

Indian Trails Neighborhood GUIDELINES

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1. INTRODUCTION

1.1 Summary

Indian Trails is a Deed Restricted Community. Deed Restrictions were incorporated into both of the original platted portions of the subdivision, and have been enforced by subsequent Indian Trails Homeowners Association (ITHOA) and its Deed Restriction Committee since their inception. Restrictions have been amended since the original Restrictions were put in place. Changes have been made for reasons such as conforming to changes in local ordinances and/or State laws, because a sufficient number of Homeowners wanted changes, and because new building materials and technology warranted changes.

A properly designed and operated system of neighborhood architectural control, design review, and lot/home appearance yields substantial benefits to all residents of Indian Trails. This system can create and preserve an attractive, livable community; preserve property values; minimize major problems in the form of misunderstanding and controversy among neighbors; and provide improved continuity for the future. To be effective, all members of the community should recognize and acknowledge that these restrictions, and the approval processes are benefits and not burdens.

1.2 Mission Statement of the Deed Restriction Committee (hereinafter referred to as the DRC)

Fair and uniform enforcement of Deed Restrictions while maintaining community spirit.

1.3 Statement of Purpose

These Guidelines are promulgated by the Board of Directors of the Indian Trails Homeowners Association (ITHOA) and are hereby supplemental to the Amended and Restated Declaration of Covenants and Restrictions for Indian Trails and Indian Trails Addition (herein after referred to as the **C&Rs, or as the **Restrictions**). Its intent is to establish a common understanding between all ITHOA Homeowners, the Board of Directors and the DRC. Additionally, it provides structure and procedural guidance for the Deed Restriction Committee. **This document explains specific requirements for DRC Approvals, the Approval process, and the Violation process- a summary/ outline of these may be found at the end of this Document.****

Included herein are minimal standards for homes and lots, for development, for modification, and for appearance as described within this document. These Guidelines are intended to be a living document which will be modified as needed to add, clarify, or change for the betterment of Indian Trails. Non-compliance with these Guidelines can be the basis for disapproval of modifications or construction plans and may result in enforcement proceedings, including but not limited to an injunction or the imposition of a fine or both. **The approval by the DRC is in addition to and does not relieve the Owner of the responsibility of complying with the rules and regulations of any governmental agency.**

Existing alterations, additions or improvements to the exterior of residential

structures and/or lots in Indian Trails that were properly approved by the DRC under the prior C&Rs or installed by the original Developer are permitted until such time as an alteration, addition, or improvement of the exterior of a residential structure and/or lot is requested by the Owner. At such time, such request shall be subject to the then current C&Rs and Guidelines and approval by the DRC.

The Board of Directors reserves the right in its sole discretion, to adopt, amend and repeal Rules and Regulations interpreting and implementing the provision hereof in these Guidelines without prior notice.

2. DEFINITIONS

2.1 Owner

Owner refers to an Owner of any Lot in Indian Trails Subdivision.

2.2 Modification

Modification refers to any addition, change, removal, or alteration to any Lot, or structure on any Lot, in the subdivision.

- 2.3 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.

2.4 Other Definitions

All definitions pertaining to the maintenance, modification(s) and/or the construction approval process within Indian Trails are to be found within the Amended and Restated Declaration of Covenants and Restrictions for Indian Trails and Indian Trails Addition, as amended from time to time.

2.5 Public View

Public View means visible from any street, road, or sidewalk. Public View does not include items which are only visible from an adjacent lot.

3. COMMITTEE PROCEDURES AND AUTHORITY

3.1 Deed Restriction Committee (DRC) – Application for New Construction or Modification

The proposed design for any new construction, or for any exterior modification to an existing home or completed lot, or structure on a lot, shall be reviewed and approved by the DRC prior to commencement of construction or modification unless otherwise stated in these Guidelines. A summary of all construction and modification(s) requiring DRC approval appears in the Appendix of this document. All new construction always requires DRC approval.

The applicant must submit the design, site plan (if relevant) and/or description of the new construction or modification which clearly indicates the location, dimensions,

configuration or design, materials, colors and any required screening of the modification, as further specified in these guidelines. A DRC Submittal Form shall accompany all new construction and modification requests; this form can be found in the Appendix of this document. Failure to submit this form, and/or failure to submit supportive documentation and samples deemed necessary by the DRC to properly review and decide on any requested change, where required by the C&R's and/or these Guidelines, may delay approval of your request.

Any items, including, but not limited to, all exterior modifications including exterior painting or repainting in the same color and items placed on a unit which are visible from a street or from any other lot are subject to these Guidelines.

Prior to installing such features, owners are encouraged to reference these Guidelines in addition to the C&Rs. Members of the DRC are also available to assist homeowners in procedures and completing the modification application, or to answer questions regarding the application and approval process.

Upon receipt of a DRC Submittal Form or application online for new construction or modification, within the allowable time, the DRC shall place the applicant on the agenda for the next scheduled DRC meeting. **Applications must be submitted more than seventy-two (72) hours prior to the next scheduled meeting of the DRC.** Meetings of the DRC are held approximately every month. The date, time, and location of the DRC meetings are posted at the entrance to the subdivision at least five days in advance of the next scheduled meeting, and on the ITHOA website at www.ITHOA.org

At each DRC meeting, the DRC will review all timely received DRC Submittal Form applications. The DRC may request additional information based on the application. Additional information shall be supplied to the DRC no less than 72 hours prior to the scheduled meeting at which it is to be considered. **It is the responsibility of the applicant to verify that the DRC Form and supporting documentation/samples have been received in time, and that the Form application is on the DRC meeting agenda.** The DRC may allow some sample materials to be brought to the meeting, rather than submitted in advance, on a case by case basis; for example, the DRC may inform the applicant requesting permission for use of a specific shingle on a roof to bring a sample with them to the meeting, rather than submitting it in advance.

At each DRC meeting the DRC a.) shall either approve, pend (delay or postpone), or deny Form applications, and b.) shall provide any comments regarding the application to the applicant if in attendance, explaining reasons for their decision. In addition, the DRC will notify the applicant of their decision for approval, denial, or the need for additional information, within fourteen (14) days after the meeting, by mail or email, per the applicant's request. This will include any reasons for denying new construction/modification and/or requests for additional documentation or samples. In the event that the DRC fails to approve, pend, or deny the requested construction/modification, or if the DRC shall fail to request additional information reasonably required to make a decision within thirty (30) days after the meeting at which the homeowner's DRC Submittal Form application was on the agenda, then the application shall be deemed approved.

3.2 Deed Restriction Committee (DRC) – Adherence to Deed Restrictions and Guidelines

The intentions of the Restrictions and Guidelines include, but are not limited to:

- a. Insuring that the exterior appearance of lots and homes in Indian Trails are in compliance with the Deed Restrictions and these Guidelines.
- b. Insuring that property owners maintain the exterior appearance of their homes and property in a clean, well maintained, and attractive condition.

3.3 The DRC is appointed by the Board to enforce these intentions, and the compliance with the Restrictions and Guidelines.

3.4 The DRC or Board may recommend a fine be imposed on the lot owner for any violation of the Restrictions or Guidelines. Fines may be recommended and imposed for:

- a. Failure to submit proper application to the DRC for new construction or modification as spelled out in the Restrictions and Guidelines before making unapproved new construction or modifications.
- b. Failure to maintain property in compliance with the C&Rs or these Guidelines.
- c. Commencement and/or completion of construction or modification without submittal to and approval by the DRC.
- d. Failure to act on a notification letter sent to the homeowner by the DRC for violation of Restrictions or Guidelines.

The DRC shall recommend the fine amount and due date, subject to approval by the Board. The DRC may send out notice of fine on behalf of the Board.

3.5 Fine Review Committee (FRC) – Appeal of Fines by Homeowners

- a. Any Owner may appeal a fine imposed against that Owner by submitting, in writing, a letter stating why the fine should not be imposed, or should be reduced. The letter shall be submitted to the ITHOA Board of Directors. This letter shall be accompanied by a copy of the letter from the DRC or Board imposing the fine. The letter shall be received by the Board within 90 calendar days after the date the fine was imposed, otherwise the appeal shall not be considered.
- b. The FRC will meet to consider timely received fine appeals. Any properly submitted appeal must be considered by the FRC within 30 days of the appeal being received by the Board. Notice of the FRC meeting shall be mailed to the appellant no less than 15 calendar days prior to the meeting. Public notice of the FRC meeting is not required. Not less than 48 hours before the scheduled meeting the Owner may request to postpone or reset date by providing no less than 5 available dates/times (Monday through Thursday, after 6 p.m.) which are convenient to the FRC. These dates shall be within the 30 calendar days subsequent to the originally scheduled hearing date.
- c. The FRC shall render a decision on the appeal within 30 days after hearing the appeal, and this decision shall be mailed to the applicant, the DRC, and Board.

- d. No person who has served on the DRC or Board that either recommended or imposed the appealed fine shall also serve on the review of the fine, and shall recuse himself or herself from further proceedings because of a conflict of interest.
- e. Any fine imposed by the DRC or FRC may be reduced, or vacated at the discretion of the Board. The decision of the Board when no timely appeal has been requested or the decision of the Board as to any fine following a ruling by the FRC upon a timely appeal, shall be final.

3.6 Appeal of Denial of Permission by DRC for any Homeowner Application for New Construction or Exterior Modification, as required by the C&Rs and these Guidelines.

Should, at or within 30 days of a DRC meeting, the DRC deny any properly applied for Application, as required by the most current version of the Covenants and Restrictions and these Guidelines, the Owner has the right to appeal this decision to the Board of Directors. **To appeal: the Owner shall submit to the ITHOA Board of Directors, a letter, in writing, stating why the DRC denial should be overruled, accompanied by any supporting documentation. This letter shall also be accompanied by a copy of the letter from the DRC stating why the Application for Construction/Modification was denied. The letter shall be received by the Board within 30 calendar days after the date of denial, otherwise the appeal shall not be considered. The ruling of a simple majority of the Board, at the next normally scheduled Board meeting immediately following the appeal letter, is final.**

4. HOMEOWNER'S REQUIREMENTS

This section provides additional detailed information on requirements for DRC Permission for many common projects. The key take-away is to **consult your DRC before starting a home improvement project, especially those that change the external appearance of your home.**

4.1 General Construction

Refer to the C&Rs, most current version, general minimum construction guidelines. In the event of a conflict between these Guidelines and the C&Rs, the C&Rs shall control.

In order to insure the compatibility and harmony of new construction and exterior structure modification of any home with the surrounding homes in the Subdivision, the DRC shall have final approval on new construction and exterior modification plans prior to commencement of any such construction or modification(s), except as noted in 3.6 above. Exterior structure modification(s) includes, but is not limited to modification(s) to the façade, height, footprint, setbacks, and other visible change to the appearance of the exterior of the structure. Refusal or approval of plans may be based on any provision of the declaration or these guidelines, and this shall be deemed sufficient. Criteria and standards governing new construction and exterior alterations may be developed by the Board from time to time, and shall guide the DRC in their decisions. The issuance of a County or municipal building permit or license is not a substitute for compliance with the C&Rs and the Guidelines and shall not prevent the Association or any of the Lot Owners from enforcing these provisions.

DRC Permission: Prior to start of new construction or of any significant exterior modification, either of which requires County and/or municipal approval, or of any modification to the façade, height, footprint, or setback of a home, the Lot Owner shall submit two copies of complete building/remodel plans, including a plot plan and grading

plan where any changes to the location of construction or grading shall occur, to the DRC for the purpose of insuring that the home will preserve a uniformly high standard of construction and compatibility with the Subdivision. For purposes of this section, “significant exterior modification” shall include, but not be limited to replacement of a window, door or trim which is in public view. No structure shall be erected, and no exterior modification occur, whether to the façade or setbacks, nor modification of a residence’s footprint occur, until such plans are approved by the DRC in writing. Notwithstanding the foregoing, repair or replacement of any structural component with like kind and appearance materials damaged as the result of a fire, storm or other unforeseen natural occurrence shall not require prior DRC approval. However, the Lot Owner shall inform the DRC of this necessity and intent.

4.2 Roofing

Roofs shall be of fire rated material, and have a natural, dimensional appearance, where roof slope allows for this, consistent with the other homes in the subdivision.

For all areas; **Non-permitted** roofing materials are 3-tab non-dimensional asphalt or fiberglass shingles, rolled asphalt or fiberglass roofing, built-up tar and gravel roofing, standing seam metal roofing, and membrane roofing, excepting where roof slope does not permit any other material to be used. **Approved materials** clay and cementitious tile, slate, imitation tile and slate, dimensional and specialty asphalt or fiberglass shingles, specialty metal roofing, and stone coated metal shingles.

For backyard areas not visible from a roadway; patio and outdoor living areas with a slope of less than 2” rise in 12” of run may have any acceptable roofing provided that it meets County Code. General; No flat deck or built-up roof shall exceed twenty five percent (25%) of the total roof area.

DRC Permission: Any Lot Owner intending to change ANY existing roof material, whether by addition or remodeling of the structure, or by replacement of the existing roof, must have approval in writing from the DRC regarding the material and color prior to beginning work. This includes replacement of any roofing not visible from the street.

4.3 Driveways and Walkways visible from the street;

No driveway or walkway may be reduced or increased in area, painted or changed with respect to surface color or texture, or replaced with a different material (i.e. brick or pavers) without application to and written approval by the DRC.

DRC Permission: Any Lot Owner intending to change the color, material used, or size of the driveway or walkway must have approval in writing from the DRC regarding the color, material and change in dimensions prior to beginning work. Any dimensional changes shall be accompanied by a dimensioned plot plan submitted with the application. Any change in material or color requested shall include samples showing materials and/or colors. Proposed changes to sidewalks must be accompanied by approval of the County to do so; however, approval of the County does not constitute approval by the DRC. DRC may deny the request due to color or material selection, safety issues, to ensure compatibility in the neighborhood, and to follow the intent of ITHOA By Laws, C&R, and Guidelines.

4.4 Exterior Appearance

The intent of this restriction is to insure that the exterior appearance of the homes in Indian Trails, and that all colors and materials, are in compliance with these guidelines. Moreover, it is expected that property owners will maintain the exterior appearance of their homes in a clean, maintained and attractive condition.

All requests for exterior painting and staining shall be accompanied with color samples showing door, window, trim and body colors. All paint colors shall be solid and uniform, no patterns or designs are permitted. All requests for stone, masonry, any other exterior materials, notwithstanding the replacement or addition of windows and doors, shall be accompanied by samples and elevation drawings and/or photographs showing where materials are intended to be used.

All exterior colors shall be approved by the DRC, including colors for walls, trim, shutters, gutters, windows, doors, and any exterior painted, stained, or stone/masonry surface. Body, trim, and accent colors are allowed subject to placement and location approval by the DRC. ITHOA does not have a mandatory paint color selection chart. However, the DRC does maintain a list of pre-approved colors for your convenience. This list was created from all current colors existing in the neighborhood as of Spring 2011.

DRC Permission: Any change or alteration to the exterior paint or stain color of any home shall require the prior written approval of the DRC. The Lot Owner shall submit paint color samples, stain color samples, and a written description of the surfaces to which they will be applied, to the DRC for approval prior to painting or staining. Painting/staining may not commence until the DRC has formally approved the colors submitted in writing. However, for purposes of maintenance or repair, a Lot Owner may repaint portions of the exterior of any home or other exterior surface with the same color without requesting permission of the DRC. If more than 25% of the exterior of the home or any exterior surface is being painted/stained, DRC approval is required, even if the color is the same or similar.

DRC Permission: Any change or alteration to the exterior surface material of any home shall require the prior written approval of the DRC. The Lot Owner shall submit samples of any surface change, including stone/masonry, and other material changes/additions or accents, including the replacement or addition of windows and doors, to the DRC prior to application. However, for purposes of maintenance or repair, a Lot Owner may re-apply portions of the exterior materials of any home or other exterior surface the with same material/pattern without requesting permission of the DRC.

4.5 Fences and Privacy Screens

Fencing is defined as any barrier erected on or parallel to the lot line, whether side or back. Fences maybe erected only in accordance with these restrictions. Fencing on the side and back of a lot is allowed to be up to, but not exceed, six feet (6') in height. No split rail type fence shall exceed four feet in height. No fence shall be less than three feet in height. No fence shall be erected in the front yard of any lot. Fencing shall be continuous from the home to the lot line, or along the lot line from the rear lot line to a point along the lot line which is not forward of the front elevation; no partial fencing length is allowed. No chain link type fence shall be

allowed in the subdivision. Fencing on the side and back of a lot is allowed to be up six feet in height

Privacy screening is defined as any full barrier erected within the lot for the purposes of screening equipment, noise or view from neighbors. Privacy screening may only be erected on the side and rear of the lot, providing that the screening is at least three (3) feet distant from the Owner's lot line. No Privacy Screening shall be less than three (3') feet in height, nor more than six (6') feet in height.

DRC Permission: Plans for all fences and privacy screens, with materials to be used, must be submitted to the DRC for approval in writing prior to installation. This submittal shall include finished height above grade, and provisions for finished sides, colors and stains. The DRC will consider the impact of the fence or screen on affected neighbors when approving any applications under of this section. Homeowners who are requesting to replace a fence or screen with one of the same material and height may alert the DRC to this as part of their request for an expediated approval.

4.6 Antennas and Satellite Dishes

Antennas and Satellite Dishes are permitted per the C&Rs and State Statute. However, they must be approved for visual impact by the DRC prior to installation

DRC Permission: Any antenna, aerial, and satellite dish installation other than for the reception of over the air Broadcast signals, visible from any sidewalk or roadway must first be approved in writing by the DRC per the location where the equipment is to be installed, and as to whether any privacy screening is to be installed, whether requested by the Owner or required by the DRC. The Lot Owner shall submit two copies of drawings of the proposed installation to the DRC, showing the location of the antenna or dish and proposed screening, screening material, and color, for approval prior to any work being done.

4.7 Signs

No sign shall be placed upon or permitted to remain upon any Lot other than one sign of not more than five square feet advertising the property for sale or rent, or one sign used by a builder to advertise the property for sale during the construction and sales period and one security sign provided by, and used in connection with, a security system (security sign) installed in the residence, provided such sign is not larger than two (2) square feet, and provided it is placed in the ground at a height not to exceed two and one-half feet, and within five feet of the exterior wall of the house or within 2 feet of an exterior retaining wall or non-structural column, excepting that corner lots are allowed two security signs, one on each street side.

Commercially manufactured, political signs advertising support for a candidate, political party, or any issue coming before voters for approval in an upcoming election shall be removed within seven (7) calendar days after the completion of the vote. No political sign shall exceed eight (8) square feet. No prior approval shall be required for the installation of a political sign, designed and installed in compliance with this guideline.

4.8 Solar Panels

Solar domestic water heating (SDHW) panels, and photovoltaic electric (PV) panels, are permitted per Title XI, Chapter 163.04 of Florida State Statutes.

DRC Permission: Any SDHW or PV installation must first be approved in writing by the DRC per the location where the solar panels are to be installed. Any installation not within an orientation of 45 degrees to the east or west of true South may be denied per State law. The Lot Owner shall submit two copies of drawings of the location, orientation, and elevation of the proposed installation to the DRC for approval prior to any construction. The DRC shall disallow any SDHW or PV installation which is not within the limits defined by State statute.

4.9 Trees and Right-of-way Strip plantings

The C&R's do not dictate the planting or cutting of trees. However, all trees are considered an asset of and benefit to the neighborhood. Therefore, for your benefit, the following information is provided. Removal of trees is governed by County ordinance – some trees must have a permit for removal and some may be removed without permit, but Pinellas County regulates and permits this. Therefore, no tree may be removed without a first obtaining a County permit where required by ordinance; any removal shall comply with Pinellas County Ordinance 09-32, Section 166-36 through 166-89. Should this ordinance be changed or its number modified by the County government, the Lot Owner is responsible for insuring compliance with the ordinance in effect at the time that the tree is removed.

In addition, any tree on the Pinellas County undesirable or invasive Tree list may not be planted anywhere in Pinellas County. A list of undesirable or invasive trees and plants may be found in Ordinance 09-32, Section 66-53 of the County Codes. Should this list change, it is the Lot Owner's responsibility to insure compliance with this Ordinance.

Tree and bush plantings in the right-of-way strip between the sidewalk and street curb may affect visibility of pedestrians to drivers, and may shade streetlights and traffic and obstruct vision of street signs. Planting of anything other than grass and groundcover in this area is discouraged.

The DRC may require the owner's of any trees or plantings that grow to impair street/sidewalk accessibility, street/sidewalk illumination, or street/traffic signage to trim or remove said tree or planting, at the Owner's expense. Illumination from public street lights, as measured with a calibrated light meter held three feet above the street or sidewalk, shall be:

- a. At least 0.2 foot candles measured from a spot directly beneath the light head, to twenty five feet (25') away from this spot (in a radius with a centerpoint on this spot), all within the street, and
- b. At least 0.2 foot candles on the sidewalk immediately behind the light pole, for a distance of fifteen feet (15') in either direction from a point on the sidewalk immediately behind the pole, excluding that portion of sidewalk shaded by the pole, for a total of thirty feet (30') of sidewalk.

A light meter and diagram of minimum illumination requirements is available from the DRC. Note that this standard shall be applied to trees shading street lights and assumes the lights are functioning properly; it is the NOT responsibility of the owner to rectify

illumination levels when street lights are damaged, light bulbs are weak or out, or lenses are damaged, in the opinion of the Utility Company.

DRC Permission: None – but a County Permit may be required

4.10 Parking

Parking on streets within the neighborhood is discouraged. The streets in the neighborhood are narrow, and curbside parking can impede vehicular traffic, especially emergency and trash collection vehicles. We encourage you to try to limit on-street parking as much as possible.

Parking any vehicle on any street within the subdivision shall not obstruct access by any emergency vehicle, trash collection, mail delivery or ingress or egress for any Lot.

Per Pinellas County Ordinance 122-36.5,

No person or agent thereof shall cause or permit the parking, maintenance, storage or placement of:

- (1) Any vehicle at any place within the front yard other than the driveway, except that one vehicle may be parked adjacent to and parallel to the driveway so long as it otherwise complies with local ordinances and is parked on a paved or usable and durable surface.

Vehicles that cannot be moved under their own power or which cannot be lawfully operated on the highways of Florida shall not be parked on any street at any time, except that if it requires towing, in which case it must be removed within 24 hrs.

Vehicles or containers used for moving or storage of homeowner property are allowed for 72 hrs. continuous. Every attempt should be made to ensure that they are placed on the driveway, do not block the sidewalk, and are not in the street.

DRC Permission: If for any reason you require a waiver of these restrictions, you must obtain this from the DRC. The DRC may, on its sole discretion, deny this request.

SUMMARY OF RESTRICTION/GUIDELINE RULES REQUIRING DRC APROVAL

1. Any new construction or any significant exterior modification, Section 4.1
2. Roofing, Section 4.2
3. Driveways and Walkways, Section 4.3
4. Exterior Painting, Section 4.4
5. Fences and Privacy Screens, Section 4.5
6. Antennas and Satellite Dishes, Section 4.6
7. Solar Panels, Section 4.8
8. Trees, Section 4.9
9. Plantings in Right-of-way Strip, Section 4.10

OUTLINE OF PROCESS TO OBTAIN DRC APPROVAL

1. Complete DRC Submittal Form (found in the Appendix of this document or on ithoa.org) and submit to the DRC via online submission or in person. Submission must include all required supporting documents and product samples as noted in these Guidelines and on the DRC Submittal Form. **Applications must be submitted more than seventy-two (72) hours prior to the next scheduled meeting of the DRC.** Section 3.1
2. DRC will send email to confirmation of the Approval Request and place the Request on the agenda for the next scheduled DRC meeting. It is the applicant's responsibility to verify that the Request is on the DRC meeting agenda. To view the agenda, go to ithoa.org, calendar, and click the scheduled meeting. Agenda will be posted 72 hours prior to scheduled meeting. Section 3.1
3. DRC shall either approve, pend, or deny Requests. DRC will notify the applicant of their decision or request additional documentation within fourteen (14) days after the meeting. Section 3.1
4. If an approval request is denied, the homeowner may appeal to the Board of Directors. Section 3.6

OUTLINE OF PROCESS REGARDING DRC VIOLATIONS

1. A complaint is made regarding a violation by any ITHOA Homeowner, including any DRC member, per Section 3.4. Electronic complaints submitted to drc@ithoa.org will receive email confirmation of receipt. All complaints will remain anonymous. Violations to be reviewed will not be posted on the online DRC agenda.
2. DRC evaluates the complaint to determine validity and will discuss the issue at the next DRC scheduled meeting, which is open to all ITHOA Homeowners. Majority vote will determine course of action, including dismissal of complaint, issuance of Violation, or decision to evaluate again at the next meeting.
3. Homeowners in violation of Deed Restrictions will receive a postcard notification with 30 days to fix the problem. If violation is not fixed, Homeowners will receive a 2nd notification with 30 days to fix the problem. Homeowners then receive a formal letter requesting remediation of the violation with notification of intent to fine if not corrected in 30 days. Homeowners will then begin to receive fines at a rate of \$100 per month, up to \$1000, per violation.
4. Property Liens may be placed upon homes with outstanding DRC violation fines per Board decision.
5. Any Owner may appeal a fine imposed against that Owner per Section 3.5. A Fine Review Committee will review the fine and make recommendations to the Board of Directors.
6. The Board of Directors will be the final arbitrator, subject to review by the courts. Any Homeowner may seek legal remedy, however, the prevailing party shall be entitled to cost of proceedings and reasonable attorney fees, as awarded by the Court.

Request No: _____
Date Logged: _____
By DRC Member Name: _____

please contact me via:
 ___ email
 ___ mail
 ___ phone

ITHOA DRC MODIFICATION/CHANGE REQUEST SUBMITTAL FORM

LOT OWNER _____ ADDRESS _____
 PHONE # _____ EMAIL _____

Description of Change: (attach additional pages if you need more space – indicate that an attachment accompanies this submittal)

Start Date: _____ Anticipated Completion Date: _____

Please include or attach the following where needed for approval:

- 1) Lot survey
- 2) Permits where required by State or County ordinance (conditional approval may be granted without permits)
- 3) Color Samples
- 4) Sketch and/or photographs
- 5) Contractors Drawings
- 6) Description of Materials
- 7) Dimensions to Lot Lines
- 8) Contractor Name _____ Phone _____
- 9) Anything else you think will help the DRC make a decision

LOT OWNER'S SIGNATURE _____ DATE _____

By signing this application the lot owner agrees that the DRC functions only to recommend to ITHOA Board of Directors on the acceptability of construction and the appearance of changes to the exterior of buildings or land. There is no intention, expressed or implied, to approve or disapprove of any apparatus, its function, or your contractor or subcontractors, The maintenance, operation or appearance of any installation is the homeowner's responsibility. Electronic submission constitutes acceptance of this agreement in lieu of signature.

If it should be necessary for you to run vehicles or equipment over common grounds to do work on your property, any damage caused must be repaired at your expense. It is the Lot owner's responsibility to inform their contractor or people doing their work that it is they must repair any damages to common grounds by their employees and equipment to the satisfaction of the Board

Action on your request may take up to 30 days from the receipt of this completed form and accompanying submittals. Please do not start work prior to approval; commencement of work prior to approval may result in a fine. Work must begin within 45 days of approval, otherwise an extension must be requested from the DRC.