

This instrument prepared by:

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646 East Colonial Drive
Orlando, Florida 32803

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03/27/2020 03:00:47 PM Page 1 of 5
Rec Fee: \$44.00
Phil Diamond, Comptroller
Orange County, FL
SA - Ret To: WEAN & MALCHOW P A



**CERTIFICATE OF APPROVAL OF RULES AND REGULATIONS
FOR OAKLAND POINTE HOMEOWNERS' ASSOCIATION, INC.**

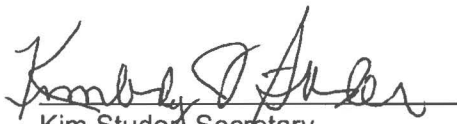
The undersigned authorities hereby certify that at a duly called meeting of the Board of Directors held on March 3, 2020, the Board of Directors of Oakland Pointe Homeowners' Association, Inc. adopted the attached proposed Rules and Regulations (Architectural Guidelines).

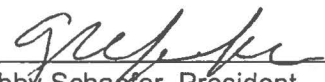
The attached proposed Rules and Regulations were approved in accordance with Article 25(G) of the Declaration of Covenants and Notice of Restrictions on Real Estate for Oakland Pointe and Article IV, Section 3(q) and Article VII of the By-Laws of Oakland Pointe Homeowners' Association, Inc., A not-profit Florida Corporation, by a majority vote of the Directors present at a meeting which a quorum was present and which was noticed to the members at least fourteen (14) days in advance of the meeting.

Witness our hands and seals this 13th day of March, 2020.

ATTEST:

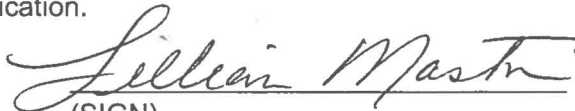
OAKLAND POINTE HOMEOWNERS' ASSOCIATION, INC.
"Association"


Kim Studer, Secretary

By 
Abby Schaefer, President

STATE OF FLORIDA :
COUNTY OF ORANGE :

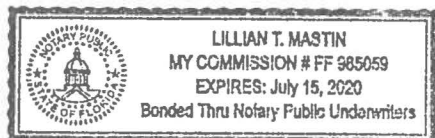
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 13 day of March, 2020, by Abby Schaefer and Kim Studer as President and Secretary, respectively, of Oakland Pointe Homeowners' Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me or have produced FL Dr License as identification.


(SIGN)

My Commission Expires:


(PRINT)

Notary Public, State of Florida at Large



RULES AND REGULATIONS (ARCHITECTURAL GUIDELINES)

1.0 Applicability. The provisions contained within shall be applicable to all of the Property (and the Owners thereof), and administered as per the provisions of the Declaration of Covenants and Notice of Restrictions on Real Estate as recorded in Official Records Book 5056, Page 1532 and Article VII – Section B of the By-Laws of Oakland Pointe Homeowner’s Association, as recorded in Official Records Book 5072, Page 3222 through 3231 all of the Public Records of Orange County, Florida as currently written and as may be amended from time to time.

1.1 Architectural Review Board. The Architectural Review Board (“ARB”) has the duty to adopt specific residential planning criteria, which can be amended from time to time, to assist in the exercise of its approval rights over additions and alterations to the lots and improvements thereon. The ARB Guidelines shall be consistent with and perpetuate standards and designs from time to time pervasive in the community in order to establish an objective framework to ensure that no Owner is treated unfairly or differently from another ARB approval for any improvement or other work contemplated. The Architectural Review Board will base its approval of plans, specifications and plot plans, or any of the following grounds, including but not limited to compliance with the restrictions contained in the Association’s governing documents, harmony with the overall architectural and environmental design concept for the community, consistency with the existing community standards, promotion and enhancement of the aesthetic appearance of the community and impact on the surrounding properties.

1.2 Approval. All changes or additions to the architectural landscape or appearance of the property must receive prior written approval of the ARB. Owners shall submit all plans to the ARB for written approval prior to the commencement of any work on the lot. Submissions can be made by mail, email or by hand delivery to the ARB members. The ARB will have 72 hours from receipt of the Owner’s submission of all required documentation to review and prepare a response for delivery to the Owner in the same manner in which the submission was received. In addition to obtaining ARB approval, Owners must comply with all laws, regulations, codes, or other governmental requirements and must obtain permits for the work as required by local government authorities.

1.3 Temporary Structures. No structure of a temporary character, including sheds, trailers, shacks, barns, storage pods, or similar buildings or structures shall be permitted on the Property at any time or used at any time as a residence, either temporarily or permanently without prior written approval of the Architectural Review Board. If a storage shed exists on a Property as of the date of the recordation of this document it is considered approved by the ARB, until such time its replacement is required. No existing shed shall be replaced in kind or otherwise without the prior written approval of the ARB.

1.4 Exterior Appearance. All exterior additions or changes, including but not limited to the paint, coating, stain, and other exterior finishing colors and materials on all residential buildings, planter beds, sidewalks, driveways and fences must receive prior written approval by the Architectural Review Board before any such exterior finishing color or material project has commenced.

1.5 Maintenance. All portions of the residential buildings, roof gutters, planter beds, sidewalks, driveways, pathways, fences, docks, wood walkway, curbs and gutters, yard art, and other hardscaped areas on or adjacent to property will be pressure washed and/or cleaned no less than bi-annually or in such frequency to prevent mold, mildew or unsightly growth or stains. Gutters must remain free of debris for stormwater purposes and any debris collected in the gutter is the responsibility of the Owner and shall not be passed downstream and into the stormwater system. This is as per Orange

County ordinance.

1.6 Landscaping. Owners shall at all times comply with the governing documents and the Town of Oakland tree ordinance, including but not limited to that ordinance relating to types of trees.

- a. The entire front, side and rear of the lots shall be covered with grass, except for the paved areas or plant bed areas.
- b. All lots must have St. Augustine grass unless the ARB has provided prior written approval of a grass type other than St. Augustine that will be congruent with the neighborhood appearance. The grass shall be maintained and weed free. Weeds are defined as vegetation that is not an ARB approved sod. Overall Yards greater than 80% weeds shall be replaced at the Owner's expense with an ARB approved sod. Percentage of weeds in sod are to be at the consensus of the ARB. If a grassing exists on a Property with a type other than St. Augustine and is 80% weed free as of the date of the recordation of this document it shall be considered approved by the ARB, until such time its replacement is required. If the yard is considered to have more than 80% weed coverage the only accepted grass type is St. Augustine for replacement.
- c. Each house must have mature shrubs within the front and side yards. Replacement of shrubs of like kind does not require ARB approval.
- d. Trees will be trimmed as needed and shall not come into contact with dwellings, fences or walls. Low hanging branches that interfere with sidewalk, street traffic, and overhang neighbor's yards must be trimmed back by the homeowner.
- e. All lots must have an operational sprinkler system to cover the entire sodded area of the lots that run on the schedule as set forth by the Town of Oakland and St. Johns River Water Management District.
- f. A Florida Friendly landscape plan may be considered by the ARB if the plan for said landscape is submitted in advance of installation. Proposed landscape plan shall be submitted to the ARB with demonstrated adherence to the strict guidelines for plants, trees, watering schedule and maintenance as documented in the University of Florida standards of a Florida Friendly Landscape.
- g. Owners shall take care in planting street trees to ensure that excavation for and placement of trees cause no damage or hindrance to underdrains, buried utilities, and other infrastructure.
- h. The Lot landscaping, including, without limitation, the trees, shrubs, lawns, flower beds, walkways, and ground elevations, shall be maintained by the Owner.
- i. Lot Owners shall mow grass; edge driveways, sidewalks and curb lines; weed planting areas; broom or remove dirt, clipping, and leaves from walks, drives and roads; and trim hedges, trees, and shrubs which would give the appearance of weekly yard maintenance during peak growing seasons (i.e. may not need weekly mowing in winter months, but leaf raking may be required).
- j. Grass clippings, dirt, and other yard debris will be cleaned up, and disposed of accordingly, during or immediately following routine maintenance. At no time will clippings or other organic matter be blown into the roadway and/or gutter or left on sidewalks and/or driveways. Dirt due to erosion that collects on driveways and sidewalks will not be blown or pressure washed into the gutter and then washed down for neighbors or the Association to remedy. Each Owner is responsible for their own debris due to mowing or erosion. Organic matter, when properly contained, may be left curbside on appropriate days for removal by the Town of Oakland. Dumping of any waste, organic or otherwise, anywhere in Oakland Pointe Subdivision is prohibited.
- k. Weed and insect control must be performed regularly so as to not cause invasion into the neighboring lots.

1.7 Vehicles.

- a. No inoperative vehicles shall be allowed to remain on the Property in excess of forty-eight (48) hours unless kept in an enclosed garage and not visible from the street or any other Lot. An inoperative vehicle is defined as a vehicle on which the engine, wheels or other parts have been removed, altered, damaged or allowed to deteriorate to prevent the vehicle from being driven.
- b. No commercial truck, van, or trailer, or other commercial vehicle or equipment shall be permitted to be parked or stored on any portion of the Property except for loading and unloading for a period longer than four (4) consecutive hours unless parked with an enclosed garage, or unless that vehicle is performing construction/repairs on the property. A "commercial vehicle" shall mean any of the following: (1) a vehicle not designed and used primarily for carrying live human passengers, or (2) a vehicle bearing visible advertising, or (3) a vehicle used for hire, or (4) a vehicle visibly modified to carry business equipment, supplies or tools of trade, or (5) A vehicle that has a curb weight in excess of 26,000 pounds.
- c. No motor home, house trailer, camper, boat, trailer for boat or other water craft, horse trailer, other recreational vehicle, or any other equipment (whether motorized or towed), (collectively the "Prohibited Vehicles") shall be permitted to be parked or stored beyond the front building line or on sodded sections of the lot unless parked within an enclosed garage. Motor homes or house trailers may be allowed temporarily if approved prior to and in writing by the ARB for a specified period of time and location thereof.

1.8 Obnoxious or Offensive Activity. No activity or use shall be allowed upon the Property which is a source of annoyance, embarrassment or discomfort to Owners or their tenants or invitees, or which interferes with the peaceful possession and proper use and enjoyment of the Property, nor shall any improper, unsightly, offensive or unlawful use be made of any Lot, Dwelling or the Common Property, and all laws and regulations of applicable governmental bodies shall be observed. The Property shall be used, enjoyed and occupied in such manner as not to cause or produce any of the following effects discernible outside any Dwelling: noise or sound that is objectionable because of its volume, duration, beat, frequency or shrillness; smoke; noxious, toxic or corrosive fumes or gases; obnoxious odors; dust, dirt or fly ash; unusual fire or explosive hazards; vibration; or interference with normal television, radio or other telecommunication reception by other Owners.

1.9 Pets, Livestock and Poultry. Owners are required to walk their dogs or other household pets in the areas designated by the Association. Owners shall be responsible to clean up after their dogs or pets. For purposes hereof, "household pets" shall mean dogs, cats, caged domestic birds, and fish. All dogs and cats are required to be on a leash on the Property and not running unattended through the neighborhood. Any Owner who keeps a pet thereby agrees to indemnify the Association and hold it harmless against any and all fines, penalties, claims, demands, expenses, costs, obligations, and liabilities of any kind or character arising from or relating to the pet. Owners shall also comply with local ordinances and regulations.

1.10 Fence. Fences shall comply with all applicable requirements of the Town of Oakland. Owners shall obtain prior written approval from the ARB prior to the installation of a fence. No fence shall be allowed beyond the front building line of the house. On corner Lots, fences will not be permitted beyond the front building line of the main entrance to the house but will be permitted along the other Lot boundary that adjoins a right-of-way (the "Street Side Yard Boundary"). Any fence so placed along a Street Side Yard Boundary shall be setback at least fifteen feet (15') from that boundary and shall not extend beyond the front building line of the house. For purposes of this section, the front of a fence is the face thereof facing away from the home. The Architectural Review Board may adjust the setback at their discretion for the fence due to an abutting house location. No fence or wall shall exceed a height of six (6) feet. No stockade or chain link fences shall be permitted on a Lot. Fences

must be kept free of mold, mildew and algae. Any damage, such as missing or leaning planks, holes or rotted material must be repaired immediately and/or at the recommendation of the ARB. Existing painted fences and walls must be repainted as needed or as determined by the ARB.

1.11 Garbage and Trash Disposal. Garbage containers shall have lids. No loose bags shall be placed on the curb with household refuse. Such containers may not be placed out for collection sooner than twenty-four (24) hours prior to scheduled collection and must be removed within twelve (12) hours of collection. No trash container when stored shall be visible from the street (i.e. located in an enclosed garage, back yard, or side yard screened with hedge or fence. Yard debris shall comply with all applicable requirements of the Town of Oakland, including all loose debris bagged or bound in bundles not to exceed 4 feet in length and 50 pounds of weight.

1.12 No Drying. To the extent lawful, no clothing, laundry, or wash shall be aired or dried in a manner that is visible from the street.

1.13 Garages. All residences must have a minimum of two car garages. No carports are permitted. All garage doors must be maintained in operating condition. No garage may be converted to living space.

1.14 Swimming Pools. No Owner shall construct a swimming pool on a Lot until the Owner has obtained the prior written approval from the ARB. Owners are required to comply with all applicable regulations and permitting required by from the Town of Oakland. No above ground pools are permitted to be constructed or reconstructed.

1.15 Air Conditioning Units, Gas Storage Tanks & Other Exterior Equipment. No gas storage tanks or air conditioning units shall be placed on the front of any dwelling.

1.16 Yard Accessories and Play Structures. All Front yard accessories shall be approved in advance and in writing by the ARB. Play structures, including but not limited to basketball backboards, treehouses, swing-sets and any other fixed games, shall be located in the rear yard of the home (behind back wall of the home), except that, in the case of homes on corner Lots, such accessories and structures shall not be permitted within the Street Side Yard nor within any portion of a rear yard that is not enclosed within an authorized fence. All yard accessories and play structures on all Lots including side yard views on corner Lots shall be obstructed from view at the street by either the home, a 6' fence, or a planted hedge that is capable of growing to 6' in height within 2 years. Basketball structures, either permanently mounted to Dwelling above the garage or mounted to a permanent pole, will not be allowed in front of the rear wall of the home. No portable basketball poles and backboards will be allowed in front of the rear wall of the home.

1.17 Sidewalk obstruction. Vehicles which are parked in driveways may not extend across sidewalks or into the roadway, partially or in its entirety. No obstruction to accessibility and visibility shall be permitted across homeowner's sidewalk. Sidewalks must be maintained at a width that is ADA compliant being a minimum of 32 inches of accessible concrete walk.

1.18 Roofs. The roofs shall have a minimum pitch of 5/12. All roofs shall be constructed of architectural fiberglass shingles or tile. All materials must be approved in advance and in writing by the ARB prior to replacement or construction.