

# **Richmond Hill PlantationROA**

## **North Entrance**

### **Rules and Regulations**

The Architectural Review Board (ARB) and Modifications Committee (MC) consists of one (1) or more people who are appointed by the Declarant. When the Homeowners Association is released to the Homeowners, the vacancies shall be filled by a majority vote of the Board members. The ARB and/or MC shall regulate the external design, appearance, use, location, and maintenance of the Property. The ARB will review submissions and make decisions using their best judgment of what will be compatible with the character and appearance of the community.

If the homeowner proceeds with an improvement without requesting permission from the ARB/MC, they risk the potential of redoing or removing the improvement. If the ARB/MC disapproves of a request, the homeowner may not proceed with the improvements. Approval or disapproval will be granted within 30 days if all requested information is submitted. It will be the homeowners' responsibility to provide all additionally requested information in a timely manner.

**AMENITY RULES AND REGULATIONS-** Will be listed on the HOA website upon completion of the amenity.

**ANTENNAS AND SATELLITE DISHES-** No transmission antenna, except for customer-end antennas that receive and transmit fixed wireless signals, may be erected anywhere on the property without written approval from the ARB. No direct broadcast satellite ("DBS") antenna or multi-channel multipoint distribution service ("MMDS") larger than 0.37 meter (39.37") in diameter shall be placed, allowed or maintained upon any portion of the Properties, including but limited to any Lot, DBS and MMDS antennas one meter or less in diameter and television broadcast service antennas may be installed in accordance with the Federal Communications Commission. Such items shall be installed in the least conspicuous location available on the Lot which permits reception of acceptable signal. The items are preferred to be on the back half of the roof or on a pole in the back yard.

**ARCHITECTURAL CHANGES-** Any changes to the exterior of the home are subject to review by the ARB/MC.

**ACCESSORY STRUCTURES-** With approval of the ARB/MC, detached accessory structures may be placed on a Lot to be used for a playhouse, tool shed, doghouse, garage or other approved use. A garage may also have an attached accessory structure. Such accessory structures shall conform in exterior design and quality to the dwelling on the Lot. With the exception of a garage that is attached to the dwelling and except as may be provided otherwise by the ARB/MC, and accessory structure placed on a lot shall be located only behind the dwelling as such dwelling fronts the street abutting such Lot or in a location approved by the ARB/MC. All accessory structures shall be located within side and rear setback lines as may be required by the ARB/MC or by applicable zoning law. Fencing will be required prior to the installation of accessory structures during the Declarant control period.

**BASKETBALL HOOPS AND BACKBOARDS-** Only temporary portable basketball goals are acceptable. While in use they must be placed in such a manner as not to block the sidewalks or streets. Temporary portable basketball goals must only be used on the owner's property and placed in a manner that would result in the basketball to most likely stay on the owner's property as much as possible during play. Temporary portable basketball goals do not require ARB approval but must be removed and stored when not in use. They may be stored in an upright position or laying down on the side of the home, in the back yard, in the driveway next to or in front of the garage. They may not be stored near the sidewalk or street. The ARB must approve all other recreational sporting equipment. The portable basketball goals must be maintained in good condition, must have a net, and will not have a dilapidated appearance.

**BIRDHOUSE OR BIRDFEDER-** Birdhouses and bird feeders are generally acceptable when installed in the backyard. Any other location will require the approval of the ARB.

**CARPORTS AND SHEDS-** No Structure, shed, tent, shack, carport, garage, barn, or other outbuildings shall be erected by the Owner or Occupant, other than the Declarant, on any portion of the Property, at any time, either temporarily or permanently, without the prior written approval of the Board, except as may be permitted by the ARB during the initial construction or the MC thereafter.

**CLOTHESLINES-** Clotheslines are not permitted. Fences shall not be used as clotheslines.

**DECKS, PATIOS, SCREENED PORCHES AND COVERS-** All decks, patios, screened porches and covers will require approval from the ARB. Dimensions of the options with materials, colors, and specifications must be submitted with the plans for ARB approval. Decks and patios must be natural in color. Deck should not extend past the width of the house and should be no more than fifteen (15) feet in depth.

**DOGHOUSES-** No Dog house, cage, pen or other similar exterior structure shall be permitted on the Properties.

**DRAINAGE DEVICES-** All drainage devices must be approved in writing by the ARB. Any modification impeding the flow of water is prohibited. Each owner shall maintain the grading upon his or her lot. A change in any drainage pattern must be approved by the ARB.

**FENCES-** All fencing (which includes but is not limited to: height, location, color, material, style) MUST be approved by the ARB. Please remember that you must receive a fence permit from the city/county before proceeding. For specific guidelines for fencing, please refer to that ARB application.

**FIREARMS AND FIREWORKS-** The discharge of firearms (including B-B guns, pellet guns, or other guns) is forbidden unless the display or use is by law enforcement, or a resident is legally transporting firearms to his/her home. Residents must abide by local laws in regards to fireworks.

**FLAGPOLES-** Flagpoles that are freestanding are prohibited, except as approved by the declarant for new home marketing. Flagpoles attached to the front of the house do not require approval if the length of the pole does not exceed 6 ft. Flags shall not be tattered or faded.

**FLOWERBOXES ON WINDOWS-** Window flower boxes that are the same base color of the house or trim color are permitted. All others need approval from the ARB.

**FOUNTAINS/ PONDS-** Fountains and ponds of any kind will not be allowed in the front yard unless approval is received from the ARB. Approved items must be maintained in appearance and functionality.

**HOME BUSINESSES-** Home business occupations are permitted provided such businesses are undetectable from the street by sight, sound, odor or noise. The following must also apply. 1. The use shall operate in its entirety within the dwelling unit and only by the person residing in the dwelling. 2. The use shall not have a separate entrance. 3. The operator shall not display any external evidence of the operation of the home business. 4. The use shall not exclusively utilize more than 20% of the gross square floor area or 300 square feet, whichever is less. A garage shall not be utilized for, or in conjunction with a home business. 5. The home business should clearly be incidental and secondary to the use of the dwelling or of the neighborhood by excessive noise, lights, traffic or other disturbances. 6. A business license must be acquired if it is required by the city/county and the business must meet zoning and business regulations.

**HOLIDAY DECORATIONS-** All holiday decorations must be removed within fifteen (15) days of the particular holiday or celebration. Consideration of neighbors should be exercised when decorating for any occasion. All holiday lighting should be considered temporary and may not be installed prior to (30) thirty days before the holiday and must be removed within (15) fifteen days after the holiday. Decorations may not include any audio that can be heard beyond the limits of the lot.

**HOUSE NUMBERS-** House numbers as installed by the builder must be maintained. No alternatives are allowed without ARB approval.

**IRRIGATION-** Owners shall not install irrigation systems which draw upon ground or surface waters nor from any lakes, ponds or other body of water within the Properties; however, the Declarant and the Association shall have the right to draw water from such sources for the purpose of irrigation the Area of Common Responsibility.

**LANDSCAPING, TREE REMOVAL, VEGETABLE GARDENS-** All landscaping must be approved by the ARB/MC in advance of installation. Eighty percent of the lot area, exclusive of the portion occupied by the house and original driveway, shall be covered with live vegetation cover. Gravel, mulch and similar materials shall not be considered live vegetation. No artificial plants, flowers or rubber mulch shall be part of the landscaping. Each owner shall use his or her best efforts to keep and maintain attractive, healthy, live and growing conditions, any and all grass, shrubs, trees, edging etc... No trees that are more than (6) inches in diameter at a point (2) feet above the ground shall be removed without the prior written consent of the appropriate reviewing body; provided however, any trees, regardless of their diameter, that are located within ten (10) feet of

a drainage area, a sidewalk, a residence of a driveway or any diseased or dead trees needing to be removed to promote the growth of other trees or for safety reasons may be removed without written consent of the appropriate body.

**LIGHTING- Removal** of existing lighting installed by the builder is prohibited without approval from the ARB/MC. Additional lighting installed must be approved by the ARB/MC. Exterior lighting visible from the street shall not be permitted except for: (1) approved lighting as originally installed on a Lot; (2) one approved decorative post light; (3) pathway lighting; (4) street lights in conformity with an established lighting program for the Properties; (5) seasonal decorative lights during usual and common seasons; (6) front house illumination of model homes; or (7) any additional lighting as may be approved by the appropriate reviewing body. All lights should be installed or aimed so that they do not present a disabling glare to the drivers or pedestrians or create a nuisance by projecting or reflection objectionable light onto a neighboring property.

**MAILBOXES-** All dwellings within the Properties shall have standard mailboxes conforming to the postal regulations and the guidelines for such mailboxes adopted by the ARB. The ARB may adopt different standard mailboxes for each Neighborhood. By accepting a deed to a Lot, each owner agrees that the ARB may remove any unapproved mailbox in a reasonable manner; all post for same shall be paid by the Owner of each Lot and all claims for damages caused by the ARB are waived.

**PAINTING-** ARB approval is required for repainting of any house that is painted differently than the original color. A sample paint swatch must be submitted with the request. The ARB may require that a sample area is painted with new color and trim before approval is granted.

**PATIO FURNITURE-** All patio furniture in the front or side of home must have ARB approval. Patio furniture must not be in landscaped or grass areas. Wood and/or wrought iron are encouraged.

**PETS-** No non-domesticated animals, livestock or poultry of any kind shall be raised, bred, boarded, or permitted on any Lot, with the exception of dogs, cats or other usual and common household pets in reasonable number, as determined by the Board. No animals shall be kept, bred, or maintained for commercial purposes. All pets permitted shall be reasonably controlled by the owner whenever outside a dwelling and shall be kept in such a manner as not to become a nuisance by barking or other acts. No pets may be maintained outside overnight; all pets shall be housed within the living area of the residential dwelling at night. No pets shall be attached to any structure, tree, or otherwise restrained by a rope or chain. No pets shall be left unattended in the Common Areas. The owners of the pet shall be responsible for all of the pet's actions and shall promptly remove all pet waste and properly dispose of it. Pets shall not be permitted in any lake, pond, or other water body. If, in the sole opinion of the Board, any animal becomes dangerous or any annoyance or nuisance in the Properties or to nearby property or destructive of wildlife, such animals shall be removed from the Properties. By way of explanation and not limitation, this Section may be enforced by exercising self-help right.

**POOLS-** ARB approval is required before a pool is installed. Above-ground pools will not be permitted.

**PONDS, LAKES, MARSHES AND BODIES OF WATER-** All boats, rafts or sailing crafts are expressly prohibited. All ponds, lakes and bodies of water are declared "no swimming" areas. Due to slippery banks and muddy shores, parents are required to maintain constant supervision of their children. The natural area of ponds should not be disturbed.

**RECREATIONAL EQUIPMENT-** All permanently installed exterior recreational equipment including play yards (swing sets, slides, tree houses, trampolines, etc.) must have ARB approval. The maximum height of the equipment shall not exceed 12 feet, with the exception of the community amenity area. Recreational equipment shall be located on any lot so as not to be visible from the street when viewed from the front of the home. The equipment must be placed in a manner that is directly behind the home and will not protrude from the side of the home so that when a person is standing in the street the equipment cannot be seen when looking down at the left or right side of the home. Homeowners/Residents/Guests hereby waive all claims against Richmond Hill Plantation HOA, Landmark 24, or partners of individually or otherwise, for any and all injuries, claims for damages that might incur as a result of installation and use of any external recreation equipment placed by Homeowner/Resident. Any equipment placed without prior ARB approval will be subject to possible violation as per Covenants, and association Rules and Regulations, including fines and removal of equipment at homeowner's expense. No equipment installed for children's recreational use shall be installed or placed within the front or side yard of any lot or in any easement or common area adjacent to a lot.

**RESIDENTIAL STRUCTURES-** No residential out structures are permitted and all expansions/additions must be approved by the ARB. It is the responsibility of the homeowner, or their contractor, to obtain a building permit from the appropriate municipality prior to any building.

**ROOF VENTS AND SHINGLES-** All roof vents shall be painted a color to match the color of the roof. Roof shingles, if replaced, must be the same color and style as the shingles replaced unless otherwise approved by the ARB.

**SECURITY DOORS, STORM DOORS, SECURITY SYSTEMS-** High quality, full panel glass doors, decorative wrought iron doors, or decorative aluminum doors may be installed if approved by the ARB. Any other door, any enclosure, or change of the original builder's design requires ARB approval. All other security systems or measures which are installed on the exterior of the house require ARB approval.

**SHUTTERS- Exterior** shutters on windows need ARB approval. Shutters must match or accent the house trim color and be consistent with other homes in the community. Shutters must be maintained and should be replaced if damaged.

**SIGNS-** Residents are permitted to display one (1) professionally printed or purchased "For Sale", "Open House", "For Rent", or "For Lease" sign no larger than six (6) square feet. Political signs may be placed in your yard as part of your first amendment right. However, to protect the aesthetic harmony of the neighborhood, only one (1) political sign not more than six (6) square feet is permitted to be placed in the front yard (as defined above) two (2) weeks prior to the election date. The sign must be removed within three (3) days after the election. Except for security alarm systems, all other commercial and advertising signs, including signs of contractors performing work at residence, are prohibited. Placement of signs and notices on fences, trees and other objects are prohibited. The Board of Directors reserves the right to periodically place signs in the common space for the benefit of the community. Such signs include but are not limited to informational signs and warning signs.

**SPAS-** Spas must be approved by the ARB. The equipment must be in such a way that it is not immediately visible to adjacent property owners, i.e. hidden by fence, shrubs, etc.

**TRASH CONTAINERS, RECYCLE BINS AND DUMPING-** No refuse, garbage, trash, lumber, grass, shrub, tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse, or debris of any kind shall be kept, stored, or allowed to accumulate on any site except within an enclosed structure or appropriately screened from view. All trash receptacles and/or yard waste to be emptied must be placed at the curb and removed from curb within 24 hours. Items placed out for collection must be secured such that animals cannot get into trash or such that litter is caused. Trash and recycling containers shall be located or screened so as to be concealed from the view of neighboring street and property. There shall be no dumping of grass clippings, leaves, or other debris; rubbish, trash, or garbage; petroleum products, fertilizers or other potentially hazardous or toxic substances in any pond, lake, drainage ditch or stream within the Properties or on any Common Area, except that fertilizers may be applied to landscaping on Lots provided care is taken to minimize runoff.

**VANDALISM-** Any vandal destroying improvements located upon Common Area within the community will be fully prosecuted of the law. Owners are responsible for any vandalism committed by their family members, invites and guests and shall be subject to cost for repairs and a fine equal to the cost of repairs to reimburse the association. In addition, if a reward is paid for information leading to an arrest, that reward must also be reimbursed.

**VEHICLES-** Vehicles must be parked in driveways or garages. No vehicles may be parked in landscaped areas. Parking on the street should be temporary (for deliveries or loading and unloading purposes only) and is not permitted unattended or overnight. No vehicles may be left upon any portion of the property, except the garage, if it is unlicensed or if it is incapable of being operated on the public highways. Recreational vehicles shall be parked only in the garage, if any, serving the Lots. The term "recreational vehicles" as used herein, shall include, without limitation, motor homes, mobile homes, boats, "jet skis" or other watercraft, trailers, other towed vehicles, trucks with camper tops, motorcycles, minibikes, scooters, go-carts. Golf carts, campers, buses, commercial trucks and commercial vans. Any recreational vehicle parked or stored in violation of this provision shall be considered a nuisance and may be removed from the property or appropriate fines will be assessed. Service and delivery vehicles may be parked temporarily in the Properties during daylight hours for such periods of time reasonably necessary to provide service or to make a delivery within the property.

Discharge from any engines, motors, drive trains, and holding tanks shall not be allowed into the street, storm drain, or sanitary sewer storm drain. Vehicles cannot be maintained, repaired, serviced, rebuilt or dismantled on any lot except within the confines of the garage. This does not prevent a vehicle from being washed or waxed in the driveway of any lot.

Commercial vehicles must be parked in garage or driveway areas and are defined as vehicles displaying roof racks or obvious additions used for a specific purpose. Vehicles with more than 6 tires are prohibited with the exception of delivery or maintenance vehicles requiring short trips within the Community.

**WATER FILTRATION SYSTEMS AND GAS TANKS-** Water filtrations systems and gas tanks must be approved by the ARB. A buffer is required at the time of installation.

**WELLS-** No wells are permitted. This does not prevent the Association from keeping a well for landscape purposes.

**WEATHERVANES-** ARB approval is required for any weathervane.

**WINDOWS-** ARB approval is required for the replacement of all windows not originally installed by the builder. Nothing may be placed in the window, which could be viewed from the exterior, such as window HVAC units or fans.

**WINDOW TREATMENTS-** No tinted, mirrored, brightly colored or other such window treatment may be installed which cause attention to themselves by virtue of these features. White lined draperies are strongly encouraged.

**WOOD STORAGE-** Storage of fireplace logs must be in the backyard. Stored firewood must be neatly stacked, below the fence line, and not visible from any public or private street. Wood storage must not be located in an area so as to block any existing drainage pattern on the lot.

**ENFORCEMENT OF RULES-** All Association Rules and Regulations and all rules set forth in the Community Covenants and Restrictions shall be vigorously enforced by the Association, its members, the Board of Directors, and the Managing Agent, and all committees of the Association. The managing agent will do periodic inspections of the community and record violations to be reviewed by the Board of Directors. Homeowners shall be notified in writing of the alleged violation and said violation must be corrected immediately unless additional time is given according to the violation notice. Violations must be amended and maintained to avoid additional violations for an offense of the same type. Immediate correction of any violation does not relieve the owner of a fine incurred. Fines will be assessed according to the structure below.

Owner's voting rights and rights to the use of recreational facilities by the Owner, Owner's family; tenants and guests may be suspended or limited in addition to fines being levied.

**First Offense:** Written letter of warning. Notice to homeowners giving nature of alleged violation.

**Second Offense:** \$100.00 fine for same violation, to be added as additional HOA fees. Unpaid fines are collectible in the same manner as unpaid monthly assessments and may result in a lien on an owner's unit.

**Third Offense and Subsequent Notice of Violation:** The HOA may choose to fix or repair the problem at the owners' expense or impose a \$175.00 fine for same violation, to be added as additional HOA fees. Unpaid fines are collectible in the same manner as unpaid monthly assessments and may result in a lien on an owner's unit.

After receiving the first violation, if a Homeowner feels that they are not in violation as described, they must contact the HOA immediately. If an agreement can is not met at that time, the Homeowner may request the opportunity to be heard at the next scheduled meeting of the board at which time the board will determine if the Homeowner was in violation as described in the rules and regulations.

Owners may be required to remove any exterior improvement (at their expense) which did not receive ARB approval.

A violation by a rental tenant or guest shall be treated as a violation by the homeowner. The owner shall receive the letters cited above which shall outline a complaint for a violation committed by their resident.

Rules and Regulations may be amended, repealed, and adopted from time to time by the board of directors. Proposed amendments may be published, but are not required to be published, in the Association's newsletter or community website.