** Govern and manage the community in accordance with all applicable laws and regulations. Conduct reviews of governing documents to ensure legal compliance and to determine whether amendments are necessary.
9. **Grievances and appeals.** Allow residents to bring grievances before the board or a board-appointed committee and follow well-publicized procedures that give residents the opportunity to correct violations before imposing fines or other sanctions.
10. **Records.** Allow homeowners reasonable access to appropriate community records, including annual budgets and board meeting minutes.
11. **Reserve funding.** Account for anticipated long-term expenditures as part of the annual budget-development process, commissioning a reserve study when professional expertise is warranted.
12. **Rules.** Uniformly enforce all rules, including architectural guidelines, but only after seeking compliance on a voluntary basis. Distribute proposals for new rules and guidelines to all homeowners and non-owner residents. Advise them when the board will consider new rules and encourage input. Once adopted, new rules and effective dates should be distributed to every owner and resident.

Note: Laws governing common-interest communities vary considerably from state to state. Association boards should consult with attorneys to ensure their association is governed in accordance with all federal, state and local laws and regulations.



MODEL CODE OF ETHICS

CAI developed the Model Code of Ethics for Community Association Board Members to encourage the thoughtful consideration of ethical standards for community leaders. The model code is not meant to address every potential ethical dilemma but is offered as a basic framework that can be modified and adopted by any common-interest community.

Model Code of Ethics for Community Association Board Members

Board members should:

1. Strive at all times to serve the best interests of the association as a whole regardless of their personal interests.
2. Use sound judgment to make the best possible business decisions for the association, taking into consideration all available information, circumstances and resources.
3. Act within the boundaries of their authority as defined by law and the governing documents of the association.
4. Provide opportunities for residents to comment on decisions facing the association.
5. Perform their duties without bias for or against any individual or group of owners or non-owner residents.
6. Disclose personal or professional relationships with any company or individual who has or is seeking to have a business relationship with the association.
7. Conduct open, fair and well-publicized elections.
8. Always speak with one voice, supporting all duly adopted board decisions—even if the board member was in the minority regarding actions that may not have obtained unanimous consent.

Board members should not:

1. Reveal confidential information provided by contractors or share information with those bidding for association contracts unless specifically authorized by the board.
2. Make unauthorized promises to a contractor or bidder.
3. Advocate or support any action or activity that violates a law or regulatory requirement.
4. Use their positions or decision-making authority for personal gain or to seek advantage over another owner or non-owner resident.
5. Spend unauthorized association funds for their own personal use or benefit.
6. Accept any gifts—directly or indirectly—from owners, residents, contractors or suppliers.
7. Misrepresent known facts in any issue involving association business.
8. Divulge personal information about any association owner, resident or employee that was obtained in the performance of board duties.
9. Make personal attacks on colleagues, staff or residents.
10. Harass, threaten or attempt through any means to control or instill fear in any board member, owner, resident, employee or contractor.
11. Reveal to any owner, resident or other third party the discussions, decisions and comments made at any meeting of the board properly closed or held in executive session.

CAI provides learning opportunities for community managers, homeowner volunteer leaders, association residents and service providers. Visit www.caionline.org/education to learn more.

Community Associations Institute | www.caionline.org

COMMUNITY ASSOCIATION FUNDAMENTALS

1. Associations ensure that the collective rights and interests of homeowners are respected and preserved.
2. Associations are the most local form of representative democracy, with leaders elected by their neighbors to govern in the best interests of all residents.
3. Associations provide services and amenities to residents, protect property values and meet the established expectations of homeowners.
4. Associations succeed when they cultivate a true sense of community, active homeowner involvement and a culture of building consensus.
5. Association homeowners have the right to elect their community leaders and to use the democratic process to determine the policies that will protect their investments.
6. Association homeowners choose where to live and accept a contractual and ethical responsibility to abide by established policies and meet their financial obligations to the association.
7. Association leaders protect the community's financial health by using established management practices and sound business principles.
8. Association leaders have a legal and ethical obligation to adhere to the association's governing documents and abide by all applicable laws.
9. Association leaders seek an effective balance between the preferences of individual residents and the collective rights of homeowners.
10. Association leaders and residents should be reasonable, flexible and open to the possibility—and benefits—of compromise, especially when faced with divergent views.

ABOUT CAI

With more than 32,000 members dedicated to building better communities, CAI works in partnership with 60 domestic chapters, a chapter in South Africa and housing leaders in a number of other countries. In addition to providing information, education and resources to those involved in community association governance and management, CAI also advocates on behalf of common-interest communities before legislatures, regulatory bodies and the courts.

We believe homeowner and condominium associations should strive to exceed the expectations of their residents. Our mission is to inspire professionalism, effective leadership and responsible citizenship—ideals reflected in communities that are preferred places to call home.

Learn more at www.caionline.org/aboutcai, or start getting member benefits immediately by joining at www.caionline.org/join.



www.caionline.org

(888) 224-4321



Architectural Guidelines, Standards & Procedures

ARCHITECTURAL GUIDELINES, STANDARDS & CRITERIA

Whispering Oaks Preserve was developed with the intent that houses harmonize with each other and present a pleasing and consistent style. Except as required by the Governing Documents, this style is not the result of a formal architectural code but rather the result of the vision of the developer.

Introduction

The intent of the contents of this guide, as well as the existence of the Architectural Control Committee (ACC), is to provide the Guidelines required for maintaining an aesthetically pleasing community. Adhering to these Guidelines is beneficial for all involved in that they are meant to protect the investment of the homeowners, as well as portray a quality community of well-planned houses constructed with long lasting materials maintaining high construction standards.

In conjunction with the recorded Documents for Whispering Oaks Preserve Homeowners Association (Whispering Oaks), the design standards are binding on all parties having interest in any portion of Whispering Oaks, and each homeowner is required to comply with the requirements as set forth. Any failure to comply with these requirements will be subject to remedies provided for in the recorded Documents.

These Architectural Guidelines provide an overall framework to allow the Community to develop and progress in an orderly, cohesive and attractive manner, implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents. These Guidelines include minimum standards for the design, size, location, style, structure, materials, color, mode of architecture, mode of landscaping and relevant criteria for the construction or addition of improvements of any nature. They also establish a process for judicious review of proposed changes within the Community.

These Architectural Guidelines have been adopted by the Board of Directors of Whispering Oaks Preserve Homeowners Association, Inc. pursuant to the Community Declaration for Whispering Oaks Preserve ("Declaration"). The Architectural Guidelines will be enforced by the Declarant during the Declarant Control Period as defined in the Declaration, and by the Architectural Control Committee established under Section 19 of the Declaration.

The architectural review process has been established to maintain the integrity of the architectural and design character of Whispering Oaks. To this end, the Architectural Control Committee (ACC) will review all proposed additions, improvements or alterations on houses for conformity with the Architectural Guidelines. Section 19 of the Declaration sets forth provisions with respect to the review process, including possible delegation of certain review functions to a resident staffed committee and the ultimate transfer of the review function to the committee at the end of the Declarant Control Period. Until such

transfer, any and all approval and denial rights rest with the Declarant and each such approval or denial will be in writing. In the event that certain reviewing functions are delegated to a resident staffed committee, Declarant reserves the right during the Declarant Control Period to withhold approval even if granted by the committee.

To the extent that any government ordinance, building code or regulation requires a more restrictive standard than that found in these Guidelines, the government standards shall prevail. To the extent that any government ordinance, building code or regulation is less restrictive than these Guidelines and any standards contained herein, or the Declaration, these Architectural Guidelines and the Declaration shall prevail.

Terms such as “good taste” and “sound design” are difficult to define and even more difficult to legislate. It is the intent of these Guidelines to encourage “good design” by showing examples of the desired result. Elements such as deed restrictions, appropriate attention to scale, proportion to the community should be considered with all requests.

Nothing contained in these Guidelines shall obligate any agency, governmental or otherwise, to approve plans submitted, nor shall the approval of the ACC be construed as meeting neither the requirements of Pasco County nor any governmental agency required for approval.

The ACC has the right to modify, revise, add, delete or make any changes to this manual by joint resolution with the Board of Directors.

Aspects and Objectives of Architectural Review

The Architectural Control Committee evaluates all properly completed Alteration Applications. Decisions made by the ACC are not based on subjective elements, but on the following criteria:

Relation to the Natural Environment: To prevent the unnecessary removal, destruction or blighting of the natural landscape or of the existing man-made environment.

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

Design Compatibility: Compatibility is defined as similarity in architectural style, quality of workmanship, and use of similar materials, colors and construction details.

Location and Impact on Neighborhood: The proposed alteration shall relate favorably to the landscape, the existing structure, the surrounding houses and the neighborhood.

Materials: Continuity is established by the use of the same materials and color palette as were used in the original construction.

Workmanship: The quality of work shall be equal to or better than the surrounding area.

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

Non-Liability for Approval of Plans

The Declaration Section 19.19 contains a disclaimer which relieves the Declarant, the Community Association and the Architectural Control Committee of liability or responsibility for the approval of plans and the specifications contained in any request by an Owner. **Prior to submitting plans or information for review you should read and understand this disclaimer. Certain additions, alterations and renovations may void any existing warranties.**

Alteration Application

General Information

1. A homeowner wishing to make an exterior change or modification to their home or Lot shall apply for and receive written approval for such change or modification prior to start of the project.
2. Application is made by completing the Alteration Application Form.
3. A separate Alteration Application shall be submitted for each exterior change or modification.
4. Applications are available from the management company and are included in the Forms Section of this Book of Standards.
5. The completed request, together with all applicable information, is submitted to the management company.
6. An Alteration Application is not considered complete until accompanied by all the information necessary for the ACC to make an informed decision.
7. Incomplete applications will be "Rejected" and shall not be considered until resubmitted with the necessary information.
8. **The ACC has up to 45 days from the date a properly completed Alteration Application is received by them to take action on that**

request or it is deemed Disapproved. (NOTE: during Declarant control period, the request is deemed Disapproved if no action is taken during the 45-day period.)

Supporting Documents/Materials

a) All Alteration Applications must be accompanied by a copy of the original stamped plot plan (lot survey) of the lot with the location of the alteration indicated on it.

b) An Alteration Application will not be considered accepted until it is accompanied by the required plans, and/or specifications showing the nature, kind, shape, height, materials and color to be used and the location of the proposed alteration.

c) Requests for room additions, extensions, modifications including swimming pools and their screened enclosures, and fences should include:

a) Plot plan clearly depicting the location, size and measurements of the proposed change and the measurements to the home site boundary lines.

b) Contractor drawings.

c) List of materials being used.

d) Sample of roof shingles if applicable (product brochure with color photo is acceptable).

e) Paint sample if applicable.

4. Requests for exterior dwelling surfaces including painting, installation of pavers or tiles on walkways, driveways, etc.:

a) Sketch of area(s) to be covered such as entry, walkway, driveway, sidewalk, etc. shown on the plot plan

b) Sample of proposed material – paver, tile, paint chip (product brochure is acceptable for pavers and tile).

5. Requests for landscaping:

a) Sketch or drawing showing name or type of planting(s) together with approximate location of each. Existing major landscaping should be shown on drawing. Please indicate measurements from property lines when installing trees,

landscape beds, etc. This should also be sketched on the plot plan.

b) Requests to remove trees shall include a diagram depicting the approximate location of all existing trees and their types, along with the trees to be removed and the reason for their removal.

The Review Process

General Information

1. The design and construction review process is a 4-step procedure: Initial Review, Submission of Plans, Construction Commencement and Inspection.
2. Thorough and timely submission of information as well as adherence to the Guidelines set forth in the process will prevent delays and minimize frustration of all parties involved.
3. Questions concerning interpretation of any matter set forth in the Guidelines should be directed to the ACC.

Initial Review

1. It is required that a homeowner submit to the ACC an Alteration Application for the modification that is being requested, along with a set of plans (2 sets of plans will be required for new house construction or additions to existing houses).
2. Alteration Applications and submission of supporting documentation should be made by certified mail, return receipt requested. Facsimile or electronic submission with verification of transmittal will also be acceptable.
3. The information required for the review is as follows:
 - a) Alteration Application with a **detailed description** of the planned modification (*i.e.* “*Installation of a 6’ tan PVC fence beginning 10’ from each front corner of the home and extending ?? feet toward the rear of the property where it will transition with a curved transition panel to a 4’ open picket tan PVC fence that will extend the width of the rear property line. There will be one 4’ wide gate located on the East side of the home.*” **NOT** “*fence*” or “*fence per the guidelines*”). Carbon copies of contractor’s drawings/proposals do not scan and copy well. Do not rely on this as your description of the project.

- b) Copy of original plot plan (lot survey) showing the approximate location and dimensions of all improvements, including driveway, irrigation, and swimming pools
 - c) Floor plans if applicable
 - d) Exterior elevations (all sides) if applicable
 - e) Conceptual landscape plan if modification involves changes to the current landscape; include size of bed, types of plants, etc.
 - f) Any other information, data, and drawings as may be reasonably requested by the ACC. Carbon copies of contractor's drawings/proposals do not scan and copy well. Do not rely on this as your description of the project.
4. The ACC shall review the information and indicate its approval, disapproval, or recommendations for change to the plan.
5. The ACC will review the accompanying documents within 45 days and return one set of plans to the Owner accompanied by a letter indicating the ACC's decision and shall be rendered in one (1) of the following four (4) forms:
- a) **"Approved"** - the entire document submitted is approved in total, subject to the existing Architectural Guidelines;
 - b) **"Approved with Conditions"** – the document submitted is partially approved. The Owner may proceed with the work to be performed as modified, but must comply with any and all notations on the submittal, including the existing Architectural Guidelines;
 - c) **"Disapproved"** – the entire document submitted is not approved and no work may commence; or
 - d) **"Rejected" "Denied"** – In some cases, additional information may be required in order to make an informed decision. Incomplete applications will be stamped "Rejected" and shall not be considered until resubmitted with all the necessary information.
6. Any Alteration Application not approved within 45 days shall be deemed to be Disapproved.

7. No construction or structural improvement, no alteration or addition to any existing structure or site improvement shall be made on any property until the plans and specifications showing the proposed design, nature, type, shape, size, color, materials and location of same shall have been submitted to and shall have received final approval by the ACC.
8. It is the ACC's goal to approve all requests in an expedient fashion.
9. For the purpose of a rapid response, it is required that each form is limited to one request. The more detail provided with the submittal, the quicker a response may be expected.

Submission of Plans to the Building Department

1. Following the approval of Step 1, the Owner may submit their plans to the Building Department or the required agencies that have jurisdiction for the required permits that may be needed for the modification project. Changes required by the said agencies must be re-approved by the ACC.

2. Pasco County

- a) Pasco County requires permits for many types of work done, both inside and outside your house. For further information contact Pasco County at (813) 996-2411 (Land O'Lakes office) or (727) 847-2411 (New Port Richey office).
- b) Approval for installation by the ACC of any project does not negate the homeowner's responsibility to comply with all terms and conditions of any municipal permit or existing codes required for the project, which the owner is responsible for obtaining.
- c) In addition, permits are required to remove certain types and sizes of trees. A copy of the Pasco County tree permit is available at <http://pascocountyfl.net/index.aspx?nid=664>

Construction Commencement

1. Upon completion of Step 2, a copy of the building permit must be submitted to the ACC prior to the Owner beginning construction.
2. If the requested change does not require a building permit, all materials utilized in the improvement must be approved by the ACC before commencement.
3. Any modification to the original application for any reason must also be re-approved.
4. Property owner & his/her contractor are responsible for obtaining & complying with all building permits, building codes and setbacks.

Access to Common Areas

1. All exterior changes and modifications shall be completed in a manner so that they do not materially damage the Association's common areas or individual Lots. Nor shall they in any way impair the integrity of the improvements on the property subject to maintenance by the Association.
2. No homeowner shall permit their contractor to access or otherwise cross the common areas, or another person's Lot without receiving written permission in advance from the Board or the Community Manager. In the case of accessing another person's Lot, permission shall be obtained from the Owner.
3. Other than the record titleholder of the Lot, any contractor or installer who will cross the common areas to access the construction site, shall provide the Association with an insurance certificate listing the Association as a named insured prior to commencing work. Insurance shall meet the following minimum limits: Contractor's General Liability including completed operations: statutory minimum amount. Worker's Compensation: statutory minimum amounts. The Board may establish these amounts.
4. Homeowners are responsible for any damages to the Common Areas and other Association property. Homeowner is responsible for restoring, re-grading, repairing & replacing any damaged grass or plants on the common area or any adjoining Lots, caused by this construction.
5. Owners are responsible for all cleanup of any improvement project. All debris, sod, soil, construction trash etc. shall be removed from the lot and hauled to the proper waste sites within seven (7) days of the completion of the project.
6. All homeowners shall be held responsible for the acts of their employees, subcontractors and any other persons or parties involved in construction or alteration of the home site. The responsibilities include but are not limited to the following:
 - a) Ensuring that the construction site, community properties and roadways are kept clean and free of all debris and waste materials, and that stockpiles of unused materials are kept in a neat and orderly fashion.
 - b) Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of other personnel on the site.

Final Inspection

1. The ACC shall have the right to enter upon and inspect any property at any time before, during, or after the completion of work for which approval has been granted.
2. Upon completion of the improvement the Homeowner shall give notice to the ACC by completing and submitting the Notice of Completion form located in the Forms section of this Book of Standards. At this time, it will be reviewed for compliance with these Guidelines and the approved Alteration Application.
3. Owner shall make certain any damage to streets, curbs, drainage inlets, sidewalks, street signs, walls, community signage, landscaping, irrigation, etc. is repaired within one month of completion of the project or the damage will be repaired by the Association and such costs will be charged to the Owner.
4. Acceptable completion time frames for projects will be as follows:
 - a) Pool installation 12 weeks
 - b) Fence installation 3 weeks
 - c) House additions 4 months
 - d) If projects will require additional time, the Owner shall contact the ACC with the anticipated completion date.
5. **Application approvals are valid for a period of six (6) months** and a new Alteration Application must be submitted after that time has elapsed if the approved project has not commenced.

Change or Modifications Made Without Approval

Owners making changes in advance of receiving approval from the ACC will receive a letter from the ACC or the Community Manager. Owner will have fifteen (15) days from receipt of the letter to submit a completed Alteration Application or remove the change. The Alteration Application is not considered complete unless it is accompanied by the applicable materials list, marked plot plan and all those required supporting documents listed on page 24. Owner will also be invoiced for the \$150 application fee per the AC Application Fee Policy which can be found in the Policy section in this Book of Standards.

Failure to comply with this request could result in monetary fines and legal action. All costs associated with gaining compliance shall be charged to the Owner's account.

Reconstruction

In the event that a residential structure or any part thereof is destroyed by casualty or natural disaster, the Owner must notify the ACC and commence reconstruction within thirty (30) days of Owners receipt of the insurance proceeds and the repairs/rebuild must be completed within six (6) months from the date of the casualty. The ACC will make every effort to accommodate the Owner in the application process in order to repair or rebuild in a timely manner. (Please refer to Section 14.2.2 of the Declaration.) Owner must contact the ACC should an extension of time be necessary for completion of the work.

Sale of Property

Florida Statute 720.30851 requires that an estoppel certificate be provided to the prospective buyer of a home within a community association. Owners who offer their house for sale shall first advise the Community Manager. Any non-compliance issues relating to the published Architectural Guidelines that the Owner has been notified of in writing by the Community Manager must be brought into full compliance with all provisions and requirements of the latest edition and revisions of these Guidelines. The Community Manager will issue a certificate of compliance. Non-compliance with this provision must be disclosed on the estoppel certificate, which could result in a lower sales price or delay of closing.

Administrative Fees and Compensation

As a means of defraying its expense, the ACC has set a filing fee of \$150. No additional fee shall be required for re-submissions. This fee will be invoiced to the applicant. If special architectural or other professional review is required of any particular improvement, the applicant shall also be responsible for reimbursing the ACC for the cost of such review. The ACC Application Fee Policy can be found in the Policy section of this Book of Standards.

Appeals Process

In the event that the ACC disapproves any plans and specifications, the applicant may request a rehearing by the ACC for additional review of the disapproved plans and specifications. The meeting shall take place no later than 45 days after written request for such meeting is received by the ACC, unless applicant waives this time requirement in writing. The ACC shall make a final written decision no later than 45 days after such meeting. In the event the ACC fails to provide such written decision within 45 days, the plans and specifications shall be deemed disapproved.

Upon final disapproval by the ACC, the applicant may appeal the decision of the ACC to Whispering Oaks Board of Directors within 30 days of the ACC's written review and disapproval. Review by the Board shall take place no later than 30 days after

receipt of the applicant's request for review. If the Board fails to hold such a meeting within 30 days after receipt of the request for such meeting, then the plans and specifications shall be deemed disapproved. The Board shall make a final decision no later than 60 days after such meeting. In the event the Board fails to provide such written decision within 60 days after such meeting, such plans and specifications shall be deemed disapproved. The decision of the ACC, or if appealed, the Board, shall be final and binding.

NOTE: The ACC is authorized to approve plans and specifications based on these Design Standards only. The ACC may not issue variances. In those unique cases where the ACC feels that a variance is applicable based upon the location of the Home or other unique circumstances, the ACC may recommend to the Board of Directors that a variance be granted. The Board of Directors may grant variances based upon documented unique situations including those that are properly documented reasonable accommodations for medical necessity.

SITE IMPROVEMENT STANDARDS

NOTE: These Architectural Guidelines are supplemental guidelines for the recorded Community Declaration for Whispering Oaks Preserve. Additional requirements may be contained in the recorded documents. Applicants are encouraged to review the Covenants in addition to these guidelines prior to submitting an Alteration Application.

All modification projects must fall within the building setbacks established for Whispering Oaks by Pasco County. Please refer to the chart below:

Front Yard	20 feet
Side Yard	5 feet on each side
Rear Yard	10 feet
Corner	10 feet
Maximum Lot Coverage	75% impervious surface*

(i.e. No structure may be placed within the first 25 feet of the front yard, within 5 feet of the side property line or within the specified setback shown above for the rear yard. Playsets, sheds, screen enclosures are examples of a structure.)

*Including the house, driveway, sidewalks, patio, AC pad, and any improvements made on the property, no more than 75% of the Lot may be covered by impervious structures.

Additions to Dwelling

1. The architectural design of all alterations, additions and renovations to the exterior of any existing house shall strictly conform to the design

of the original house in style, detailing, materials and color.

2. The height of any addition to an existing house shall not be higher than the original ridgeline and the proposed eave line must be at the same height as the existing eave line. No alteration or improvements shall be made which provide a roof pitch that varies from the roof originally constructed.

3. All additions to houses shall be built within the building setback lines originally established for Whispering Oaks or as modified by the Declarant regardless of any more lenient requirements of any local governmental agency.

4. All additions shall meet the minimum wind load requirements of the Southern Building Code (latest edition) concerning wind resistance and other applicable requirements. An engineer's statement of wind load capacity is required as a part of plans submitted with the Alteration Application.

5. All materials used in maintenance, repair, additions and alterations shall match those used by the Declarant or Builder as to color, composition, type, and method of attachment. The ACC may allow substitute materials if they deem these materials to be compatible with the theme of the community.

6. No additions, alterations or renovations shall be permitted if it is determined to have a material adverse impact on neighboring properties and/or the community.

7. When any additions, alterations or renovations are performed to an existing house, the established lot drainage shall not be altered. Any Owner or Occupant who changes the existing grading or drainages shall be liable for all costs and expenses of repairing such changes, or any costs, liabilities, damages or causes of action arising out of such changes.

8. Stormwater from a new addition roof or new grade of house terrain must not run on neighboring property as to create a nuisance.

9. The location of all windows in a new addition must not adversely affect the privacy of adjoining neighbors.

10. No addition may extend beyond the side walls of the house.

11. The ACC is comprised of volunteers who may or may not have construction experience and understand detailed construction plans. For that reason, plans may be sent to an architectural firm for review. Cost associated with this additional level of review will be charged back to the Owner

Antennae and Satellite Dishes

1. All outside antennas, antenna poles, antenna masts, electronic devices, satellite dish antennas or antenna towers are subject to the approval of the ACC. Installation shall be in accordance with the 1996 and 1998 amendments to the Federal Telecommunications Act.
2. Only one (1) satellite dish antenna may be installed and maintained on a Lot.
3. The ACC requires that the installation of the antenna comply with all applicable safety restrictions, including any restrictions as to location and height of antenna as imposed by applicable fire codes, electrical codes, zoning codes, and building codes. All installations shall meet the minimum wind load requirements of the Southern Building Code (latest edition) concerning wind resistance and other applicable requirements.
4. All satellite dishes must be no larger than thirty-six (36) inches in diameter.
5. Placement of the dish shall be as inconspicuous as possible and preferably not visible from the street.
6. All antennae and satellite dishes should be either ground mounted or mounted on the rear wall or sidewall of the house, no lower than 8 feet from the ground.
7. Satellite dishes that are ground mounted shall be installed at no greater distance than four (4) feet from the house and preferably in a screened or fenced area. If not located in a fenced area, the mounting post shall be camouflaged with landscaping materials to lessen the visual impact of the dish.
8. It is respectfully requested that satellite dishes NOT be placed on top of roofs or the front of the home or Lot. Should you feel that your roof is the ONLY location that will give you proper reception, please contact the management company immediately and provide a copy of the proposed location and letter from installer stating why this is the necessary location for installation. NOTE: Installation on the roof may void portions of the builder's warranty.
9. Wires must be securely attached to the dwelling and painted to match where attached. Any masts used to match the dish must be painted to match the surface it is mounted on.

10. Homeowners shall not permit their antennae and satellite dishes to fall into disrepair or to become a safety hazard, and shall be responsible for their maintenance, repair and replacement, and the correction of any safety hazard.

11. If antennae or satellite dishes become detached, Homeowners shall remove or repair such detachment within seventy-two (72) hours of the detachment. If the detachment threatens safety, the Association may remove the antennae or satellite dish at the expense of the Owner, without prior notice.

Awnings

1. No permanent or retractable awnings (metal, fabric, wood, plastic or other materials) shall be permitted.

Basketball Goals

1. Backboard must be constructed of clear fiberglass or acrylic, not plywood or particle board, and shall not exceed fifty-four inches (54") in width with a maximum offset of three feet (3').

2. Backboard must be mounted on a commercially produced black pole designed for such purpose.

3. Nets must be maintained in good condition. Preferable color for nets is white. When damaged, net must be replaced.



4. Goal, net and safety padding for poles (if used) must be maintained in good condition.

5. Backboard or hoops shall not be mounted on houses, garages or fences.

6. Basketball goals must be installed in-ground and securely anchored in a manner that strong or tropical force winds or higher will not carry it to other properties causing damage or bodily injury. It is preferred that the pole be installed in a sleeve that will allow removal of the pole and the backboard when storm events are anticipated.

7. Equipment must be located on the side of the driveway opposite the front entry of the home midway between the house and sidewalk.

8. A copy of the survey showing the location of the goal shall be submitted with the Alteration Application.

9. ***Temporary (portable) basketball equipment is NOT allowed within Whispering Oaks. Refer to Section 12.33 of the Declaration.***

Cameras and Similar Security Devices

1. Security cameras shall be installed in a manner that makes them unobtrusive as possible. Any wiring and conduit that is exposed to the outside of the dwelling shall be encased and painted to match the adjacent exterior surfaces.

2. Placement must not result in an improper view into another owner's property, whether intentional or unintentional. It is understood that views from the front or side of the residence into the adjacent street might include some portion of the front or side yard areas of the property next door and/or across the street may be unavoidable.

3. Doorbell cameras may capture the street and sidewalk in front of the home and may also, depending on location of the doorbell and situation of homes on neighboring lots, capture a neighbor's driveway or entry. These areas are normally viewed from the street by the public and may not be considered private areas where there is an expectation of privacy; however, owners of doorbell cameras are urged to program their camera to focus on their personal entry and eliminate as much background area as possible.

4. Usage of the camera may not invade or disrupt any owner's reasonable right of privacy.

5. Security alarms audible outside of the Home must be connected to a monitoring service that is able to remotely turn off the alarm, or the security alarm must automatically turn off after no more than fifteen (15) minutes of audible noise outside the Home.

NOTE: The installation of cameras and similar security devices does NOT require ACC approval; however, failure to comply shall constitute a nuisance under Whispering Oaks Preserve Community Declaration.

Car Covers

1. Car covers including tarps are not permitted.



Clotheslines

1. Clotheslines shall only be installed in the rear yard and behind the structure (house).
2. The clothesline shall not be visible from the street along the front of the house and should not be located on the street side of a home on a corner lot. If the home has a rear yard exposure to the entry of the community, the clothesline should be installed below fence height.
3. The clothesline shall be retractable (see example), displayed only when in use, and used for the shortest possible time to accomplish drying of the clothes. Umbrella style or permanent installed posts are not permitted. Tying rope between trees and/or house columns is not allowed.
4. Draping clothes and items to dry over bushes, outdoor furnishings or other items is not allowed.
5. A portable drying rack used on a patio is acceptable but must be removed after use.



NOTE: An application is not required to install a clothesline provided the above guidelines are followed; however, to deviate from these guidelines, an Alteration Application must be submitted to the ACC prior to instituting the change.

Decks and Patios

1. All decks and patios shall be in the rear yard of the lot and not visible from the street in front of the house.
2. All patios shall be solid poured concrete or concrete pavers in an earth tone color to complement the color palette of the house.
3. Wooden or composite material decks may be considered based on the grade and terrain of the lot and will be reviewed by the ACC on a case-by-case basis.

4. Concrete pavers shall be installed according to manufacturer's recommended specifications and at a minimum over weed block fabric and level tamped sand or similar material.
5. Spaces between concrete pavers shall be sanded or grouted. Grass and weeds shall not be permitted to grow between pavers.
6. The size of decks and patios shall be determined by the available space per lot and may not cover more than twenty five percent (25%) of the total lot area excluding any existing building, structures and paved areas.

NOTE: Pasco County will allow only 75% of the lot to be covered by impervious materials (i.e. driveway, house, sidewalks, patio extension). A patio extension requires a permit to install and even though the ACC approves the project, the County may require a modification to meet code.

7. Construction of decks and patios shall not adversely affect any designed and approved drainage pattern for this or any other Lot.
8. Deck rails cannot exceed forty-eight inches (48") in height from decking and shall match the material and color of the decking or trim of the home or be ornamental aluminum to match the color of the house window frames. Deck rails may not extend past the deck or patio and must have a continuous top rail that is free of decorative finials to serve as a handrail.

Dog Houses, Kennels and Runs, Invisible Fences

1. Dog houses will not be approved.
2. Dog runs (partial fencing of an area) and kennels are not permitted.
3. Invisible fences need approval prior to installation.
4. Invisible fencing wiring must be buried no less than six inches (6") inside the lot line. No alterations of the yard grade shall be permitted with the installation of such system.
5. Regardless of the method of restraint used, including invisible fencing, pet owners are responsible for assuring that their pets do not run free. Pet owners are liable for any damage to persons or property caused by their pets.

Doors

1. Doors may be replaced with doors that are similar in style and composition to those being replaced. Requests for replacement doors

shall be submitted including pictures of choices if not identical to the door that is being replaced. Door must be painted the color shown in the color chart for the existing house colors.

2. Glass door inserts may be considered. A photo of the style of insert must be submitted with the application. Door color must remain the same as originally painted.

3. Screen doors of any type and storm doors will not be allowed on the front of a home.

4. Security doors with metal grilles or bars are prohibited.

Driveways and Entrances to Garage

1. Driveways and entrances to garages shall be constructed of pavers.

2. New or replacement driveways and modifications to driveways with asphalt, concrete, loose gravel, stabilized rock and sand base, etc. will not be allowed.

3. Installation of pavers will be per manufacturer's specifications. Ground must be leveled and compacted in a manner that will have the pavers, when installed, at the same height of the driveway and support the weight of a vehicle. Edge restraints are required in order to prevent pavers from separating or creeping. Joint sand must be used to bind pavers to help stabilize installations and lock out weeds.

4. Additional walking area(s) adjacent to the driveway which extends the overall total driveway width not more than four (4) feet (two feet on each side of the existing driveway) will be considered for approval. The extension shall match the existing driveway in design, material and color. Samples of the pavers and photos of the existing driveway should be submitted with the application. No driveway expansion shall be permitted beyond the external side lines of the garage. Extension must go from the house to the street and include the sidewalk area. Material must be pavers in a color to blend or match the existing driveway.

5. A clear matte finish sealer may be used. An application is not required as long as this guideline is followed.

Electric Vehicle Charging Stations

1. Electric Vehicle (EV) Charging Stations will not be approved for installation on the exterior of the home.

Elevations (Change in Facade) Including Reconstruction

1. Changes in the outside appearance of the façade will not be permitted unless these features are or were currently offered by the builders as an option.
2. No vinyl siding will be permitted.
3. If installing stone façade, the home across the street and beside yours may not be the same elevation or have the same stone.
4. All reconstruction including roofs shall be of the same or substantially similar material, colors, etc. as the original construction of the house.

Elevations (Change in Grade)

1. No owner shall excavate or extract earth (dirt) from a Lot for any business or commercial purpose.
2. No elevation changes shall be permitted which materially affect surface grade of surrounding Lots or change the flow and drainage of surface water within Whispering Oaks.

Encroachment and Plantings on Common Grounds

1. No extension of the landscaping of Homesites will be permitted onto Association or District common grounds and easements.
2. Residents shall not put trees, bushes, plantings, bird baths, lawn ornaments, planters, bird feeders, flowerpots, picnic tables, furniture, fences, walks, hedge enclosures and other types of groupings on common grounds, CDD or Association property.

Exterior Lighting

1. All exterior lighting shall be consistent with the character established in Whispering Oaks and be limited to the minimum necessary for safety, identification, and decoration.
2. Carriage light sizes and locations must harmonize with the front elevation of the house. A picture with color and dimensions shall be attached to the Modification Request. Lights shall be black, white or natural metal in color.
3. Owners may not install security spotlights or flood lights unless lights are activated by a motion sensor.
4. Fixture design and location shall be compatible with the design of the Home.

5. No spotlights, flood lights, or other high intensity lighting will be placed or utilized upon any house so that the light is directed or reflected on neighboring property.
6. Bollard light fixtures are not permitted.
7. Pole mounted string lights will not be approved.
8. Enclosures of light fixtures shall be designed to conceal the lamp bulb. Light bulbs may not exceed the manufacturer's recommendation for bulb wattage.
9. Fixtures may be incandescent, metal halide, mercury vapor, or high-pressure sodium lamps. Bug lights and colored light bulbs are not allowed; however, holiday decorations may include colored light bulbs in coach lights, but they must be removed when other holiday decorations are removed.
10. No lighting shall be permitted that constitutes a nuisance or hazard to any owner or neighboring resident.
11. Post mount light fixtures shall be permitted in the rear of the house and not visible from the street in front of the house. Post and fixture will be cast aluminum in a black or bronze finish. The finished height of post with lamp may not exceed eight feet (8') and must be installed in a manner that will meet maximum wind codes. The maximum light output shall not exceed the equivalent of two 65-watt incandescent bulbs. Location of the post light shall not be installed closer than fifteen feet (15') to neighboring properties.
12. Rope lighting is only permitted for holiday use.
13. String lights may be installed within a screen enclosure, gazebo, pergola or shade structure. String lights may not be installed on free standing poles.

Fences

1. Fences must have the prior approval of the ACC and must be constructed of solid tan PVC in the style and design as shown in the example below and shall be built to conform to all manufacture's specifications.

2. Fences shall be a height of six feet (6') with the exception of fences on lots with view corridors such as ponds, conservation areas or other view enhanced areas. All six-foot (6') fences shall be tongue and groove style with no horizontal slats, often referred to as the Lexington style. At point eighteen feet (18')** from the side of the lot facing the view corridor, the fence shall transition as shown in the photo above to a two-rail open picket style fence, commonly referred to as the Keywest style. The open picket fence shall be four feet (4') in height. All post caps shall be flat. Transition panel must have a curved top rail.



*****NOTE: After the transition panel, there will be three 6' panels of the open picket fence. The transition panel does not count in the 18' requirement.***

3. All fences that will abut an existing fence or perimeter wall must be installed with the last panel section graduating in height so that the last panel meets the height of the existing fence or perimeter wall.

4. Retaining Wall Lots have a retaining wall with a fence located on top of the retaining wall. Fences on lower Retaining Wall Lots may not be installed closer than two feet (2') to a retaining wall and the last panel of the fence will not be required to graduate to the height of the retaining wall fence. Fences on the upper Retaining Wall Lots may not be installed closer than eight feet (8') to the retaining wall and must have a gate in the back to allow for access to maintain property between the fence and retaining wall. Refer to "Retaining Wall Lots" for additional information.

5. Fences shall not be installed flush to the ground in order to prevent blockage of storm water drainage.

6. Some Lots within Whispering Oaks have easements dedicated to the Association and may not be allowed to have a fence installed within the easement; however, if the ACC grants a variance for a fence to be installed within the easement, the homeowner is responsible for all costs associated with the removal and reinstallation of the fence installed in said easement should the Association or County be required to correct a drainage or utility situation either above ground or underground on lots affected by swales, rear yard drains or easements.

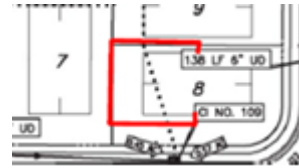
7. Should the Association not approve a fence to be installed within the easement, the Owner is responsible for maintaining the easement area located on the outside of the fence on the same maintenance schedule as the remainder of the Lot.

8. Only the good side of the fence may face outward. No posts or stringers may be visible from the outside of the fence.

9. No fence shall be constructed closer than ten feet (10') back from the forward-facing outer corners of the house - not a column. No fence shall be permitted to extend beyond the front corners of the house in any circumstance.

10. Notwithstanding any other governmental regulations, any side fencing on a typical or regularly shaped corner lot shall be located no more than one-half of the distance between the side wall of the house and the side property line that is next to the side street (back of sidewalk). The measurement for the distance of this fence shall start at the side wall of the house. Fence setbacks on irregularly shaped corner lots will be reviewed on a case-by-case basis.

11. Fences for corner lots require close coordination with the ACC due to their unique layout and concerns for vehicle visibility/safety and compliance with existing easements and county building code setback requirements. The ACC will also take into consideration how a home abutting this lot will be affected due to front set back requirements for the abutting lot. As shown in the example, the streetside fence may be required to be installed closer to the side of the home or come off the rear corner of the house rather than as allowed on typical shaped corner lots.



12. All streetside fences will be required to have landscaping. When choosing the plants to be installed, keep in mind the size of the mature plant and its maintenance requirements. Plants must be installed in a continuous mulch bed and cover a minimum of 60% of the fence length. **Applications for streetside fences must include the landscape plan and list of plants that will be installed.** Landscape must be installed within thirty (30) days of fence installation.

13. Except for street side fences and locations where easements or swales exist, fences will be installed on the property line or no more than six (6) inches inside the property line.

14. Irrigation systems must be reconfigured to provide complete coverage outside of the fenced area.

15. Fences must be kept clean and in good repair.

16. All required governmental approvals/permits for fence construction are the responsibility of the homeowners and must be obtained prior to construction. **It is the responsibility of the Owner to comply with all County and/or Association requirements, whichever is most stringent.**

17. Signature from neighbors on all sides of the property where fence will be installed must be on the Alteration Application at the time of submitting the form to the ACC. The purpose of the signatures is to notify the owners that workers will be installing a fence and may inadvertently trespass onto their property or have materials on their property. Any damage that may arise to another Owner's property during the installation process is the responsibility of the Owner who is contracting for the fence installation.

18. Any property line fence installed by the developer/builder on Lots that have homes back-to-back are the maintenance responsibility of the adjacent Owners. Repairs and replacement parts must be identical to the originally installed panels, posts and post caps. Costs for repairs and/or replacement should be shared equally by each adjacent Owner unless damages were caused by one Owner, in which instance that Owner should be responsible for all costs associated with the repairs and/or replacement. The Association reserves the right to maintain/repair/replace the property line fence if Owners fail to do so and to special assess each Owner adjacent to the property line fence for their share of the costs.

19. Owners of corner Lots which have a property line fence may request approval to adjust the end panel by adding to or removing a section of the property line fence in order to meet the requirements for location of a street-side fence. Signature of the rear neighbor abutting the property line fence must be obtained.

Firepits

1. Firepits may not be located in the front of the home or visible to the street.

2. Outdoor wood burning is prohibited except in a fire pit used on an uncovered patio or an open area of pavers or concrete within the rear yard.

3. When not in use, a portable fire pit may be stored on a lanai or in a screened enclosure. The fire pit must have a wire screen mesh covering, be freestanding and kept in good working condition. An Alteration Application is required.
4. Natural gas and propane fire pits are acceptable choices and may be considered for installation under a patio or pergola. Fire pit must be installed per manufacturer's specifications and should specify that it is safe for an under-roof installation. Manufacturers' specifications should be included with the application.
5. All gas lines and/or tanks must be installed with appropriate permits and must be screened from view with appropriate landscape materials.
6. The area surrounding the fire pit must be landscaped with appropriate landscape materials.

Flags - Federal, State, Military

1. In accordance with Florida Statutes 720.304, any homeowner may display one portable, removable official flag not larger than 4 ½ feet by 6 feet, United States flag or one official flag of the State of Florida in a respectful manner, and one portable removable official flag not larger than 4½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard or a POW-MIA flag.
2. Flagpoles may be mounted to the house directly to the left or right of the front door or centered over the garage door. Flagpoles attached to the house may not exceed 5 feet.
3. When mounted on the house, flags must be flown on a pole in an outward fashion from the house. The American flag, state of Florida flag, Military Service or MIA flags which are no larger than 4½ feet by 6 feet, attached to the house in the above locations shall be permitted without ACC approval.
4. A free-standing flagpole, not to exceed twenty feet (20') in height, may be installed in a location that does not interfere with the line of sight at an intersection, is not within an easement and does not present a hazard to drivers or pedestrians. The pole must be constructed of high-pressure fiberglass or anodized aluminum and be white, bronze or black in color. The flagpole must meet the minimum wind load requirements for Whispering Oaks geographic wind zone. The pole must be installed per the instructions provided with the pole and must be concreted into the ground.

5. The U. S. flag shall be flown in accordance with the requirements of the United States Flag Code. In no instance shall the flag be flown in violation of Section 720.304, Florida Statutes.

6. No other flag of any sort may be displayed along with the United States flag or in lieu thereof except for State of Florida, Military, and POW- MIA flags. They shall be no larger than the American flag nor shall they be flown above the American flag.

7. Flags shall be replaced if faded, tattered, or in poor condition.

8. Flag poles and flag attachments will be kept in a clean and maintained condition.

NOTE: This does not require an ACC application provided the above guidelines are followed; however, to deviate from these guidelines, an Alteration Application is required to be submitted to the ACC prior to instituting the change.

Front Entry of Home

1. Front entry into the home may not be screened and must be left open as constructed by the builder of the home.

2. No front entry shall be used for storage of any kind (this includes shoes).

3. Entry walkways may be extended with pavers (matching that of the driveway and walkway if constructed with pavers) or slate to create an entry garden patio. Entry garden patios may not be larger than forty sq. ft. (40'). Pavers must be installed at grade level to prevent drainage issues. Total removal of landscape in front of the home will not be approved. If all or a partial landscape bed is being removed to install the new seating area, a landscape plan must be submitted with the application indicating plants to be removed and new landscape bed location and plants to be installed.



4. Outdoor furnishings such as one outdoor bistro set consisting of small table and two chairs or one outdoor bench may be placed in this area. Alteration Application must include a photo of the furnishings that will be placed in this area. Appropriate materials of outdoor furnishings are concrete, wrought iron or woods such as Teak or Cedar. Plastic or PVC furnishings, umbrellas and sunshades will not be permitted in the front of homes.

Front Roof Changes

1. No changes other than skylights will be permitted on any roof which is visible from the front of the house.
2. All shingle replacements must be dimensional with a thirty (30) year life and be of a similar color/design (Weathered Wood) that was originally installed by the builder.

Garage

1. No garage shall be enclosed or converted into a living area and must at all times be used as a garage for car storage or storage of Owners personal property.
2. No screening is allowed to be installed temporarily or permanently on inside or outside of garage door openings.
3. Garage doors shall remain closed when the garage is not in use.
4. Stand-alone garages and secondary garages accessible by side or rear yards are not permitted.
5. Replacement of garage doors shall meet current County codes at the time of replacement. If there is more than one (1) garage door and the new door cannot be an exact match, then all doors must be replaced at the same time.
6. If not constructed of faux stained wood, garage doors must be painted the same color as the body of the house. Design monograms and anything other than a solid door, with the exception of windowpanes in the top most panel of the door, are not permitted.

Garbage and Trash – Screening of Containers

1. All garbage cans, recycle cans and other garbage containers shall be kept inside the garage or within a fenced yard, screened to conceal them from view of neighboring Lots and streets, except on the day of collection.

TIP: If storing garbage cans inside the garage, placing one or two untreated charcoal briquettes inside the trash can after each trash pick-up day will eliminate odors. There are also many products available for odor remediation.

2. Garbage cans shall not be placed at the street for pick up earlier than 7:00 pm the night before pick-up day and empty containers shall be removed from sight the same day as pick up. **All food refuse shall be placed in a covered receptacle to avoid attack from animals. Plastic garbage bags are not adequate.**

3. Garbage and other refuse may not be accumulated or stored on any portion of the Lot.
4. Open burning of garbage and other refuse is not permitted.

Garden Hoses

1. All hoses shall be stored completely out of sight of the street.
2. Garden hoses shall be on a hose wrap attached to the house or on a mobile station and must be screened with landscape or within a fenced yard. Hoses may be neatly coiled on the ground in a flower bed behind shrubbery out of sight from the street, common grounds or nearby neighbors. Circular (spiral coiled) hoses shall be secured.

NOTE: This does not require an ACC application provided the above guidelines are followed; however, to deviate from these guidelines, an Alteration Application is required to be submitted to the ACC prior to instituting the change.

Gas Tanks

1. Other than for portable gas grills, any gas tanks intended for indoor appliance and fireplace uses or for heating of swimming pools and/or spas, outdoor kitchens and permanently mounted gas grills must be buried and must be installed and maintained according to industry standards and governmental ordinances.

Generators

1. Permanent or hard-wired generators may be installed and mounted on a concrete pad in a location required by the manufacturer's specifications but may not be located closer than twelve feet (12') from the front corner of the dwelling. These generators are normally hard wired to the house's electrical system and run off propane.
2. Generators shall be screened from view from the street with a fence or landscaping under the same guidelines as those for screening swimming pool equipment.
3. The generator may only be operated when there is a power outage or for the briefest possible time to test it as required by the manufacturer.
4. Portable generators shall be stored in the garage and only placed outside during periods of power outage. They shall be operated in accordance with manufacturer's directions and located as far as possible from all adjacent houses.

Gutters

1. All gutters must match the exterior house color; trim color or window frame color. At the time home is painted, gutters may be painted to match the house.
2. Gutter down spouts must not concentrate water flow onto neighboring properties and should never direct water runoff toward a bank which may cause erosion. A French drain should be installed that connects all gutter downspouts to funnel water runoff to the front of the lot where the water will drain into the street gutters and stormwater inlets.

NOTE: Provided that the above guidelines are followed, no Alteration Application is required; however, to deviate from this guideline, an Alteration Application must be submitted to the ACC prior to instituting the change.)

Heating and Air Conditioning Equipment (HVAC)

1. HVAC equipment shall be screened from view from the street with shrubs or other landscaping under the same guidelines as those for screening swimming pool equipment.
2. It is recommended that all screens, landscape or plant materials be located a minimum of two (2) feet from HVAC equipment to allow for adequate air circulation around the equipment but may not encroach or trespass on a neighboring property.
3. No air conditioners shall be mounted through a window or door, hung on an exterior wall or mounted on a roof.
4. Replacement of HVAC components shall be in their original components' location unless approved by the ACC.

NOTE: Provided that the above guidelines are followed, no Alteration Application is required; however, to deviate from this guideline, an Alteration Application must be submitted to the ACC prior to instituting the change.)

Holiday Decorations

1. Holiday displays in the front entryway and on the front door, along with traditional holiday lighting do not require approval from the ACC.
2. Holiday lights and decorations shall not create a nuisance (i.e. overly bright lights, noise, create high traffic through the community) to the adjacent residents or the community.
3. Holiday lights and decorations to celebrate Christmas and Hanukkah, or similar holiday, may be installed commencing on

Thanksgiving and shall be removed not later than January 15th of the following year. Brackets, clips and other holders for holiday lights that are installed on a house must be removed at the time that the lights are removed. Colored light bulbs may be used in coach lights and must be removed at the time other holiday decorations are removed.

4. No more than 3 individual inflatable display items are permitted for any holiday.

5. Special decoration displays for Valentine's Day, St. Patrick's Day, Easter, Memorial Day, Independence Day, Veteran's Day, Thanksgiving, or other religious holiday may be placed on the exterior of the lot fifteen days (15) prior to the special day and must be removed five days (5) after the special day. Halloween decorations may be installed as early as October 1. Colored light bulbs may be used in coach lights but must be removed when other holiday decorations are removed.

6. Whispering Oaks residents consist of diverse nationalities and religions. Please notify the manager of special occasions and dates that you celebrate with outdoor decorations. ACC approval is not required.

7. Any holiday displays other than those defined above will require the approval of the ACC.

8. Congratulatory signs and balloons for birthdays, graduation, etc. should be removed within five days.

NOTE: Provided that the above guidelines are followed, no Alteration Application is required; however, to deviate from this guideline, an Alteration Application must be submitted to the ACC prior to instituting the change.)

House Numbers

1. To aid emergency personnel, delivery people and to conform to Pasco County ordinances, each home shall have a readily visible address plaque (as shown) permanently attached to the front of the house.

2. House numbers shall be installed over the garage door or to the side of the garage door. When replacing house numbers, size, color and material should be the same as used throughout the community.

3. Periodically you may receive solicitations to paint your house numbers on the concrete curbing of the street. The literature is

formatted in a manner to make it appear that the contractor has permission to do this work and is performing a valuable service. Please be advised that the Association did not and will not hire a contractor to perform these services.

NOTE: Provided that the above guidelines are followed, no Alteration Application is required; however, to deviate from this guideline, an Alteration Application must be submitted to the ACC prior to instituting the change.)

Irrigation

1. Irrigation may be installed in the front, side and rear yards of houses.
2. For houses where this is not the case, the lack of an installed irrigation system does not relieve you of the responsibility of maintaining your lawn and landscaping to the minimally acceptable community standards.
3. In periods of extreme drought and tightened water restrictions, the Association will waive the portions of the community standards requiring the replacement of dead grass and landscaping until the restrictions are lifted. After the restrictions are lifted, all dead grass and landscaping shall be replaced within thirty (30) days.

Landscape Borders and Edging

1. Poured concrete curbing, concrete edging blocks, stacked stone or slate are the only acceptable forms of edging. Wire, decorative plastic, resin, pavers and wood borders will not be approved. Scalloped top concrete border will not be approved.
2. Only one style of landscape curbing and/or edging may be used in areas of the lot which are not enclosed by a privacy fence.
3. Poured concrete curbing shall be the natural concrete color or a natural earth tone color added to the concrete mix at time of pouring. No painting or staining will be allowed after pouring. A color chip shall accompany the request. No design other than stone or block may be used.
4. Edging blocks shall be natural concrete color or an earth tone color.
5. Large stones, rocks and boulders shall not be used as bed-edging material.

6. Edging will be allowed around mulched areas along the perimeter of the house and may be installed around an island which measures a minimum of 150 square feet.

7. Edging will be allowed around individual trees if installed to a diameter of at least thirty-six (36) inches to contain mulch and prevent damage to trees from lawn equipment. However, a minimum distance of six (6) feet shall be maintained between any landscape borders.

8. Edging shall not be installed around lampposts, along driveways, more than one individual tree, on side or rear property lines or within the grassy area between the street and sidewalk.

9. Black or green standard roll edging may be installed as long as the grass height covers 90% of the edging.

10. No railroad ties or landscape timbers will be permitted.

APPROVED STYLES OF EDGING AND LANDSCAPE BORDERS

Styles shown below are poured in place stamped concrete, Keystone block, retaining wall blocks, stacked slate and paverstone concrete edging. Colors may be muted tones of beige, tan, gray, terra cotta or natural concrete.



Landscape Lighting

1. Landscape lighting, solar or wired, may only be installed in landscaping beds and along the walk from the front door to the driveway. It may not be installed along the sides of the driveway, adjacent to the sidewalk or between the sidewalk and the street. Individual lights shall be black, white, or natural metal in color (silver, gold, bronze, copper). Plastic flowers, toad stools and whimsical shapes are not allowed.

2. Lights shall not be spaced closer than 30 inches on center.

3. Post mounted lights shall not exceed twelve inches (12") in height, hanger mounted lights shall not exceed twenty-four inches (24") in height from the top of the light fixture to ground level.

4. Novelty lights such as flowers, mushrooms, gnomes, etc. are not acceptable.

5. Lighting shall be low level and recessed to shield the source of the light. Low voltage fixtures shall be located and aimed carefully. Tree mounted lights are not allowed.
6. Junction boxes and other lighting hardware shall be placed below grade or screened by landscape material to minimize daytime visibility.
7. Only one style of decorative light may be used in the front of the Home with the exception that small spot lights to highlight a palm or tree may be incorporated into the lighting plan.
8. Lights may not shine onto other properties or onto the sidewalk or street.
9. Rope lighting is only permitted for holiday use.

NOTE: Provided that the above guidelines are followed, no Alteration Application is required; however, to deviate from this guideline, an Alteration Application must be submitted to the ACC prior to instituting the change.).

Landscape Design – Plants and Trees

1. The addition or removal of any landscaping is a landscape change subject to the power of the ACC to promulgate guidelines. The following Guidelines shall apply:
2. Landscaping may be added to or removed from the yard of any Lot, but only with the approval of the ACC.
3. Maintenance of the lawn and landscaping shall mean at a minimum, upkeep, maintenance and preservation of that which was initially installed by the builder of the house on the Lot.
4. Any Lot owner who wishes to modify and change the landscaping installed by the builder of the house on his Lot, to a xeriscape (refer to 19 in this section for guidelines) or low water-usage design must first obtain approval from the ACC. The Alteration Application requesting this approval must be accompanied by a landscape design that is a certified Florida-friendly yard under the Florida Yards and Neighborhoods (FYN) program. Information about this program can be obtained through the Pasco County Extension Office at (813) 996-2411 or online at <http://pasco.ifas.ufl.edu/ffl/>
5. The ARC encourages all Owners to follow the Florida Friendly Landscaping Principles shown below when making changes to their landscape design.
 - a.) Right plant at the right place

- b.) Water efficiently
- c.) Fertilize appropriately
- d.) Mulch
- e.) Attract wildlife
- f.) Manage yard pests responsibly
- g.) Recycle yard waste
- h.) Reduce storm water runoff
- i.) Protect waterfront

In General

a) Certain areas have been designated as open space, wetland or preserve within the community and shall be maintained as required by regulatory authorities and as described in specific permit conditions and in the Declaration. No Owner or Occupant may mow, trim, remove vegetation, fertilize, apply chemicals to, maintain, alter or modify any area not owned by the Owner, including areas set aside as open space, wetland or preserve.

b) Proposed changes to landscaping require detailed plans indicating any removal and relocation of trees, additional planting of trees and shrubs. Quantity, approximate size and types of plants shall be identified. The landscaping plan must detail the location of beds and planting materials. Most landscaping contractors will prepare this diagram for you. Be sure that plantings are not in an area of underground wiring, cables or irrigation pipes. Any required changes to the irrigation system will be at the homeowner's expense. Call Sunshine State hotline at 1-800-432-4770.

c) Plantings must conform to current Pasco County requirements. No Owner or Occupant shall plant annual, shrubs or trees that are considered invasive or prohibited to be planted in the County or State.

d) The home builder will be installing a landscape package on each residential Lot. This package conforms to specific Pasco County requirements and may not be altered, removed or otherwise destroyed. If original plantings die, they shall be replaced in substantially the same form and size.

e) Some general recommendations for effective landscaping include:

- (1) Minimize the number of different plants used;

(2) make mass groupings of the same plant – avoid the variegated look of alternating plant types;

(3) Consider the ultimate size of each plant; its mature scale, cold hardiness;

(4) Plan for efficient watering by grouping plants with similar water requirements together; and

(5) Plan for proper Maintenance

f) Trees and shrubs shall not be planted any closer than 5 feet from any property line unless approved by the ACC.

g) Trees, hedges and shrubs that restrict sight lines for vehicular traffic shall be trimmed back or removed.

h) Landscape architectural features may include such items as benches, planters, yard lights, etc. as an integral part of a landscape design. Drawings must be provided which clearly show the location, size and materials planned for these features. In addition, a photograph of the house and the relationship of the feature to the existing or proposed landscape must accompany the submittal. Landscape architectural features will be located only in the planting beds originally installed by the builder.

i) Except for dead trees or plants, no landscaping shall be removed without the prior written approval of the ACC.

j) No changes in landscaping shall alter the approved drainage plans for the Owner's lot or any adjoining property.

k) Minimum Quality and Grade: All plant materials shall equal or exceed the standards for Florida No. 1 grade as given in "Grades and Standards for Nursery Plants", Parts I and II, State of Florida, Department of Agriculture current edition and any amendments thereto. All sod shall equal or exceed the Standards for Florida Premium Grade or Florida Standard Grade as established by Turfgrass Producers of Florida.

l) All plant materials shall be true to name, size, genus, species and variety as established by the American Joint Committee on Horticultural Nomenclature publication Standard Plant Names and as per the recommendations and requirements of ANSIZ60.1, American Standard for Nursery Stock.

m) Originally installed landscape beds shall not be altered as to width, curvature and the like and all originally installed trees and plant materials shall be maintained and may not be replaced without approval.

n) Newly installed landscape beds adjacent to the house shall not exceed two (2) feet in width or a width that is at least five (5) feet in from the property line. Non-adjacent plantings shall be planted a minimum of five (5) feet in from the property line so that plantings do not extend over the property line.

Berms

a) Except as installed by the developer or builder, earthen berms shall not be permitted.

Hedges and Buffer Landscaping Between Lots

a) Side yards between Lots may be landscaped with plant materials to provide visual screening. Continuous linear runs of the same plant material may be installed and must be at least ten (10) feet back from the front corner of the house (same as Fence Guidelines).

b) Buffer landscaping shall not be located any closer than five feet (5') to the property line as measured from the tree trunk or plant material's main trunk to allow maintenance access on the exterior portion of the hedge. Buffer landscaping shall not extend into any front yard setbacks or obstruct the vision and safety of vehicular or pedestrian traffic.

c) Maximum height of a hedge may not exceed six feet (6'). On view corridor Lots, hedge height shall follow the same transition requirements as for fences and there shall be a gradual transition in height from the taller hedge to the four-foot (4') hedge.

d) All buffer landscaping shrubs shall be planted and maintained to form a continuous, unbroken 80% visual screen within one year of installation. Shrubs shall consist of one predominant species, shall be planted thirty inches (30") apart, on center, with each plant having a minimum size of three gallons, thirty-six inches (36") tall and eighteen inches (18") wide at the time of planting and maintained to achieve a minimum of forty-eight inches (48") in height within one (1) year of planting.

- e) Suggested hedge materials are Japanese Privet (*Ligustrum Japonicum*); *Viburnum Awabuki*, *Viburnum Suspensum*; Sweet *Viburnum*; *Podocarpus*, and Bottlebrush (*Callistemon*).

Islands

- a) Landscaping may be grouped in an island to provide a focal point. Islands shall be a minimum of fifteen feet (15') long, three feet (3') wide and shaped in a curvilinear design. In no case shall islands take up more than 30% of the grassy area.

Minimum Size Requirements – Plants and Trees

- | | |
|---|--------------------|
| a) Shade trees | 2" caliper minimum |
| b) Flowering/Ornamental Deciduous Trees | 3' height minimum |
| c) Evergreen trees | 3' height minimum |
| d) Shrubs for border landscaping | 3 gallon minimum |
| e) Shrubs and Perennials | 1 gallon minimum |

Plant Material – Acceptable

a) Individual plantings of annuals which are seasonal in nature and which do not exceed thirty-six (36") in height, may be planted within the original planting bed(s) installed by the builder without obtaining the approval of the ACC. However, plans for all other modifications to any existing landscaping beds or additional landscape beds must be submitted to and approved by the ACC.

b) Plant materials should be selected and grouped to reflect ultimate growth, maintenance requirements, texture and structural contrast and seasonal color.

c) Plants shall be grouped together in drifts or masses whenever possible rather than being spaced equally around the property.

d) Plants must be able to stand up to the rigors of the Florida climate. Tender plants such as *Ixora*, *Croton*, *Hibiscus*, etc., will be allowed as accent plants only, not as base plantings.

e) Some plants are toxic to children and pets. You should research these issues carefully before selecting plant materials.

f) Whispering Oaks is located in Zone 9A. Please refer to the following web site for a list of acceptable plants for your community. This document will also provide you with the best location and environmental conditions for each plant that is hardy in Zone 9A.

<https://ffl.ifas.ufl.edu/pdf/FFL-Pattern-Book-Zone9A.pdf>

Plant Material – Unacceptable

a) Certain plant species shall not be permitted at Whispering Oaks because of their nuisance characteristics, exotic origin, pest problems, or high maintenance concerns. The following shrubs, groundcovers, etc. are prohibited for use in the landscape:

Air plant	<i>Catopsos berteroniana</i>
Air Potato	<i>Dioscorea bulbifera</i>
Angel's Trumpet	<i>Datura spp.</i>
Barberry	<i>Barberis spp.</i>
Bromeliads **	<i>Aecmea spp.</i>
Cactus **	<i>Cereus spp.</i>
Cattail	<i>Typha latifolia</i>
Century Plant **	<i>Agave Americana</i>
Coral Vine	<i>Antigonon leptopus</i>
Euphorbia/spurge	<i>Euphorbia spp.</i>
Firethorn **	<i>Pyrocantha coccinea</i>
Glorybower	<i>Clerodendrum</i>
Kudzu	<i>Pueraria lobata</i>
Pampas Grass	<i>Cortaderia selloana</i>
Potato vine	<i>Ipomoea spp.</i>
Psychic Nut	<i>Jatropha curcas</i>
Vitex	<i>Vitex spp.</i>
Yucca	<i>Yucca spp.</i>

** may be planted within a fenced back yard.

b) Homeowners should exercise care and not plant any plants, trees, vines, etc. that are known to be invasive or non-friendly to this area.

Trees – Planting

a) The originally installed trees were a development requirement and are part of a landscape plan approved by Pasco County. If relocated, all reasonable efforts must be exercised to keep them alive. If they die, they must be replaced with a tree from the approved species list from the Pasco County. Please see

<http://www.pascocountyfl.net/DocumentCenter/View/3857/LDC-Section-802-Tree-Preservation-and-Replacement?bidId=>

b) No tree listed as a Not Approved Tree in the Pasco County Ordinance is permitted. The current list of Pasco County Approved Trees can be found at the following web site. We recommend that

you check for any updates prior to completing your Alteration Application. Any tree or shrub not listed will not be approved.

<http://www.pascocountyfl.net/DocumentCenter/View/14188/Recommended-Tree-List?bidId=>

c) Whispering Oaks is located in Zone 9A. Please refer to the following web site for a list of acceptable trees and palms for your community. This document will also provide you with the best location and environmental conditions for each tree and palm that is hardy in Zone 9A

[http://fyn.ifas.ufl.edu/pdf/FFL Book Zone 9A 081610.pdf](http://fyn.ifas.ufl.edu/pdf/FFL_Book_Zone_9A_081610.pdf)

d) Tree staking materials shall be adjusted on a regular basis to maintain a neat appearance and permit plant growth to occur. All staking materials shall be removed no later than one (1) year after initial installation.

e) Trees should not be planted closer than five feet (5') from the property line. If located on a retaining wall lot, trees must not be planted closer than ten feet (10') to the retaining wall.

f) **No tree or palm may be planted within ten feet (10') of a retaining wall.**

Fruit and Citrus Trees

a) One fruit or citrus tree will be allowed on 40' and 50' lots and two fruit or citrus trees will be allowed on a 60' Lot. ACC approval is required. Trees must be planted in the rear within a fenced yard and must be located at a distance from the property line that will not allow encroachment of the mature tree onto a neighboring property. Owners must remove fallen fruit to prevent odors and scavenging birds and animals from becoming a nuisance to neighboring properties.

Trees – Relocation

a) Existing trees to be relocated shall be pruned then immediately replanted, firmly secured in the ground by staking and adequately watered and fertilized until well established and rooted. Any relocating of existing trees should be done by a licensed professional who will adhere to nursery standards for relocating.

b) Any tree relocated due to construction, such as the installation of a swimming pool, shall in addition to the above, be barricaded

against the construction activity with silt fencing or other acceptable barrier. Any relocated trees which die within one year of completion of construction shall be removed and replaced with nursery stock approved by the ACC.

Trees – Removal or Destruction

a) The removal or destruction of any tree and distinctive flora is a landscape change and, therefore, subject to the authority of the ACC to approve or disapprove the removal or destruction of trees. The following guidelines shall apply to the removal or destruction of trees and distinctive flora:

b) Trees that have been planted at the direction of the builder/developer to meet Pasco County development requirements shall not be intentionally destroyed or removed. The County has required that a minimum of 2 hardwood trees be planted on each lot within Whispering Oaks.

c) Trees which have a diameter larger than six inches (6") measured two feet (2') above ground level, and distinctive flora shall not be intentionally destroyed or removed except with the prior approval, in writing of the ACC.

d) Prior to the written approval of the ACC to remove any tree described above or distinctive flora, the homeowner shall first obtain written approval (in the form of a removal permit along with any conditions for replacing the removed tree or distinctive flora) from the governing Pasco County agency or department.

e) The above requirements pertain to trees and distinctive flora which die, for whatever reason, and unless otherwise approved by the ACC, shall be replaced with the same species and size tree or distinctive flora as the original tree or distinctive flora.

Trees

a) With the exception of a street tree that may be required by the County, there shall not be any plantings other than sod between the street curb and sidewalk nor shall landscape borders, decorative curbing or landscape lighting be installed in this area.

b) Trees shall exhibit superior symmetry, form and branching, possess a single central leader, be sound, healthy, vigorous, full and free from disease and objectionable disfigurements.

e) The canopies of front and side yard trees near the sidewalk and/or right-of-way shall be maintained at a minimum eight-feet (8') height measured from the ground and may not be pruned and/or shaped except for the removal of dead or diseased limbs.

f) Pasco County has required that a minimum of two hardwood trees be planted on each Lot. Removal of any tree required by Pasco County is not allowed. Any tree that dies or is badly diseased shall be replaced at the Lot Owners expense. Approval to remove a required tree and to replace that tree does require ACC approval as well as a county tree removal permit.

g) Per Pasco County code, a canopy tree may be removed and replaced with a palm tree at a 3:1 ratio. Palms are to be grouped. (Note: A Triple Robelinni does not qualify as three palm trees.)

Trellises, Lattice, Arbors and Arches

a) No more than three trellises will be allowed, and they are not to be placed on the front façade of the house.

b) Trellises for supporting plants shall be placed within the roof overhang on the side or rear of the house.

c) Trellises must be constructed of weatherproof material, such as PVC or metal and will be kept in good repair. Wooden and wire trellises will not be approved.

d) Attaching trellises to the house may void applicable warranties from the home builder. Homeowners are advised and encouraged to consult with the builder before attaching anything to the house walls, fascia, roof, etc.

e) Trellises must remain plumb, level and structurally sound. If notified by the manager that the trellis needs repair or replacement, resident must make repairs or remove the trellis within 45 days.

f) A free-standing metal obelisk style trellis no taller than four feet (4') may be used in a landscape bed. It must be anchored into the ground in a manner that allows removal upon notice of a hurricane warning.

g) Arches, arbors, and similar structures may not be constructed within the front or side yard of a home. They may be constructed of vinyl or metal and located within a fenced yard no closer than ten feet (10') from the property line. They may not be taller than seven

feet (7'), must be anchored in concrete and designed to withstand 130 mph winds and must be an integrated part of the landscape design.

Xeriscape

- a) All plants will be Florida Friendly Plants and chosen from the acceptable Zone 9A plants shown in the following web site.

<https://ffl.ifas.ufl.edu/pdf/FFL-Pattern-Book-Zone9A.pdf>

- b) Mulch from the approved mulch list will be installed in the planted area. The purpose of the mulch is to help conserve moisture for plants, improve fertility and health of the soil, to assist in controlling weed growth and to enhance the visual appearance of the planted area.

- c) The planted area will have a band of sod installed from the sidewalk or driveway up to the landscape bed. Purpose of the sod is to prevent the mulch from washing onto sidewalks and driveways. Side yards will also have a band of sod at the property line that is a minimum of three feet (3') wide. The preferred sod is St. Augustine.

- d) Only ground covers such as sod, Perennial Peanut, Jasmine, Dwarf Mondo Grass, etc. may be used within the 5' side yard drainage easement. Ground covers must be maintained so that they do not encroach onto neighboring property.

Lawn Furnishings

1. All lawn furniture will be located in the rear of the home and not be visible from the street in front of the home with the exception of those styles of furnishings outlined in these guidelines under Front Entry of Homes.
2. Swings/gliders with canopies, umbrellas and pool style furniture will not be approved for placement in front of the home.
3. For safety reasons all lawn furniture shall be removed when residence is unoccupied for a period of seven (7) days or more unless prior arrangements have been made with a neighbor.
4. **All lawn furniture shall be removed upon issuance of any storm warnings of a Tropical Storm Warning or higher.**

NOTE: This does not require an ACC application provided the above guidelines are followed; however, to deviate from these guidelines, an Alteration Application is required to be submitted to the ACC prior to instituting the change.

Lawns

1. Lawns shall be maintained in accordance with adopted policies that define the minimum community standards.
2. All Lots shall have grassed front, side and rear lawns unless an approved Xeriscape plan has been approved using a different ground cover.
3. No gravel or similar dessert type lawns will be permitted.
4. All lawns shall be sodded with St. Augustine grass and irrigated unless an approved Xeriscape plan has been approved using a different ground cover

Lightning Rods and Brushes

1. Lightning rods and brushes may be installed and shall be done in a manner that is least obtrusive and uses the minimum number to accomplish the desired purpose. ACC approval is required.
2. Lightning rods shall not be allowed to fall into disrepair. Any lightning rods needing repair or replacement shall be repaired or replaced immediately or completely removed.

Mulch, Rocks and Stones

Florida Friendly Landscaping guidelines indicate that gravel, river rock, shell and similar materials should not be used as a major landscape ground cover or mulch because of the increased need for herbicide use, lack of habitat value and the fact that they reflect rather than absorb heat and do not produce oxygen like plants. The ACC discourages use of these landscape bed materials as well as rubber mulch and recommends that Owners research the pros and cons of these types of mulch.

1. Dark hardwood chips, natural color shredded mulch, and Pine bark are approved for landscape beds. Red, black and brown colored mulch with a CMA certification may also be used. Pine straw and rubber mulch in earth tone colors may be used in beds at the rear of the home but not in street facing beds.
2. Stone (natural rock), river rock and Lava rock may be used provided that it adheres to the following standards:
 - a) Minimum size: $\frac{3}{4}$ " in diameter

- b) Maximum size: 1 ½" in diameter
- c) Colors to be earth tone only (buff, beige, charcoal or brown).
White marble chips are not permitted.

NOTE: Provided that the above guidelines are followed, no Alteration Application is required; however, to deviate from this guideline, an Alteration Application must be submitted to the ACC prior to instituting the change.)

- 3. No decorative rock shall be permitted as ground cover (i.e. desert landscape design).
- 4. Large stones, rocks and boulders shall not be used as bed-edging material and are not permitted on turf areas.
- 5. No more than three rocks of varying sizes shall be used as decoration in a landscape. The largest rock shall not exceed thirty-six inches (36") in any measurement.
- 6. Shrubs or groundcover planted in mass shall have a continuous mulch bed. All mulch installation shall cover the whole bed area with no bare ground showing.

Ornaments and Potted Plants

As long as the following guidelines are followed, an application is not needed for installation of lawn ornaments. If outside of these guidelines, you will need to submit an application and include a picture of the proposed lawn ornament and a plot plan showing the location of the ornament.

- 1. Ornaments or decorative embellishments include those on lawns, landscape beds, entryways and those mounted on the house that are visible from the street or common area.
- 2. Ornaments shall not exceed thirty (36) inches in any dimension; however, based upon the dynamics of the Lot and home, a variance may be considered (i.e. two-story home on large Lot with tall landscape plants that will abut the ornament).
- 3. Ornaments of a solid color shall be white, dark green, brown, natural concrete or stone color. If made of metal, they may be the natural color of that metal.
- 4. Painted or glazed ornaments shall be as close as possible to the natural color(s) of the subject that they are depicting.

5. A maximum of five (5) ornaments and/or potted plants are permitted in front of the house or in the rear of a home that is not screened with a fence or other approved screening such as landscaping.

6. Lawn ornaments include, but are not limited to:

- a) bird baths
- b) bird feeders
- c) bird or squirrel houses
- d) decorative flags (including holiday, sports, etc.)
- e) fountains
- f) patriotic display items (yellow ribbons, decals, etc)
- g) personal items other than furniture are considered lawn ornaments
- h) plants on hooks
- i) plaques
- j) potted plants/flowerpots (Flowerpots used in a grouping must be harmonious in color and design. Plants must be in flowerpots, not buckets.)
- k) statues
- l) stepping stones within a landscape bed
- m) sun dials
- n) tiki torch (Each torch counts as one lawn ornament and may only be located in the rear yard of a home.)

7. For safety reasons all lawn ornaments shall be removed when residence is unoccupied for a period of seven (7) days or more unless prior arrangements have been made with a neighbor.

8. All lawn ornaments shall be removed upon issuance of any storm warnings of Tropical Storm Warning or higher.

9. No ornaments shall be hung from trees except for bird houses or bird feeders which must be located in the rear yard of the home.

10. Bird feeders shall be mounted five (5) feet above ground level.

11. Bird houses shall not be mounted to exceed the roof eave in height. Multiple bird dwellings, i.e. bird coops are not allowed.

12. Ornaments shall not be placed down driveway perimeters, on street catch basins or on utility boxes.

13. Decorative buckets to catch air conditioner water are permitted as long as they are aesthetically pleasing (plastic paint buckets and the like shall not be used).

14. One American flag, one POW and one U.S. Military flag and door wreaths (one per door) are not counted as ornaments.

15. Flowerpots containing dead plants and empty flowerpots shall be removed from public view immediately.

16. Artificial plants/trees or flower arrangements are allowed on front entryways or lanais only – not in landscape beds or in tree rings.

17. Ornaments and flowerpots displayed in sets of two or more will be counted individually. For example, a ceramic duck with two (2) ducklings is three (3) ornaments.

Outbuildings, Greenhouses, Sheds and Storage Containers

1. Outbuildings, stand-alone sheds, including Rubbermaid-type sheds and large storage containers, manufactured housing, prefabricated buildings, trailers, shacks, barns and greenhouses are not permitted.

Outdoor Kitchens, Grills/Cooking Appliances

1. Outdoor kitchens, built-in type bar-b-que, pizza ovens, grills, smokers and other outdoor cooking appliances shall be located within the rear side setbacks of the home. Their location must be carefully planned to minimize smoke or odors affecting neighboring properties.

2. If not located within a fenced yard, these outdoor cooking appliances must be covered when not in use. Covers and outdoor cooking appliances must be maintained in good condition.

3. Enclosing one wall of a roofed lanai to create an outdoor kitchen may be approved providing the wall is built of concrete block covered with stucco and painted to match the existing body of the house. If ½ wall is installed, opening above the wall may be screened, have a clear vinyl window or have a window to match the Home's existing windows. Florida glass or opaque screen/glass is not allowed.

NOTE: Grills and cooking appliances do not require ACC approval; however, installation of an outdoor kitchen or built-in type bar-b-que, pizza oven, etc. will require an application,

Painting and Approved Color Schemes

1. Only those colors noted on the Approved Paint Colors Exhibit are permitted.

2. Prior to painting, each Owner must submit to the ACC a color plan showing the color of all exterior surfaces that shall include samples of the actual colors to be utilized and the materials.

3. Colors on the chart are from the Sherwin Williams collection; however, you may use the paint manufacturer of your choice as long as the color has been matched to the Sherwin Williams color and is substantially the same.
4. Alteration Applications submitted without color samples will be returned. See below for chart of approved colors. NOTE: The body and trim colors shown on the chart must stay together and are not interchangeable with the other schemes. If your home has shutters, they will be the same color as the front door.
5. No house may have more than three colors (base, trim, accent door colors).
6. The body of the house and garage door (base color) must have a flat or eggshell finish, no gloss or high gloss finishes are permissible. If an Owner is proposing to paint entry doors and trims with gloss or high gloss, this needs to be noted on the Alteration Application.
7. There must be a minimum distance of one home to either side and in front of the applicant's home before a color combination can be repeated.

[Color Scheme Chart on Next Page]

COLOR SCHEME CHART FROM SHERWIN WILLIAMS COLLECTION			
SCHEME #	BODY/GARAGE	TRIM	DOOR/SHUTTER
35	MODERN GRAY 7632	DORIAN GRAY 7017	URBANE BRONZE 7048
36	MAGNETIC GRAY 7058	PEARLY WHITE 7009	CYBERSPACE 7076
37	RUSHING RIVER 7746	DRIFT OF MIST 9166	QUIETUDE 6212
38	TONY TAUPE 7038	EGRET WHITE 7570	RUSTIC RED 7593
39	INTELLECTUAL GRAY 7045	GOSSAMER VEIL 9165	CASCADES 7623
40	SHITAKE 9173	TAUPE TONE 7633	TRICORN BLACK 6258
41	DOVETAIL 7018	CRUSHED ICE 7647	JERSEY CREAM 6379
42	MEGA GREIGE 7031	WHITE DUCK 7010	ACACIA HAZE 9132
43	DRIFT OF MIST 9166	ANEW GRAY 7030	DOWNING SLATE 2819
44	SHOJI WHITE 7042	AMAZING GRAY 7044	TRADEWIND 6218
45	ROYCROFT MIST GRAY 2844	ELDER WHITE 7014	TRICORN BLACK 6258
46	CASA BLANCA 7571	DRY DOCK 7502	ROJO MARRON 9182
47	SNOW BOUND 7004	CHELSEA GRAY 2850	MAREA BAJA 9185
48	DORIAN GRAY 7017	PURE WHITE 7005	STUDIO BLUE GREEN 0047
49	UNCERTAIN GRAY 6234	ELDER WHITE 7014	PEPPERCORN 7674
50	NEBULOUS WHITE 7063	EXTRA WHITE 7006	WESTCHESTER GRAY 2849
51	NATURAL LINEN 9109	PURE WHITE 7005	KRYPTON 6247
52	LIGHT FRENCH GRAY 0055	PURE WHITE 7005	MOONMIST 9144
53	MISTY 6232	EXTRA WHITE 7006	ANCHORS AWEIGH 9179

Play Structures, Recreational Equipment and Toys

NOTE: Even though the Association and ACC may have approved the placement of any recreation apparatus on the homeowner's property, neither the Association nor the ACC share any legal responsibility, risk or liability for the use of, or of any injury resulting from the use of such equipment. Owners are responsible for safety and maintenance of all recreational equipment and securing their property.

1. In General:

- a) All exterior play and recreational equipment, including swing sets, jungle gyms, soccer goals, trampolines, or the like must be located within the rear yard of the property, must be screened from public view and require ACC approval.
- b) Acceptable screening includes landscaping and fences.
- c) Trampolines, playsets, swings and jungle gyms will only be permitted within yards that have a privacy fence.
- d) All play and recreational equipment must be maintained on a regular basis by the Owner.
- e) Tree houses and skateboard ramps are not permitted on any portion of the Lot or common properties.
- f) All play and recreational equipment are to be placed at least seven and one-half feet (7.5') in from the rear property line and must be located within the side setbacks of the house.
- g) All portable play and recreational equipment, including toys, must be removed from public view when not in use, unless within a fenced rear yard. (Portable play and recreational equipment include items such as toddler's playhouses, slides, climbers and other large outdoor toys which are normally made of plastics and vinyl and that are not anchored in concrete.)
- h) Temporary sports type equipment such as baseball pitch back, ball pitchers, croquet, table tennis, badminton, volley ball, water type play equipment such as above-ground kiddie pools with no self-contained filtering system and slip'n'slide does not require ACC approval but must be located at the rear of the Home within the side setbacks of the house, not in front of Home or on the side of lot between houses.

- i) All portable play and recreational equipment shall be removed when residence is unoccupied for a period of seven (7) days or more unless prior arrangements have been made with a neighbor.
- j) All portable play and recreational equipment shall be removed upon issuance of any storm warnings of Tropical Storm Warning or higher. Owners shall take all recommended actions to secure non-portable equipment in storm events to ensure that said equipment does not cause bodily injury or damage to other's property.
- k) Basketball equipment and trampolines may not be used between the hours of dusk to dawn. See "Basketball" for additional guidelines. Please note that portable basketball equipment is not permitted within Whispering Oaks.

2. **Play Structures**

- a) Play structures include but are not limited to, gym/swing sets, slides, playsets, playhouses, tetherball poles, trampolines, etc.
- b) A picture and the dimensions of the play structure must be submitted with the Alteration Application.
- c) The overall height of play structures may not exceed twelve (12) feet in height. However, the height may be reduced by the ACC based on the lot size and impact on neighboring lots. This will be determined by a site visit.
- d) Applications for play structures must include a survey showing its intended placement. The structure's visual impact to neighboring lots and/or the street must be buffered as much as possible with approved fencing and/or landscaping.
- e) It is preferred that canopies and "roofs" be of earth toned colors – tan, brown, olive or forest green.
- f) Play structures must be securely anchored and installed in a manner so that strong or tropical force winds or higher will not carry it to other properties causing damage or bodily injury.
- g) Any detachable parts on play structures must be removed and stored in a safe location when a tropical storm or hurricane warning is in effect.

h) Play structures must always be kept in good condition including repair, painting or staining and the replacement of any canvas.

i) If the play structure will be buffered by landscape the plant material must be 80% opaque, start at a height of forty-eight (48) inches from the ground and may not exceed seventy-two (72) inches of overall height at maturity and then must always be maintained at a height of 72 inches. The landscape buffer installation may not alter the drainage of the lot. The proposed plant material and location of landscape buffer must be submitted to the ACC on the Alteration Application prior to installation.

j) Play structures on a corner Lot should be located to the center of the Lot or on the interior side of the Lot, not on the street side. It is highly recommended that the Lot have a six-foot privacy fence as opposed to landscape buffering.

3. **Play Structures – plastic and other toys**

a) Plastic playhouses, children's swimming pools and other toys shall be confined to the back yard and screened from public view either by fencing or landscape as defined above. When home is located on a corner lot, the play equipment should be located to the center of the rear yard or on the interior side of the rear yard rather than the street side.

b) No more than two (2) of these types of toys shall be permitted to remain out for extended periods.

c) All other toys and play materials shall be removed at the end of each day.

d) All play structures and toys shall be removed and secured inside the home in the event that storm warnings of tropical storm strength winds or higher are posted.

4. **Fan/Blower Sustained Inflatable Equipment**

a) Inflated devices that are inflated and the inflation is sustained by a fan/blower (typically these objects are rented for short term use during children's parties) may be placed on a Lot for up to two (2) days. If the device is a homeowner owned device, it shall not be left out for more than two (2) days. If left out for more than two (2) days, it will be classified as a permanent play structure and will require ACC approval.

Ponds and Waterfalls

1. A plot plan showing the location of the pond and/or waterfall must be submitted with the application. If the pond is being constructed from a kit, a picture would be helpful.
2. Pond and/or waterfall must be an integral part of a landscape design. Landscape design and plant materials to be used must be included with the pond and/or waterfall Alteration Application.
3. Design of these features should discourage creation of stagnant pools of water.
4. Ponds and waterfalls shall be situated in a manner that does not permit sounds from the pond, waterfall or its equipment to be a nuisance to neighboring properties.

Rain Barrels & Rain Chains

1. Rain barrels designed for the purpose of capturing rain from the gutter systems may be used on the rear of the house.
2. Barrels shall be screened with plants or within a fenced yard.
3. Barrels may not exceed three (3) feet in height and shall be earth tones in color.
4. Rain chains may only be used in the rear of the home.

II. NOTE: This does not require an ACC application provided the above guidelines are followed; however, to deviate from these guidelines, an Alteration Application is required to be submitted to the ACC prior to instituting the change.

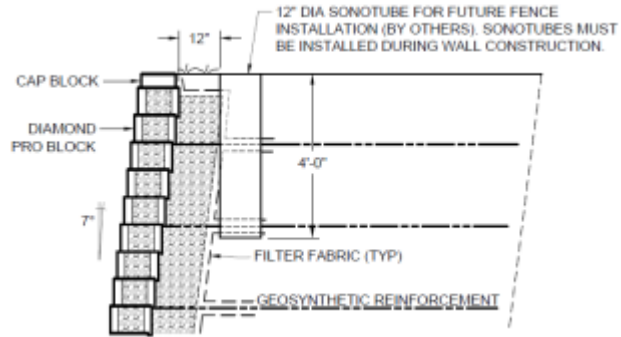
Reflectors

Reflectors are not allowed.

Retaining Wall Lots

1. Some Lots within Whispering Oaks have a retaining wall with a fence located on top of the retaining wall. The retaining walls are built within a Retaining Wall and Fence Easement and may be located at or near the rear of such lots (the "Retaining Wall Lots").
2. The Community Declaration of Whispering Oaks Preserve requires that the Association maintain the retaining walls and fences; however, the routine cleaning of the walls and fences will be the responsibility of Owners of the Retaining Wall Lots and those who abut a Retaining Wall Lot.

3. The retaining walls have geogrid tiebacks which secure the walls. There is five feet (5') of geogrid extending behind the retaining wall. The geogrid tieback is located on the higher Lot.



4. Trees and palms may not be installed closer than ten feet (10') to a retaining wall. Shrubs without a large root system, perennials, and annuals may be planted within eight feet (8') of the wall. Lots abutting the retaining walls will be held to the same standard.
5. No structure such as a swimming pool, pool cage, screen enclosure, playset, etc. may be installed closer than eight feet (8') to the wall in order to ensure the integrity of the retaining wall. This affects the higher lots only since the geogrid tiebacks are located on the higher lots.
6. Fence post on the lower Lot which does not contain the geogrid tiebacks may be installed within two feet (2') of the wall. Owners of Retaining Wall Lots and lots abutting the retaining walls may not be required to transition the last panel of their fence to meet the height of the retaining wall fence. This will be reviewed on a case-by-case basis with consideration of the difference in the retaining wall fence height.

Roofs

1. Roofs shall be cleaned within thirty (30) days of notice by management.
2. Roofs shall be high grade architectural (dimensional) shingles with a thirty (30) year life. Colors shall be shades and blends of gray or brown that coordinate with the exterior body color of the house. (Note: original roof color is Weathered Wood)
3. Metal and tile roofs will not be approved on Homes.
4. No changes other than skylights or solar tubes will be permitted on any roof which is visible from the front of the house.

Roof Extensions/Covering

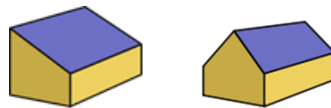
1. No roof extensions (carport or overhang) for a car, boat, equipment or any other purpose will be permitted.

Screen Enclosures (Pool, Patio, Lanai)1. There are two types of screen enclosures. One is the enclosure of an existing covered lanai with screen and the second type includes the addition of a patio/slab with an enclosure that includes a roof. When adding an extension, the application must include the per centage of impervious area on the lot with the new addition.

2. Screen enclosures may have shingled or screened roof. Shingles shall match the existing shingles on the house and structure shall maintain the rear setback as required by Pasco County code. Composite roofs will not be approved.

3. If the roof is screened, screen shall be charcoal in color and may not be flat but must have an architectural feature such as a mansard or gable design.

4. A trussed roof with shingles installed to match the existing roof shingles on the home may be used; however. Roof design may be mono style or gable but may not be flat. Minimum slope is 2:4.



Mono style roof Gable style roof

5. Framing must be bronze anodized or electrostatically painted aluminum.

6. Screening shall be charcoal. No opaque or decorative screening is permitted. Florida glass will not be permitted.

7. Installation shall meet the minimum wind load requirements of the Southern Building Code (latest edition) concerning wind resistance and other applicable requirements.

8. All support cables, screws and fasteners shall be of a non-corrosive material such as stainless steel.

9. Structural gutters may be installed but where necessary, must be adjusted to tie into existing home gutters – runoff must be directed in a manner that will not negatively affect neighboring property or common property.

10. Aluminum kick plates not to exceed eight inches (8”) in height will be permitted on screen enclosures; however, if the screen enclosure will not

be within a fenced yard, landscape must be installed to screen the kick plate from view. Landscape plans must be submitted with the enclosure application if the yard is not fenced.

11. Decorative grills may not be installed on screen doors.

12. If the screen enclosure is part of a patio extension, irrigation systems may require modification to ensure 100% coverage of the property. This should be a part of the Alteration Application.

13. String lights and outdoor TV's within screen enclosures may not create a nuisance for neighboring property. Lights should be on a timer and not remain on overnight.

Shade Structures

1. Permanent and semi-permanent shade structures must be approved by the ACC. Only one shade structure will be allowed on a Lot.



Examples of permanent and semi-permanent shade structures

2. Shade structures shall be located in the back yard and positioned within the side setbacks of the dwelling. Special lot conditions will be considered for a variance on the location; however, some lots may not be conducive to having a shade structure installed.

3. Frame of structure may be made of wood (preferably cedar), PVC, anodized rust-free aluminum or steel. Metal frame color should be bronze, black or dark brown but other colors will be considered on a case-by-case basis. PVC frames may be white or tan. If constructed of wood, the wood must be kept in its natural color and treated with a clear sealant to preserve the material and color of the structure or be painted to match the dwelling.

4. Roof of structure may be polycarbonate, metal, shingles to match those on the home's roof, metal in a color to blend with the homes roof shingles or canvas. Polycarbonate roof must be the same color as the frame. Metal roofs should be brown or dark green in color; copper and silver will not be allowed. Metal roofs must be maintained to avoid rust and/or corrosion occurring. Canvas and fabric roofs must be a solid neutral color such as tan or brown and must be kept in good repair –

fading, mildew, stains and tears must be repaired within fourteen (14) days or the structure must be removed. Framework must always have the canopy installed. (Note: An exception will be made for short periods of time when the canopy is being cleaned or repaired. Community Manager should be notified.)

5. Fabric sling/canopy will not be allowed on pergolas.

6. The overall size and height of the shade structure will be determined by the location and surrounding environment; however, it is preferred that the maximum height not exceed ten feet (10').

7. Pergolas and gazebos must be installed per manufacturers specifications, anchored to their foundation and meet the wind speed requirements for Whispering Oaks geographic wind zone.

8. String lights on gazebos, pergolas, shade structures and screen enclosures may not create a nuisance for neighboring property. Lights should be on a timer and not remain on overnight.

9. Temporary shade structures such as party tents shown below are allowed for a period of time not to exceed forty-eight (48) hours.



Shutters

1. Shutters must appear an integral part of the building elevation and must be made of materials that complement the home and neighboring properties.
2. Shutters will be painted to match the front entry door.
3. A photo of the home or a copy of the builder's brochure for your home plan must accompany the application. Please mark all windows that will have shutters installed.
4. The approved paint scheme of the home and color that the shutters will be painted must be shown in the description of the project on the Alteration Application.

Sidewalks and Steppingstones

1. Sidewalks may be installed from the driveway to a side garage door or fence gate leading to the back yard but may not extend into the five foot (5') side yard setback.

2. Sidewalks shall be pavers to match the driveway, must be installed at grade level and may not alter the swale between lots nor interfere with approved drainage of the current or adjacent lots.
3. Concrete steppingstones are not permitted.

Signs

1. "For Sale" and "For Rent" signs will not be permitted on the Lot or placed in windows of the home. Refer to Section 12.32 of the Declaration.
2. "Protected by alarm" signs are authorized in landscaping near the front and rear door. Signs shall not exceed six inches (6") by eight inches (8").
3. A "permit board" displaying a building permit from the applicable governmental agency is allowed if that agency requires it to be posted conspicuously. No other signs, including contractor advertising signs for swimming pools, patio or room additions and the like are permitted.
4. Political signs are limited to two signs no larger than twenty-four inches (24") by thirty-six inches (36"). Political signs may be displayed for two weeks prior to an election and must be removed on the day following the election.
5. Congratulatory signs and balloons for birthdays, graduations, etc. should be removed within five days of installation.

Skylights

1. Skylights must be integrated as part of the roof design and require prior written approval from the ACC before installation. (*Note: Installation of skylights may void that portion of the roof warranty where the skylights are installed.*)

Solar Panels

1. Solar panels will require approval by the ACC. Any solar panels and related appurtenances and equipment shall be designed and constructed to appear as an integrated part of the building's architecture. This shall generally mean that the panels shall be roof mounted so that the top surface is flush with the roof surface with all appurtenances recessed into the building's attic.
2. Solar panels should not be installed on the front street facing side of the home. All roof pipes must be of a color to blend with the roof shingles

and pipes going down the wall of the home must be painted to match the color of the wall. *(Note: Roof mounted solar collectors and equipment may void that portion of the roof warranty where the panels are installed.)*

3. Yard mounted solar collectors are allowed within a fenced area of the yard and shall not exceed the height of the fence. Fence must be six feet (6') in height. Yard mounted solar collectors may not be visible to any street and must have ACC approval indicating how the surface beneath the panels will be maintained and if impervious surface will be added to the lot with the installation. If so, the impervious surface area must be included on the application. Drainage swale between Lots may not be compromised.

4. A sketch and marked plot plan showing the orientation of the home on the Lot with North direction noted, must be submitted with the application, illustrating where the solar panels will be installed.

NOTE: *Roof mounted solar panels do not require an ACC application provided the above guidelines are followed; however, to deviate from these guidelines, an Alteration Application is required to be submitted to the ACC prior to instituting the change.* When submitting the application, the manufacturer's specifications are not needed. Only submit the picture showing the panels superimposed on the roof and a full plot plan with the panels sketched on it. Application should not exceed five (5) pages to include the two (2) page application.

Storm/Hurricane Shutters

1. Permanently installed shutters may be accordion or roll-up style and must be approved by the ACC.

2. Temporary shutters include lexan panels or similar, aluminum panels and fabric panels. While not advised, if using plywood panels they should be marine grade and ¾" thick. These types of shutters do not require ACC approval.

3. Shutters may be closed or installed 48 hours prior to the expected arrival of a tropical storm or hurricane in the area and must be removed no later than 72 hours after the warning is lifted. Should the panels not be removed, the Association is granted an easement to the property to remove the panels and the cost of labor shall be charged to the Owner. The Association is not responsible for any damages caused by the removal or for the costs of storage of the panels.

4. In the event of an actual storm event causing substantial damage to the house, homeowner may request in writing, for an extension to this

time period if the repairs and restoration of the house require that the panels remain attached for a longer period of time.

5. Shutters may not be closed or installed at any time other than a storm event as described above.

6. Under no circumstances may storm shutters or protective panels be used as a routine security measure.

Sunrooms

1. Sunroom walls shall be constructed of concrete block with a painted stucco finish on the exterior to match the existing house. The maximum height of the wall will not exceed thirty-six inches (36"). All construction must be in conformance with Pasco County building codes.

2. Vinyl windows (clear or light grey) will be allowed with frames that match the color of the existing window frames. If tinted, a sample of the tint shall be included with application.

3. Roof line may not exceed the height of the house and must be mono-pitched style or gable style and may not be flat. Roof will have shingles to match the shingles on the dwelling. Minimum pitch of roof will be 2:4.

4. Installation shall meet the minimum wind load requirements of the Southern Building Code (latest edition) concerning wind resistance and other applicable requirements.

5. Exterior of the enclosure must be landscaped if not located within a fenced area. Landscape plans must be included with the sunroom application.

6. If gutters are installed, runoff must be directed in a manner that will not negatively affect neighboring property and must follow published guidelines.

7. Irrigation systems may require modification to ensure 100% coverage of the property. This should be a part of the Alteration Application.

Swimming Pools and Spas

1. Any swimming pool to be constructed upon any Homesite shall be subject to review by the ACC. The design must incorporate at a minimum, the following:

a) The composition of the material must be thoroughly tested and accepted by the industry for such construction.

- b) Pool filter equipment must be placed out of view of neighboring properties and the noise level to neighboring properties must be considered in locating equipment. The need to screen equipment may be necessary. All screening must have the prior written approval of the ACC and be included with the pool application.
 - c) Pool heating equipment must comply with all applicable building, zoning and fire codes.
2. Pools shall be of the in-ground type. Above ground pools are prohibited. The elevation at the top of the pool shall not be over two feet (2') above the natural grade of the lot unless approved by the ACC.
 3. For most Lots, the pool will be required to be located within the side setbacks of the Home; however, each application will be reviewed on a case-by-case basis to accommodate special Lot conditions.
 4. Swimming pools shall not be permitted on the street side of the residence and if on a corner Lot must be screened from the street.
 5. Spas, Jacuzzis and hot tubs of the in-ground type with the exception of above ground types not exceeding three feet (3') in height above the existing grade level. They shall be located in the rear yard and screened from street view and the view of any neighboring property. Jacuzzis and hot tubs may be placed within a screened lanai.
 6. Screening of the pool is required either by fencing the property or by a screen enclosure that totally encloses the pool. A child safety fence is not acceptable for screening of the pool. Landscaping may be installed to provide privacy for screened enclosures. Landscaping for this purpose must receive ACC approval prior to installation.
 7. Irrigation system must be re-installed to insure 100% coverage of sodded and landscaped areas of the property.
 8. Pool heaters and pool filters shall be screened from view from the street by either a fence or landscaping. If using landscaping, Owner shall install enough plants to screen pool equipment from view of the street and other properties. Plants shall be the same height when planted as those planted by the builder at the A/C unit. Plants shall be allowed to grow to the height of the pool equipment, then properly trimmed and maintained at that height. Any dead plants shall be replaced immediately with a plant of the same type and similar height.

Screening plans must be included with the original pool application plans submitted to the ACC.

9. Pool lights should be placed on a timer and not remain on overnight which may create light pollution for neighboring homes.
10. **Pool overflow and drainage are required to have a gravel drain bed (French drain) for chlorinated water to flow into. Under no circumstances may chlorinated water be discharged onto other homeowners' lawns, community streets, or into storm drains and retention ponds.**
11. Pool lights should be placed on a timer and not remain on overnight which may create light pollution for neighboring homes.

NOTE: Portable hot tubs or Jacuzzis located inside a screened enclosure do not require ACC approval.

Vegetable Gardens and Fruit Trees, Compost Bins

1. Vegetable, herb and cutting gardens shall be confined to a fenced rear yard and plants shall not exceed fence height. For Lots that are required to have an open picket fence, the garden should be located behind the six-foot (6') privacy fence sections. With the exception of fruit trees, plants may not extend higher than the six-foot (6') privacy fence.
2. Gardens shall be properly maintained during the growing season and thereafter, all dead plants, stakes or other materials shall be removed.
3. Gardens of any kind may not be planted within the drainage swale between Lots.
4. Produce bearing plants (i.e. Moringa, staked vining vegetables/fruits) may not extend higher than the six-foot (6') privacy fence and should be planted at a distance from the property line that will not allow encroachment of the mature plant onto neighboring property. Owners must remove fallen produce to prevent odors and scavenging birds and animals from becoming a nuisance to neighboring properties.
5. Composting is only permitted in commercially manufactured bins designed specifically for suburban composting and must have ACC approval prior to placement of the bin on the Lot. Any such bin shall be covered at all times.

6. Compost bins shall be located a minimum of fifteen feet (15') from neighboring property lines.

7. Should an adjacent property owner complain regarding odors, rodents or other animals that are attracted to the bin, the Association will notify the Owner in writing and they must immediately remedy the situation. In the event that the Owner does not abate the problem within ten (10) days from receipt of notice, the Association shall have the right, without further notice to enter the property and remedy the problem. All expenses incurred shall be assessed to the homeowner.

6. One fruit or citrus tree will be considered by the ACC on 40' and 50' lots and two trees will be considered on a 60' Lot. It must be planted in the rear within a fenced yard and must be located at a distance from the property line that will not allow encroachment of the mature tree onto a neighboring property. Owners must remove fallen fruit to prevent odors and scavenging birds and animals from becoming a nuisance to neighboring properties.

Water Softeners/Conditioners

1. Installation usually requires a permit. Please check with the Pasco County Building Department.
2. Discharge from water softeners shall be routed to an open-air sanitary waste line or it may dump into a laundry tub or sewer line with a "P" trap. It shall not drain to the outside open areas.
3. Water softeners shall be screened from view from the street with shrubs or other landscaping under the same guidelines as those for screening HVAC and swimming pool equipment.

NOTE: Provided that the above guidelines are followed, no Alteration Application is required; however, to deviate from this guideline, an Alteration Application must be submitted to the ACC prior to instituting the change.

Windows - Replacement, Tinting and Treatments

1. Originally installed windows may be replaced with windows of similar style. Replacement window frames shall match existing window frames unless all windows in the home are being replaced at the same time in which instance a request to change style or color may be considered by the ACC.
2. Owners may request to install energy conservation films on windows. Window tinting film applied to the interior of the windows shall be gray or neutral in color with no more than 26% solar reflectance and no less than

25% visible light transmittance (VTL) and, 45 or less minimum shading coefficient (SC).

NOTE: Installation of energy conservation films may void warranty on window. Please review your window manufacturer's warranty prior to installation.

3. The degree of darkness allowed for non-reflective tinting shall remain with the ACC on a case-by-case basis. All tinting requests must be accompanied by a brochure or manufacturer's description. All requests must include a sample of the material to be used. This sample will remain with the application and will not be returned.

4. No silver, gold or bronze reflective colors are allowed. No reflective tinting or mirror finishes (to include aluminum foil) will be permitted.

5. Window treatments shall consist of drapery, blinds, decorative panels or other tasteful window covering. Any window treatments facing the front street of the house shall be white, off-white or other neutral color (i.e. interior shutters in a wood tone).

6. Sheets or other temporary window covering may be used for periods not exceeding one (1) week after an Owner or tenant first moves into a House or when permanent window treatments are being cleaned or repaired, but in no case may they be in place for longer than one (1) week.



Policies & Procedures

INTRODUCTION TO POLICY ADOPTION

In the interest of promoting responsible governance and providing homeowners with information on how their Association is run, it is the intent of this section to define the procedure by which matters of policy consideration are pursued and show how and when members may become involved in the policy-making process.

The Association is administered by its Board of Directors, which is both empowered and responsible for establishing policies and standards for the Association that contribute to efficient governance. The individuals elected to serve on the Board have a fiduciary responsibility to make decisions that, in their opinion, serves the best interest of the community and supports the purposes of the Association, as defined in the Declaration.

Members have certain voting rights after turnover from developer control such as electing Directors to the Board or voting them off the Board; and voting on amendments to the governing documents. Beyond that, the powers of operating the Association are given to the Board of Directors. Given that structure, it is more easily understood why the policy-making process is primarily handled within the board and not as a community-wide process.

Some policies are required by State statute while other policies come about as a result of a need for process, consistency, broadened application of the governing documents, or remedy of a situation that is or may negatively impact the community.

Operational Policies and Procedures

Matters of day-to-day administration are generally tasked to the Management Company. Certain procedures are discussed by the Board and adopted into a Policy Resolution as a means of giving Management the direction and authority to act on the Board's guidance as "standard operating procedure." Matters that are procedural and relate directly to the services of Management include (but are not limited to):

1. Collection of unpaid assessments;
2. Enforcement of covenants;
3. Inspection and copying of Association records by unit owners; and
4. Financial management, including investment of reserve funds
5. Board Member Code of Ethics
6. Conduct of Meetings
7. Adopting and amendment of policies, procedures and rules.

These procedural policies are established by completing a thorough review of the Association's Governing Documents and then adding, as determined appropriate by the Board of Directors, any additional steps to more clearly define the process, as many

times the Governing Documents are written in generalities, lacking specific details that would make a process complete.

Operational policies are typically drafted with direction received from the Management Company, based on their experience and expertise. Prior to the policy being finalized, it is reviewed by the Association's legal counsel to ensure that it complies with the Governing Documents and other governing authorities.

Operational policies may be amended as deemed necessary and/or appropriate by a majority vote of the Board of Directors.

Community Standards

Rules for the community, referred to as the "Community Standards," may be proposed by:

1. Recommendation by a Member;
2. Recommendation by a committee member;
3. Recommendation by a Board member or collectively by the Board; or
4. Recommendation by management.

When a recommendation for a policy which establishes (or amends) a community standard is received, the Board of Directors shall discuss the merits of the proposed standard(s) in its regular board meeting, which is held in open session. The Board typically will not solicit input from the Members prior to voting on a matter such as this; however the Board may opt to obtain feedback from some or all of the Members prior to making a final decision.

Once a new standard (or amended standard) has been approved by the Board, it is documented for distribution to the membership. Such distribution may be done by electronic notice, written notice distributed by U.S. Mail, community newsletter, website, or new resident welcome packet.

A Member has the right to voice their disapproval of a policy and/or standard (hereafter referred to collectively as "policy") voted by the Board. The Member must request, at least one week prior to the meeting, to be placed on the meeting agenda. At the meeting, the Board will hear the Member's opinion. (The Board may limit the amount of time that the Member is given to present their issue.) Upon consideration of the information presented, the Board will make a decision as to whether the policy should be revised or rescinded.

Policies that have been adopted by the Board as of this edition of the Community Standards are included in the pages that follow.

ARCHITECTURAL APPLICATION FEES

Section 19.8.1 of the Declaration for Whispering Oaks Preserve Homeowners Association, Inc. provides the Architectural Control Committee (ACC) the right to establish fees for modification applications to the exterior of homes and Lots.

An application fee will not be required for each application submitted to the Architectural Control Committee ("ACC") for review; however, any application requiring professional consultation where a fee is involved will have such fee charged back to the Owner who submitted the application.



ASSESSMENT COLLECTION POLICY

- **Due Dates.** The annual and/or monthly assessment as determined by the Association and allowed for in the Declaration, Articles of Incorporation and Bylaws ("the Documents") shall be due and payable on the first day of the month. Assessments or other charges not paid to the Association by the tenth (10th) day of the month in which they are due are subject to late charges, interest and collection costs.
- **Coupons.** The Management Company will provide each Owner with a coupon book annually. If Owner fails to receive a payment coupon at the beginning of each year or within six weeks of the time of closing, said Owner should contact the management company to request payment coupons or send payment directly to the managing agent's office in a timely manner. All Owners are required to submit a payment coupon with their maintenance fee check. Since payments are mailed directly to the bank's lock box, all payments processed without a payment coupon can be delayed up to and exceeding ten days from the date of receipt by the management company.
- **Late Charges Imposed on Delinquent Assessments or Installments.** Any Assessment not paid by the tenth (10th) day of the month in which it was due is subject to a late charge. The Association shall impose a late charge in the amount of twenty-five dollars (\$25). The late charge shall be the personal obligation of the Owner(s) of the Lot for which such assessment or installment is unpaid. Late charges are charged on assessment installments and not on any other costs. All late charges shall be due and payable immediately, without notice.

- **Interest Imposed on Delinquent Assessments or Installments.** Any Assessment not paid by the tenth (10th) day of the month in which it was due is subject to an interest charge. The Association shall impose 18% interest, per annum on the outstanding or past due balance. Interest is added monthly at the rate of 1½% on any unpaid assessment amount. Interest is not added to late charges, collection costs, legal fees or any other type of charges except assessments. The interest shall be the personal obligation of the Owner(s) of the Lot for which such assessment or installment is unpaid.
- **Collection Costs.** All costs and charges incurred by the Association shall become the personal obligation of the Owner(s) of the Lot for which such assessment or installment is unpaid. All late charges shall be due and payable immediately, without notice. This includes costs of all letters required to be sent by Certified Mail and any management fees related to collection of the past due assessment(s).
- **Return Check Charges.** In addition to any charges imposed under the Documents, the Rules and Regulations of the Association, or this Resolution, the following applies to returned checks or other instruments irrespective of the reason for return:
 - a. A returned check charge, in the same amount charged the Association by the bank plus any administrative charges from the Community Management Company, shall be assessed for any returned check irrespective of the reason for return. This charge is in addition to the late fee.
 - b. Such return check charge along with the value of the dishonored check or other instruments shall be payable immediately, upon demand.
 - c. Notwithstanding this provision, the Association shall be entitled to all additional remedies as may be provided by applicable law.
 - d. If two (2) or more checks or other instruments are returned unpaid by the bank within any fiscal year, the Association may require that all the Owner's payments for a period of one (1) year, be made by certified check or money order.
 - e. If after this one (1) year period, any checks or other instruments are returned unpaid by the bank, the Association may require that all of the Owner's future payments be made by certified check or money order.
- **Attorney Fees on Delinquent Accounts.** As an additional expense permitted under the Documents, the Association shall be entitled to recover its reasonable attorney's fees and collection costs incurred in the collection of any assessments or other charges due the Association from a delinquent owner. The reasonable attorney's fees and other collection costs incurred by the Association shall be due and payable

immediately when incurred, upon demand. These charges may be considered an Individual Assessment.

- **Application of Payments Made to the Association.** Payments received from an Owner will be credited in the following order of priority:
 - a. Interest, then to late fees, then to court costs and other costs of collection
 - b. Legal fees
 - c. All other charges incurred by the Association as a result of any violation of an owner, his/her family, employees, agents, licensees, of the Documents, Rules and Regulations or Resolutions
 - d. The General and/or Special Assessments for a Lot. Payments shall be applied to the oldest month owed.
- **Member in Good Standing Status.** Any amounts owing for more than thirty (30) days, including late charges, collection costs, fines, and assessments shall result in the Member losing Good Standing Status. All services included in the monthly assessment are subject to interruption or disconnect. The Association may refuse to approve any Architectural Alteration Applications.
- **Acceleration of Assessments.** Payments not made in a timely manner may be accelerated by the Board of Directors making the entire balance of the remaining assessments for that period due and payable within 15 days after the notice to Owner is mailed.
- **Collection Letters.**
 - a. After any Assessment or other charge due the Association becomes ten (10) days past due, the Association may cause, but shall not be required to send, a "late notice" to the owner who is delinquent in payment.
 - b. If payment becomes thirty (30) days past due, the Association shall send a notice allowing the owner forty-five (45) days to make payment of all amounts due, including interest, late charges, attorney fees and any other costs associated with the preparation of the notice. The notice must be sent by registered or certified mail, return receipt requested, and by first class mail to the owner at their last address as reflected on the Association's roster, if the address is a United States address. If the address on the roster is different than the parcel address, then the notice must also be sent to the parcel address. If the address on the roster is not a United States address, then the notice will be sent to the out of country address and the parcel address by U.S. mail.

- **Liens.** The Association may file a Notice of Lien against the property of any owner in accordance with the terms and provisions of the Documents. A copy of the recorded Notice of Lien shall be mailed to the owner and Mortgage Lender with a request that the lender send a letter to the delinquent owner advising the owner of the lender's option to accelerate the mortgage debt. These actions are performed by the Association's attorney and the costs for these actions, which are usually several hundred dollars, are added to the lien amount.
- **Referral of Delinquent Accounts to Attorney.** The Association may but shall not be required to refer delinquent accounts to its attorney for collection. Upon referral to the attorney, the attorney shall take all appropriate action, including legal required notices, to collect the accounts referred. Once the Association has referred a delinquent account to its attorney for collection which includes a Notice of Lien being filed against a property, neither the Association nor its managing agent shall correspond with the Owner concerning this matter nor accept payment from the Owner concerning the delinquency. The Association will pursue all remedies recommended by the attorney up to and including foreclosure.
- **Referral of Delinquent Accounts to Collection Agencies.** The Association may but shall not be required to refer delinquent accounts to one or more collection agencies for collection. Upon referral to a collection agency, the agency shall take all appropriate action to collect the accounts referred.
- **The Association may, but is not required to, grant a waiver of any provision herein upon petition in writing by an owner showing a personal hardship.** Such relief granted an Owner shall be appropriately documented in the files with the name of the person or persons representing the Association granting the relief and the conditions of relief. In addition, the Association is hereby authorized to extend the time for the filing of liens and lawsuits, or to otherwise modify the procedures contained herein, as the Association shall deem appropriate under the circumstances.
- **Attaching Rent.** If the house is rented and the Owner is delinquent in the payment of assessments, the Association shall provide notice to the Owner and tenant that all future rents shall be sent to the Association until any amounts owed the Association are satisfied.
- **Individual Assessments for Noncompliance.** Any Individual Assessments for Noncompliance that are levied in accordance with the Covenants Enforcement Policy may become a lien upon the property when the accumulated Individual Assessment balance reaches \$1,000.

- **Ongoing Evaluation.** Nothing in this Resolution shall require the Association to take specific actions other than notify homeowners of the adoption of these policies and procedures.



ASSOCIATION COMMUNICATION

- The Association's official channels of communications shall be through United States Postal Service, e-mail blasts, newsletters and the management company's web portal assigned to Whispering Oaks Homeowners Association.
- The Board has chosen not to create a social media account such as Twitter or Facebook and is not a participant in the Nextdoor App. Any such site using Whispering Oaks name is not recognized by the Association and information regarding the Association obtained on such site may be inaccurate. Residents are encouraged to communicate with the Community Manager or a Board Member regarding concerns about the Association rather than discussing on social media sites.



COVENANTS ENFORCEMENT POLICY

Background:

Upon signing a contract to purchase a home in Whispering Oaks, the buyer contractually agreed to abide by the Governing Documents of Whispering Oaks Preserve Homeowners Association, Inc. ("Association"). This contractual obligation applies to all Owners, tenants, guests and/or invitees. The governing documents include the Community Declaration for Whispering Oaks Preserve ("CCR's") which is recorded in the public records of Pasco County and any adopted rules and regulations for each Association.

Following are procedures to be followed for the failure by an Owner, their tenant, guest, etc. to abide by the CCR's and the Association's duly adopted rules and regulations:

Definitions:

Member in Good Standing Status – An Owner who is not in violation of their contractual obligation with the Association either because of unpaid assessments or unresolved or repetitive violations. Please see Member in Good Standing Policy.

Notice – any letter deposited in an official depository or collected by an authorized representative of the U.S. Postal Service which is addressed to the homeowner at the last known address provided to the Association and contains proper postage.

Receipt of Notice – date that Certified, Return Receipt letter is signed for, or the date that a Priority Letter with Delivery Confirmation is placed in your mailbox as confirmed by the U.S. Postal Service or three (3) business days following the postmarked date on any regular mail that satisfies the Notice requirements above. Failure to claim Certified, Return Receipt letters does not stop the process.

Sanctions – one or more of the following: costs relating to the violation including letters, travel time and after hours' time, costs of lawn service, etc., monetary fines, and loss of Member in Good Standing Status.

Individual Assessment for Noncompliance – an assessment that is levied against an Owner for failure of the Owner, his family, guests, invitees or employees to comply with the Association's CCR's and rules and regulations. This is described in Section 17.2.5 of the CCR's.

Process:

1. Owner (and tenant if applicable) will receive a notice from the Community Manager advising that a condition observed on the property is a violation of the CCR's or Rules and Regulations. The Owner will have fourteen (14) days to bring the violation into compliance and communicate in writing with the manager on the status of correcting the non-compliance condition.
2. Should Homeowner not comply within fourteen (14) day period:
 - a) The Community Manager will notify the Board of Directors of all open violations. At a duly noticed Board of Directors Meeting, the Board will determine if a fine will be levied and if suspension of voting rights will be imposed against the Owner/tenant in violation of the governing documents.
 - b) The Association has the right but not the obligation to abate the non-compliance matter. If the Board chooses abatement, the Community Manager will send a Notice of Abatement to the Owner seven (7) days prior to work being performed. Cost of service and any collection costs will be invoiced to the Owner of the property. Abatement will be ongoing until the Owner notifies the Community Manager in writing that they are prepared to maintain their property to Community Standards.

- c) If there is no Covenant's Enforcement Committee in place, the Board may choose to have the Association's attorney pursue compliance. Your Association's Documents provide that all costs associated with this process including legal fees may be charged to your account.
- d) If a Covenants Enforcement Committee is in place, the Community Manager shall send a final notice to the Owner who is in non-compliance, advising of the fine and/or sanction and noticing the date and time of the next Covenants Enforcement Committee Meeting. Notice shall be at least fourteen (14) days in advance of the meeting.
- e) The Committee shall review the violation, listen to any extenuating circumstances offered by the Owner and decide whether to confirm or reject the fine imposed by the Board of Directors in accordance with Florida Statutes 720.305(2)(b). Minutes of the Committee Meeting shall contain a statement of the results of the Committee Hearing and if the sanction is confirmed or rejected. Decision of the Committee must be by majority vote.
- f) Community Manager shall send a letter by mail or hand delivery with explanation of Committee action and an invoice for the fine for Noncompliance and Individual Assessment costs which are payable in five (5) days after notice of the imposition of the fine. Checks are payable to the Association. Individual Assessments, fines for Noncompliance and associated costs may be deducted by Direct Debit if authorized in writing by the Owner.
- g) If not paid in 30 days, Community Manager turns matter over to the Association's attorney who sends a final demand letter. The Owner shall be responsible for any and all reasonable attorney's fees incurred in forwarding demand letter(s) to Owner.
- h) All violations of Whispering Oaks Preserve Governing Documents are subject to a fine of \$100 per day or per occurrence; whichever is deemed appropriate by the Board, except that no such fine shall exceed \$1,000. Fines in the aggregate are not capped to any amount (i.e. if an Owner has five noticed violations, each violation may be fined \$1,000). A fine may be levied on the basis of each day of a continuing violation and there is no cap on the aggregate amount the Board of Directors may fine an Owner. (Refer to Section 20.6.4 of the Community Declaration.)
- i) Fines will begin following Receipt of Notice and will continue until corrective action is taken, and the Community Manager receives written request to re-inspect the violation. Daily fines will be suspended until the Community Manager inspects the violation and will resume if the violation fails a re-inspection by the Community Manager. Daily fines will cease when the Community Manager re-inspects the violation(s) and finds that the appropriate corrective action has been taken. Per occurrence violations will remain open for a period of one (1) year. If there is no re-occurrence of the violation during this time, the violation will be considered closed. For each re-occurrence, a fine is automatically imposed.

- j) Any Owner's account showing an unpaid fine amounting to \$1,000 or more may have a lien filed against the Lot and such lien will include the collection costs, legal fees and attorney charges associated with the collection process.
- k) Any recurrence of a previously resolved violation within ninety (90) days from the resolution will be considered a continuing violation.
- l) Owners will be restored to a Good Standing Status when all good standing criteria have been met and the violation has been rectified. After reviewing the Owner's account, the Community Manager will issue a letter stating that "good standing" status has been restored.

Note: Fines that are levied do not include costs associated with the violation notification process. In addition, revocation of Member in Good Standing Status could result in additional penalties including refusal by Architectural Control Committee to review Alteration Applications.

Covenants' Enforcement Committee Meeting Procedures

- The Covenant's Enforcement Committee shall have a published set day and time for their meetings each month. (i.e. Fourth Thursday of each month)
- The Owner/Tenant has the right to have legal counsel and/or witnesses present at the meeting.
- The Owner/Tenant will have the opportunity to state why he/she is not in compliance with the CCR's and/or Rules & Regulations of the Association and to negotiate, when reasonable, for an extension of the time period for coming into compliance.
- The Committee will listen to the case presented by the Owner/Tenant. Committee Members may question the Owner/Tenant and any witnesses that may be present.
- The Committee will review all of the information that has been presented by the Community Manager as well as interview any witnesses or complainants who may be invited to attend the hearing in order to produce evidence to substantiate their complaint.
- After reviewing all evidence and listening to testimony from both sides at the hearing the Committee will render a decision. Imposition of a fine will be by majority vote.

Please note:

- Committee will not discuss cases individually or outside of meetings.

- Committee is made up of volunteer residents who are not members of the Board of Directors, employees of the Association or family members of members of the Board of Directors.
- Fines go to Association, not the Community Management Company and are deposited into the General Operating Fund for Association use.
- It is recommended that all communication concerning your circumstances, citations, etc. be put in writing and sent to the Community Manager via email or regular mail, so that the Committee may be informed of these issues when making their decisions.
- All violation disputes must be in written form.



DRONES

(UNMANNED AERIAL VEHICLE, A.K.A. UNMANNED AIRCRAFT)

In keeping with the Association's purpose as defined in the Documents and recognizing the need to protect the privacy of owners and their guests while using common areas, to lessen the nuisance to residential homes and to recognize every resident's reasonable expectation of privacy, the following guidelines will be followed:

- All Federal Aviation Administration (FAA) regulations must be followed in the operation of an unmanned aerial vehicle.
- Unmanned aircraft being used for recreational purposes must weigh less than 55 pounds, be registered with the Federal Aviation Administration and comply with FAA hobbyist rules.
- Operator must be a minimum of 13 years of age and have a license to operate the unmanned aircraft. Operator must have their registration number and photo of the drone on file with the association.
- Drone must remain in the visual line-of-sight (VLOS) of the remote pilot in command and/or the person manipulating the flight controls.
- Small unmanned aircraft may not operate over any persons who are not directly participating in the operation, are not under a covered structure and/or are not inside a covered stationary vehicle.

- Operation of the unmanned aircraft should be within operator's airspace (lot owner's airspace if operator is a vendor or guest) and not encroach or peer into neighboring property
- Operation of an unmanned aircraft over the recreational facilities is NOT allowed.
- Operation is allowed only during daylight hours.
- No careless or reckless operations.
- Drones may not be used to record anyone without their approval being given prior to filming.
- For commercial use of unmanned aircraft, documents showing compliance with FAA rules, including a copy of the pilot's certificate should be submitted to the association prior to use of the unmanned aircraft within the community.
- Costs for repair of any damages to common property caused by an unmanned aircraft will be the responsibility of the operator. Incidents with damages over \$500 will be reported to the FAA.



EMAIL POLICY

- Board Members may receive meeting notices and support documentation, minutes, relevant correspondence and other information relating to the daily operations of the Association by email.
- Board Members may execute written consents in lieu of meeting by email.
- Committee Members may receive meeting notices and support documentation, relevant correspondence and minutes by email.
- Announcements, notices of meetings, Association Documents, Community Guidelines, forms, and the like may be distributed to Members (tenants if applicable) via email to those who consent to such receipt by providing their email address and written request.
- The Board of Directors may choose to conduct online surveys or voting.

- When e-mailing, always use the name of the community in the Subject line to ensure that the message does not go into a spam folder.
- Never write anything in an e-mail which could not be said in person or be published in the newspaper. E-mail is written, official, and discoverable documentation.
- E-mail communication should be used for communication ranging from important to informational, but not for emergencies or issues which require immediate action. Issues requiring immediate action should be telephoned into the management company office.
- The following items will not be sent nor accepted by email:
 - Assessment Certifications
 - Requests to Access Records
 - Estoppel Letters unless authorized by the recipient
 - Notices of Violations of the Rules
 - Notices of Delinquent Assessments
 - Any notices requiring executed mailing affidavits
 - Any notices, mailings, etc. not permitted to be electronically transmitted by the Association's Documents or Florida Statutes.



EXTERIOR MAINTENANCE OF STRUCTURES AND GROUNDS

The following standards shall be followed for the maintenance of all exterior improvements on a lot:

- Lots and houses shall be maintained in a neat and attractive manner at all times.
- Houses, fences and shade structures and all other structures located on the Lot must be kept clean. Algae and mildew growth must be removed at first indications of "turning green". Driveways and sidewalks must be kept clean of debris, oil, grease, mildew, mold and the like.
- Houses must be re-painted at first signs of paint failure. Signs of paint failure include but are not limited to chalking of paint, high/low colors, bare materials showing through paint, minor cracks or outline of concrete blocks showing through paint. Houses must be re-painted, or a variance request made within

forty-five (45) days of notification from the community manager that the house needs repainting.

- Damaged materials, gutters, doors, or broken windows must be replaced and appropriate touch up of surrounding area completed within thirty (30) days of notification by the community manager.
- Trash and garbage should not be allowed to accumulate or be stored in view of the public and must never be allowed to create a health hazard to others. This includes but is not limited to newspapers and flyers on the driveway, grass, tree and shrub clippings, etc.
- Storage of materials for building projects, furniture, ladders, garden supplies, shoes, toys, etc. must be out of public view and within the garage or a fenced area. Front entry porch, screened lanai or the side of the house is not an appropriate storage area.
- Limited furniture may be approved for the front entry area. All other lawn furniture, grills, etc. must be stored in the backyard out of public view (cannot be seen from the street).
- All fences must be kept clean and in good repair.
- Landscape borders, trellises and lawn ornaments must be kept in good repair and removed when damaged or when colors have faded.
- All screen enclosures must be maintained and may not become a storage area. Screens (enclosures, windows and doors) must be replaced when torn or damaged and loose panels must be re-installed. All screen material must be charcoal in color.
- Play equipment and toys should at all times be kept in the rear of the house and screened from public view by a fence or landscaping. Canvas canopies on playsets must be replaced when faded or torn.

Note: After proper notification is given to the Owner, the Association has the right to enter a property and complete any repairs or maintenance if the Owner does not respond within the specified period of time. Should the Association contract for providing the needed maintenance, the cost of materials, labor, administrative charges and out-of-pocket expenses for the Association plus any attorney fees will be charged against the homeowner and a lien immediately placed against the property if not paid within ten (10) days of receipt of invoice for the charges.



FIRES, FIREARMS, FIREWORKS, ETC.

- Fires including bonfires are not permitted to be set anywhere within the community. With the exception of covered fire pits as approved by the ACC in rear yards and under proper supervision.
- Open burning is not permitted under any circumstances.
- Firearms may not be discharged or threatened to be discharged within the community unless by a law enforcement officer.
- For the purpose of this policy, firearms are defined as all guns including BB guns and pellet guns, bows and arrows, slingshots and the like.
- Hunting on community property is prohibited.
- Fireworks other than sparklers are not to be discharged within the community property. Sparklers may be used if the current Pasco County codes permit their use and the community is not in drought conditions.



GARAGE SALES

Whispering Oaks Homeowners Association may coordinate and pay for the advertising of two community wide garage sales per year. This event will be coordinated by the Community Spirit Committee. Individual garage sales will not be permitted.



INSPECTION AND COPYING OF ASSOCIATION RECORDS

- **Records Defined**
 - a. The records available for inspection and copying by a Member are those designated by Florida Statute 720.303 (4) and (5) as amended from time to time.

- b. The Association's Board may withhold from inspection any records that in its reasonable business judgment would fall into any of the following categories:
 - i. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including but not limited to, any record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion litigation strategy, or legal theory of the attorney or the association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceeding until the conclusion of the litigation or administrative proceedings.
 - ii. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a parcel.
 - iii. Personnel records of the Association employees, including but not limited to, disciplinary, payroll, health, and insurance records.
 - iv. Medical records of parcel owners or community residents.
 - v. Social security numbers, driver's license numbers, credit card numbers, electronic mailing addresses, telephone numbers, emergency contact information, any addresses for a parcel owner other than as provided for association notice requirements, and other personal identifying information of any person, excluding the person's name, parcel designation mailing address and property address.
 - vi. Any electronic security measure that is used by the association to safeguard data, including passwords.
 - vii. The software and operating system used by the association which allows the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.
- c. A list of members containing their addresses and parcel identification number shall not be released to anyone not a Member.
- d. Minutes are not part of the official records until approved by the Board or in the case of a Members' meeting by the Members.
- e. Financial Statements including any supplement reports are not part of the official records until accepted by the Board at their next meeting.

- f. The Association and its' managing agent are not responsible to create special reports for the purpose of satisfying this policy.

➤ **Persons Entitled to Inspect or Copy**

Every member shall have the right to inspect or copy the Association's records in compliance with the rules and procedures contained within this policy. A Member may authorize, in writing, an attorney or other designated representative to conduct the inspection or request copies on the Member's behalf. Any such authorized representative shall be considered a "Member" for purposes of this policy.

➤ **Written Request Required**

- a. Inspection or copying shall be limited to those records specifically requested in advance, in writing by certified mail as specified by FL Statute 720.303 (4) and (5). Record inspection requests will not be accepted verbally, by email or by fax.
- b. A Member who wants to inspect or copy the Association's records shall submit a written request to the Association's office or complete and submit the attached Request for Access to the Association Books and Records Form.
- c. The request shall specify the particular record desired, including pertinent dates or time periods. The request shall be sufficiently detailed to allow the Association to retrieve the particular record(s) requested.
- d. The Association shall make the records available for inspection no later than the tenth (10th) business day after receipt of a written request submitted by certified mail, return receipt requested. This timeframe may be extended by the Member's written request, or if the records are so voluminous or otherwise in such condition as to render this timeframe unreasonable.
- e. The Association shall notify the Member (by telephone, in person, or in writing, including certified, return receipt requested) that the records are available, and specify the time date and in place for the inspection.

➤ **Inspection Rules**

- a. All inspections shall take place at the Association's office or such other location as the Association designates as long the location is within 45 miles of the Association.
- b. Hours of inspection are between 9:00 am and 5:00 pm Monday through Friday excluding legal holidays.

- c. The record inspection session shall not extend beyond one eight (8) hour business day per month.
- d. The record inspection shall be under the supervision of someone designated by the Association to monitor and assist in the record inspection. The Association may institute any supervision or reasonable security measures to safeguard the integrity of the records.
- e. No Member shall remove original records from the location where the inspection is taking place.
- f. Members shall not alter the records in any way. Marks may not be made on any record and the record sequence shall not be altered.
- g. The maximum number of Members present during the inspection shall not exceed four (4).

➤ **Copying Rules**

- a. If a Member wants a copy of any record, the Member shall designate in writing the record desired. Any written request shall designate the specific record or portion thereof.
- b. During an inspection, the Member may designate such record by use of a tab, clip, or sticky note on the page or pages desired.
- c. If the Association has a photocopy machine available where the records are maintained, it must provide Members with copies on request during the inspection if the entire request is limited to no more than 25 pages.
- d. A Member may use a portable device including a smartphone, tablet, portable scanner or any other technology capable of scanning or taking photographs, to make an electronic copy in lieu of the Association's providing the Member with a copy of such records.

➤ **Inspection Costs**

- a. The Association may impose fees to cover the costs of providing copies of official records, including the costs of copying and the costs required for personnel to retrieve and copy the records if the time spent retrieving and copying the records exceeds ½ hour and if the personnel costs do not exceed \$20 per hour. This includes the Manager's trips to storage to retrieve archived records.
- b. Personnel costs may not be charged for records request that result in the copying of 25 or fewer pages.

- c. The Association may charge up to \$.25 per page for copies made on the Association's photocopier. If the Association does not have a photocopier available where the records are kept or if the records requested to be copied exceed 25 pages in length, the Association may have the copies made by an outside duplicating service and may charge the actual cost of copying, as supported by the vendor invoice.
- d. A duplexed page is considered to be 2 copies.
- e. Copy costs shall be paid by personal check at the time of or prior to the copies being delivered.
- f. Copies shall be available within 5 working days from the receipt of the request following a records inspection. If the Member has prepaid and the copies are not available within 5 working days, payment shall be returned, and the copies shall be free.
- g. In rare cases, the request for copies may be so voluminous in nature or condition that this 5 working day timeframe may be impractical. In such cases, the Member shall be so informed, and the copies made available as soon as practical.
- h. Copies shall be mailed, certified, return receipt requested to the address of record on file with the Association or to the attorney or designated representative's place of business. Certified mail postage and processing costs shall be reimbursed to the Association by the Member.

➤ **Manner of Inspection or Copying**

- a. All people inspecting or requesting copies of records shall conduct themselves in a business-like manner and shall not interfere with the operation of the Association office or such other location where the inspection or copying is taking place.
- b. All requests for copies or assistance shall be directed to the person supervising the inspection. This person is not there to decipher the records or answer questions about them.
- c. The Association shall maintain a log detailing:
 - a) The date the written request was received;
 - b) The name of the requesting party;
 - c) A list of the requested records;
 - d) The date the Association notified the Member that the records were available;

- e) The date the records were made available;
- f) The date of actual inspection or copying; and
- g) The signature of the Member acknowledging receipt of, or access to, the records. Every person inspecting or receiving copies of records shall sign said log or a comparable receipt prior to inspection or receipt of copies.

➤ **Enforcement of Inspection and Copying Rules**

- a. The Association shall not honor any requests that do not comply with this policy. Within 5 working days of receiving a non-compliant request, the Association shall send a written notice to the person who made the request indicating the nature of non-compliance.
- b. Any Association representative (Board Member or assigned Manager) who receives an oral request for inspection or copying shall refer the person making the request to this policy, and the Association shall have no further obligation to respond until it receives a written request.
- c. The Association's Board may take available legal action to enforce these rules, including the levying of monetary fines. The Association's Board may pursue any Member for damages or injunctive relief or both, including any reasonable attorney fees for abuse of inspection and copying rights.

[A Records Request Form is located in the Forms section of this book.]



LAWN & LANDSCAPE MAINTENANCE STANDARDS

The following lawn maintenance standards apply to landscaping maintained by Owners and residents of Whispering Oaks.

Trees. Trees are to be pruned as needed and shall be maintained with a canopy no lower than eight feet (8') from the ground. Trees should be pruned during the growing season to promote shaping and thinning and to remove branches that interfere with nearby improvements, pedestrian or vehicle traffic. During the dormant season, trees should be pruned to remove dead, damaged or crossing branches and to develop the natural form of the tree. Dead or diseased trees should be removed or trimmed as soon as discovered, after taking appropriate measures to protect against the spread of disease and will be replaced as necessary to maintain the original appearance of the lot

or to conform with Pasco County minimum requirements. Tree topping which leaves limbs and branches greater than one-half inch (1/2") in diameter exposed will not be allowed. If the tree will not be replaced in its original location, the stump must be ground below the sod line, the hole filled level and sod installed.

Shrubs. All shrubs are to be trimmed as needed. Shrubs should be maintained at window ledge height but in no instance higher than the height of the first window pane. Dead shrubs shall be removed and replaced with the same size and species or an Alteration Application for a change of landscape approval filed within ten (10) days.

Grass. Grass shall be St. Augustine unless an alternative has been approved and shall be maintained in a neat and appropriate manner. In no event shall an Owner's lawn get in excess of five inches (5") in height. This includes the grass between the sidewalk and the street.

Edging. Edging of all street, curbs, beds and borders shall be performed as needed to prevent grass "runners" from growing onto driveways, sidewalks, curbs and into landscape beds. Grass along the walls of the house shall be edged. Grass along any fence shall be edged if the neighbor's yards have not been fenced. If the neighbor's yards have been fenced, they shall be responsible for edging along the fence line inside their yard. Chemical edging is not permitted.

Mulch. Mulch should be replenished as needed on a yearly basis to help control weeds.

Insect Control and Disease. Insect and disease control shall be performed on an as needed basis. Failure to do so could result in additional liability if the disease and insect spread to neighboring properties. Sod that is killed due to insect/disease shall be removed and replaced within thirty (30) days of dying.

Fertilization. Fertilization of all turf, trees, shrubs, and palms should be performed no less than three (3) times a year and according to Best Management Practices as provided by the Pasco County Extension Service or the University of Florida IFAS Extension. Follow all guidelines of the Pasco County Fertilizer Ordinance: <https://fl-pascocounty.civicplus.com/2809/Reduce-Fertilizer-Usage>

Irrigation. Watering and irrigation will be the sole responsibility of the homeowner. Owner will be required to water consistently to maintain a green and healthy lawn at all times. Irrigation maintenance will also be the responsibility of the homeowner. Sprinkler heads shall be maintained on a routine basis. Water spray from sprinklers shall not extend beyond any property line. Automatic sprinkler systems shall not cause water to run onto neighboring properties, walkways, streets or the like and shall include a timing system to limit hours of operation. All components of the irrigation system, clock, pump stations and valves shall be checked as needed by an independent contractor to assure

proper automatic operation. It is the Owner's responsibility to comply with all applicable watering restrictions. Current Pasco County Reclaimed Water Irrigation Schedule is shown below. Please note that irrigation between the hours of 8:00 am till 6:00 pm is prohibited.

If your house number ends in:	Then you may water on:	Morning Hours	OR	Evening Hours
0 or 1	Tuesday and Friday	12:01 am - 8:00 am	OR	6:00 pm - 11:59 pm
2 or 3	Thursday and Sunday	12:01 am - 8:00 am	OR	6:00 pm - 11:59 pm
4 or 5	Monday and Friday	12:01 am - 8:00 am	OR	6:00 pm - 11:59 pm
6 or 7	Tuesday and Saturday	12:01 am - 8:00 am	OR	6:00 pm - 11:59 pm
8 or 9	Wednesday and Sunday	12:01 am - 8:00 am	OR	6:00 pm - 11:59 pm
Mixed or No Address	Wednesday and Sunday	12:01 am - 8:00 am	OR	6:00 pm - 11:59 pm

Weeding. All beds are to be weeded every time the lawn is cut. Weeds growing in joints of curbs, driveways, and expansion joints shall be removed as needed. Chemical treatment is permitted. Solid plastic sheeting or polyethylene used under ground cover areas is not permitted. If landscape fabric is used, it must allow the free flow of water, air and gasses to and from the soil.

Trash Removal. Dirt, trash, plant and tree cuttings and debris resulting from all operations shall be removed and all areas left in clean condition before the end of the day. Trash may not be placed at curb until scheduled trash pick-up day.

Failure to Comply. Owners who are not in compliance with these maintenance standards will receive notification from the Community Manager and will have fourteen (14) days to comply. If non-compliant on the fourteenth (14th) day the Community Manager will notify the Board of Directors who may choose to hire a landscape contractor to bring the lawn and/or landscaping into compliance and/or the Board may fine the Owner for non-compliance and the violation will be referred to the Covenants Enforcement Committee. If the Board chooses to have a contractor provide maintenance services, an administrative fee of \$25.00 plus the cost of the lawn contractor's services which will both be an Individual Assessment against the Lot.

NOTE: Based upon SWFWMD and Pasco County restrictions that may be placed upon irrigation during times of drought, portions of these Landscape Maintenance Standards may be suspended until such time as the restrictions are lifted.



MEMBER CODE OF CONDUCT

- Improper conduct, obscenities, verbal or physical threats by Members (and tenant if applicable) will not be tolerated anywhere on community property. Actions of any person of any nature, which may be dangerous, create a health or safety problem, create a hostile environment, or disturb others, are not permitted. This includes noise, intoxication, quarreling, threatening, fighting, offensive or abusive language or behavior. Members (and tenant if applicable) are responsible for the behavior of their family, guests and invitees.
- Loud noises or noxious odors from motor vehicles (including automobiles, motorcycles and off-road vehicles) or large power tools must be kept to a minimum.
- Items that may unreasonably interfere with the television, radio reception or bandwidth of any Owner may not be located, used or placed on any portion of the community.
- Any noise which unreasonably interferes with the peaceful occupation of a resident's premises is prohibited. Playing of loud music whether recorded, transmitted via radio, television or other means, or from instruments being played will not be permitted. Exception to this will be block parties or other sanctioned events of the Association.
- Members (and tenant if applicable) are expected to conduct themselves properly with due consideration for each other and Members of the Association. Members (and tenant if applicable) shall not engage in any behavior that would create liability, higher insurance costs, negative publicity or the like for the Association. The Board of Directors has the power to discipline any person for conduct, which in its opinion tends to endanger the welfare, interest or character of the Association, its Members, residents, tenants, officers and directors, agents, vendors and contractors, and guests and invitees.
- Members (and tenant if applicable) must at all times behave with common courtesy and civility, and refrain from the use of abusive, rude, threatening, or crude language. There shall be no attempt to intimidate, harass, threaten or attempt through any means to control or install fear in other Members, residents, tenants, officers and directors, agents, vendors and contractors, and guests and invitees.
- Language will be professional, and differences of opinion shall be expressed in a clear and business-like fashion. Personal attacks, slurs, obscenities or the like

against Members, residents, tenants, officers and directors, agents, vendors and contractors, and guests and invitees are prohibited and are not consistent with the best interest of the Association.

- Any person who verbally threatens the physical well-being of another person, or who engages in behavior which may be dangerous, create a health or safety problem, create a hostile environment, or otherwise disturb others may be reported to the local law enforcement agency.
- Management shall have the right to ask any person(s) to cease their conduct and/or leave the premises as a result of conduct which serves to harass or annoy other persons using the community property. If the person(s) causing or participating in inappropriate behavior refuse to cease their activities and/or leave the premises promptly when directed, they will be advised that the failure to do so immediately will accelerate the seriousness of the violation of this rule and fines may be assessed accordingly. **At the discretion of Management dealing with the situation, they may seek assistance of the local law enforcement agency to maintain order.**

Note: For the purpose of the above, "Management" shall be defined as a representative of the Management Company or a Member of the Association's Board of Directors



MEMBER PARTICIPATION AND CONDUCT AT ASSOCIATION MEETINGS

Whispering Oaks Preserve Homeowners Association shall conduct an annual meeting of the Membership, Board of Directors Meetings and special meetings as necessary. Every Member of Whispering Oaks Preserve Homeowners Association shall have the right to speak at meetings to the extent required and permissible under Florida Statute Section 720.303 (2). Members are invited to attend all meetings. It is essential for the efficient transaction of Association business being conducted at these meetings that all Members conduct themselves in an appropriate manner that serves the best interests of the whole Association. Members are expected to adhere to the following Code of Conduct at all meetings. When fewer than ten (10) Members are in attendance, some codes may be relaxed. The Association shall have the authority to enforce this Code of Conduct using any means available under the governing documents or state law.

- At meetings of the Board of Directors, the Members will not participate in the business portion of the meeting (with the exception of agenda items where 20% of the Membership has petitioned in accordance with state statute to address the topic).
- At every Board meeting, a public forum will be held at the beginning of the meeting to allow Members to address concerns regarding the agenda or other Association related items. Members must sign in with the Secretary in order to be recognized and will be allowed a maximum of three (3) minutes to speak. If a particular concern warrants a Board action, it will be placed on the agenda for the next scheduled meeting of the Board. In cases where an action is needed sooner than the next scheduled meeting, the Board may consider the topic under New Business or choose to take an action without a meeting and ratify the action at the next scheduled meeting.
- Members must sit quietly and refrain from speaking until recognized by the meeting chair.
- Members must not interrupt anyone who validly has the floor, or otherwise disrupt the meeting.
- When speaking, Members must abide by the time limit that has been adopted by the Board. Unless announced otherwise at the beginning of the meeting, the time limit will be three (3) minutes.
- Members must refrain from engaging in personal oral attacks on either Board Members or fellow Association Members and should refrain from using other Members' names when speaking.
- All remarks should be addressed to the Board, not the audience.
- During General Membership Meetings, comments must be confined to the agenda item being discussed.
- Members should identify themselves by stating name and address prior to addressing the membership.
- Members may not speak for a second time until everyone who wants to speak has been given a chance to speak once.
- Members may not speak more than twice on any one issue, subject to the discretion of the meeting chair.
- Members must obey all orders made by the meeting chair, including an order to step down.

- Members must at all times behave with common courtesy and civility, and refrain from the use of abusive, rude, threatening, or crude language.



MEMBERS IN GOOD STANDING

- A Member in “good standing” shall be defined as a Member who has fully paid all installments due for assessments made against the Member and/or his/her Lot, together with all interest and late charges, costs, attorney’s fees, penalties, fines and other expenses.
- A Member in “good standing” shall be defined as a Member who has no unresolved violations of the Community Standards or the CCR’s.
- A Member in good standing shall be further defined as a Member who has not received a second warning or higher on any violation within the last twelve (12) months or a cumulative number of more than four (4) citations.
- Members who seek to challenge a determination that they are not in good standing shall be heard by the Covenants Enforcement Committee.
- Members who are not in good standing, as defined in items 1, 2, and 3 above shall not be permitted to serve on the Association’s Committees, Board of Directors, etc.
- Members who are not in good standing, as defined in items 1 and 2 above, are considered in default of their contractual obligation to the Association and until this breach of contract is cured, the Association may choose not to consider any Architectural Alteration Applications.



PET POLICY

- No more than four (4) pets consisting of any combination of dogs, cats, bunnies, ferrets or other small domestic pets may be harbored in a home. Exotic animals, monkeys, swine and poultry are not allowed within Whispering Oaks.
- All pets must be indoor pets and may not be kept or housed within fences, in cages or pens on the outside of the home.
- Animals may not be tied or chained on any Lot, patio, balcony, porch or in the common areas.
- To report any other type of nuisance wildlife, contact the Florida Fish & Wildlife Conservation Commission. The phone number is (863) 648-3200. For detailed information, visit www.myfwc.com.
- All pets are subject to the Pasco County Leash Law and must be leashed and under control when outside. Dogs and cats are not permitted to roam unattended throughout the neighborhood.
- Pets are not permitted within retention or other natural areas, or on another Owner's property without their permission.
- Animal noise cannot interfere with the quiet enjoyment of residents.
- Designated areas for pets (dogs and cats) are along the main streets on the grassy area between the sidewalks and paved road surface or within the confines of the Owner's property.
- Dog runs or similar enclosures will not be permitted.
- **Any pet (dogs and cats) feces must be removed by the individual in attendance and disposed of in the Owner's personal trash receptacle or Doggie Waste Station container if available. Depositing pet feces in retention areas, storm drains or on other community property is prohibited.**

NOTE: To keep odors under control within the garbage container, place one untreated charcoal briquette in the container each time the garbage container is emptied.

- Pasco County Ordinances require that all dogs and cats be vaccinated against rabies annually and all dogs shall wear a current County animal license tag.
- Any pet which becomes dangerous or an annoyance or nuisance in the neighborhood or nearby property may be subject to removal from Whispering

Oaks. Upon being given notice to remove the pet, the Owner must comply within 48 hours. A nuisance for purpose of this section shall follow those nuisances outlined in the Pasco County Ordinances as shown below:

“A dog may be considered a nuisance under the following circumstances, but it is not restricted to:

1. Frequent or continued barking or howling between the hours of 11:00 p.m. and 6:00 a.m.
2. Frequent or continued barking or howling for periods of ten or more minutes at any time.
3. Repeatedly digging into, breaking, injuring or damaging shrubbery, trees, lawns, garbage, or stored materials on public or private property.
4. Frequent or habitual depositing of excreta on property not belonging to the dog owner without the property owner's consent.
5. Repeatedly running at large on public or private property.
6. Repeatedly chasing vehicles while off the property of the owner.
7. Repeatedly chasing passers-by while off the property of the owner.
8. Repeatedly attacking or attempting to attack other animals while off the property of the owner.”

- Pasco County Ordinances are enforced by Animal Services.

Pasco County Animal Services
19640 Dogpatch Lane
Land O' Lakes, FL 34638
(813) 929-1212
animalservices@pascocountyfl.net



PORTABLE STORAGE/MOVING CONTAINERS

- Portable storage/moving containers (commonly known as P.O.D.S.) or any similar units designed for the temporary storage or transportation of a resident's personal household goods must be located in the resident's own driveway for no more than five (5) consecutive days.
- Such containers may not be located on the streets, any common areas or community property or in designated fire or traffic lanes and may not block

public sidewalks or obstruct the access of other residents. Such containers may be located in a neighboring resident's driveway with the neighboring resident's prior written permission.

- Use of such containers for commercial or home business storage or for a period in excess of five (5) days is expressly prohibited. These containers shall not be used for long-term storage on-site. If longer-term storage is needed, please utilize an off-site storage facility. Under special circumstances, the Association may issue permits for time extensions and schedule variations, provided that permission is requested ahead of time.
- After proper notification is given to the Owner, the Association has the right to enter a property and have the container removed if the Owner has failed to comply with these standards. All related costs to enforce these standards including administrative charges and out-of-pocket expenses for the Association plus any attorney fees will be charged against the homeowner and a lien immediately placed against the property which will remain until paid in full together with all administrative, out-of-pocket and attorney's costs.



RECORDING OF MEETINGS BY MEMBERS

Whispering Oaks Preserve Homeowners Association, Inc. (the "Association") conducts an annual meeting of the Members, meetings of the board of directors of the Association, meetings of committees of the Association, and special meetings as necessary. Members have the right to tape record or video tape a meeting to the extent permissible under Section 720.306(10), Fla. Stat. Members are expected to adhere to, and the Association shall be entitled to enforce, the following policy at all annual meetings of the Members, meetings of the board of directors of the Association, meetings of committees of the Association, and special meetings. The Association shall have the authority to enforce this policy using any means available under the governing documents of the Association or applicable law.

Any Member may tape record or videotape annual meetings of the Members, meetings of the board of directors of the Association, meetings of committees of the Association, and special meetings, subject to the following restrictions:

- The only audio and video equipment and devices which Members are authorized to utilize at any such meeting is equipment which does not produce distracting sound or light emissions.
- All audio and video equipment shall be assembled and placed in position at least fifteen (15) minutes in advance of the scheduled commencement of the meeting.
- Anyone videotaping or recording a meeting shall not be permitted to move about the meeting room in order to facilitate the recording.
- No tape recording or videotaping of any meeting shall interfere with or obstruct the meeting, and none of the equipment used for taping shall interfere with or obstruct any Member's or director's view of the meeting or ability to hear the meeting.
- Advance notice shall be given to the board of directors by advising the community association manager or the secretary of board of directors in writing of a Member's intent to utilize any audio or video equipment. Said notice shall be received no later than one (1) business day prior to the date of the meeting.
- As a courtesy to Members in attendance, the person recording the meeting must state to the attendees that they are doing so at the start of the meeting.
- Video or audio recordings of meetings of the board or of the Members cannot be released or distributed outside of the Association without the written consent of the board and any Member who appears in or was present at the meeting.
- There shall be no audio or video taping of meetings by a third party (non-Member) without a written request and written approval by the board of directors.



VEHICLE PARKING, MAINTENANCE & STREET USAGE

NOTE: For purposes of these guidelines, the term vehicle shall include but not be limited to personal passenger vehicles, commercial vehicles of any kind, limousines, recreational vehicles, buses, tractors (with or without trailer attached), portable storage containers or similar moving containers, boats, jet skis, boat trailers, house trailers, and trailers of every other type including horse trailers and utility trailers, motor homes, tractor trucks, campers, go carts, golf carts, motorcycles, motor scooters, trail bikes, all-terrain vehicles or any other related form of transportation devices.

Commercial & Recreational Vehicles:

- No vehicles displaying commercial advertising (lettering, graphics or other commercial insignia) shall be parked within the public view with the exception of:
 - a. vehicles used by a company that is providing a service to the common areas or a resident. These vehicles may only be parked within Whispering Oaks for the time that the service is being provided; or
 - b. such lettering, graphics or insignia is/are completely covered with a magnetic or other type covering of the same color as the vehicle.
- Commercial vehicles used in business for the purpose of transporting goods, equipment and the like shall only be allowed to be parked inside of the home's garage and may not be parked within the public view. The only exception is a service provider while providing a service to the common areas or a Member's residence and these vehicles may not remain parked within Whispering Oaks overnight.
- No vehicle displaying racks, hooks, tool boxes or ladders may be parked within Whispering Oaks except by a service provider while providing a service to the common areas or a resident. These vehicles may not remain parked within Whispering Oaks overnight unless parked within the home's garage.
- The term commercial vehicle shall not be deemed to include recreational or utility vehicles (i.e. Broncos, Blazers, Explorers, etc.) up to 21'5" in length or clean "non- working" vehicles such as half ton to 1 ton pick-up trucks, vans, or cars if they are used by the Owner on a daily basis for normal transportation and does not have lettering, graphics or other commercial insignia on it.
- For any resident who drives an automobile issued by the County or other governmental entity (i.e., police cars), such automobile shall not be deemed to be a commercial vehicle and may be parked in the garage or driveway of the home.

- These provisions shall not apply to construction vehicles in connection with the construction, improvement, installation or repair by developer or builders of homes, common areas or any other Whispering Oaks facility.
- No commercial vehicle, limousines, recreational vehicle, boat, trailer, including, but not limited to, boat trailers, house trailers, and trailers of every other type, kind or description, or camper, may be kept within Whispering Oaks except in the garage of a home. Notwithstanding the foregoing, a boat and/or boat trailer may be kept within the fenced yard of a home so long as the boat and/or boat trailer, when located within the fenced yard, are fully screened from view by such fence and cannot be seen above the fence line or through the fence sections.

Maintenance:

- Except in the garage of a home, no maintenance or repair, except emergency repair (locksmith, tire replacement, broken window replacement) shall be made within Whispering Oaks nor shall vehicle repair equipment (mechanic lifts, transmission pullers, etc.) be stored or operated in the public view.
- No vehicle which cannot operate on its own power or which does not have a current license plate shall remain in Whispering Oaks for more than twelve (12) hours, except in the garage of a home.
- No vehicles shall be stored on blocks, nor may inoperable vehicles or vehicles with parts removed be stored or parked outside of a garage within Whispering Oaks.

Street Usage & Parking:

- Streets within Whispering Oaks are owned by the Whispering Oaks Preserve Homeowners Association. Rules and regulations regarding overnight parking by residents on streets and amenity parking lot may be adopted and enforced by the Association.
- Residents' automobiles shall be parked in the garage or driveway. Vehicles parked in a manner that blocks the sidewalk creates a safety hazard for pedestrians, children and those with disabilities.
- Parking on the grass whether on the lot or on common area is not allowed.
- No vehicles of any nature shall be parked on any portion of Whispering Oaks or a lot except on the surfaced parking area thereof.

- Streets are intended for the use of motor vehicles only. Playing games or congregating on the streets creates a hazard for drivers and those who are using the streets inappropriately.
- No vehicles bearing a “for sale” sign shall be parked within the public view anywhere within Whispering Oaks or on any public right-of-way.
- No tarpaulin covers on vehicles shall be permitted anywhere within the public view.
- Per Florida Statute 322.03, mopeds, motorized scooters and mini cycles are prohibited from being operated on the sidewalks or streets within Whispering Oaks while under engine power.
- Golf carts must be registered with the Association to be driven within Whispering Oaks. Current Florida license plate and proof of insurance are required. Golf carts may only be operated by a licensed driver. Additional restrictions relating to usage of golf carts can be found in the Community Declaration Section 12.4.5. Golf carts must be stored in the garage when not in use.

Special Circumstances:

- It is understood that there will be times when street parking is unavoidable. In order to allow traffic to flow safely, the Association asks that vehicles park only on the one side of the street – the side with even numbered addresses. Parked vehicles should not block driveways or be parked on the grassy area between the street and sidewalk where irrigation heads may be located.

Towing:

- Section 12.4.4 of the Declaration of Covenants grants the Association the right to tow vehicles that are parked in violation of the Declaration or rules and regulations of the Association. A regulation towing sign may be posted at the entrance of the community in compliance with Florida Statutes 715.
- Any resident or guest in violation of the parking guidelines will be subject to having their vehicle towed at their sole expense if the vehicle remains in violation for a period of twenty-four (24) hours from the time a notice of violation is placed on the vehicle or if the vehicle was cited for such violation within the preceding fourteen (14) day period.
- The Association has the right to tow vehicles from an Owners’ lot if in violation and proper notification has been given to the Owner.
- The Association is not obligated to tow vehicles parked on streets within Whispering Oaks.

Violations:

- Residents who report a violation of this policy to the community manager should provide a description of the violation and the day and time that the violation occurred. A photo should also be included if possible. The address of the vehicles' owner or persons involved is required.



VOLUNTEER STANDARD OF CONDUCT & RESPONSIBILITIES

Volunteers of Whispering Oaks Preserve Homeowners Association, Inc. (Association) must demonstrate by their example the highest standards of ethical conduct, to the end that the general membership of the Association may justifiably have trust and confidence in the integrity of the Association. They shall serve as a member of the Board of Directors or of an Association committee for the benefit of the Association, shall recognize that the Association's interest is their primary concern, and shall faithfully discharge the duties of their position to the best of their abilities and regardless of personal considerations.

Conflicts of Interest

No Board Member or Committee Member shall:

- Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form, under circumstances in which it can be reasonably inferred that the gift is intended to influence him/her in the performance of his/her board or committee duties.
- Disclose confidential information gained by reason of his/her position or such information for the personal gain or benefit of anyone.
- Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of his/her duties or which may tend to impair his/her independence of judgment in the performance of his/her board or committee duties.
- Represent private interests in any action or proceeding against the interests of the Association.

- Vote on any question before the board or committee affecting his/her financial interests or that of his/her employer, business, or professional affairs or that of his/her immediate family, provided nothing shall preclude him/her from participating in any discussion on the question, unless a majority of the board or committee present, and voting decides to exclude him/her from the discussion.

Disclosure of Interest

- Any board or committee member who acquires such interest as may reasonably tend to create a conflict with the Association interest will make full disclosure in writing to the President of the Board or Chairman of the committee at such time as any conflict becomes apparent. Any Member of the board or committee, who knows that he/she has a personal or private interest, direct or indirect, in any proposal before the board or committee, will disclose such interest in writing to the board or committee. Such disclosure will be made a matter of official record prior to the taking of any vote on such proposal and the board or committee Member with the interest shall not vote on the proposal.

Fair and Equal Treatment

- No board or committee member will use his/her board or committee position to secure or grant special consideration, treatment, advantage, privilege or exemption to himself/herself or any person beyond that which is available to every other Association Member.
- No board or committee member will use his/her position to make promises or threats to Association Members.

Conduct

As a board or committee member I will:

- Fulfill my duties and responsibilities in a cordial and pleasant manner.
- Treat fellow board and committee members, Association Members, directors and officers, and management personnel with courtesy and respect.
- Perform only those tasks assigned to the committee by the Board and to me by the committee chairperson.
- Raise issues in the most productive and courteous way possible.
- Commit to keep all board or committee members fully informed and understand that all decisions will be made at board or committee meetings, keeping in mind that all decisions and recommendations must be reached in the best interests of the entire community.

- Acknowledge that the president/chairperson will facilitate and coordinate all discussions during board or committee meetings and will be the spokesperson for the board or committee unless another arrangement is made by the board or committee.
- Acknowledge that there may be times when board or committee members will have a difficult time reaching consensus. During these times, I will afford other members full courtesy and respect during the discussion on the matter.
- Acknowledge that upon conclusion of my service to the board or committee, all information that I obtain through the performance of my duties while on the board or committee will remain confidential and will not be used for personal reasons.
- Acknowledge that upon conclusion of my service to the board or committee, all work papers and other records will be returned to the president/chairperson or Community Manager.

Attendance

- The committee chairperson or the Board of Directors may remove any board or committee member who fails to attend meetings on a regular basis.
- A volunteer who harasses and/or fails to treat fellow board and committee members, Association Members, directors and officers, and management personnel with courtesy and respect may be removed from their volunteer position.

Indemnification

- The Association will maintain directors and officer's insurance, to indemnify any board or committee member who is performing their assigned duties in accordance with these guidelines.
- No board or committee member shall take any action that could result in increasing insurance costs as a result of that action.

Sanctions for Violations

- Any board or committee member who violates any of these standards or does not maintain a Member in good Standing status may be removed from the board or committee by the Board of Directors.

Acceptance of Standard of Conduct and Responsibilities

- Each board or committee member will acknowledge receipt of a copy of this Resolution and indicate understanding and agreement to abide by its provisions by signing below.



I agree to the above standards of conduct and responsibilities and acknowledge that these guidelines are fundamental to the success of the board/committee and in the best interest of the Association.

Volunteer's Signature

Date



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Committee Charters

WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL CONTROL COMMITTEE CHARTER RESOLUTION

WHEREAS, Section 19 of the Community Declaration for Whispering Oaks Preserve provides for the creation of an Architectural Control Committee as a standing committee of the Association, and

WHEREAS, it is in the best interest of the homeowners and Whispering Oaks Preserve Homeowners Association to have a committee to assist in establishing and enforcing community standards and reviewing and deciding upon architectural change requests, and

WHEREAS, the Board of Directors has identified the need for such a committee;

NOW THEREFORE LET IT BE RESOLVED, that the Board of Directors of the Association does establish by this resolution an Architectural Control Committee as a standing committee of the Association.

DUTIES AND FUNCTIONS OF THE COMMITTEE

1. Purpose of the Architectural Control Committee (ACC) is to provide assistance in establishing and enforcing community standards and reviewing and deciding upon change requests, in the realm of the Association's architectural scheme.
2. Nominate and elect a chairperson, vice-chairperson and secretary. The names of the persons elected to such offices shall be presented to the Board of Directors for final confirmation.
3. Periodically review standards and guidelines for adequacy and application and present recommendations to the Board of Directors for approval.
4. Be alert to architectural problems shared by members and seek a solution to these problems.
5. Prepare articles for the community newsletter in accordance with the instructions of the Board of Directors.
6. Prepare and present to the Board of Directors comprehensive and complete minutes of all committee meetings.
7. The committee shall consist of at least three (3) members. One (1) as chairperson, one (1) as vice-chairperson and one (1) as secretary to the committee.
8. The committee shall meet monthly or as often as necessary to complete its assigned responsibilities, including voting on any architectural applications.
9. Committee chairperson or his/her alternate shall attend all committee meetings and Board of Directors meeting.
10. A committee member shall be considered inactive when, without good cause, fails to attend three (3) consecutive meetings.
11. All committee members shall act with the best interest of the homeowners and Association in mind. Personal "missions" or "vendettas" will not be tolerated.
12. The committee shall act on a consensus basis. In the case of a split decision, the chairperson will act as the deciding vote.
13. All committee members shall keep in mind they have been appointed to serve the

- community, not to act as "police" of the community.
14. Committee members shall bring serious issues to the attention of the committee, Community Manager and/or Board of Directors.
 15. When a committee member submits an application for review, they shall abstain from discussion and voting on their application.
 16. All issues discussed are considered confidential and are not to be discussed outside the realm of the meeting.
 17. The committee shall comply with the Board of Directors Resolution "Volunteer Standards of Conduct and Responsibilities".

Developer Control Period

For so long as the Developer owns any portion of the property within Whispering Oaks, the Developer shall have all powers of the Architectural Control Committee and will assign one Developer representative to serve as the Chairman of the Architectural Control Committee. The Developer retains the right to over-rule any decision rendered by the Architectural Control Committee.

WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.

COMMUNITY SPIRIT COMMITTEE CHARTER RESOLUTION

WHEREAS SECTION 9 of the Bylaws for Whispering Oaks Preserve Homeowners Association provides for the creation of committees as deemed appropriate by the Board of Directors; and

WHEREAS, the Board of Directors has identified the need to create a Community Spirit Committee within Whispering Oaks,

NOW THEREFORE, the Community Spirit Committee shall be created for the purpose as stated below and to work within the parameters as described in this charter.

The purpose of the committee is to foster a sense of community within Whispering Oaks. This is accomplished through communications (i.e. email blasts, newsletter, web-site) and community wide events such as holiday parties, community garage sales, Community Beautification Day, block parties and contests.

This committee will serve as an advisory committee to the Board of Directors and shall consist of three to fifteen residents. A member of the Board of Directors shall be designated to approve all communications prior to distribution to the community. All community activities must have the approval of the Board prior to implementation.

The Committee shall hold meetings no less than bi-monthly. There shall be a Chairman and a Recording Secretary. The Recording Secretary for the Committee shall take minutes of the meeting and provide a copy to the Board of Directors and Management within five days of the meeting.

A written report of all activities and recommendations will be provided to the Board one week prior to the regularly scheduled Board of Directors meeting. A Committee Member will attend Board meetings to provide information to the Board as requested.

All communications to the community must receive prior approval from the designated member of the Board of Directors before distribution, printing and/or publishing occur.

All meetings of the committee shall be open for any member of the Association to attend. Guests at a meeting shall not have a vote on business being conducted nor shall they interrupt the business meeting procedures in any way. The Committee Chairman may invite comments from guests at the meeting, but the committee will not be required to take an action on any comments made.

ESSENTIAL FUNCTIONS:

1. Develop an overall communications plan to inform residents of current community happenings, archive important information, and ensure that those desiring information understand how to obtain it.
2. Determine methods of facilitating community spirit, unity, etc. and once approved implement.
3. Determine methods of presenting Whispering Oaks community in a positive light throughout the local community and Pasco County.
4. Plan and publish a calendar of events which should include regularly scheduled Board and Committee meetings, special community events, annual meetings, etc.
5. Plan and implement community wide events such as socials and community garage sales. In most cases the events shall be self-sustaining.
6. Welcome all new residents to the community.
7. Perform any other responsibilities as may be assigned from time to time by the Board of Directors.

KNOWLEDGE, SKILLS AND ABILITIES:

1. Ability to be creative, plan events and encourage people to attend the events.
2. Ability to communicate effectively in verbal and written formats.
3. Ability to work as a team player and contribute to a process that protects and enhances the community as a whole.

WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.

COVENANTS ENFORCEMENT COMMITTEE CHARTER

WHEREAS Section 20.6 of the Declaration of Covenants, Conditions and Restrictions for Whispering Oaks Preserve Homeowners Association and Florida Statute 720 have provided the Association with the power to enforce the Association's governing documents by levying reasonable fines against a Member for any violation of the Bylaws; the Declaration of Covenants, Conditions, and Restrictions and the adopted Rules and Regulations of the Association, committed by such Member or any occupant of the Home owned by the Member, and

WHEREAS Section 9 of the Bylaws of Whispering Oaks Preserve Homeowners Association allows for the Board of Directors to appoint committees as may be deemed appropriate to carry out the purpose of the Association,

NOW, THEREFORE, LET IT BE RESOLVED THAT a Covenants Enforcement Committee (Committee) will be created consisting of three (3) to nine (9) Members of the Association who are not officers, directors or employees of Whispering Oaks Preserve Homeowners Association or the spouse, parent, child, brother or sister of an officer, director or employee of the Association and that the published Covenants Enforcement Guidelines will be adhered to:

DUTIES AND FUNCTIONS OF THE COMMITTEE:

The Committee shall consist of three to nine members who will be trained in the hearing process. This committee will be a standing Committee of the Board of Directors with specific delegated authority. The Committee's primary purpose is to conduct hearings and render decisions regarding the issuance of citations and imposition of penalties for violations of the Association's Covenants and Rules and Regulations and to do so consistently and impartially.

1. The Committee shall follow the Covenant's Enforcement Policy as adopted by the Board of Directors and published in the Standards for Community Living.
2. Committee Members shall review all information provided by Community Manager concerning the issuance of citation and if appropriate, visually review the violation on the resident's property prior to the meeting.
3. Listen attentively and with an open mind to residents who appear before the committee.

4. At conclusion of hearing, render written decision either upholding or rejecting the original citation and accompanying penalty imposed by the Board of Directors. Deliver opinion to Community Manager and follow up as directed.
5. The Committee Members shall hold all information regarding violations and hearings in confidence and shall not discuss with anyone who is not a Committee Member.
6. The Committee shall make any recommendations to amend or modify the Association's recorded documents to the Board of Directors.
7. Any policies, rules or regulations that the Committee feels are not clearly defined will be reported to the Board of Directors as soon as possible. This includes recommendations for new rules or additional policies that may need to be considered.
8. The Committee shall perform any other responsibilities as may be assigned from time to time by the Board of Directors.

KNOWLEDGE, SKILLS AND ABILITIES:

1. Ability to listen and logically decipher the facts.
2. Ability to interpret Rules and Regulations on a consistent basis.
3. Ability to communicate effectively in verbal and written formats.
4. Ability to work as a team player and contribute to a process that protects and enhances the community as a whole.
5. Committee members may not be related to any Board member.

DUTIES AND RESPONSIBILITIES OF COMMITTEE OFFICERS

Elections shall be held at the first Committee meeting of the year or prior to the annual meeting of the members of the Association each year, whichever occurs first. Officers shall be as follows: chairperson, vice-chairperson and secretary. Their respective duties and responsibilities are outlined below.

Chairperson:

1. Shall designate the time and place of the meeting and call the meeting to order and conduct the meeting.
2. Act as a liaison between the committee, the Board of Directors and the Community Manager. Shall be present at committee meetings and Board of Directors meetings at which a report of activities shall be presented.
3. Shall forward all reviewed applications, recommendations and such to the Community Manager and/or Board of Directors.

Vice-chairperson:

1. Shall assist the chairperson during the committee meetings. In the absence of the chairperson, shall designate the time and place of the meeting and call the meeting to order and conduct the meeting.
2. In the absence of the chairperson, shall act as a liaison between the committee, the Board of Directors and the Community Manager.
3. Shall be present at committee meetings and in the absence of the chairperson, be present at the Board of Directors meetings at which a report of activities shall be presented.
4. In the absence of the chairperson, shall forward all reviewed application, recommendations and such to the Community Manager and/or Board of Directors.

Secretary:

1. Shall record and keep comprehensive and complete minutes of all committee meetings.
2. Shall forward the minutes to the committee members, Community Manager and/or Board of Directors.
3. In the absence of the chairpersons, shall designate the time and place of the meeting and call the meeting to order and conduct the meeting.
4. In the absence of the chairpersons, shall act as a liaison between the committee, the Board of Directors and the Community Manager.
5. Shall be present at committee meetings and in the absence of the chairpersons, be present at the Board of Directors meetings at which a report of activities shall be presented.

INDEMNIFICATION:

Any member of a Committee, determined by the Board of Directors to be acting within the authority defined in this charter, shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred or imposed upon him/her in connection with any proceeding brought by a member of the Association by reason of his/her being a member of this Committee.



Standard Forms

**WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.
ALTERATION APPLICATION**

OWNER'S NAME: _____ DATE: _____

ADDRESS: _____ BLOCK: _____ LOT: _____

PHONE: _____ EMAIL: _____

PLEASE DESCRIBE IN DETAIL THE TYPE OF PROPOSED ALTERATION, MATERIALS TO BE USED, ETC. IF MORE SPACE IS NEEDED, YOU MAY ATTACH ADDITIONAL PAGES TO THIS FORM.

All applications requesting approval for any alteration which occurs outside the exterior walls of the building **MUST BE ACCOMPANIED BY A COPY OF YOUR PLOT PLAN SHOWING SURVEYORS STAMP WITH THE ALTERATION DRAWN ON IT, SHOWING LOCATIONS, DISTANCES AND DIMENSIONS. INCLUDE A SKETCH INDICATING SIZES, HEIGHTS, MATERIALS, COLORS, TYPE OF CONSTRUCTION AND OTHER PERTINENT INFORMATION AS MAY BE NECESSARY. IF THIS INFORMATION IS NOT INCLUDED, YOUR REQUEST WILL BE RETURNED TO YOU.**

If approval is granted, it is not to be construed to cover approval of any County or City Code Requirements. A building permit from the appropriate building department is needed on most property alterations and/or improvements. The Architectural Control Committee (ACC) shall have no liability or obligation to determine whether such improvement, alteration and/or addition comply with any applicable law, rule, regulation, code or ordinance. It is the owner's responsibility to ensure that they are in compliance with any applicable law, rule, regulation, code or ordinance.

As a condition precedent to granting approval of any request for a change, alteration or addition to an existing basic structure, the applicant, their heirs and assigns thereto, hereby assume sole responsibility for the repair, maintenance and/or replacement of any such change, alteration or addition. IT IS UNDERSTOOD AND AGREED, THAT WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC. IS NOT REQUIRED TO TAKE ANY ACTION TO REPAIR, MAINTAIN AND/OR REPLACE ANY SUCH APPROVED CHANGE, ALTERATION OR ADDITION, OR ANY STRUCTURE OR ANY OTHER PROPERTY. THE HOMEOWNER AND THEIR ASSIGNS ASSUMES ALL RESPONSIBILITIES FOR ANY CHANGE, ALTERATION OR ADDITION AND ITS FUTURE UPKEEP AND MAINTENANCE.

I agree not to begin the proposed alteration or any other property improvements requiring approval from the ACC until the ACC notifies me in writing of their approval and any conditions attached to the approval. I understand that all approvals automatically incorporate the conditions set forth in the Book of Standards for Community Living, current edition. I understand that the ACC has **up to forty-five days, from receipt of a complete application, including all required accompanying information,** to process, review and either approve or disapprove this **ALTERATION APPLICATION. If any change is made that has not been approved, the ACC has the right to require me to remove the improvement from my property.**

OWNER'S INITIALS _____ page 1 of 2

ALTERATION APPLICATIONS must be submitted for, **but are not limited to**, the following items:

Painting of structures, including houses, fence installations, swimming pools, spas, gas or fuel tanks whether above ground or buried, screen enclosures, satellite dishes, landscaping changes (such as adding planter/shrub beds or eliminating major portions of the landscaping. This does not include the planting or removal of annual bedding plants.), removal and/or installation of trees and any change, alteration or addition to the exterior of the dwelling, or other existing structure, or the addition of new structures to property.

PLEASE NOTE: WHEN IN DOUBT CALL YOUR COMMUNITY MANAGER FOR CLARIFICATION BEFORE STARTING ANY PROJECT ON THE EXTERIOR. THE ABOVE LIST IS JUST A SAMPLE AND NOT INTENDED TO INCLUDE EVERY POSSIBLE SCENARIO OR SITUATION.

AN ARCHITECTURAL APPLICATION FEE OF \$150 IS PAYABLE TO WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION FOR OWNERS WHO RECEIVE THEIR NOTICE OF APPROVAL PRIOR TO BEGINNING THEIR PROJECT. THE APPLICATION FEE WILL BE WAIVED. ALL OWNERS WHO BEGIN OR COMPLETE THEIR PROJECT PRIOR TO RECEIVING NOTICE OF APPROVAL WILL BE INVOICED FOR THE \$150 APPLICATION FEE. PLEASE DO NOT SUBMIT A CHECK WITH THE APPLICATION.

Signature of neighbors required if installing fence. This is a notification acknowledgement by neighbors and does not represent their approval.

Left side

Right side

Rear for back to back corner lots

DATE: _____ OWNER'S SIGNATURE: _____

DATE: _____ OWNER'S SIGNATURE: _____

ACTION TAKEN BY THE ASSOCIATION: DATE: _____

NOT APPROVED _____ REJECTED _____ APPROVED AS SUBMITTED _____

APPROVED WITH CONDITIONS (see below or attached)

Authorized Signature for the Architectural Review Committee

NOTE: Application approvals are valid for a period of six (6) months and a new Alteration Application must be submitted after that time has elapsed if the approved project has not commenced.

Return Completed Application to:

**Rizzetta & Company
5844 Old Pasco Road, Suite 100.
Wesley Chapel, FL 33544
Telephone: (813) 994 – 1001 Facsimile: (813) 994 – 294 – 2100**

TIPS FOR COMPLETION OF THE ALTERATION APPLICATION

The Architectural Control Committee (ACC) meets monthly to review applications that were submitted prior to the cutoff date for the meeting. The committee will be reviewing multiple applications – not just yours. They need each applicant to submit complete applications with good descriptions of their projects. Incomplete applications or applications that leave the committee with questions will be rejected or denied. To successfully have your application approved on the first submittal, consider the following tips:

- Before completing the application, review the ACC guidelines for your project. If your project will vary from the published guidelines, then a variance should be requested and an explanation of why the variance is being requested. Please note that some variances may require the approval of the Board of Directors as well as the ACC.
- The application is two pages – complete and submit both pages. If you are installing a fence, landscaping or swimming pool, you must also submit the appropriate Addendum to the Application.
- A copy of the FULL plot plan must be included with every application. Always show the top of the plan with the lot details and the surveyor's information at the bottom of the plan. Be sure to sketch the location of the project on the plot plan. If a blow up of a portion of the plot plan will be helpful in the description of the project, that should also be included. (NOTE: If you can feel a raised seal on the plot plan, that is an original and should be saved for future uses such as submitting for permits to the County.)
- Only one full project should be included on an application (i.e. screen existing lanai, pool with screen enclosure, or fence with street landscaping is one project)
- Provide a detailed description of the project such as "Installation of a 6' tan PVC fence beginning 10' from each front corner of the home and extending 45' feet toward the rear of the property where it will transition with a curved transition panel to a 4' open picket tan PVC fence extending for 18' on each side of the lots. The 4' open picket will continue for the width of the rear property line. There will be one 4' wide gate located on the East side of the home. "See attached", "Installing a fence" or "fence per guidelines" is not a detailed description. Your description should provide the committee with a vision of what your project will be upon completion.
- Applications for street side fences will not be reviewed without a detailed description of the landscape design to be installed outside the fence facing the street.
- Landscape plans should include the size and shape of the landscape bed, the number and types of plants to be installed. Include pictures and some details about the plants to be used (this can be copied from the internet), recommended zone for plant, size of plant to be installed and approximate size of plant when fully grown.
- Swimming pool applications must contain an application for either a screen enclosure or fence. (A child safety fence does not comply with the published guidelines.) The application will not be reviewed if this is not included.

WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.
FENCE & LANDSCAPING ALTERATION APPLICATION ADDENDUM

NOTE: This form must be signed by the homeowner and returned along with the original Alteration Application BEFORE any work is started. Should work commence prior to obtaining appropriate authorization, the Association and/or Developer shall not be responsible for any drainage issues or property damage to this Lot or any adjoining Lot.

Prior to submitting the request for a fence or landscaping, it would be wise for the Lot Owner to consider the soil conditions and drainage design for his/her lot. In most cases the home site drains to swales at the midpoint between each home. The installation of a fence or landscaping in this area will reduce the ability of the swale to drain water from the lot and can increase puddling and muddy soil conditions. Fence must be installed in a manner that will keep the fence off the ground in order to allow proper water flow.

Landscaping should never be placed in swales. This will not only create drainage problems, but most landscaping will be negatively affected by the wet conditions in the swales. It is a good idea when planning landscaping to mound the bed up so the landscaping material is planted in ground that is at least a few inches higher than the sod. Even higher mounds may be necessary for plant materials that are water sensitive. Please check with the utility companies before planting anything in the front yard as there are various utility lines installed in this area.

As a precaution, please remember that all fences must be installed with the posts on the **inside** of the homesite so that the "finished" side is on the outside.

I/we, _____, understand the above and will take proper precautions when installing my fence or landscaping.

Homeowner

Homeowner

Date

Date

Address

WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.
SWIMMING POOLS ALTERATION ADDENDUM

NOTE: This form MUST be signed by the homeowner and returned along with the original architectural applications BEFORE any work is started. Should work commence prior to obtaining appropriate authorization, the Association and/or Developer shall not be responsible for any drainage problems.

It is strongly suggested that the pool contractor review the site conditions and drainage plan for the home site, the adjoining home sites and the surrounding area. The drainage information for each home site may be found on the final survey given to each buyer at closing. The drainage plans for the subdivision are on file at the County Building Department.

Prior to starting work the pool contractor should establish a grading plan for the home site that will insure adequate positive drainage from the pool deck to the designed swales. In addition, if the neighborhood was not flat prior to development, there may be severe elevation changes between home sites that require a raised pool deck or other protective measure to keep storm run-off from entering the pool or pool deck. This run off could result in damage to the marcite finish of the pool. Therefore, it is essential that the pool contractor take unusually heavy rain events into consideration when designing the pool, pool deck and final grading plan.

I/we, _____, understand the above and will work with my Pool Contractor to comply.

Homeowner

Homeowner

Date

Date

Street Address

**WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION INC.
NOTICE OF COMPLETION FORM AND CHECKLIST**

Name _____

Address _____

Date _____

Project is Complete:

☐ Date of Completion: _____

Required Submittals:

☐ As-Built Photographs (Required for all modifications): Provide photographs of the finished project

☐ Permit: If a Permit is required by the City, County, or State, it is incumbent upon the homeowner to ensure a CO is issued and to provide the Association a copy of the Permit.

☐ Certificate of Occupancy: If a Certificate of Occupancy (CO) is required by the City, County, or State, it is incumbent upon the homeowner to ensure a CO is issued and to provide the Association a copy of the CO.

☐ As-Built Drawings (Applies to Room Additions Only): Provide as-built drawings of the finished project.

Homeowner Comments/Other Submittals:

Homeowner Certification:

Homeowner certifies that the approved modifications were completed in accordance with the approved Modification Application and associated conditions, and the Standards for Community Living. I hereby request that a Final Inspection be conducted.

Homeowner Signature

Date

Return Completed Form to
Rizzetta & Company
5844 Old Pasco Road, Suite 100.
Wesley Chapel, FL 33544
Telephone: (813) 994 – 1001 Facsimile: (813) 994 – 294 – 2100

WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.

VOLUNTEER INFORMATION FORM

1. Name: _____
2. Address: _____
3. Phone: _____ Cell: _____
4. E-mail: _____
5. I have been a member of the Association since: _____
6. I wish to be a Volunteer for (choose one) _____ Architectural Control Committee
 _____ Covenants Enforcement Committee
 _____ Community Spirit Committee
7. I have volunteered with the following organizations (include offices held): _____

8. My qualifications to be a Volunteer with this committee or a candidate include:

9. I would like to be considered as a Volunteer because: _____

10. I have read, understand, and will abide by the Volunteer's Code of Conduct as published in Whispering Oaks Preserve Book of Standards. _____ Yes _____ No

Signed _____ Date _____

**WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.
REQUEST FOR ACCESS TO ASSOCIATION BOOKS & RECORDS**

Member name: _____ Date: _____

Address: _____

Tel. #: _____

Pursuant to Florida Statute 720.303, I hereby request that Whispering Oaks Preserve Homeowners Association (the "Association") provide access to the books and records of the Association.

1. The books and records that I wish to review are (attach separate piece of paper if necessary):
 - a. _____
 - b. _____
 - c. _____
2. I certify that my request to review the books and records of the Association is for a proper purpose related to my Membership in the Association, and that this request is not for commercial purposes or my personal financial gain.
3. I acknowledge and accept the Association's records access and inspection procedures. I acknowledge and accept that the books and records of the Association will be made available to me only at such time and place as the Association's policy provides, and that there may be a cost associated with making these documents available to me. I agree to pay any costs associated with reviewing the books and records of the Association, including but not limited to the actual and reasonable costs of labor and photocopying material.

Member signature _____ Date _____

Please note that FL Statute 720.303 (4) and (5) requires that a record's request be submitted to the Association via Certified Mail.

WHISPERING OAKS PRESERVE HOMEOWNERS ASSOCIATION, INC.

AUTHORIZATION FOR ELECTRONIC NOTIFICATION

Owner _____ Lot _____ Block _____

Address _____

Telephone # _____ Telephone # _____

Email Address _____

Email Address _____

I would like to receive all association official meeting notices and mass mailings such as newsletters and flyers by the following method:

☐

Electronically via email

☐

Via USPS

Signature of Owner(s)

Date

NOTE: You may revoke your decision to receive electronic notices by sending a letter to the Board of Directors with your request to be removed from the electronic notice list.