

Alafaya Woods Homeowners' Association
Reference Guide:
including
Rules and Regulations
and
Architectural Review Specifications

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1.0 Introduction

Many planned communities in the State of Florida have Homeowner Associations. The city or county jurisdiction generally requires Homeowner Associations when a Developer makes the original application to develop a property. The Declaration that established the Alafaya Woods Homeowners' Association is recorded in the record books of Seminole County. This Declaration controls all the property that is part of the Community of Alafaya Woods.

The Rules and Regulations established by the original Developer and subsequent revisions by the Board of Directors are to help ensure that Alafaya Woods remains a pleasant place to live for all residents. The Architectural Review Guidelines exist to help protect Alafaya Woods and maintain the financial value of the community. Historically, communities without similar rules, regulations and guidelines decline in value and desirability. Restrictions are imposed to preserve the appraised market value of the property.

In issuing these Rules and Regulations and the Architectural Review Specifications, the Committees involved have reviewed, revised, deleted, and added to the information originally contained in the Rules and Regulations. The Board of Directors and the attorney for the Association have reviewed and approved the information. The Committees have attempted to provide this information in a concise and understandable format, eliminating "legalese" whenever possible. The Committees have also attempted to balance the restrictions by making them fair and enforceable while considering the overall welfare of the community. If there are topics, which are not clear, please contact the Management Company or the Board of Directors for further clarification.

All Owners must abide by the Rules and Regulations and the Architectural Review Specifications in accordance with the Declaration of Covenants, Conditions, Restrictions, Reservations and Easements for Alafaya Woods Development, Article IX, Architectural Control. Owners who lease, rent or otherwise allow others to occupy their property are required to advise the occupants that they must also abide by the Rules and Regulations and the Architectural Review Guidelines. The absent Owners will be held responsible for any violations. Owners who vacate their property must make arrangements for the maintenance of the property in their absence. Owners who sell their homes are requested to leave a copy of this document in their vacated homes.

2.0 General Information

2.1 Community of Alafaya Woods

The community of Alafaya Woods is located within the city limits of Oviedo, in the southeast corner of Seminole County, Florida. Conveniently located near the University of Central Florida, Seminole Community College and the Reformed Theological Seminary, residents of Alafaya Woods also benefit from some of the finest "A"-rated public schools in Central Florida. Oviedo, once listed among the fastest growing cities in the country, is easily accessible from the Greenway (State Road 417) and boasts choice restaurants, varied shopping establishments, a multiplex movie theater and the Oviedo Marketplace Mall. Some of the finest public parks in Seminole County are located in Oviedo, including a state-of-the-art skate park, Olympic-size swimming facility and sports complex. All this and more make the location of Alafaya Woods and the over 2,000 homes therein a most attractive place to live.

Alafaya Woods is a covenant controlled subdivision governed by the elected Board of Directors of the Alafaya Woods Homeowners' Association. The Association is a Florida registered not-for-profit corporation. If you own a home in Alafaya Woods you are automatically a member of the Homeowners' Association.

2.2 Management Company

- ◆ The Management Company provides all accounting services for Association funds; an independent CPA conducts an annual audit.
- ◆ The Management Company mails and collects yearly assessments, assists in setting up payment arrangements and pursues collection of all unpaid assessments.
- ◆ The Management Company is responsible for notifying homeowners of violations and following up to ensure compliance with the Association's governing documents.
- ◆ The Management Company assists and advises the Board of Directors in procuring legal services, proper insurance and bids for all subcontracted work.

2.3 Homeowners' Association (Refer <http://alafayawoods.org>)

Homeowners' Association meetings are held on the second Tuesday of each month.

2.3.1 Board of Directors

- ◆ President
(president@alafayawoods.org)
- ◆ Vice-President
(vicepresident@alafayawoods.org)
- ◆ Secretary
(secretary@alafayawoods.org)

- ◆ Treasurer
(treasurer@alafayawoods.org)
- ◆ Director
(boardmember1@alafayawoods.org)

2.3.2 Committees

- ◆ Architectural Review Committee (ARC)
(arc@alafayawoods.org)

The Architectural Review Committee has been formed to review planned developments or improvements to individual homeowner's property. They ensure that the proposed property modifications adhere to the content and intent of the Association's regulations and policies.

This Committee meets the first and third Mondays of the month at 7:00 PM in the upstairs Community Meeting room at Publix in the Alafaya Square Shopping Center.

- ◆ Newsletter Committee (NC)
(newsletter@alafayawoods.org)

The objective of this Committee is to create a quarterly newsletter that informs, entertains and creates a sense of community.

- ◆ Special Events Committee (SEC)
(sec@alafayawoods.org)

The purpose of this Committee is to facilitate opportunities for constructive, enjoyable community involvement that have a positive impact on the greater Alafaya Woods Community.

This Committee meets the second Monday of the month at 7:00 PM in the upstairs Community Meeting room at Publix in the Alafaya Square Shopping Center.

- ◆ Violations Committee (VC)
(violations@alafayawoods.org)

The aim of this Committee is to keep the community looking its best through disciplinary action for homeowners that are not maintaining their property within the specified guidelines in the AWHOA Rules & Regulations.

- ◆ Web Site Committee (WSC)
(info@alafayawoods.org)

The Web Site Committee provides the Alafaya Woods community with up-to-date information that is easily accessible.

This Committee meets the first Monday of the month at 7:00 PM in the I-Hop located in the Alafaya Square Shopping Center.

- ◆ Community Improvement Committee (CIC)
(cic@alafayawoods.org)

2.4 City of Oviedo (*Refer* <http://www.ci.oviedo.fl.us>)

Oviedo City Hall
400 Alexandria Boulevard
Oviedo, FL 32765

- ♦ Building Department (Licenses and Permits)
407-977-6027 (fax 407-977-6025)
- ♦ Chamber of Commerce
407-365-6500 (fax 407-365-6587)
- ♦ City Clerk
407-977-6001 (fax 407-977-6009)
- ♦ City Manager/Mayor/Council
407-977-6000 (fax 407-977-6009)
- ♦ City Swimming Pool - Riverside Park
407-977-6083 (fax 407-977-6085)
- ♦ Code Enforcement
407-977-6041 (fax 407-977-6025)
- ♦ Drivers Licenses
407-330-6723
- ♦ Emergency Management
407-977-6111
- ♦ Finance Department (Water Payments)
407-977-6051/6045 (fax 407-977-6055)
- ♦ Fire Department
407-977-6100 (fax 407-977-6117)
- ♦ Republic Services of Florida (Trash Service)
407-293-8000
- ♦ Planning Department
407-977-6039 (fax 407-977-6106)
- ♦ Police Department
407-977-6146 (fax 407-977-6142)
- ♦ Public Library - Oviedo Branch
407-366-8150
- ♦ Public Works/Engineering
407-977-6029 (fax 407-977-6033)
- ♦ Recreation and Parks
407-977-6081 (fax 407-977-6085)
- ♦ Tax Collector/Vehicle Tags - City Hall Branch
407-665-1000

3.0 Definitions

The following definitions apply to the Reference Guide, including the Rules and Regulations, for the Alafaya Woods Homeowners' Association.

- 3.1 "Master Association" shall mean and refer to the Alafaya Woods Homeowners' Association, Inc., a Florida not-for-profit corporation and its successors and assigns.
- 3.2 "Alafaya Woods Community" shall mean and refer to the residential development known as "Alafaya Woods" which is subject of the Planned Unit Development Restrictions for residential development.
- 3.3 "Lot" shall mean and refer to any lot on the various recorded subdivision plats of record in Seminole County, Florida, and any lot shown upon any resubdivision of any such plat, with the exception of the Common Properties and of any lands to be used for school, utilities or government uses.
- 3.4 "Unit" shall mean and refer to all or a portion of a building situated upon a Lot (s) designated and intended for use and occupancy by a single family. A Lot may contain one or more Units, including without limitation, a detached single-family home, an attached townhouse dwelling, an attached duplex or other multiplex dwelling, any multi-unit, multi-story residential building, whether any of the foregoing are subject to fee simple cooperative, condominium, rental or other forms of ownership and possession.
- 3.5 "Unit Owner" or "Lot Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot or Unit.
- 3.6 "Common Property" or "Common Properties" shall mean those tracts designated as such and dedicated to the Master Association on any recorded subdivision plat or plats, the Primary Drainage System (as hereinafter defined), all landscaping lying within public way, or buffer and landscaping buffer easement areas, entry features, including signs erected by the Master Association to identify Alafaya Woods, or any other special design features, including all future additions and improvements which may hereafter be added by Supplemental Declarations; together with other such property, both real and personal, acquired by the Master Association by purchase, gift, lease or otherwise. The Master Association shall be responsible to maintain, repair and replace the Common Property or Common Properties as hereinafter provided.
- 3.7 "Board" or "Board of Directors" shall mean the Board of Directors of the Master Association of Alafaya Woods.
- 3.8 "Articles" shall mean the Articles of Incorporation of the Master Association.
- 3.9 "By-laws" shall mean the Bylaws of the Master Association.
- 3.10 The "Declaration" shall mean the Declaration of Covenants, Conditions, Restrictions Reservations and Easements for Alafaya Woods Development, dated February 14, 1985 and recorded in Official Records Book 1617, upon Pages 221 through 244, both inclusive, of the Public Records of Seminole County, Florida, together with any and all amendments, modifications and supplements thereto now or hereafter recorded in the Public Records of Seminole County, Florida.

- 3.11 "Member" shall mean and refer to all those Owners who are members of the Master Association as provided in Section 3.1 and Section 3.2 of the Declaration.
- 3.12 "Association Expenses" shall mean the expenses and charges described in the Declaration incurred or to be incurred by the Master Association and assessed or to be assessed upon the Lots and Units and the owners thereof.
- 3.13 "Occupant" shall mean the person or persons, other than the Lot Owner or Unit Owner, in possession of the Lot or Unit.
- 3.14 "Person" shall mean a natural person, a corporation, a partnership, a trustee or other legal entity.
- 3.15 "Assessment" shall mean a share of the Master Association Expenses required for the payment of the Master Association Expenses, which from time to time are assessed against the Lots and Units and Lot Owner and Unit Owners.
- 3.16 "Surplus" shall mean the excess of all receipts of the Master Association from the Lot Owners and Unit Owners and any other income accruing to the Master Association over and above the amount of the expenses of the Master Association.
- 3.17 "Planned Unit Development Restrictions" or "PUD Restrictions" shall mean and refer to all the provisions, requirements, plans, commitments and responsibilities incurred or imposed upon the Developer by the City of Oviedo, Florida in its Ordinance 374 adopted August 23, 1982, and the Final Master Land Use Plan, together with all exhibits, schedules, agreements and supplemental data accepted and approved by the City of Oviedo in connection therewith.
- 3.18 The "Primary Drainage System" shall mean and refer to the primary drainage system as is from time to time permitted by the St. John's River Water Management District, and generally consisting of, but not limited to:
- All storm, retention/detention ponds and area overflow weirs, culverts, swales and water control structures together with all related easements, structures, facilities and appurtenances.
- 3.19 "Elevation Drawing" shall mean and refer to a scaled two-dimensional rendering or photograph of the actual front, side or rear view of a structure or other item; or a scaled two-dimensional rendering of the proposed front, side or rear view of a structure or other item.
- 3.20 "Floor Plan" or "Plan Drawing" shall mean and refer to a scaled two-dimensional rendering of an actual or proposed structure (i.e., house, patio, fence, etc.) showing the design and detail of the individual components (i.e., walls, doors, windows, etc.).
- 3.21 "Plot Plan" shall mean and refer to the survey of the property or lot, which shows the location of the property lines, easements, any existing structures, driveway and other such items.
- 3.22 "Wall Section" or "Section Drawing" shall mean and refer to a scaled two-dimensional rendering of a vertical "slice" of the wall extending from the footing to the top of the wall where the roof attaches, and including the major building materials.

4.0 Rules and Regulations

4.1 Adherence

Every Owner and Occupant shall comply with these Rules and Regulations as set forth herein, and any and all Rules and Regulations, which from time to time may be adopted, and the provisions of the Declaration, Bylaws and Articles of Incorporation of the Master Association, as amended from time to time. Failure of an Owner or Occupant to so comply shall be grounds for action, which may include, without limitation, an action to recover sums due for damages, injunctive relief, or any combination thereof. The costs of such action, including attorney's fees actually incurred by the Association, shall be borne by the Owner or Occupant against whom such action is brought. The Master Association shall have the right to suspend use of Common Properties in the event of failure to so comply. In addition to all other remedies, at the sole discretion of the Board of Directors, a fine or lien may be imposed upon an Owner for the failure of an Owner, or tenants, family, guests, invitees, or employees, to comply with any covenant, restriction, Rule or Regulation herein or in the Declaration, Bylaws, or Articles of Incorporation as provided in the Declaration.

- 4.1.1 These Rules and Regulations shall not apply to the Developer, or to institutional first mortgages, or to the Lots or Units owned by either the Developer or such mortgages. All of these Rules and Regulations shall apply, however to other Owners of record and Occupants even if not specifically so stated in portions hereof. The Board of Directors shall be permitted (but not required) to grant temporary relief not to exceed three (3) days to one or more Owners from specific Rules and Regulations upon written request there for and good cause shown in the sole opinion of the Board of Directors.
- 4.1.2 The failure of the Board of Directors to insist in any one or more cases upon strict performance of any of the Rules and Regulations herein contained shall not be construed as a waiver or a relinquishment in the future of the enforcement of any such Rule or Regulation. No waiver of the Board of Directors of any Rule or Regulation shall be deemed to have been made unless expressed in writing and signed by the Board of Directors.
- 4.1.3 Zoning regulations applicable to property subject to these Rules and Regulations shall be observed. In the event of any conflict between any provision of such zoning restrictions and these Rules and Regulations or the Architectural Review Guidelines, the more restrictive provisions shall apply.
- 4.1.4 Should any Rule or Regulation herein contained, or any Article, Section, Subsection, sentence, clause, phrase or term of these Rules and Regulations be declared to be void, invalid, illegal, or unenforceable, for any reason, by the adjudication of any Court or other tribunal having jurisdiction over the parties hereto and the subject matter hereof, such judgement shall in no way affect the other provisions hereof which are hereby declared to be severable and which shall remain in full force and effect.

- 4.2 Association Employees
Employees of the Association, employees of the subcontractors hired by the Board of Directors or Committee volunteers acting under authority of the Board of Directors are not to be instructed by Owners or Occupants for personal use. The Board of Directors shall be solely responsible for directing and supervising the aforementioned.
- 4.3 Children/Guests
Children are the direct responsibility of their parents or legal guardians. This includes full supervision of children while they are within the Community and requires full compliance of these rules and regulations and any others, which may be included in the Declaration. Owners are responsible to ensure full compliance of the rules and regulations of the Association by their charges and/or invited guests.
- 4.4 Common Properties
The Common Properties and facilities shall not be obstructed or used for any purpose other than those intended therefore; nor shall any bicycles, motor vehicles, chairs, tables or any other objects be stored thereon.
(Refer to Section 4.15.2 and 4.15.3)
- 4.5 Construction Timetable
All construction of structures must be completed in accordance with the plans and specifications approved by the Board of Directors as set forth in Article IX within twelve (12) months after commencement. The Board may grant extensions where such completion is impossible or is the result of matters beyond the control of the Owner, such as strikes, casualty losses, national emergency, or Acts of God. City of Oviedo permits are required in accordance with applicable codes.
- 4.6 Exterior Dwelling & Facades
An Owner shall not cause anything to be affixed or attached to, hung, displayed or placed on the exterior walls, exterior doors, exterior balconies or exterior windows of their Dwelling Unit unless approved by the Board of Directors or the Architectural Review Committee or otherwise specifically exempted from review in the Architectural Review Specifications. *(Refer to Sections 5.2, 5.4, and 5.9)*

Exterior maintenance of the property (to include the dwelling, roof, sidewalks and driveway) shall be the responsibility of the property Owner. All roofs, houses, sidewalks and driveways must be free of mold, mildew and algae. Failure to maintain the dwelling, roof, sidewalks and driveway shall result in the Association issuing a Notice of Violation.
- 4.7 General Fencing
No fence, barrier, wall, or similar structure shall be erected on any lot without the prior written approval of the Board of Directors or the Architectural Review Committee. *(Refer to Section 5.8)*

4.7.1 Chain link fences are not permitted.
- 4.8 General Landscaping

Exterior maintenance and landscape shall be the responsibility of the property Owner. Failure to maintain the dwelling or the landscaping in a proper manner shall result in the Association issuing a Notice of Violation.
(Refer to Section 5.11)

4.9 Hazardous Materials

Flammable, combustible, or other explosive fluids, chemicals or hazardous substances shall not be kept in any Dwelling Unit or on any Lot in excess of the amounts which may be reasonably anticipated to be used in the operation of the individual household.

4.10 Home Based Business

In-home businesses shall be permitted providing the business is properly licensed by the required city, county, and state jurisdictions and the following conditions are met:

4.10.1 The business shall not create additional vehicular or pedestrian traffic in the neighborhood.

4.10.2 There shall be no visible or audible indication or signs that a business enterprise is being conducted on or in the property.

4.10.3 The business enterprise shall not create a disturbance or annoyance in the neighborhood or to any neighbor.

4.11 Laundry

Linens, cloths, clothing, curtains, rugs, laundry, mops or other articles shall not be hung from or on any exterior portion of the dwelling, fence or lot so that such items are visible to neighbors or the public. (Refer to Section 5.4)

4.12 Noise Restrictions

No Owner or Occupant shall make or permit any disturbing noises in the Alafaya Woods Community and facilities by the individual, family members, employees, agents, renters, visitors or licensees, nor permit any conduct by such persons that will interfere with the rights, comforts or conveniences of other Owners.

4.12.1 No Owner or Occupant shall play or permit to be played any musical instrument, nor operate or permit to be operated a phonograph, radio, compact disk player, television, video cassette recorder, dvd player, sound amplifier or any other sound equipment in the Alafaya Woods Community in a manner as to disturb or annoy other residents.

4.12.2 No Owner or Occupant shall conduct, nor permit to be conducted, vocal or instrumental instruction that disturbs other residents.

4.13 Nuisance Activities

Nothing shall be done or maintained on any Lot, which may be or may become an annoyance or nuisance to the neighborhood. In the event of a dispute or question as to what may be or become a nuisance, such dispute or question shall be submitted to the Board of Directors, who shall render a decision in

writing, such decision shall be consistent with the laws of the State of Florida and such decision shall be settlement of such dispute or question.

4.14 Personal Property

The personal property of Owners, other than approved motor vehicles, must be stored in their respective dwelling units or behind fenced areas. Such property includes, but is not limited to, toys, sports equipment, barbecue grills and propane tanks.

4.15 Pets

Only household pets are allowed in Alafaya Woods. Animals, livestock or poultry of any kind shall not be raised, bred, or kept on any Lot. "Household pets" shall refer to dogs, domestic cats, domestic birds, rodents, rabbits, turtles, snakes and fish. Household pets shall not be kept, bred, or maintained for any commercial purpose, and shall not be permitted to become a nuisance or annoyance to any other Owner.

4.15.1 A pet shall not be permitted outside its Owner's Lot unless attended by an adult and on a leash not more than six (6') feet long.

4.15.2 Pets shall only be walked or taken upon those portions of the Common Properties designated by the Association from time to time for such purposes. Pets are not allowed to be walked or taken on or about the recreational areas, which include but are not limited to the playground and the tennis courts contained within the Common Properties.

4.15.3 Dogs or other pets shall not be permitted to have excretions on any Common Property or on any property which is not the pet Owner's property; the pet Owner shall be responsible to clean up any such excretions.

4.16 Signage

Signs, advertisements, notices, or other lettering shall not be exhibited, displayed, inscribed, painted, or affixed in, on, or upon any part of the Alafaya Woods Community except as approved by the Board of Directors or as listed below:

4.16.1 A limit of two (2) "For Rent" or "For Sale" signs, which do not exceed two (2') feet by two (2') feet, may be posted upon the Owner's property.

4.16.2 "For Rent", "For Sale", "Open House", directional information and similar signs not exceeding two (2') feet by two (2') feet may be posted upon Common Property for a period not to exceed three (3) days.

4.16.3 Temporary signs not exceeding two (2') feet by two (2') feet, such as those for garage sales, yard sales, and lost pets may be posted upon Common Property for a period not to exceed three (3) days.

4.16.4 Political signs not exceeding three (3') feet by four (4') feet may be posted on an Owner's property. Signs may be erected no earlier than 30 days before the elections and must be removed within two (2) days after the election. Political signs may not be posted upon Common Property.

4.16.5 Parties posting any of the approved signs shall be responsible for subsequent removal of the signs. The Homeowners' Association with the party installing the sign incurring the cost of the removal may remove signs, which are not removed within the limits indicated.

4.16.6 Signs advertising commercial ventures are strictly prohibited.

4.17 Trash

Garbage cans, supplies, yard debris, rubbish and trash, or similar articles, shall not be stored or permitted in any area on the exterior of the dwelling or property, which is visible to neighbors or the public from ground level. Garbage cans, yard debris and other trash to be picked up shall be put at curbside no earlier than the evening before the scheduled pickup. Garbage cans and recycling bins shall be removed from curbside by the end of the pickup day.

4.18 Utilities

All public or private transmission and service wiring for electric, gas, telephone, cable television communication services, and other service lines shall be installed and buried underground, where permitted, in accordance with applicable codes that may be imposed.

4.18.1 Exterior radio and television antenna are permitted.
(Refer to Section 5.20)

4.18.2 Satellite dishes are permitted.

4.19 Vehicle Restrictions

Standard passenger cars, vans, pickup trucks of one (1) ton cargo capacity or less, and sport utility vehicles shall be permitted providing the following criteria are met:

4.19.1 The length of the vehicle shall not exceed 19 feet.
The height of the vehicle shall not exceed 8 feet.
The weight of the vehicle shall not exceed 8,100 pounds.
The lowest portion of the bumper shall not be more than 36 inches above the ground.

4.19.2 Commercial vehicles such as buses, tractor trailers, semi-trucks, or step vans, in addition to campers, mobile homes, motor homes, house trailers, or trailers of any other description, recreational vehicles, boats or boat trailers, horse trailers shall not be permitted to be parked or stored at any place in the Alafaya Woods Community except within the confines of the Owner's standard garage. This prohibition of parking shall not apply to the temporary parking of trucks and commercial vehicles, such as for pick-up, delivery and other temporary commercial services. The Board of Directors may grant temporary exceptions to this rule. A request for this shall be made to the Board of Directors in writing at least two (2) weeks prior to the time the exception is required. Approval of such exceptions will be the sole discretion of the Board of Directors.

4.19.3 Boats on trailers may be parked in the rear yard behind approved fencing, provided, however, that no part of the vessel is visible from any

street. For the purposes of this rule visibility will be measured from a height of six (6') feet above the curb nearest the boat or any adjacent street.

4.20 Disabled Vehicles

No motor vehicle, which cannot operate on its own power, shall remain in Alafaya Woods for more than twenty-four (24) hours, except within the confines of a garage. All vehicle repairs shall be made within the confines of a garage. Routine maintenance on the vehicles of an Owner may be done in that Owner's driveway providing that such operations do not exceed twenty-four (24) hours. Repairs shall not occur on any street except those of an emergency nature, such as changing flat tires. All motor vehicles shall carry a current year's license tag and shall be in such operating condition as to not be a nuisance by noise, exhaust emissions or other condition.

4.21 Overnight Parking

Overnight parking on the properties of the approved vehicles listed in Rule 4.19 shall occur in the Owner's driveway or within the confines of the Owner's garage. Overnight parking on the properties of other than approved vehicles shall be within the confines of the Owner's garage. Parking shall not be permitted on grass or other landscaped areas except for the limited time period necessary to wash the vehicle. Parking on the side of the street for extended periods of time, such as overnight, not to include additional traffic during periods of entertaining, is strictly prohibited by City of Oviedo ordinance.

4.21.1 Public safety vehicles are exempt.

4.22 Towing

Any vehicle parked on Association common property may be towed by the Alafaya Woods Homeowners' Association at the sole expense of the Owner of such vehicle if such vehicle remains in violation for a period of twenty-four (24) hours from the time a notice of violation is placed on the vehicle. The Association shall not be liable to the Owner of such vehicle for trespass, conversion or otherwise, nor guilty of any criminal act, by reason of such towing and once the notice of violation is posted, neither its removal, nor failure of the Owner to receive it, shall be grounds for relief of any kind.

4.23 Vehicle Routes

All motor vehicles, including but not limited to, automobiles, trucks, trail bikes, motorcycles and all terrain vehicles shall be driven only upon paved streets. No motor vehicles shall be driven on pathways or upon unpaved areas except that golf carts may be used upon pathways which are so designated by the Board.

4.24 Wells

Wells for the supply of water shall not be located, constructed, or used within the Alafaya Woods Community other than those for the sole purpose of lawn watering and irrigation. The locations of the well, pump and other equipment are subject to the approval of the Board of Directors.

5.0 Architectural Review Specifications

All changes to the exterior of a Dwelling Unit or to the Property require prior approval by the Architectural Review Committee or the Board of Directors, unless the planned changes are specifically listed under "Items Not Requiring Prior Approval".

(Refer to Section 8.0) "All changes" includes those changes, which may meet the standard criteria listed under specific headings, and includes also the removal of, as well as the addition of, any item. Approval must be obtained before starting any work.

The "Architectural Review - Request for Change" form has been developed to make the process of obtaining approval easier and less time consuming for both the homeowner, the Board of Directors and their agents. The form indicates the general information necessary to make a decision on each request. Further information on the process and the requirements is indicated in Section 6.0, "Procedures for Architectural Review", and the specific sections for each item. The Architectural Review Committee suggests that petitioning Owners notify neighbors of proposed changes; potential complications may be reduced or eliminated through such consideration.

The following specifications are intended as guidelines. Upon review of specific individual requests, the Board of Directors may grant variances or exceptions to these guidelines. These variances will be granted at the sole discretion of the Board of Directors.

5.1 Additions

Before planning a substantial addition or alteration, homeowners are encouraged to thoroughly evaluate the feasibility and impact of such change. Often major additions or alterations cost more than can be recouped when the property is sold.

5.1.1 Specifications

- (a) The materials used must be those, which are used, in standard residential construction in this community. The homeowner should make every effort to use the same or better materials that are used in the existing structure.
- (b) Due to the major impact of an addition to the community, it is highly encouraged that construction be done by a licensed contractor.
- (c) The roofline should be consistent with the adjacent elevations. Roofs should be pitched to match the house, and shingles must match the existing shingles.
- (d) Architectural detailing on the existing house should follow through on the addition. Doors and windows must match the existing.
- (e) The paint colors of the addition must match or compliment the existing house.
- (f) The overall square footage of the original living area of the house cannot be increased by more than 50%.
- (g) The addition shall not cover more than 50% of the existing yard. All zoning setbacks must be observed.
- (h) The Association always requires the property owner to obtain a building permit, if applicable, from the City.

- (i) The Association always requires the property owner to comply with all City and State Regulations.

5.1.2 Applications must include:

1. A plot plan showing the location of the proposed addition and the required setbacks.
2. Elevations of all sides of the house from which the addition can be seen.
3. A complete set of plans for the addition which includes the floor plan, wall sections and details, and the materials and colors to be used.
4. An estimated construction period.

5.2 Awnings

Awnings for aesthetic purposes are generally not encouraged in the community; the architecture of the exterior elevations of the homes in this community is generally not suitable for awnings. Awnings for the purpose of regulating environmental factors will be considered after other solutions for controlling the elements have been evaluated. These include, but are not limited to, approved landscaping to provide shade, approved window tinting, and specially lined blinds or curtains.

5.2.1 Specifications

- (a) The materials used for the awnings and the supports should be durable to withstand the intense sun and rain of the climate. Aluminum slatted awnings will not be approved.
- (b) The color(s) of the awnings must be consistent with the colors of the house.
- (c) Awnings must be well maintained and not allowed to excessively mildew, fade or tear.

5.2.2 Applications must include:

1. A plot plan showing the proposed location(s) of the awnings and the sizes of the awnings.
2. Elevations of each window with the proposed awning.
3. A brochure, which indicates the type and materials for the proposed awnings.
4. Samples of the materials and the proposed colors.

5.3 Balconies

A second floor balcony can have a significant impact on the appearance of a house and can affect the privacy and view of residents.

5.3.1 Specifications

- (a) Balconies shall be constructed of pressure treated or naturally weather/insect resistant lumber. The balcony may be treated with a clear water sealer or a stained sealer may be approved, if it coordinates with the house. Painting of the balcony may be approved.
- (b) Railings should be constructed of the same type of wood as the balcony surface.
- (c) Trim boards must be used to conceal the under structure of balconies.
- (d) Balconies must be located in the rear yard area.

5.3.2 Applications must include:

1. A plot plan showing the location and size of the proposed balcony or deck.
2. A section showing the planned construction methods and materials for the balcony or deck.
3. Elevations of the house, showing the planned balcony.

5.4 Clotheslines
(Refer to Section 4.11 and 8.0)

5.4.1 Specifications

- (a) Clotheslines or other permanent installation outdoor drying apparatus shall be permitted only in a rear yard with an approved fence.
- (b) Clotheslines or other permanent installation outdoor drying apparatus shall be a minimum of one (1') foot below the lowest portion of the fence.
- (c) Exceptions or variances may be granted if the clothes drying apparatus can be screened by appropriate landscaping.

5.4.2 Applications must include:

1. A plot plan showing the proposed location of the clothesline.
2. Catalog(s) or brochure(s) showing the type of clothesline or apparatus planned.

5.5 Decking

5.5.1 Specifications

- (a) Decks shall be constructed of pressure treated or naturally weather/insect resistant lumber. If possible, the deck should be left to weather naturally. The deck may be treated with a water sealer; a stained sealer may be approved if it coordinates with the house. Painting of the deck will not be approved.
- (a) Railings should be constructed of the same type of wood as the deck surface.

(b) Decks must be located in the rear yard area.

5.5.2 Applications must include:

1. A plot plan showing the location and size of the proposed deck.
2. A section showing the planned construction methods and materials for the deck.

5.6 Dog Houses/Runs
(Refer to Section 4.15)

5.6.1 Doghouse Specifications

- (a) All doghouses must be located in the rear yard within ten (10') feet of the house.
- (b) Doghouses within view of neighbors must be constructed to match or compliment the construction and color of the existing house, or shall be stained or painted in an approved color.
- (c) Paint or stain shall be kept in proper condition without cracking, peeling, or fading.

5.6.2 Dog Run Specifications

- (a) Dog runs shall be screened by an approved fence.
- (b) Dog runs must be located in the rear yard.
- (c) Dog runs shall be maintained so that odors, insects, or noises do not become a nuisance to neighbors.

5.6.3 Applications must include:

1. A plot plan showing the proposed location and dimensions of the doghouse or run.
2. The materials and colors proposed for construction.

5.7 Driveways

5.7.1 Specifications

- (a) A house with a single car garage may have a driveway, which is twelve (12') feet in width.
- (b) A house with a double car garage may have a driveway, which is twenty-two (22') feet in width.
- (c) Other requests shall be considered on a case-by-case basis with major emphasis on maintaining a minimum of 50% of the front or side yard (as appropriate) as landscaped.
- (d) Work shall be done by a person qualified to perform such work.

- (e) Only concrete driveways will be accepted; material not accepted include, but are not limited to, sand, earth, gravel, rock, and mulch.
- (f) To preserve landscaping and lawn, pavers or other such material may be used to line either side of a driveway not more than twelve (12") inches on either side. Materials must be approved by the Architectural Review Committee.
- (g) Driveways may be maintained using a consistent joint compound for fissures and cracks. Driveways may be sealed with a clear or concrete-colored water sealer or surface finish. (*Refer to Section 8.0*)
- (h) *Driveways may be maintained using a decorative finish.* Materials must be approved by the Architectural Review Committee.

5.7.2 Applications must include:

1. A plot plan showing the proposed extent of the driveway.
2. The materials planned for the work.

5.8 Fencing

Fences serve many purposes in the community; they restrain small children and pets, they provide privacy, and they provide a unifying element in the neighborhood. (*Refer to Section 4.7*)

5.8.1 Specifications

- (a) The standard fence shall be a six (6') foot high wood stockade, board on board, or vertical shadowbox fence. Picket fences, basketweave fences, horizontal shadowbox fences, and chain link fences are not permitted.
- (b) By special exception, four (4') foot high fences may be permitted on corner properties to conform to Oviedo Zoning Regulations; they may also be permitted at the rear of those properties which back us to retention ponds and areas which may not be developed.
- (c) Any fence, which is located adjacent to the brick wall along Alafaya Woods Boulevard or Mitchell Hammock Road, shall taper down to the brick wall. Any fence, which is located adjacent to any four (4') foot high portion of fence, shall taper down to the four (4') foot high fence.
- (d) Fences shall not extend past any portion of the front of the house nor past the front of adjacent houses. Fences shall be set back a minimum of five (5') feet from the corner of the house. Fences must abut the house. Exceptions may be granted for those houses, which are irregularly shaped lots in the cul-de-sacs. If a fence is currently placed on adjacent property, consideration should be given to aligning the front portions of the fences.
- (e) The finished, uniform side of the fence must face outward toward adjoining properties. If neighbors agree to share the cost of the fence, they shall decide between themselves who will have the finished side. Fences installed prior to January 1, 1990 may remain as installed until the entire fence is in need of replacement.

- (f) Fences shall not be painted; a clear preservative is permitted. Fences may be stained, provided the color and type of stain is approved in advance by the Architectural Review Committee or the Board of Directors. All fences must be properly maintained at all times. For the purposes of this rule, proper maintenance includes, but is not limited to, replacement of all missing, cracked or broken boards, replacement or re-erection of any fallen or sagging sections, and routine cleaning for mildew, fungus and other stains.
- (g) Fences shall be constructed so that the outermost portion of the fence does not infringe on adjacent properties. If neighbors share the cost of the fence, they shall decide between themselves where to locate the fence. It is recommended that they put this decision in writing with signatures of all parties to eliminate problems with subsequent homeowners.
- (h) Fences other than those expressly authorized above may be approved on a case-by-case basis, providing they are not types that are specifically prohibited.
- (i) Fences, which are erected parallel to the brick wall along Alafaya Woods Boulevard and Mitchell Hammock Road, shall be set back a minimum of ten (10') feet from the brick wall. Approved fences that were installed prior to the erection of the brick wall may remain in place until such time as they would normally require replacement. These fences shall not be reconstructed unless they can meet the current requirements. The homeowner erecting the fence parallel to the brick wall is responsible for maintaining any landscaping installed, or naturally occurring, between the brick wall and the fence; overgrown foliage and weeds will not be permitted.

5.8.2 Applications must include:

1. A plot plan showing the proposed location of the fence, including dimensions.
2. Specifications of the type of fence and/or other materials proposed.
3. If the fence is not a standard type, complete details and elevations of the proposed fence.
4. Specifications for any proposed exemptions.

5.9 Flags

In accordance with Florida State Statute Chapter 720.304 rule, any homeowner may display one portable, removable United States flag in a respectful manner, regardless of any Declaration Rules or Requirements dealing with flags or decorations. *(Refer to Section 8.0)*

5.9.1 Flagpole Specifications

- (a) Flagpoles must be installed to withstand the wind loads required by the current Southern Standard Building Code.

- (b) Flagpoles must be constructed of aluminum or steel and must be maintained appropriately at all times.
- (c) The maximum height above ground to the top of the pole shall be twenty (20') feet.
- (d) Proper flag etiquette shall be used at all times when displaying the United States flag.

5.9.2 Applications must include:

- 1. A plot plan showing the proposed location of the flagpole.
- 2. The materials of the flagpole, height and erection details.

5.10 Garages

Before planning an alteration to a garage, homeowners are encouraged to thoroughly evaluate the feasibility and impact of such change. Changing or eliminating garage space may affect the desirability and resale of the home.

5.10.1 Garage Conversion Specifications

- (a) The standard garage door must remain in place.
- (b) Screen doors behind the standard garage may be permitted.
- (c) The homeowner must accept full responsibility for accommodating motor vehicle(s) on the property in a manner consistent with the Rules and Regulations.
- (d) The homeowner is responsible for meeting all building code requirements for the space.

5.10.2 Applications must include:

- 1. A plot plan showing the location of the existing garage with any additional openings (windows or doors) which are planned.
- 2. A general description of the interior plan.
- 3. A description and/ or samples of the materials to be used.
- 4. An indication of where vehicles will be parked.

5.11 Landscaping (Refer to Sections 4.8 and 8.0)

Landscaping in Florida plays an integral part in the overall appeal of a home and the adjoining neighborhood. Proper landscaping can increase the value of the home and the surrounding homes, just as poorly planned or maintained landscaping can decrease the value of these homes. Homeowners are requested to research available materials and plant growth or consult a professional landscaper. Answering the following questions about proposed landscape changes may be helpful.

Questions

1. How large will the planting be when mature?

Many Florida plant varieties can easily triple in size creating a cramped, overgrown appearance, crowding out sidewalks and driveways. A tree with a dense canopy can create shade dark enough to prevent plant or grass growth underneath. Consult the specialists where plants are purchased to determine how large a specific plant will grow.

2. Will the plant material receive the proper amount of light to grow?

Many nursery plants come with tags that indicate the amount of sun or shade they will tolerate. This is particularly important in Florida because the intense summer sun will quickly kill plants that are not planted in an appropriate location.

3. Can enough supplementary water be provided to keep the plant in proper condition?

Although traditionally Florida gets rainfall every afternoon in the spring and summer, drought conditions have existed. As a result, water has been rationed for landscape purposes. Even though extensive rationing may not currently be in effect, consider whether or not a sprinkler system is needed and the expense for water necessary to supplement rainfall.

4. What are the fertilizer requirements for the plant?

Due to the sandy composition of our soil, nutrients are readily leached from the base of the plant and must be regularly replaced to eliminate a nutritional deficiency in the plant. Healthy, growing plants are better able to withstand disease, drought, and cold temperatures.

5. Can the plant survive a sub-freezing winter night?

Consider the replacement costs of the plant in the event of a harsh winter.

6. Am I willing to work continually on the landscaping or do I want a yard which requires less maintenance?

Annuals are certainly beautiful and provide much color, but they must be replaced at least twice a year, and sometimes as often as four times a year. Many plants require almost constant vigilance to keep pests away. Consider these and other maintenance issues when planning or planting.

5.11.1 Specifications

- (a) Creation of a planting bed(s) in excess of 20% of the total front and side yards or 20% of the total unfenced rear yard must obtain prior approval.
- (b) Plants must be kept alive and in a healthy condition. Dead or declining plant material must be removed.
- (c) In the front yard areas, a minimum of at least the original builder supplied plant material must be maintained. Removal of plants to create a barren view will not be allowed.

- (d) Grass must be kept alive and as free of weeds as possible. It must be kept mowed, trimmed and edged to create a neat appearance.
- (e) Tree removal must receive prior approval from the Board of Directors as well as the City of Oviedo. A tree, which is removed, must be replaced with another tree.

5.11.2 Applications must include:

1. A plot plan showing the proposed and existing locations of the materials.
2. The types and names of the new plant materials, and their anticipated sizes currently and at maturity.

5.12 Lighting

Proper lighting of property can visually compliment the look of a neighborhood and can deter crime by illuminating dimly lit areas. Improper or excessive use can be detrimental to properties, creating unsightly views or become a nuisance.

5.12.1 Specifications

- (a) Lighting shall be generally directed downwards, or of low wattage. Tree uplighting shall not be directed in any way to be glaring for passers by.
- (b) Lighting shall not be directed toward windows on the property or adjacent properties.
- (c) Lighting shall be installed in accordance with local electrical codes.
- (d) Exterior light bulbs shall be white, yellow or amber in color. Sodium vapor light sources shall not be permitted.
- (e) Exterior light bulbs of green, red, or any other color not previously approved, will be allowed for holiday use only. Decorative holiday lighting shall be installed and removed within 45 days of the event.

5.12.2 Applications must include:

1. A plot plan showing the proposed location of the lighting.
2. Catalog(s) or brochure(s) indicating the type of fixture to be installed and the corresponding wattage.

5.13 Painting

The Architectural Review Committee or the Board of Directors shall approve all color changes for exterior painting of the dwelling. While it is suggested that the homeowner seek professional guidance with a retail paint store, an approved palette of colors is available for homeowner review through the Management Company, the Board of Directors and the Architectural Review Committee. Listed below are some considerations, which will be taken into account, when approving paint colors:

- (a) Trends in colors change through the years.

- (b) Color intensifies when applied on large areas. Colors, which appear acceptable on a two (2") inch sample, may be overwhelming when applied to an entire house.
- (c) Trim colors should exhibit the same undertones as the base exterior color (i.e., yellow - warm, blue/green - cool, etc.).
- (d) Due to the strong sunlight and ultraviolet deterioration, some colors and paint types may not be appropriate for this geographical area.

5.13.1 Applications must include:

- 1. An elevation of the front of the house with the colors shown and/or indicated in the appropriate locations.
- 2. Samples of the proposed colors.

5.14 Pools/Spas/Hot Tubs

5.14.1 Specifications for In Ground Swimming Pools

- (a) The pool shall be placed in the rear yard.
- (b) Construction shall be by a contractor specifically licensed for such construction.
- (c) All state and city regulations regarding pools shall be met.
- (d) All pool accessories, such as pumps and pump covers, shall be screened from view behind a fence or appropriate landscaping. The landscaping, at the time of planting shall be a minimum of 2/3 of the height of the equipment and shall screen the equipment fully within six months.
- (e) Filtration and chemical systems shall be maintained in working order to prevent the water from becoming a breeding area for insects or bacteria.
- (f) All pool accessories, such as pumps and pump covers, shall be screened from view behind a fence or appropriate landscaping. The landscaping, at the time of planting shall be a minimum of 2/3 of the height of the equipment and shall screen the equipment fully within six months.
- (g) Repairs of damage to adjacent property during the construction of the pool are the responsibility of the pool owner. The Board of Directors encourages notification to neighbors before beginning such a project.
- (h) City of Oviedo zoning setbacks shall be met.

5.14.2 Specifications for Above Ground Swimming Pools

- (a) The pool shall be placed in the rear yard.
- (b) Construction shall be by a contractor specifically licensed for such construction.

- (c) All state and city regulations regarding pools shall be met.
- (d) Any above ground pool exceeding twelve (12") inches in depth or eight (8') feet in diameter or width shall be enclosed within a six (6') foot high approved fence.
- (e) Any above ground pool shall be drained once a week or provided with a filter/circulation system to prevent the standing water from becoming a breeding area for insects or bacteria.
- (f) All pool accessories, such as pumps and pump covers, shall be screened from view behind a fence or appropriate landscaping. The landscaping, at the time of planting shall be a minimum of 2/3 of the height of the equipment and shall screen the equipment fully within six months.
- (g) Repairs of damage to adjacent property during the construction of the pool are the responsibility of the pool owner. The Board of Directors encourages notification to neighbors before beginning such a project.
- (h) City of Oviedo zoning setbacks shall be met.

5.14.3 Spa/Hot Tub Specifications

- (a) Spas/hot tubs shall be located in the rear yard unless screened by an approved fence.
- (b) Installation shall be in accordance with local plumbing, electrical and health codes.

5.14.4 Applications must include:

1. A plot plan showing the planned location of the pool/spa/hot tub.
2. A plan, catalog(s) or brochure(s) from the contractor indicating the size and type to be installed, materials and colors to be used and corresponding dimensions.
3. An estimated construction period.

5.15 Recreational Equipment

5.15.1 Playground Equipment Specifications

- (a) All playground equipment, trampolines, and other apparatus and fixtures shall be located in the rear yard and screened by an approved fence or approved landscaping.
- (b) Metal play equipment shall be properly painted and maintained in original operating condition.
- (c) Equipment constructed of natural materials is encouraged.

- (d) Skateboard ramps shall not be permitted unless totally screened with an approved fence. Ramps shall be a minimum of five (5') feet from the fence.
- (e) Awnings and coverings shall be neutral or natural in color and play toys shall be kept visually unobtrusive to neighbors.

5.15.2 Basketball Backboard Specifications

Basketball backboards on residential property should be treated in a manner, which make them visually unobtrusive. In selecting a location, the resident must consider the effect the backboard will have on the neighbors and their property.

- (a) Backboards and poles must be kept in proper condition and good repair at all times, including the hoop and net. The backboard shall not be split or broken; the paint must be in good condition; the backboard must be perpendicular to the ground.
- (b) The net shall be a rope net; chain nets are not permitted.
- (c) The hoop shall not be bent.
- (d) Poles shall meet the following criteria:
 - 1. Metal - painted black or white and kept in good condition
 - 2. Wood - pressure treated or naturally weather resistant; painting shall not be permitted.
- (e) Hoops installed adjacent to property line shall require concurrence by affected property owner.

5.15.3 Applications must include:

- 1. A plot plan showing the proposed location of the playground equipment, backboard, pole and/or fixtures.
- 2. Catalog(s) or brochure(s) showing the proposed item that indicates the size and materials.
- 3. A list of construction materials and plans for the construction of playhouses, skateboard ramps, tree houses or other items which are to be constructed.

5.16 Screens

5.16.1 Screened Door Specifications

Although screens on exterior doors can improve air circulation through the house, care should be taken to choose a style of door, which compliments the existing solid door and architectural detailing of the home.

- (a) Door should be aluminum in the color, which match the existing windows, or wood painted to match an existing color on the house.
- (b) Screens should be the same material and color as the existing window screens.

- (c) Screens must be repaired promptly when damaged.
- (d) Screen doors may be permitted in front of garage doors.
(Refer to Section 5.10)

5.16.2 Screened Patio Enclosure Specifications

Although standard aluminum roofs will be approved, the Board of Directors encourages the construction of a permanent roof with shingle and pitch to match the existing house. Such construction adds value to the property and dramatically enhances the aesthetic quality of the enclosure from the exterior.

- (a) To qualify as a "screened enclosure", a minimum of 55% of each newly erected wall must be screened. Permanently installed windows are not acceptable. For example: In an eight (8') foot high enclosure, a minimum of five (5') feet high must be screening, however the kick panel may be up to three (3') feet in height.
- (b) Enclosures not meeting the above criteria will be considered as "additions".
- (c) Screened enclosures on second floor balconies must have a permanent roof, which matches the existing roof construction.
- (d) Aluminum enclosures should be the color of the existing window frames. Other colors may be approved if considered more appropriate or more readily available.
- (e) Enclosures other than aluminum should be constructed of materials appearing on the exterior of the existing house. Exposed materials shall be painted or stained to match the existing house.
- (f) Front screened enclosures may be allowed provided the following specifications are met:
 1. Front-screened enclosures shall not extend beyond the existing roofline at entryway.
 2. Front-screened enclosures shall not be used as a storage area.
 3. Front-screened enclosures shall not be permitted with existing front porch railings.
 4. Windows shall not be permitted on front screen enclosures.
 5. Window treatments, such as shades, covers, vertical blinds and the like are not permitted on front-screened enclosures.

5.16.3 Screened Pool Enclosure Specifications

- (a) Aluminum framework should be the color of the existing window frames. Other colors may be approved if considered more appropriate or more readily available.

- (b) The top line of the enclosure should follow the roofline of the house. If this is not possible, care should be taken to determine a shape, which is compatible with the roofline.
- (c) City of Oviedo zoning setbacks shall be met.

5.16.4 Applications must include:

1. A plot plan showing the proposed location of the screen door or enclosure and the pool/spa/hot tub, if applicable, including dimensions.
2. A plan, catalog(s) or brochure(s) from the contractor indicating the size and type to be installed, materials and color(s) to be used and corresponding dimensions.
3. Elevations of the door, the enclosure and the house. Photographs are permitted.
4. If windows are proposed, catalog(s) or brochure(s) showing the type of windows.
5. An estimated construction period.

5.17 Sheds

5.17.1 Specifications

Sheds are not encouraged in the community, but because storage space is at a premium in most homes, sheds are permitted. Homeowners are encouraged to consider their neighbors and the community in the location of the shed and the construction materials used.

- (a) The shed must be enclosed within a six (6') high approved fence.
- (b) The maximum height at the peak of roof to ground will be limited to eight (8') feet, two (2") inches, including all foundation construction.
- (c) The maximum size of the shed shall be ten (10') feet by twelve (12') feet or an equivalent square footage.
- (d) The shed must be set a minimum of five (5') feet from the fence to allow for maintenance and to meet City of Oviedo zoning setback requirements.
- (e) The primary materials used for the construction should be consistent with the construction of the house (i.e., wood, block, and concrete). No sheds constructed of any metal material will be allowed unless approved prior to April 6, 1994.
- (f) The color(s) must match those of the house.
- (g) The shed must be consistently maintained in an attractive manner.
- (h) The shed must meet the required State hurricane codes. (State of Florida Department of Community Affairs (DCA) Regulations).

5.17.2 Applications must include:

1. A plot plan showing the planned location of the shed including dimensions.
2. If purchased, a brochure of the shed, which indicates the materials and dimensions.
3. If constructed, a set of plans showing wall and roof construction, a list of proposed materials and the dimensions.

5.18 Skylights

5.18.1 Specifications

- (a) The skylight should have a low profile, preferably flat or with a slight curve.
- (b) The skylight frame should be painted to match the color of the roof.
- (c) The skylight should be installed parallel with the roof ridge and edges.

5.18.2 Applications must include:

1. A plot plan, which shows the location of the planned improvement.
2. A sketch or photograph, which shows the lines and slopes of the roof.
3. Catalog(s) or brochure(s) with a description and the dimensions of the skylight.

5.19 Solar Panels

5.19.1 Specifications

- (a) Solar panels on pitched (sloped) roofs must lie flat on the roof and be placed so that the edges are parallel with and perpendicular to the roof edges.
- (b) No part of the installation shall be visible above the roof ridgeline.
- (c) Support brackets, collector frames, and exposed parts should be painted to match the roof color.
- (d) Pipes, wires, and control devices should be placed so that they cannot be seen from adjacent properties.
- (e) Panels placed on flat roofs should be placed so that they cannot be seen from adjacent properties.
- (f) Panels placed on the ground must be located in the rear yard. The yard must be fenced with an approved fence or the panels must be screened from view in all directions by landscaping.

5.19.2 Applications must include:

1. A plot plan showing the location of the proposed panels.
2. If roof installation is planned, a sketch or photograph, which shows the lines and slopes of the roof.
3. A description and dimensions of the panels and accessories.

5.20 Television/Radio Systems

5.20.1 Specifications

- (a) All cable television communication service lines shall be installed and buried underground in accordance with applicable codes that may be imposed. (*Refer to Section 4.18*)
- (b) Satellite dishes are permitted.
- (c) Exterior radio and television antennas are permitted pursuant to the Telecommunications Act of 1996.
- (d) The antennae for ham radios shall be retractable or fully removable, and shall be retracted or fully removed when not in actual operation. In the event that a ham radio operator is part of the communication link in a declared emergency, the antennae may remain in place during this emergency.

5.20.2 Applications must include:

1. A plot plan showing the location of the antennae or satellite dish.
2. Catalog(s) or brochure(s) indicating the type of antennae and/or the size of the satellite dish.

5.21 Vegetable Gardens

Vegetable gardens can be rewarding for homeowners, but can also become unsightly if not properly maintained. (*Refer to Section 4.8*)

5.21.1 Specifications

- (a) Gardens shall be located in the rear yard and screened by an approved fence.
- (b) Gardens shall be kept alive with the bed free of weeds and mulched as necessary to control this problem.
- (c) Fences not exceeding twenty-four (24") inches in height may be used to control animals. These fences shall be installed in a skilled manner and properly maintained.
- (d) Trellises will be permitted for climbing plants. These shall be installed in a skilled manner and maintained in proper condition.

5.21.2 Applications must include:

1. A plot plan showing the proposed location of the garden.

2. Information regarding any additional items which are planned.

5.22 Water Treatment Systems

5.22.1 Specifications

- (a) Systems shall be located in the rear yard or screened with an approved fence or landscaping.
- (b) Systems, which are located in side yards, shall be screened from view as indicated:
 1. Behind landscaping which, at the time of installation, shall be a minimum of 2/3 the height of the equipment and shall screen the equipment fully within six (6) months.
 2. Behind a small wooden fence no higher than twelve (12") inches above the top of the unit. The fence shall be left to weather naturally. Fences shall not be painted. All fences must be properly maintained at all times.

5.22.2 Applications must include:

1. A plot plan showing the proposed location of the water treatment system.
2. A description and/or samples of the screening method and materials to be used.

6.0 Procedures for Architectural Review

- 6.1 Obtain an "Architectural Review - Request for Change" form from the Management Company, the Board of Directors or from the Architectural Review Committee.
- 6.2 Complete the form with as much information as is applicable to the proposed project. A plot plan (survey) of the property with the proposed revision clearly shown, including dimensions, must be attached with the form. Structural additions of any type must also include elevations of the building with the proposed addition clearly shown. Any other change, which does not conform to the standard criteria under specific headings, must include photographs and/or sketches that clearly demonstrate intent. In general, the more information provided, the more rapidly a "Request for Change" can be processed.
- 6.3 Return the form with all attached information to the Management Company, the white mailbox provided at the Community Park or bring it to an Architectural Review Committee meeting. Due to circumstances and availability, times and locations may change; please inquire with the Alafaya Woods Homeowners Association website or with the Management Company. (*Refer to Section 2.3.2*)
- 6.4 Requests will be reviewed by the Architectural Review Committee during regularly scheduled meetings. Homeowners present during the meetings may receive a copy of the approved request, however, formal notification of the status of the request is mailed from the Management Company not later than thirty (30) days of receipt of the form. If the request lacks sufficient detail for the Committee to make a decision, the request will be returned for additional information; when

received, the request will be reviewed again and notification will be made within thirty (30) days of the receipt of the additional information.

- 6.5 If the Architectural Review Committee denies a request, it may be appealed directly to the Board of Directors. This appeal must be made in writing and must clearly explain why a variance should be granted or approval should be given for the specific request. The appeal should be sent to the Management Company. The Board shall not hear requests unless the appeal has been previously made in writing and the item is on the Board agenda.
- 6.6 The Architectural Review Committee may refer requests to the Board of Directors when they are deemed outside the defined Architectural Review Specifications or of the nature requiring special consideration.
- 6.7 A member of the Architectural Review Committee may inspect the project shortly after the indicated proposed completion date in order to determine that the work substantially complies with the approved request. Items, which are not in compliance, will be reviewed by the Architectural Review Committee and referred to the Board of Directors for action.

7.0 Procedures for Violations

- 7.1 Homeowners who observe violations in the neighborhood are requested to report these violations to the Management Company or the Board of Directors. The Management Company will acknowledge the complaint in writing within ten (10) days of its receipt. If this acknowledgement is not received, the homeowner making the complaint is requested to contact the Board of Directors.
- 7.2 Alleged violations will be confirmed by a visit to the property to be conducted by the Management Company, the Board of Directors or the Violations Committee, as appropriate.
- 7.3 A letter will then be sent to the homeowner with the infraction detailing the violation and requesting that the violation be eliminated, or that approval be sought from the Architectural Review Committee, if appropriate. Approximately thirty (30) days is permitted for corrections. If the violation is not corrected and/or there is no response from the homeowner, another letter will be sent to the homeowner advising that the matter will be turned over to the Association attorney for action. Communication is encouraged between the homeowner, the Management Company and the Board of Directors. Reasonable considerations will be made for instances including, but not limited to, extended illness and periods of travel.
- 7.4 Involvement by the Association attorney is costly, not only to the violator, but also to all members of the Association. The Association will seek to collect the attorney's fees from the violating Owners. Please help the community by cooperating with the Association.

8.0 Items Not Requiring Prior Approval

The following items listed do not require approval by the Board of Directors. All other changes do require prior approval.

- 8.1 Portable basketball backboards in good repair. *(Refer to Section 5.15)*

- 8.2 Retractable clotheslines, which occur totally within the confines of a rear yard, with a six (6') foot high fence and the clothesline is not visible above the fence. *(Refer to Section 5.4)*
- 8.3 Door hardware such as peepholes, kick plates, and locks.
- 8.4 Downspouts and gutters, which are painted to match or compliment the color of the house.
- 8.5 Hanging baskets.
- 8.6 Hose reels and/or hangers.
- 8.7 House identification numbers or plaques bearing the occupant's name providing the size is limited to twelve (12") inches by eighteen (18") inches. House identification numbers may be painted at the edge of the driveway near the street providing they are painted using a template no larger than three (3") inches by eight (8") inches per number; approved paint colors include white and yellow, and are not glaring in nature.
- 8.8 Landscaping, which occurs within five (5') feet of the exterior of the house or which does not exceed 20% of the available permeable area and which does not change the grading and/or drainage pattern of the property. Landscaping which occurs totally within the confines of a rear yard with a six (6') foot high fence and which does not change the grading and/or drainage pattern of the property. *(Refer to Section 5.11)*
- 8.9 Edging installed in or around existing beds including aluminum, plastic, yard timbers, bricks, or concrete edging, providing that the installation does not exceed eight (8") inches in height and is not a permanent structure, such as a mortared wall.
- 8.10 Low voltage lighting for landscaping.
- 8.11 Curbside mailboxes which are approved for use by the United States Postal Service.
- 8.12 General repairs made to roofs, driveways, exterior facades and fencing when using materials matching the existing.
- 8.13 Seasonal decorations, providing they are placed and removed within 45 days of the event, and do not create a nuisance for the neighborhood. *(Refer to Section 5.12)*
- 8.14 Statuary and fountains not exceeding three (3') foot in height or three (3') foot in width, or those which occur totally within the confines of a rear yard with a six (6') foot high fence and are not visible above the fence.
- 8.15 United States flags displayed from a removable stand on a temporary basis, such as national holidays or wartime. *(Refer to Section 5.9)*
- 8.16 Vegetable gardens which occur totally within the confines of a rear yard with a six (6') foot high fence and which does not change the grading and/or drainage pattern of the property. *(Refer to Section 5.21)*
- 8.17 Weather vanes limited in height to three (3') feet..

9.0 Revisions

- ◆ Ordinance 374 adopted, August 23, 1982
- ◆ Declaration of Covenants, Conditions, Restrictions Reservations and Easements for Alafaya Woods Development dated February 14, 1985
- ◆ Amended by Board, January 1, 1990
- ◆ Original Printing, September 1991
- ◆ Amended by Board, September 30, 1992
- ◆ Amendments Recorded, December 14, 1992
- ◆ Amended by Board, April 6, 1994
- ◆ Amendments Recorded, May 26, 1994
- ◆ State of Florida Statute 720 (governing Homeowners' Associations) Revised, October 1, 1995
- ◆ Rules and Regulations/Architectural Review Specifications Revised, October 2003