

TOWNEHOMES AT DEER CREEK HOMEOWNERS ASSOCIATION, INC.
AMENDMENT TO ARCHITECTURAL CONTROL GUIDELINES

HURRICANE PROTECTION SPECIFICATIONS

EFFECTIVE DATE: 11/21/24

WHEREAS, Section 720.3035, Florida Statutes, was amended effective May 28, 2024; and
WHEREAS, Section 720.3035(6), Florida Statutes, provides:

(6)(a) To protect the health, safety, and welfare of the people of the state and to ensure uniformity and consistency in the hurricane protection installed by parcel owners, this subsection applies to all homeowners' associations in the state, regardless of when the community was created. The board or any architectural, construction improvement, or other such similar committee of an association must adopt hurricane protection specifications for each structure or other improvement on a parcel governed by the association. The specifications may include the color and style of hurricane protection products and any other factor deemed relevant by the board. All specifications adopted by the board must comply with the applicable building code.

(b) Notwithstanding any other provision in the governing documents of the association, the board or any architectural, construction improvement, or other such similar committee may not deny an application for the installation, enhancement, or replacement of hurricane protection by a parcel owner which conforms to the specifications adopted by the board or committee. The board or committee may require a parcel owner to adhere to an existing unified building scheme regarding the external appearance of the structure or other improvement on the parcel.

(c) For purposes of this subsection, the term "hurricane protection" includes, but is not limited to, roof systems recognized by the Florida Building Code which meet ASCE 7-22 standards, permanent fixed storm shutters, roll-down track storm shutters, impact-resistant windows and doors, polycarbonate panels, reinforced garage doors, erosion controls, exterior fixed generators, fuel storage tanks, and other hurricane protection products used to preserve and protect the structures or improvements on a parcel governed by the association.

and;

WHEREAS, Section 8.2(b) of the Amended and Restated Declaration of Covenants and Restrictions of The Townhomes of Deer Creek ("Declaration") provides, in part: "No addition, improvement, or equipment (including landscaping, antennas, awnings and shutters) shall be installed, painted, erected, removed or maintained in or on the Party Walls or Common Property or, if visible from the exterior, be made in or on any Dwelling Unit until the plans and specifications

showing the nature, kind, shape, height, materials and location of same shall have been submitted to, and approved by the, the Architectural Review Board (ARB).”; and

WHEREAS, the Board of Directors has adopted Architectural Control Guidelines.

NOW THEREFORE, the Board of Directors adopts the following amendments to the Architectural Control Guidelines adding a new paragraph regarding Hurricane Protection Specifications. All new hurricane protection installed within The Townhomes of Deer Creek must conform to the standards below, in addition to the unified building scheme for The Townhomes of Deer Creek. Upon adoption by the Board, the following Hurricane Protection Specifications will be added to the Architectural Control Guidelines:

11.0 Hurricane Protection

11.1 Any person desiring to install hurricane protection shall submit a request in writing to the ARB in accordance with the requirements of the Architectural Control Guidelines. The ARB may promulgate and amend, from time to time, an application form and any other forms it deems appropriate to convey its approval or disapproval of requests to install hurricane protection.

11.2 In the event the ARB shall disapprove the proposed installation, the notice shall state with specificity the rule or covenant on which the ARB relied when denying the application and the specific aspect or part of the proposed improvement that does not conform to such rule or covenant.

11.3 The hurricane protection and the installation thereof, shall conform, in all respects to the building codes of the governmental agencies having jurisdiction over the hurricane protection installation in The Townhomes of Deer Creek.

11.4 The minimal and general specifications adopted by the Association, which shall be applicable to and binding upon all hurricane protection installations are attached hereto as **Exhibit “A”** and incorporated herein.

NOW THEREFORE, at the Board meeting held on 11/21, 2024, the Board approved these Hurricane Protection Specifications.

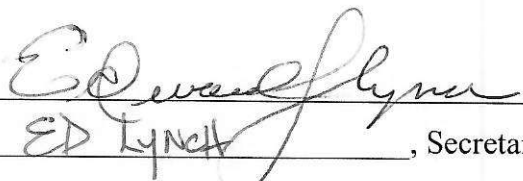
BY: 
ED Lynett, Secretary

EXHIBIT "A"

SPECIFICATIONS FOR HURRICANE PROTECTION/SAMPLE...FOR DISCUSSION ONLY.
THIS DOCUMENT SHOULD BE DRAFTED/REVIEWED BY A LICENSED
PROFESSIONAL AND CUSTOMIZED BY THE BOARD AS TO
AESTHETICS/COLOR/STYLE OF PERMISSIBLE HURRICANE PROTECTION

1. **Roof Systems:** Please refer to the Architectural Control Guidelines regarding "Roof Tiles." Unless otherwise required by law, no other roof systems are allowed within The Townhomes of Deer Creek.
2. **Storm Shutters:**
 - a. **Permanent Fixed Storm Shutters:** Permanent Accordion Shutters are allowed as long as they are light tan.
 - b. **Roll down track storm shutters:** Roll down track storm shutters are allowed as long as they are light tan.
 - c. **Polycarbonate panels:** A homeowners may install temporary polycarbonate panel shutters so long as the panels are either clear polycarbonate or light tan.
3. **Impact resistant windows and doors:** The Association strongly encourages the installation of impact resistant windows and doors, only if these impact resistant windows and doors conform to the Architectural Control Guidelines regarding "Window Replacement, Privacy Glass, Sliding Glass Doors and Front Doors", and the unified building scheme for The Townhomes of Deer Creek. No other windows or doors shall be permitted.
4. **Reinforced garage doors:** The Association strongly encourages the installation of reinforced garage doors. However, any reinforced garage door installed must conform the Architectural Control Guidelines regarding "Garage Doors", and the unified building scheme for The Townhomes of Deer Creek. No other garage doors shall be permitted.
5. **Erosion controls:** Synthetic underground erosion control mats and overground erosion control blankets that interfere with irrigation shall not be permitted. Bio-degradable or dissolvable natural erosion control mats of coconut fiber or jute may be utilized, provided the mat is not visible from the frontage of the Dwelling, an abutting Dwelling or abutting Common Area.
6. **Exterior fixed generators:** Any new exterior fixed generator shall be installed at the rear of the Dwelling only and must be screened so as not to be visible from the frontage of the Dwelling, an abutting Dwelling, roadway or abutting Common Area. The ARB may allow a generator to be installed in a side yard, only where space and noise would not be a problem, to be determined by the ARB, in its discretion
7. **Fuel storage tanks:** From the date these specifications are adopted any new fuel storage tanks shall be permitted only at the rear or side of the Dwelling, so long as same is buried or enclosed by a structure approved by the ARB so as not to be visible from the frontage of the Dwelling, an abutting Dwelling, roadway or abutting Common Area.
8. **Other hurricane protection products allowed:** From the date these specifications are adopted, the following other hurricane protection products are allowed:

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- 9. Other hurricane protection products prohibited:** From the date these specifications are adopted by the Association, no other visible hurricane protection products, other than those specifically permitted by this Hurricane Protection Specification document, shall be installed within The Townhomes of Deer Creek without the written consent of the ARB and The Townhomes of Deer Creek Board of Directors.

NOTE: Temporary storm shutters may only be affixed to the house when the community is under a tropical storm or hurricane “watch” or “warning” and **MUST** be anchored and/or affixed to a structure in such a manner as to prevent materials from detaching and becoming airborne missiles; shutters must be removed and stored within 15 days after the termination of the “watch” or “warning” has been removed from the area. However, permanent fixed storm shutters or roll down track storm shutters may remain affixed to the Dwelling if the occupants are out of the local area for an extended period of time.