

Avalon at LeHigh Woods

Homeowners Association

Handbook for Homeowners

As of August 8, 2017

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Purpose of the Handbook

The purpose of this handbook is to familiarize homeowners with the current community standards and guidelines, which are used to maintain the aesthetic appearance quality of the community. This handbook is to act as an abbreviated version of the most commonly used sections of the Declaration of Conditions, Covenants, Easements, and Restrictions.

The Declaration of Conditions, Covenants, Easements, and Restrictions (CCERs) are the legal documents of the Homeowners Association. They impose use restrictions and specify the process for obtaining approval for changes, improvements or alterations to an owner's lot or residence. Legally, these covenants are a part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of whether or not these owners are familiar with such covenants.

Role of the Architectural Review Board

The CCERs provides the scope and authority of the Architectural Review Board (ARB). The members of the ARB are appointed by the Board of Directors of the Homeowners Association.

The ARB will review and approve (or disapprove) applications submitted by an owner for exterior additions, alterations or modifications to a home or lot. The ARB is tasked to help maintain consistency with the overall design concept for the community; promote harmonious architectural and environmental design qualities and features; promote and enhance the visual and aesthetic appearance of the community; and help maintain a clean, neat, orderly appearance of the community.

If there is any doubt as to whether or not a proposed exterior change is exempt from design review, homeowners should first seek clarification from the Property Management company before proceeding with the improvement.

ARB Application and Review Procedures

Applications: All applications for proposed changes or improvements must be submitted by writing by the last Monday of the month. A copy of the current application can be found on the Property Management website. Applications must be complete in order to commence the review process; incomplete applications will be returned to the applicant with a statement of deficiencies that must be remedied in order to be considered for review.

Time Frame to Review: The ARB is required to approve or disapprove any application within thirty (30) days of receipt of the property completed application. The ARB meets the first Thursday of each month to review applications. Homeowners are welcome to attend ARB meetings – meeting notice will be posted in the community at least forty-eight (48) hours in advance.

Notice of Approval/Disapproval: Homeowners who have submitted completed applications will be given written notice of the decision of the ARB.

Appeals Procedure: Homeowners who have submitted applications may appeal decisions of the ARB to the Board of Directors.

Access Ramps – 6.40*

Any owner may construct an access ramp if a resident or occupant of the residence has a medical necessity or disability that requires a ramp for egress and ingress under the following conditions:

- a. The ramp must be as unobtrusive as possible, be designed to blend in aesthetically as practicable, and be reasonably sized to fit the intended use.
- b. Plans for the ramp must be submitted in advance to the ARB. The ARB may make reasonable requests to modify the design to achieve architectural consistency.
- c. The owner must submit to the association an affidavit from a physician attesting to the medical necessity or disability of the resident or occupant requiring the access ramp. Certification used for Section 320.0848, Florida Statutes, as amended from time to time, shall be sufficient to meet the affidavit requirement.

Allowable Trim – 6.25*

No owner or tenant of a residence shall install shutters, awnings or other decorative exterior trim, except small exterior decorations such as address plates and name plates, without the prior approval of the ARB.

Alteration of Lots – 6.21*

No owner, without the express prior written consent of the ARB, shall construct any improvements or make any changes to the Lot which shall have the result of changing, altering or affecting the natural or artificial water courses, canals, ditches, swales, ponds, or drainage of the community. All construction, grading, and landscaping shall conform to the drainage swale requirements set forth on the plan of the community.

Animals and Pets – 6.9*

Authorized pets are cats, dogs, and aquarium fish. Only two of each type are permitted (other than aquarium fish.) It is recommended that homeowners familiarize themselves with the City of Palm Coast pet ordinances.

Antenna Restrictions – 6.30*

Except for one (1) satellite reception dish of not greater than eighteen inches (18”) in diameter on each lot, which shall not be visible from any street, no one shall be permitted to install or maintain any outside television or radio antenna, disc, mast aerial or other tower for the purpose of audio or visual reception unless approved by the ARB.

Architectural Control – 6.10*

The ARB shall have the right, in its sole and absolute discretion, to refuse approval of plans, specifications and plot plans, or any of them, based on any ground, including purely aesthetic grounds. Any change in the exterior appearance of any building, wall, fence, mailbox or other structure or improvements, and any change in the appearance of landscaping, shall be deemed an alteration requiring approval. The ARB shall have the power to promulgate such rules and regulations as it deems necessary to carry out the provisions and intent of the community's CCER Section 6.10.

Improvements of any kind including but not limited to additions, walls, fences, mailboxes, landscaping, and exterior paints and finishes can be erected, placed, or altered on any lot without a submitted and ARB approval.

Board of Directors Meetings

All meetings of the Board must be open to all Members to attend except for meetings between the Board and its attorney.

Notices of all Board meetings must be posted in a conspicuous place in the community at least forty-eight (48) hours in advance of a meeting, except in an emergency.

Clotheslines & Drying – 6.31/6.16*

No clothing, laundry, or wash shall be aired or dried on any portion of the residence which is visible from adjacent homes, streets, or any other adjoining portion of the community.

No clotheslines which are visible from the street in the front of the residence shall be erected or installed without prior approval by the ARB.

Commercial Trucks, Trailers, Campers, and Boats – 6.12*

No trucks except trucks that have ½ ton capacity or less, have not lettering, have no roof racks, or similar racks, and do not appear to be commercial trucks or commercial vehicles, campers, mobile homes, motor homes, trailers, rv's, motorcycles, boats, boat trailers, jet skis, horse trailers, or vans shall be parked or stored at any place on the properties unless same shall be parked or stored within the garage.

Declaration of Conditions, Covenants, Easements and Restrictions

A full copy of the community's CCERs are available on the current property management company's website.

Enforcement/Compliance – 7.1*

Every Owner shall comply with the terms, provisions, restrictions and covenants set forth in the CCERs and any rules/regulations adopted by the Board of Directors of the Association. The Association may levy reasonable fines, not to exceed one hundred dollars (\$100.00) per violation, against any owner, tenant, guest or invitee. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, except that no such fine shall exceed one thousand dollars (\$1000.00) in the aggregate. A fine shall not become a lien against a Lot.

Prior to imposing a fine, the Association shall provide the Owner with fourteen (14) days notice and an opportunity for a hearing before a committee of three (3) members appointed by the Board who are not officers, directors, employees of the Association, or the spouse, parent, child, or sibling of an officer, director or employee.

Exterior Appearances and Landscaping - 6.11*

The paint, coating, stain and other exterior finishing colors on all residences, walls and fences may be maintained as that originally installed, without prior approval of the ARB, but prior approval of the ARB shall be necessary before any such exterior finishing color is changed.

No such building wall or masonry wall or fence, or any associated landscaping or buffer improvements shall be demolished or removed without prior written consent the Architectural Review Board (ARB).

Exterior Maintenance - 5.6*

The owner of each residence shall be obligated to at all times maintain the landscaping and an appropriate variety of Bahia or St. Augustine sod on all portions of the lot. The owner of each lot shall maintain the exterior of the residence and the lot (including, but not limited to, all landscaping) at all times in a neat and attractive manner.

Fences - 6.14*

No Fence, wall or other similar structure shall be erected unless the materials and color are in accordance with the community standards; materials, color, location and dimensions must be approved by the ARB. In no event shall any wall or fence exceed six (6) feet in height or be composed of chain-link or stockade material.

Lakefront Lots – Perimeter fencing erected within lots which border the community lake shall only be allowed if said fencing is black, open-railed fence and four (4) feet high.

Non-Lakefront Lots – Perimeter fencing erected within lots which do not border the community lake shall only be allowable if said fencing is wooden, shadow-box style fencing, not to exceed six (6) feet high.

Fixed Game and Play Structures - 6.19*

All basketball backboards and other fixed game and play structures shall be located at the side or rear of the residence, or on the inside portion of the corner Lots within the setback lines and in no event shall be visible from the street. Tree houses, skateboard ramps, bicycle ramps or platforms of any kind or nature shall not be constructed on any part of the residence.

Flags - 6.6*

Any permanent flagpole or flagpole affixed to a residence shall be permitted only if first approved in writing by the ARB. A removable US flag or official State of Florida flag no larger than 4 ½ feet by 6 feet may be displayed in a respectful manner on Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day.

Garage - 6.33*

Each residence shall have a garage large enough to accommodate two (2) cars. Garage doors shall remain in operating condition.

Garbage and Trash Disposal – 6.13*

All garbage and trash containers and their storage areas and the like shall be kept within a garage, placed inside an enclosure approved by the ARB, or behind opaque walls attached to and made a part of the residence on each lot. Such containers may not be placed out for collection sooner than the night prior to scheduled collection and must be removed within the night of collection.

Mailboxes – 6.15*

No mailboxes or similar improvement shall be installed unless the materials and color are in accordance with the community standards; materials, color, location and dimensions must be approved by the ARB.

Roofs – 6.35*

The roofs of the main body of all buildings and other structures shall be pitched. No flat roofs shall be permitted without the approval of the ARB. All roofs shall be constructed of composition shingles or other materials approved by the ARB. The ARB, in its sole and absolute discretion, must approve all roof colors.

Short Term Rentals – 6.37*

Short term rentals are expressly prohibited in the community.

Signs – 6.7*

No sign of any kind shall be displayed to the public view on the properties except:

- a. Security services within ten (10) feet of the entrance of the home
- b. One discreet professionally prepared "For Sale" sign of not more than three (3) square feet may be placed on the street side of the lot.

Solar Panels – 6.36*

Solar panels may only be constructed on the roof of a residence so as not be visible from the adjacent street (or configured so as to minimize visibly in the case of corner lots) and only after review and approval by the ARB, in its sole and absolute discretion.

Storage of Materials – 6.22*

No owner may store construction materials on a lot for a period exceeding thirty (30) days without commencing construction.

No building, material or refuse shall be placed or stored on any lot within twenty (20) feet of any open water or drainage course except that clean fill may be placed nearer, provided that the water or drainage course is not altered or blocked by such fill.

Swimming Pools and Screening – 6.20*

Plans and specifications for any swimming pool, including screening, to be constructed on any residence shall be subject to the prior approval of the ARB.

Temporary and Other Structures – 6.5*

No structure of a temporary character, or storage shed, utility shed, greenhouse, trailer, tent, mobile home, motor home, or recreational vehicle are permitted on the properties at any time. No gas tank, containers, or cylinders are permitted to be placed on or about the outside of any residence unless approved by the ARB, and if approved must be buried or enclosed by the ARB.

Tree Removal Restrictions – 6.28*

Trees situated on any lot between building set back lines and the property lines having a diameter of four inches (4”) or more – measured four feet (4’) from ground level – may not be removed without prior approval of the ARB. All requests for approval of tree removal shall be submitted to the ARB along with a plan showing generally the location of such trees.

Anyone violating the Removal Restrictions will be required to replace such trees with trees of like kind, size, condition within thirty (30) days after demand by the ARB.

Unit Air Conditioners – 6.17*

No air conditioning units may be mounted through windows or walls or on any roofs.

Window Coverings – 6.25*

No reflective foil, tinted glass, sheets, newspapers, or any other similar material shall be permitted on any windows except those for tinted bronze glass and any such installation shall require approval of the ARB.

* - denotes referenced Article in the Declaration of Conditions, Covenants, Easements, and Restrictions