

# **Architectural Control Committee and Use Restriction Rules**

## **Explanations and additions to covenants and rules in Red**

Rev6

### **1. Introduction**

#### **A. Objectives**

- a. To provide uniform guidelines to be used by the Architectural Control Committee in reviewing applications in the context of standards established by the Covenants of the Preserve at Lake Charm Homeowners Association, Inc.
- b. To Assist homeowners in preparing an acceptable application to the ACC.
- c. To help maintain a reasonably uniform and architecturally sound appearance for the Preserve at Lake Charm Community; thus enhancing the investment of all homeowners.

#### **B. Protective Covenants**

- a. Basic control maintaining the quality of design at Preserve at Lake Charm comes through the Declaration of Covenants, Conditions and Restrictions for the Preserve at Lake Charm, which are part of every deed of homeownership. The ACC ensures that proposed exterior alterations comply with the standards set forth in the Covenants. This involves the regular review of all applications for exterior alterations submitted by homeowners.
- b. Every Preserve at Lake Charm homeowner should have received a copy of the Declaration of Covenants at settlement. These covenants are available on the Preserve at Lake Charm Web site maintained and operated by Sentry Management Inc. Since these covenants run with the land, they are binding on all homeowners and should be fully understood.
- c. See Declaration of Covenants, Conditions and Restrictions for full details of all requirements.

#### **C. Power and Duties of the ACC**

- a. Section 8.7 of the covenants states that no improvement shall be constructed on any portion of the Property, no exterior of a Residence shall be repainted, no landscaping, sign or improvements erected, removed, planted or changed, replacement, or alteration of the improvements and originally constructed by Declarant (visible from the exterior of the Residence) be made until the plans and specifications showing the nature, kind, shape, height, materials, floor plans, color scheme and the location of same shall have been submitted to and approved in writing by the ACC.
- b. Article VIII of the covenants outlines all of the requirements of the Architectural Control Committee.

### **2. Covenant rules and explanations**

- A. Article VIII of the covenants outlines the functions and requirements of the ACC. Request for change form can be obtained by calling the management company or downloading one from the Preserve at Lake Charm web site operated by Sentry Management Inc. In Article X, Use Restrictions, several restrictions, reservations and conditions are identified which require approval from the ACC. The following sections clarify and explain conditions which will need to be met before ACC approval.

- a. Section 8.7 – Power and Duties of ACC
  - i. Exterior Paint colors – Colors for house body and trim have been established. A book has been put together identifying approved colors and is available for homeowners to check out prior to choosing colors. The accent colors located in the back of the book are to be used on exterior doors only. Contact our management company to check out the book of approved colors.
- b. Section 10.13 – Decorations
  - i. All seasonal decorations may only be placed on exterior portions of the residence and upon the lot 30 days prior to the holiday and must be removed 15 days after the holiday. The holidays for seasonal decoration are the Chinese New Year, Christmas, Easter, Fourth of July, Halloween, Hanukkah, St. Patrick's Day, Thanksgiving and Valentine's Day. The HOA has the right to require removal of holiday decorations by the Home owner, at Home owner's expense if it is not in compliance with this Exterior Holiday Decorations Policy. Illumination of holiday lights that extends beyond the boundaries of the lot in a manner deemed objectionable by home owners of the adjacent lots is not allowed. The HOA has the right to require removal or adjustments by the home owner at home owner's expense.
- c. Section 10.16 – Fences/Walls, Screens.
  - i. Amendment 3 to the Covenants, Conditions and Restrictions for the Preserve at Lake Charm addresses Fences and Screens. It adds additional subsections dealing with maintenance, types and location of fences. See Third Amendment to the Covenants for full details and conditions.
  - ii. Section 10.16.2 identifies fences shall be constructed of white PVC and shall be tongue and groove (aka solid or board to board) or vertical shadow box construction without any lattice or picket top accents. In no event shall walls of any material, wooden fencing of any kind, aluminum or wrought iron picket fences or wovenwire, barbed wire, electrical strands or chain link fencing of any kind be allowed. Fences under this subsection shall not be located closer to the street than a line parallel to the street and extending from the center of the side of the Residence.
  - iii. Section 10.16.3 states fences on lots with view corridors such as ponds and conservation areas shall be constructed of black aluminum or wrought iron along all property lines adjacent to the pond or conservation area and along the other property lines for the last 20 feet from all property lines adjacent to the pond or conservation area.
- d. Section 10.39 - Storage
  - i. No temporary or permanent utility or storage shed, storage building, tent or other structure or improvement shall be permitted and no other structure or improvement shall be constructed erected, altered, modified or maintained without prior approval of the ACC. Storage sheds that may be approved by the ACC will require the following conditions:
    - 1. Homeowner must obtain a building permit from the City of Oviedo for structure
    - 2. Structure must meet Florida building codes
    - 3. Structure cannot be seen from the road, i.e. behind fencing or landscaping (see diagrams)



4. Structure must have a concrete or at least 3/4 inch tongue and groove pressure treated flooring system
5. Structure must be painted the same color as the house.
6. Structure roofing materials - if shingled, same as house, if aluminum; see color book for choices

B. Article X covers other Use Restrictions that do not fall under ACC guidelines. The following sections clarify and explain conditions that are to be met.

a. Section 10.7.1 – Parking.

- i. Owners automobiles shall be parked in the garage or driveway, if provided and shall not block the sidewalk. No vehicles of any nature shall be parked on any portion of the property or a lot except on the surfaced parking area thereof. The surface parking area is defined as the garage or driveway. Parking is not allowed overnight on any street in the community. Residents who have guests that require vehicles to be parked on the street overnight must contact the management company and let them know the vehicle type and how long they will be staying. This exception is only for resident guests and for the duration of their visit, normally limited to 7 days. Vehicles are to be parked with right side tires against the curb with the flow of traffic at all times.

b. Section 10.12 Control of Contractors

- i. Contractors doing work on the exterior of any residence shall work between the hours of 7:00AM and 7:00PM. Exceptions are for emergency repairs and services.

c. Section 10.22 – Irrigation

- i. The Preserve at Lake Charm has a retention pond that is used for irrigation and the SJRWMD considers this to be reclaimed water but there is also a well that supplements our pond when the water level gets low; that adds another set of guidelines. The statement below is from SJRWMD/water retention page under exceptions:

"The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources."

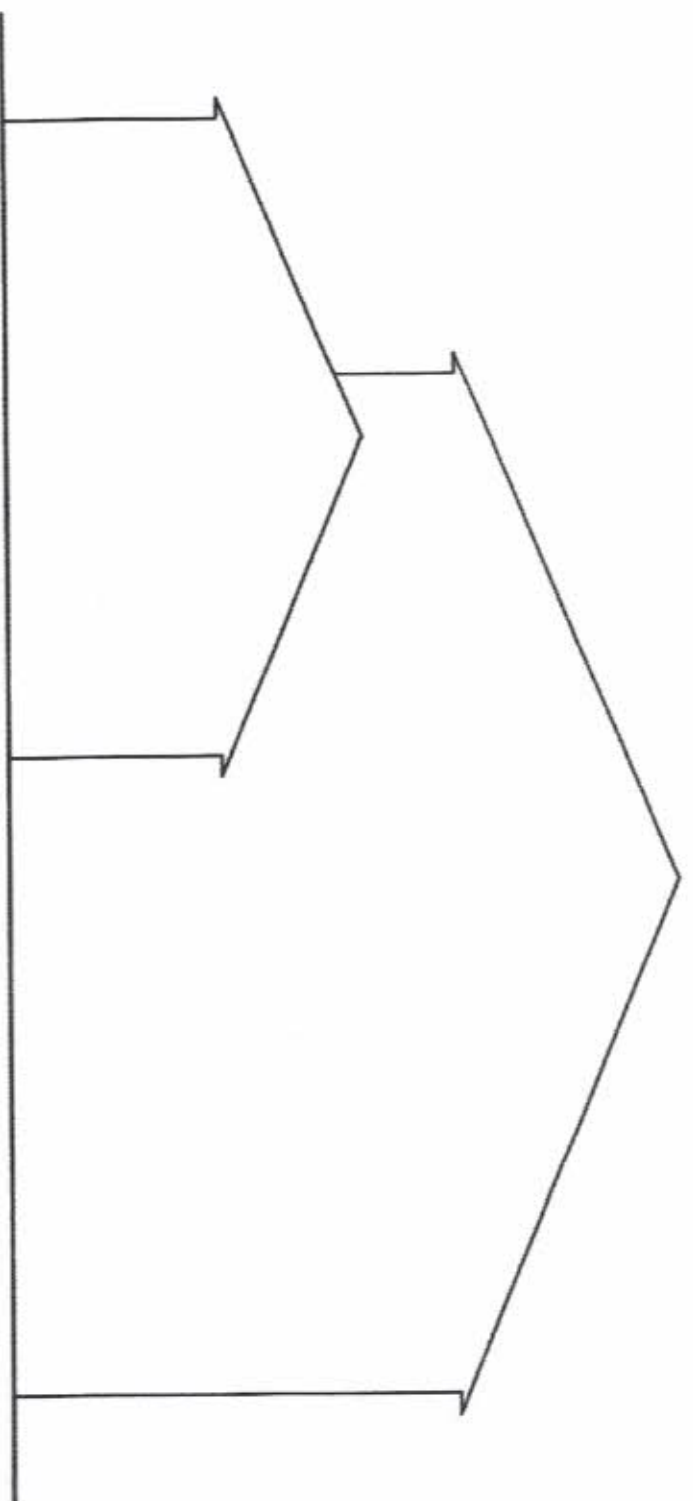
Mandatory lawn watering restrictions specify the days when you may water. These days depend on whether you have an odd or even numbered address, and the time of year. In addition to the specific watering days, watering times should be staggered to insure the irrigation pump is not overloaded even when watering on designated days. That means watering times for even house numbers ending in **0, 2, and 4** should set their timer to water **between 12 midnight and 4 AM** and even house numbers ending in **6 and 8** should set their timer to water **between 4 AM and 8 AM**. Watering times for odd house numbers ending in **1, 3, and 5** should set their timer to water **between 12 midnight and 4 AM** and odd house numbers ending in **7 and 9** should set their timer to water **between 4 AM and 8 AM**.

Time of year
Daylight saving time
Eastern Standard Time
<ul style="list-style-type: none"> <li>• Daylight saving time: Second Sunday in March until the first Sunday in November</li> <li>• Eastern Standard Time: First Sunday in November until the second Sunday in March</li> <li>• An odd numbered address is one that ends in 1, 3, 5, 7 or 9.</li> <li>• An even numbered address is one that ends in 0, 2, 4, 6 or 8.</li> <li>• Water only when needed and not between 10 a.m. and 4 p.m.</li> <li>• .Water for no more than one hour per zone</li> <li>• Restrictions apply to private wells and pumps, ground or surface water and water from public and private utilities.</li> <li>• Some exceptions apply.</li> </ul>

d. Section 10.31 Pools

- i. Additional information regarding pools is to be added to this section.
- ii. ACC approval process is:
  1. Send in ACC Request form to management company with the following information:
    - a. Survey of house where pool will be located.
    - b. Type of pool (fiberglass, gunite, etc.)
    - c. Contractor who is installing pool. Contractor is responsible for getting building permit from City of Oviedo.
    - d. If screening is to be included, type, size and contractor doing work. See section 10.16 for additional requirements.
    - e. If a fence will be included, type, size and contractor doing work. See section 10.16 for additional requirements.

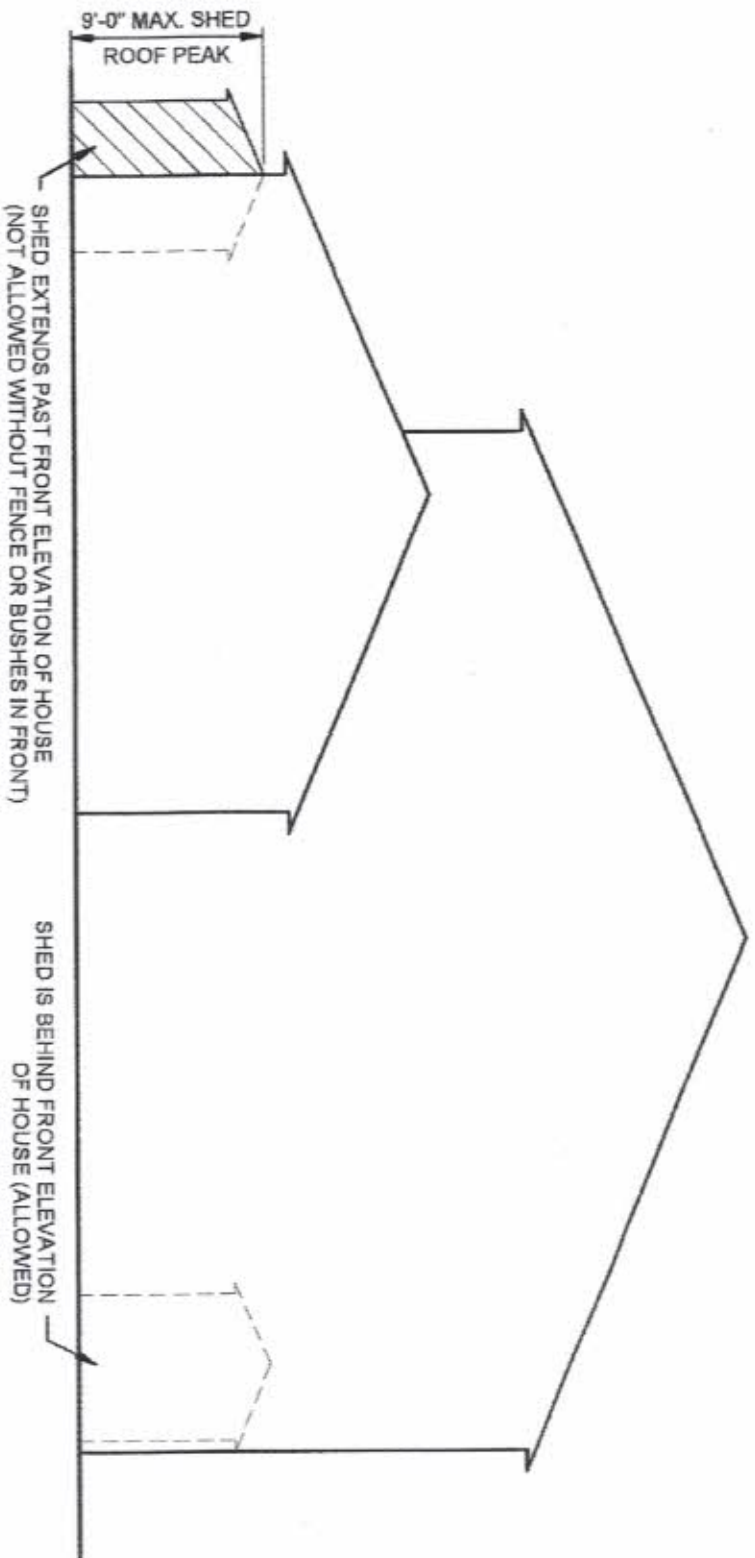
Approved October 3, 2013  
 Preserve at Lake Charm  
 Board of Directors



## Front Elevation

1

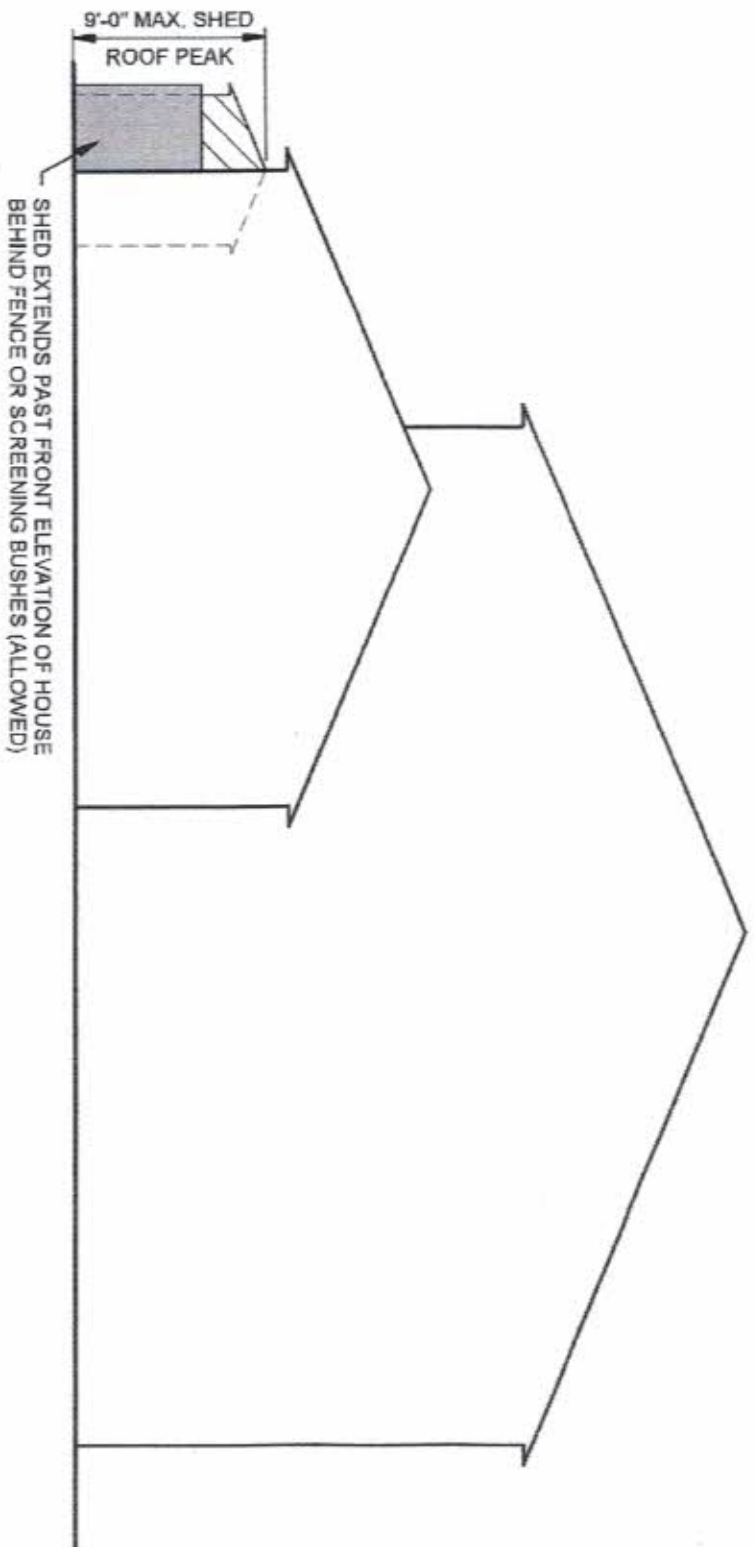
SCALE: NOT TO SCALE



2

## Front Elevation - Shed No Fence

SCALE: NOT TO SCALE



3

# Front Elevation - Shed With Fence

SCALE: NOT TO SCALE