

EXHIBIT A



**SOUTH LAKES**

of HARMONY

*A Lakes of Harmony Community Neighborhood*

**FINAL DRAFT**

**SOUTH LAKES OF HARMONY COMMUNITY ASSOCIATION, INC.**

**COMMUNITY USE RESTRICTIONS AND RULES**

***First Amendment to Exhibit B***

Adopted by the South Lakes Board of Directors

August 17, 2023

*This document is subject to future amendments to reflect changing conditions. All homeowners will receive advance notice of the intent to amend the document. Interpretation of the standards contained herein rests solely with the South Lakes Board of Directors.*

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## **Purpose of this Community Use Restrictions and Rules Document**

This Community Use Restrictions and Rules document is established to provide the South Lakes of Harmony Board of Directors, the Architectural Review Committee (ARC) and homeowners with procedures and guidelines that ensure consistent and high- quality design standards, and their application for the Community. It supports the South Lakes Declaration of Use Restrictions and Rules in Exhibit B and other governing documents that bind each homeowner. It is provided to homeowners of South Lakes for their reference in preparing applications for changes to their individual property. Questions relative to these standards should be directed to the South Lakes HOA Management Company and/or the South Lakes Board of Directors.

It is the intention of the ARC to maintain a high standard of exterior architectural appearance throughout the South Lakes Community. The following guidelines are intended to protect the integrity of the Community. Homeowner adherence to these guidelines will ensure that this objective will be achieved.

Property setbacks, easements and other government-imposed regulations shall be adhered to and compiled in accordance with County Government Ordinances and the plats of South Lakes. ARC approval does not waive the responsibility of homeowners to obtain government issued permits for all proposed improvements as required by Osceola County and other regulatory authorities.

## **Definitions**

- "HOA" shall mean the South Lakes of Harmony Community Association, Inc.
- "ARC" shall mean the Architectural Review Committee.
- "Board of Directors" shall mean the Board of Directors of South Lakes of Harmony.
- "HOA Management Company" shall mean the company retained by the HOA to administer day-to-day business.
- "CDD" shall mean the Harmony Community Development District.
- "SFWMD" shall mean the South Florida Water Management District.
- "Declaration" shall mean Declaration for South Lakes of Harmony

**Article 1**  
**Architectural Review Committee**

**1.01 Responsibilities**

In accordance with authority granted to the Board of Directors by Declaration for South Lakes of Harmony, an Architectural Review Committee (ARC) has been formed and staffed by the HOA Management company. The ARC shall administer and perform the architectural and landscape review and control alterations relating to homes in South Lakes. The HOA Management Company shall keep records and shall maintain a file of all alteration application and activity for a period of not less than five years.

Decisions of the ARC may be appealed to the Board of Directors whose decision will be final.

**1.02 Policy**

All homeowners and their contractors shall comply with alteration application guidelines and requirements prior to commencement of any work. The ARC will review plans, materials, site plan, colors and/or landscaping plans to ensure compliance with design requirements, policy and procedures of these standards. No alteration requiring the approval process shall be commenced until plans and specifications have been submitted to and approved in writing by the ARC. If said alterations are performed without ARC approval, the HOA reserves the right to restore the property to its prior condition, directly payable by the homeowner. The HOA assumes no responsibility for the structural integrity, safety features, mechanical operation, and permitting or building code compliance of the proposed construction, modification or change.

**1.03 Committee Discretion**

These standards do not cover every possible situation that may require ARC approval. Applicants should consult with the HOA Management Company to confirm approval requirements. The ARC may refer applications that may conflict with a standard set forth in this document to the Board of Directors for action. Board of Directors approval does not constitute a precedent for future requests.

## **Article 2 Procedures for Managing Property Alterations**

**2.01 Alterations.** All exterior property alterations (to the home) require the completion of an "Application to Architectural Review Committee (ARC)" form that shall be acted upon by the ARC. An application may be obtained from the HOA Management Company and must be submitted in electronic form thirty (30) days prior to the start of any work. A separate application shall be submitted for each alteration requested.

In addition to the application, a copy of the recorded lot survey illustrating the alteration location(s) shall be submitted, as well as vendor specifications (shape, height, materials and color), color samples and drawings that clarify the proposal. Drawings, photographs and descriptions must be clearly presented.

Examples of alterations include, but are not limited to:

- Awnings
- Brick pavers: location and color
- Changes to the exterior color of the home (painting)
- Permanent exterior decoration applied above garage doors and fronts of homes.
- Recreational or sporting equipment
- Fences
- Flag poles and antennas
- Front door style and/or color
- Rain gutter style, color
- Lanais, sunrooms and gazebos
- Lighting placement and size
- Landscaping
- Pools, spas, hot tubs, whirlpools
- Porches, decks and patios
- Roofing
- Screen Enclosures
- Home additions and exterior renovations

### **2.02 Prohibited Items**

Certain alterations/conditions are not permitted by the South Lakes Declaration without the written approval of the Board of Directors. These include but are not limited to those listed below.

- Window air conditioning units
- Satellite dishes over 40 inches.
- Aluminum, plastic, or fiberglass roofs
- Temporary structures
- Plastic or artificial flowers

### **2.03 Application Process**

Submittal of an ARC form is required before any work can begin. The form, which defines required information, is available on the Management Company web site. The ARC will only process completed applications that include signatures and accompanying plans and specifications, lot surveys, colors, pictures, drawings, etc. Incomplete or unclear applications will be returned to the applicant and resubmittal will be required.

The ARC has up to thirty (30) days upon receipt to approve or deny the application. After review, the original submittal will be retained by the ARC for their files. The homeowner will receive one of the following responses to each application received:

- "Approved" (project approved as submitted)
- "Conditional Approval" (subject to conditions noted)
- "Denied" (reasons will be provided)

### **2.04 Project Initiation and Completion**

Approved projects shall be initiated within ninety (90) days following approval by the ARC. After that time, the homeowner should notify the HOA Management company to determine if a new application is needed. Completion should occur within ninety (90) days of project initiation subject to modification as a result of weather delays, materials availability or technical requirements of the improvement. The ARC retains the right, but not the obligation, to extend time frames for an applicant to complete the approved work.

### **2.05 Appeal**

In the event the ARC denies any application, the applicant may request a rehearing by the ARC. If the ARC again denies the applicant's request, the applicant may appeal to the Board of Directors. The Board of Directors decision is final.

### **2.06 Enforcement Process**

Any homeowner, through accepted communication to the HOA Management Company, may report violation(s) of any Community Use Restrictions and Rules or Declaration conditions. The HOA Management Company will also conduct regular inspections of the Community. If the HOA Management Company determines that the alleged violation requires corrective action, the HOA Management Company will then proceed with the following enforcement process.

- Courtesy letter sent requiring fourteen (14) days to correct violation.
- First violation notice sent requiring corrective action in fourteen (14) days.
- Second violation notice sent requiring corrective action in fourteen (14) days.
- Legal and final violation sent requiring corrective action in seven (7) days.
- Referral sent to attorney for legal action. Legal action could take an extended period of time to resolve the original violation.



### **Article 3 Home Design and Maintenance**

**3.01 ARC General Standards.** No material alteration, addition or modification to a home, or material change in appearance shall be made without prior written approval from the ARC.

**3.02 Animals/Pets.** No animals of any kind shall be raised, bred or kept within the homes for commercial purposes. Homeowners may keep domestic pets (e.g., dogs, cats, small mammals) as permitted by Osceola County ordinances with the exception of swine, poultry and other uninsurable pets (e.g., pets that create policy coverage exclusions under insurance policies purchased by the HOA or pets that cause increases in insurance policy premiums under insurance policies purchased by the HOA). Pets may be kept only as long as such pets or animals do not constitute a nuisance as determined by the Board of Directors. All current Osceola County and Florida state laws governing ownership of pets and animals must be adhered to.

All pets shall be walked on a leash and may not trespass on any other homeowner's lot. Pet owners shall clean up all waste generated by the pets and properly dispose of such waste; there are dog waste stations throughout South Lakes with bins and disposal bags. No pets shall be permitted outside a home unless leashed and under supervision of a responsible person or within a fenced yard. No pet shall be tied out on the exterior of the home or in common areas or left unattended in a yard or lanai. No dog runs or enclosures shall be permitted within any lot.

**3.03 Artificial Vegetation.** Except as otherwise permitted by Florida law, no artificial grass, plants, shrubs or other artificial vegetation, or other landscape devices, shall be placed or maintained upon the exterior portion of any lot, unless approved by the ARC.

**3.04 All-Terrain Vehicles/Dirt Bikes.** Driving all-terrain vehicles (ATVs) and dirt bikes anywhere in South Lakes is prohibited. Such vehicles shall be stored in the garage. A trailer must be used when moving such vehicles in and out of the Community. South Lakes streets are privately owned and use of streets by any type of vehicle is subject to rules established by the Board of Directors.

No ATVs or dirt bikes are permitted at any time on any Common Areas. Additionally, no ATVs or mini-motorcycles may be parked or stored within South Lakes, except inside the garage of a home.

**3.05 Awnings.** With prior ARC approval, awnings are permitted on the rear of the home over the lanai or back of the home and shall match the exterior color of the home. All awnings when fully extended must be within the property setback requirements. Awnings shall be closed when not in use.

**3.06 Basketball Hoops**

Basketball hoops attached to the home are not permitted. A portable hoop is permitted but shall be stored in the garage when not in use. When in use, hoops must be located where damage to the lawn and landscape are avoided.

**3.07 Clotheslines.** Clotheslines may be installed, as per Florida law, in the rear of a home so long as they are not visible from the front of the home. They must be removed when not in use as a clothes line.

**3.08 Commercial Vehicles.** Commercial vehicles (vehicles used for work purposes and vehicles with signage on the sides or equipment racks or holders) shall not be parked on driveways or streets except when the vehicle is being used to provide a service to the homeowner. Vehicles displaying a municipal, special district, county, State or Federal government license plate are exempt if the vehicle operator is conducting official business.

**3.09 Community Yard Sale Events.** No personal yard sales are permitted. South Lakes will participate in the Harmony Community Spring and Fall yard sales. Signage will be placed on common areas the day prior to the sale.

**3.10 Drainage.** Roof gutters and downspouts of six (6) inch aluminum construction are permitted within the approved color scheme. Downspouts shall not direct water onto common areas or neighboring property and shall drain according to approved lot drainage plans.

**3.11 Driveways.** All driveways shall be constructed of concrete or brick pavers as originally installed by the home builder. Any homeowner changing the appearance of a driveway or complete replacement or extension shall apply to the ARC for approval. No painting or staining to driveways shall be permitted. Driveways must remain free of grease, oil or other stains. Weeds growing through driveway expansion joints must be eliminated by the homeowner. Driveway reflectors are not permitted.

All driveways shall permit a full size (20 foot) car to be parked in the driveway and not interfere with sidewalk access. Any change in size or shape of the driveway shall be approved by the ARC. Pavers are permitted to line either side of the driveway; however, ARC approval is required.

**3.12 Exterior Storage.** Storage of any kind, including landscape materials, is not permitted in the front or sides of the home. Equipment, excluding garden hoses contained in an approved holder, of any kind must be stored inside the garage. See Section 3.21 for hose storage requirements. Water softeners and other similar devices shall be properly screened from roadways.

**3.13 Exterior Finish and Colors.** Changes to the exterior of homes requires ARC approval. All exterior colors shall comply with the approved South Lakes Community Color Book available from the HOA Management Company. One accent color, not including front door color, will be allowed. An application must be submitted for all exterior painting. This includes repainting to the existing color, as well as color change. A homeowner shall apply to the ARC for approval. Stone or rock alterations shall be used for accents only on the home.

**3.14 Exterior Surface Cleaning.** All roofs and/or exterior surfaces and/or pavement, including but not limited to sidewalks, driveways, or lanais shall be maintained by the homeowner in a clean condition. Surfaces identified by the HOA Management Company as requiring cleaning must be properly cleaned within thirty (30) days of notice from the Board of Directors.

**3.15 Fences/Walls/Screening.** Construction of walls or fences requires ARC review and approval. The only allowable types of fences are black aluminum/wrought iron. No wooden or chain link fences are permitted. All fencing shall be installed a minimum of ten (10) feet back from the front corners of the home. Fencing on corner lots shall be installed a minimum of ten (10) feet back from the front corners of the home and a minimum of ten (10) feet from the home on the street side of the lot.

Fences and walls are not permitted in the front yard. All fences must have a gate of at least five (5) feet width

and access to the yard must be accessible to the landscapers.

**3.16 Fountains/Sculptures.** Permanently installed fountains and sculptures of any material are not permitted in front yards. Placement of such structures in rear yards requires ARC approval.

**3.17 Front Doors.** Change to front doors (door style or paint color) require ARC approval. Front doors may be of metal, solid wood or fiberglass, and may contain glass portions that may be plain, frosted or etched. Screen storm doors are allowed with prior approval through the ARC application process. Screen doors that fold back into the door frame are also permitted.

**3.18 Fruit Trees.** A limited number of fruit bearing trees are permitted planted only in the backyard of homes. Homeowners must ensure that the trees and the areas under the trees are maintained properly to prevent rodent issues.

**3.19 Garages, Garage Doors and Commercial Activity.** Carports and garage door screens are not permitted in South Lakes. All sections of garage doors shall be of standard solid panel construction. Glass windows in doors are permitted.

During the day, garage doors must remain closed when not in use or when the homeowner is not home and shall be closed after dark to avoid the intrusion of wildlife in the area (e.g., armadillos, alligators, cranes).

Use of garages for manufacturing items for commercial purposes is prohibited. Use of machines within the garage must be consistent with Osceola County Home Occupation and Noise Ordinances.

**3.20 Garbage/Recycle Containers.** No outside burning of trash or garbage is permitted. Garbage/recycle containers, supplies or other similar articles shall not be placed where they are visible from the street or adjacent properties. Each homeowner shall be responsible for properly depositing his or her garbage, recycle materials and trash in accordance with the requirements of Osceola County. All such receptacles shall be maintained in a sanitary condition. Garbage/recycle cans and trash containers shall not be placed outside the home for pick-up no earlier than 6:00 p.m. on the day preceding the pick-up and shall be returned to their concealed location no later than 6:00 p.m. of the pick-up day. Container lids shall be secured to avoid animals, odor, and windblown garbage from affecting adjoining homes. Each homeowner is responsible for picking up litter on their property and preventing windblown debris from originating from their property.

**3.21 Garden Hoses.** Garden hose hangers or hose reels may be placed on the side or rear of the home. Placement shall not present a hazard or impediment to mowing equipment or landscape maintenance personnel. Hoses shall be fully retracted and hung neatly when not in use.

**3.22 Generators.** Permanently installed external propane generators are not permitted because the land between the homes in South Lakes does not meet the County requirements. Portable generators may be used during periods of electric power outages following strict safety protocols including positioning the generator outside the home at least ten feet (10') from any window or door with the exhaust facing away from the home. Generators shall not be operated in a closed garage at any time.

**3.23 Glass Block.** The use of glass blocks on an existing structure or the use of glass block in an addition to an existing structure is permitted with approval through the ARC application process.

**3.24 Grills.** Grills shall be covered and stored behind the home or in the garage when not in use. Grills may also be stored and used on a paver or concrete pad at the rear of the structure in a location that will not interfere with mowing.

**3.25 Heating and Air Conditioning Equipment.** Replacement of outdoor air conditioning units shall be placed at the location of original construction to minimize noise to adjacent dwellings and shall be screened from street view with shrubs and/or approved screen fencing. Refer to paragraph 3.15 for screening requirements.

**3.26 Holiday Decorations.** Decorations may be displayed no earlier than thirty (30) day prior to and must then be removed no later than 14 days after a holiday. These holidays include Halloween, Valentine's Day, Easter, Independence Day and Thanksgiving. Winter Holiday (Christmas and other December holidays) decorations may be displayed no earlier than forty-five (45) days prior to and must then be removed no later than fifteen (15) days after the Winter Holiday.

Care shall be taken when deciding on placement of yard decorations, noting that large snow globes or inflatables may cause dead spots in lawns. Homeowners will be required to repair any damage caused to the lawn by placement of these objects. Any lighting that creates a nuisance may be required to be removed (e.g., unacceptable spillover to adjacent home).

**3.27 House Numbers.** All house numbers shall be clearly readable from the street but not so large as to be out of proportion to the structure, and compatibility to the overall design of the structure. All missing house numbers shall be replaced by the homeowner within fourteen days (14) of receiving notice from the HOA Management Company.

**3.28 Hurricane Shutters.** Hurricane shutters or other protective devices visible from outside a home shall be of a type as approved in writing by the ARC. Such approved hurricane shutters may be installed (portable) or closed (permanently installed) up to forty-eight (48) hours prior to the expected arrival of a hurricane and shall be removed or opened no longer than thirty (30) days after the end of a hurricane watch or warning or as the Board of Directors may determine necessary. Permanent hurricane shutters installed across the opening of a hard, shingled roofed lanai area may be closed throughout the whole normal hurricane season established by the National Oceanic and Atmospheric Administration (NOAA).

An approval by the ARC shall not be deemed an endorsement of the effectiveness of hurricane shutters and the homeowner shall obtain all government required permits and approvals.

**3.29 Nuisances.** Obnoxious, unpleasant, unsightly or offensive activities which can be reasonably construed to constitute a nuisance, public or private in nature are prohibited. Interpretation of this section is the sole responsibility of the Board of Directors, whose decisions shall be final. No cooking shall be permitted, nor shall goods or any beverages be consumed, on HOA common areas.

**3.30 Play Structures.** Permanent installation of play structures is not permitted in South Lakes.

**3.31 Porches, Decks, Screen Enclosures and Patios.**

Addition of such structures requires ARC approval. All such structures shall have an appearance consistent with

the home and the homes in South Lakes. Any porch, patio, screen enclosures or deck shall comply with existing setback requirements. Porches, screen enclosures or decks, which are constructed above ground, shall be finished to the ground with materials compatible with the deck or the home. Such installations shall be maintained free of mold, mildew, weeds and sand.

Screened-in front porch areas are not permitted. Screen enclosures shall be constructed with bronze colored aluminum supports and sixteen-inch (16") high kick plates and bronze colored screen material. Installation of kick plates is mandatory. Enclosures shall not exceed the width and height of the home nor extend beyond the dwelling's existing roofline. Enclosures shall not extend more than five (5) feet from the rear property line. Aluminum, metal or plastic roofs shall not be installed on decks, screen enclosures or patios.

**3.32 Potted Plants.** Decorative potted plants shall be maintained in good repair. A decorative potted plant is defined as a plant that has been placed with soil in a decorative flowerpot that is made of clay, ceramic or plastic, and is kept for display and decoration.

**3.33 Roofs and Gutters.** If a roof is damaged or destroyed by casualty loss or requires replacement because of normal wear, the homeowner shall commence to rebuild or repair the roof as originally constructed. Shingle color used in the repair or replacement must be the same color as the original construction. Changes from the originally constructed plan require approval from the ARC.

Roof gutters and downspouts of six (6) inch aluminum construction are permitted with prior approval before installation by the ARC. The color should be compatible with the color of the body of the house. Downspouts shall not direct water onto common areas or neighboring properties.

**3.34 Satellite and Antennae Dishes.** No exterior visible antennae, radio masts, towers, poles, aerials, satellite dishes or other similar equipment shall be placed on any home or lot without the prior written approval obtained from the ARC as required by this document. No homeowner shall operate any equipment or device which will interfere with radio or television reception of others. All antennas not covered by Federal Communications Commission (FCC) rules are prohibited.

**3.35 Security Lighting.** Security lights mounted on the home are permitted. Security lights shall be of the simple lamp holder type and not a decorative luminary. Mount holders will be attached to the metal soffit under the eave or rake on the roof. Wall mounting is not permitted. Maximum of two lamps per holder in any one location. Maximum of four locations on a home. Maximum wattage per lamp shall be 150 incandescent. Lamps shall be aimed so as not to illuminate neighbor's homes. Lights shall be turned on by means of a motion detector or other security breach detector.

Security lights may not remain illuminated throughout the night. Homeowners will be required to remove the lights if the lighting becomes a nuisance to neighboring properties. Lights cannot bleed into neighbor's yard. Security cameras are permitted; however, they cannot be pointed onto a neighboring property.

**3.36 Signs and Flag.** No sign, flag, banner, advertisement, notice or other lettering shall be exhibited, displayed, inscribed, painted or affixed in, or upon any home, utility pole or HOA property including without limitation, any home that is visible from the outside boundaries of South Lakes.

However, a homeowner may display, in a respectful manner, one (1) portable, removable United States flag or

official flag of the State of Florida and one (1) portable, removable official flag of the United States Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard, or a POW-MIA flag. Any such permitted flags may not exceed four and one-half feet (4'6") by six feet (6').

Partisan political flags and signs may be displayed for a period of thirty (30) days prior to and fifteen (15) days after election day. They must be placed on the home side of the sidewalk and in location that does not present an obstacle to landscape mowing. Maximum size of signs cannot be more than twenty-four inches (24") by thirty-six inches (36").

Realtor signs must be easily removable and placed on the property with metal brackets where they do not impede landscape maintenance. Maximum size, excluding metal brackets, may not exceed twelve (12) inches by eighteen (18) inches.

Open House signs and flags are allowed on the day of the scheduled event. They must be displayed one (1) hour prior to and one (1) hour after scheduled times of the event. Maximum size of the signs cannot be more than twenty-four inches (24") by thirty-six inches (36"). Maximum size of the flags cannot exceed five feet (5'). They must stand alone and are not allowed to be attached to the dwelling. Maximum number of flags to be allowed at one time is two (2) per address and must be located within the property lines of the "Open House". They are not allowed on any private property within the community or any common areas in South Lakes. Banners are not allowed.

Home security signs are also allowed, measuring eight and one-half inches (8.5") by eleven inches (11"), placed in front of the home.

**3.37 Solar Heating Equipment** ARC approval is required for the addition of solar heating equipment. Such equipment shall not be visible from the front of the home.

**3.38 Structural Repairs Required.** If a home or other improvement is damaged or destroyed by casualty loss, then the homeowner shall commence to rebuild or repair the damaged home or improvement in accordance with this document. As to any such reconstruction of a destroyed home or improvements, the same shall only be replaced as approved by the ARC. Notwithstanding anything to the contrary herein, to the extent that insurance coverage obtained and maintained by the HOA covers such casualty destruction, the homeowner of such damaged or destroyed home shall not perform any activities that would negate such coverage or impair the availability of such coverage.

**3.39 Swimming Pools/Spas/Whirlpools/Hot Tubs.** Above ground pools are not permitted. All in-ground pools, hot tubs, spas and appurtenances installed shall require the prior written approval of the ARC. Pools with fiberglass shells are prohibited. The design shall incorporate, at a minimum, the following.

- (I) The composition of the material shall be thoroughly tested and accepted by the industry for such construction.
- (II) Any swimming pool constructed on any lot shall have an elevation at the top of the pool of not over two feet (2') above the natural grade unless approved by the ARC;
- (III) Pool cages shall be a design, color and material approved by the ARC; and,
- (IV) Pool cages shall, in no event, be higher than the highest point of the home. Pool cages shall not extend beyond the sides of the home.

All pools shall be adequately maintained and chlorinated (or cleaned with similar treatment). Under no circumstances may chlorinated water be discharged onto other homeowners' lawns, the community streets or into any water bodies within South Lakes or adjoining properties.

**3.40 Substances and Fuel.** No flammable, combustible or explosive fuel, fluid, chemical, hazardous waste, or substance shall be kept on any portion of South Lakes or within any home except those which are required for normal household use and through adverse weather event. All propane tanks and bottled gas for household and/or pool purposes (excluding barbecue grill tanks) shall be installed underground or in a manner to be screened from view by landscaping or other materials approved by the ARC.

**3.41 Temporary Storage Containers.** Only one POD unit or other temporary storage container is permitted in a driveway for no longer than ten (10) days and shall not be placed where it interferes with the sidewalk or roadway. Storage containers of any kind shall not be placed on any landscaped area. Homeowners wishing to have a temporary storage container shall notify the Management Company when the container will arrive and be picked up. Extensions to the 10-day period will be considered on a case-by-case basis.

**3.42 Temporary Structures.** Structures of a temporary character, such as trailers, tents, bounce houses, other than storage as defined in Section 3.41 are not permitted.

**3.43 Trailers.** Trailers of any type (flat bed, horse, motorcycle, boat, RVs, etc.) are not permitted in public view in South Lakes. Trailers shall be stored in garages and garages shall remain closed (see Section 3.19).

**3.44 Trespassing.** Each home in South Lakes is privately owned. Trespassing through side yards or backyards is not permitted. Homeowners reserve the right to notify authorities of a trespassing event. Common areas leading to the ponds and the CDD area surrounding the ponds are open to all homeowners. All streets and sidewalks in South Lakes are private; therefore, non-homeowners cannot access the common and lake areas unless accompanied by a resident.

**3.45 Vehicle Parking/Towing.** All streets in South Lakes are private, and on-street parking, including driveway aprons, of vehicles is prohibited. Subject to applicable laws and ordinances, any vehicle parked in violation of these and other restrictions contained herein or in the Use Restriction and Rules will be towed by the HOA at the sole expense of the homeowner of such vehicle.

**3.46 Vehicles Prohibited.** No commercial vehicle, limousine, recreational vehicle, all-terrain vehicle, boat, trailer, including without limitation, boat trailers, house trailers, and trailers of every other type, kind or description, or camper, may be kept within South Lakes except inside the garage of a home. The term "commercial vehicle" shall not be deemed to include law enforcement vehicles or sport utility vehicles or clean "non-working" vehicles such as pick-up trucks, vans, or cars if they are used by the homeowner on a daily basis for normal transportation. However, vehicles with ladders, racks, and hooks attached to such vehicles shall be "commercial vehicles" and are prohibited by this section. No vehicles displaying commercial advertising shall be parked within the public view.

No vehicles bearing a "for sale" sign shall be parked within the public view anywhere within South Lakes. No vehicle shall be used as a domicile or residence temporarily or permanently.

**3.47 Vehicle Repairs and Storage.** No vehicle which cannot operate on its own powers shall remain within the

boundaries of South Lakes for more than twelve (12) hours, except within the garage of a home. No repair or maintenance, except emergency repair, of vehicles shall be made within South Lakes, except in the garage of a home. No vehicles shall be stored on blocks. No tarpaulin covers on vehicles shall be permitted anywhere within the public view.

**3.48 Waterways.** No homeowner whose home adjoins a waterway may utilize the waterway to irrigate. By acceptance of a deed to a home, each homeowner acknowledges that the water levels of all water bodies may vary. There is no guarantee by the developer, builder, CDD, SFWMD or the HOA that water levels will be constant or aesthetically pleasing at any particular time.

**3.49 Wetlands/Conservation Areas.** Cutting or removal of vegetation in wetlands or conservation areas is prohibited by State Law. Answers to any questions about wetlands or conservation areas shall be referred to the HOA Management Company. In the event that the HOA is fined by SFWMD due to the cutting, spraying or removal of any vegetation, said fine shall be passed on to and paid, by the homeowner.

**3.50 Window Air Conditioning Units.** No window or wall air conditioning unit shall be installed in any window or wall of a home.

**3.51 Window Treatments.** Window treatments shall consist of drapery, blinds, decorative panels, or other window covering materials. No newspaper, aluminum foil, bedsheets or other temporary window treatment are permitted, except for periods not exceeding one (1) week after a homeowner or tenant first moves into a home or when permanent window treatments are being purchased, cleaned or repaired.

No awnings, canopies or shutters shall be affixed to the exterior of a home without the prior written approval of the ARC. No reflective tinting or mirror finishes on windows shall be permitted. Window treatments facing the street shall be of a neutral color such as white, off-white or wood tone.

**3.52 Yard Ornaments.** A limited number of yard ornaments that are less than thirty-six (36) inches in height are permitted without ARC approval per lot. Anything over thirty-six (36) inches requires ARC approval.



## **Article 4 Landscaping**

### **4.01 Landscape Maintenance Responsibility**

Both the homeowner and the HOA have specific responsibilities relative to landscape maintenance.

*The HOA is specifically responsible for:*

- a) mowing, edging and fertilizing all grass areas on a one- or two-week schedule based on the season.
- b) trimming and fertilizing all plants in the planter beds at the front of each home. Weeding those planter beds.
- c) periodic replacement of the mulch in the planter beds at the front of each home based on a schedule adopted by the Board of Directors. Reflecting budget limitations, the Board of Directors will define the depth and quality of the mulch to be installed.
- d) trimming all trees in the area between the sidewalk and street on a schedule established by the Board of Directors.

*The homeowner is specifically responsible for:*

- e) plants installed by homeowners at the sides and rear facing of each home.
- f) trees planted anywhere on the lot except for those referred to in line "d" above.
- g) maintenance of the irrigation system throughout the property, including the HOA easement area (lawn between the sidewalk and the curb).

### **4.02 Homeowner Responsible Areas**

Each homeowner has certain rights and responsibilities related to maintenance of the individual property area. A strip of area to each side of each home was mulched and planted with shrubs by the builder as was an area paralleling the boundary with CDD owned land.

Homeowners are responsible for these areas and have three options:

- a) continue to use mulch.
- b) replace the mulch in these areas with St Augustine or Bahia grass.
- c) replace the mulch with river rock.

If the homeowner chooses to replace the mulched areas with river rock, concrete curbing bordering the area containing approved river rock may be installed using approved colors. If a homeowner elects to continue using mulch, the homeowner shall be responsible for maintaining it to the standard employed by the HOA. If mulch is replaced by the homeowner with grass the HOA will incorporate those areas into the total mowing/edging plan.

Homeowners may plant additional bushes, shrubs and trees in the areas referred to above and in the area

at the front of the house. ARC approval is necessary and an application must be submitted. Maintenance of the vegetation installed by the homeowner, as approved by the ARC, along with existing vegetation in all areas of the lot, except the front, is the responsibility of the homeowner. Such vegetation shall be maintained to the standard employed by the HOA in its areas of responsibility. If a homeowner fails to comply, the HOA will make appropriate corrections at the homeowner's expense.

#### **4.03 Bedding Coverings for Homeowner Responsible Areas**

All landscaped plants shall be planted with the appropriate topsoil, peat moss and fertilizer mixtures. Bare ground is not acceptable. All shrubs, ground cover and tree beds shall have a two (2) inch minimum layer of mulch.

The following types of cover are permitted as landscape bed coverings: organic mulch, pine bark nuggets and river rock.

#### **4.04 Artificial Turf**

Artificial turf and rubberized mulch are not permitted on any lot.

#### **4.05 Irrigation System**

All irrigation systems shall be fully functional and operated pursuant to Toho Water Authority operating requirements. Homeowners are responsible for the maintenance and repair of the irrigation system on their property including the HOA easement (lawn between the sidewalk and the curb). Care should be taken by homeowners to ensure that sprinkler heads retract following use. The landscape contractor, and the HOA, will not be responsible for damage to sprinkler heads that fail to retract after use.

Damage believed by the homeowner to be caused by the HOA's landscape contractor shall be reported to the HOA Management Company. The HOA Management Company shall have the authority to determine the responsibility for the damage and negotiate a settlement of the repair cost. In no instance shall a homeowner approach the staff of the landscape contractor with a damage claim.

#### **4.06 Landscape Changes**

Owners shall not remove soil from any portion of their home, change the level of the land or plant landscaping which results in any permanent change in the flow and drainage of surface water. Owners may not place additional plants, shrubs or trees anywhere around their home without the prior written approval of the ARC. Any changes to the turf around a home must be approved by the ARC.

#### **4.07 Landscape Edging**

All landscape edging must be approved by the ARC prior to installation. Approved edging includes professionally installed concrete curbing in approved colors, stacked bricks or rock edging and properly installed black rubber tube-type or metal edging.

#### **4.08 Landscape Rock**

River rock material is another acceptable bed covering. Approval on specific color by the ARC is needed prior to installation.