Hawthorne Community Association

Rules & Regulations

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Rules & Regulations

The purpose of the Rules & Regulations for Hawthorne is to interpret, clarify, and assist in the administration of the governing documents (Declaration, Articles, and Bylaws). To obtain a complete understanding of the requirements for Hawthorne you need to consider all governing documents, Florida laws and Federal laws. In the case of any conflicts, the hierarchy of authority is as follows, starting with the highest: Federal law, Florida law, the Declaration, the Articles, the Bylaws, and the Rules & Regulations.

It is the residents' responsibility to read, understand, and abide by all requirements as stated in the Hawthorne governing documents, as well as state and federal laws, to avoid penalties and fines for any violations. Exhibit C in the Documents should be reviewed by all residents as they provide guidance on a number of issues.

Any additions, improvements, or changes to the exterior of your home, including landscaping, requires the approval of the Architectural Review Board (ARB)

If in doubt when considering a project, err on the side of caution and submit an ARB request. See the Property Manager for details.

Architectural

Awnings

All awnings are required to be of fabric or similar material, can only be installed to the rear of the home, and must be capable of being retracted into an enclosure when not in use. No metallic awnings are permitted. The fabric color and accessories such as box or permanent attachments must be beige, bronze, black, or otherwise match the exterior colors of the home.

Pools, Spas, and Lanais

Above ground pools are not permitted. In-ground pools, spas, and lanais are to be located at the rear of the home, not exceeding the width of the home. All lanais are to be bronze colored structures with black screening enclosing the pool/spa/deck area. The construction of the pool, spa, or deck may not change the grade of the existing landscape. Shrubs and bushes are required to be planted around the lanai and all pool/spa equipment. All shrubs and bushes planted around pool/spa equipment must be capable of growing to a minimum height equal to the top of pool/spa equipment and maintained at a minimum height equal to the equipment height and all plantings must be capable to grow to a reasonable density to hide the pool/spa equipment from public view. The increased cost of restoration and repair of landscaping, as well as the restoration and repair of the grade and irrigation system is the responsibility of the property owner and is subject to inspection and approval by the ARB. Solar pool/spa heating systems must be installed on the roof and must be placed so that the panels are not visible from the street; any installation requires inspection and approval by the ARB.

Gutters and Downspouts

If the gutters and downspouts are part of a lanai, the color of the gutters and downspouts are to be bronze, the same as the lanai structure. All other gutters and downspouts are to match the house trim

as much as possible. Downspouts need to be installed in a manner to prevent erosion and lakefront homes with gutters must arrange for the gutters to drain into the lake itself to mitigate erosion.

Walls
Privacy or decorative walls extending from the home are not allowed unless installed by the Developer.

Fencing
No fence of any type, including invisible fencing, is permitted to be erected on a lot.

Exterior Painting
No approval is required to repaint a home the same colors as originally painted by the developer. Any changes in colors will need ARB approval and must be within the existing color scheme of the community.

Attachments to Structures
In an effort to maintain proper aesthetics throughout the community, any attachments made to the front of the home require ARB approval. Decorative shutters are prohibited.

Front screen doors must be the same color of the home's trim.

ARB approval is required to replace all exterior light fixtures. The fixtures shall be black and not longer than approximately twenty (20) inches measured from top to bottom.

Only original-like garage doors, front entrance doors, and brick pavers are to be used as replacements. If modifications are desired, ARB approval is required.

Storage containers outside of the lanai and bird feeders containing seed are not permitted, as they attract rodents.

Satellite Dish
One satellite dish that is one meter (39.37 inches) or less for TV use may be installed only with ARB approval. Satellite dishes must not be placed at the front of the home and the ARB may require reasonable vegetative screening to prevent the dish from being seen from the street, providing it does not unduly interfere with the reception. No other types of electronic receivers such as antennas and/or aerials are allowed.

Play Equipment
No permanently installed play or recreational equipment is allowed in yards or driveways. This includes, but is not limited to, basketball goals, swing sets, jungle gyms, play complexes, tents, skate board ramps, soccer goals, trampolines, badminton, horse shoes, and other similar games. Use of portable play or recreational equipment is permitted, but must be stored indoors after dusk. For additional information, see Exhibit C, Page 8, Item 30 of the HOA Documents.

Flags and Poles
Per Florida Statute 720.304 Section 2(a) & (b) Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable,

removable official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association. Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 41/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag. The flagpole and display are subject to all building codes, zoning setbacks, and other applicable governmental regulations, including, but not limited to, noise and lighting ordinances in the county or municipality in which the flagpole is erected and all setback and locational criteria contained in the governing documents." Freestanding poles, permitted by Florida Statute 720, must be submitted to the Architectural Review Board for approval and must not exceed 20 feet in height

Windows and Doors

No opaque film or adhesive material visible from the outside of the home can be applied to windows, glass panes in doors, or glass doors, including tinting material, unless approved by the ARB. Decorative glass in front doors is allowed with ARB approval.

Window Treatment

Window treatments shall consist of drapery, blinds, shutters, decorative panels, or other tasteful window covering, and no newspaper, aluminum foil, sheets, or other temporary window treatments are permitted, except for the initial two-week period of occupancy by a new owner/tenant. The ARB may approve, in writing, a variance to this section for periodic cleaning and repair of approved window treatments. Windows on the street side(s) should have natural, not bright-colored, appearing window treatments as viewed from outside of the home.

Mold and Algae

Accumulation of mold or algae on homes, roofs, structures, and driveways must be cleaned and maintained by the property owner. Sidewalks in Hawthorne are considered Common Property and therefore will be maintained by the Association. This does not preclude an owner from cleaning his/her sidewalk at more frequent intervals if needed.

Hurricane Shutters

Acceptable panels include the following: Clear panels such as Lexan, colored metal panels that match the house, mesh fabric panels with color that matches the house, and roll down or accordion type shutters with color that matches the house. Unacceptable or temporary panels include the following: metal, galvanized steel and aluminum. These may only be in place prior to and immediately following a storm event.

No hurricane shutters of any type will be permitted to be kept in the closed position outside of hurricane season on any front opening of the home, with the exception being the lanai. If the lanai is closed, it must be with acceptable panel as defined above. Hurricane season is defined as June 1 through Nov. 30.

No hurricane shutters of any type can be installed on the front of the house until a hurricane watch or warning encompassing the Hawthorne location is issued by the National Weather Service. The front shutters must be removed no later than ten (10) days after the cessation of the hurricane event. This also applies to any shutter that is considered unacceptable/temporary that is on the back and sides of the house.

The Association is not responsible for the installation or removal of hurricane shutters in the event of a hurricane threat and owners are solely responsible for the installation and removal of shutters.

Landscaping

Annuals and Perennials

Annuals and perennials are permitted to be planted within existing beds without prior permission. The primary requirement for these types of plants is that they be promptly removed at the end of their useful flowering or growth period. The landscape company is not responsible for any plants that grow out beyond the edge of the planting beds. Owners are responsible for any increased cost in the maintenance, repair or replacement of owner-installed plantings.

Containers and Flowerpots

Pots and containers that are visible from the street should be limited in number to a maximum of six (6). The pots, containers, and plants need to be properly maintained by the homeowner.

Planters

Permanent planters shall not be constructed outside of lanais.

Trees and Shrubs

In-kind replacement of trees and shrubs that were developer planted or previously approved by ARB do not require approval by the ARB. All plantings in existing beds, or additions of entire planting beds, as well as new landscaping related to after-the-fact additions such as pools or lanais, require prior written approval of the ARB. Florida exotic and invasive species and high maintenance items such as fruit trees will not be permitted except inside of lanais. Trees may not be planted in easement or buffer areas. When choosing new additional landscaping or new replacement landscaping, it is best to choose plants that are already within the approved palette of the community. Owners are responsible for the increased cost of maintenance, repair and replacement of owner-installed landscaping features. Please see **Exhibit A** for a list of unacceptable landscaping selections as designated by local ordinances.

Trellises

With prior ARB approval, vines may be grown on trellises on the homeowner's property.

Rocks, Stones, and Gravel

ARB approval is required for any limited use of rocks/stones/gravel material in controlling extreme storm water runoff or as a minor landscape enhancement. In all cases, the color of the material used must blend in with the pine straw or mulch. Such material cannot be used to extend the boundaries of walkways or driveways.

Mulch
Any mulch or pine straw application by a homeowner requires ARB approval prior to installation. Installations that do not meet the current community standard will not be approved.

Stand-Alone Structures
Gazebos, patios, outdoor furniture (permanently installed or routinely left in place), or sitting areas outside of a lanai area at the rear of the home are not allowed. Other landscape enhancements such as fountains and sculptures/garden art require ARB approval. Items should not exceed 36" in height, should be of natural (not painted) finishes, and should not dominate the landscape, but should blend in with the overall texture and theme of the architectural concept. Rarely will more than one such item be approved per elevation. Items not securely anchored to the ground will be required to be removed to safe storage in the event of an impending storm or if the owner is leaving for an extended period of time.

Feeding Birds and Wildlife
Feeding birds and wildlife within Hawthorne is not allowed in an effort to keep rodents and other undesirable animals away from the homes.

Common Area

Fishing
Fishing is only allowed from shore of the common areas, your own property, or another homeowner's property with permission from the respective property owner. There is no common area for the purpose of fishing behind single family homes.

Golf Carts
Golf carts are not allowed in the Hawthorne community.

Car Covers
Vehicles draped with car covers may not be parked in any driveway or on any common areas.

Sidewalk Cleaning
Sidewalks will be cleaned at the discretion of the Board and will be included in the annual budget. Any additional cleaning will be the responsibility of the resident and any damage caused by an owner shall be financial responsibility of the owner.

Parked Vehicles
Motor homes, campers, boats, trailers, commercial vehicles, vehicles with signage and recreational vehicles that do not fit in the garage may not be parked in the driveway or on other common areas. Personal passenger vehicles must be parked in the garage or in the driveway. Vehicles should be registered with the appropriate agency and must be operational, with the exception of an emergency. No on-street parking is permitted for extended periods of time, including overnight. If you are having visitors for a period of time and parking becomes an issue, please contact the Property Manager for alternative arrangements.

Rules & Regulations

Skate Boards
Skate boards are not permitted in the common areas, including sidewalks, amenity parking lots and tennis courts.

Tennis Courts
No activity other than playing the game of tennis is permitted on the courts. No bicycle riding, rollerblading, skateboarding, hockey, etc. is permitted.

Pets

Animals and Pets
No owner is permitted to keep a domestic pet (i.e. dogs, cats and birds) without the prior written permission of the Board for each pet. A pet registration form is required to be completed by each resident prior to residency or if a pet is added to the residence. Dogs must be kept on a leash at all times when not inside the home. An Owner shall immediately pick up and remove any solid animal waste deposited by his or her pet. See Exhibit C, Page 3, Item 11 in the HOA Documents for more information.

Boats, Recreational Vehicles and Commercial Vehicles

No trailer, boat, commercial vehicle, camper, motorcycle, or other vehicle, other than four-wheel passenger automobiles and other four-wheel passenger vehicles determined acceptable by the ARB, shall be permitted on any portion of Hawthorne unless fully enclosed in the garage. Vehicles should be registered with the appropriate agency and must be operational, with the exception of an emergency.

Real Estate

Signs
All real estate yard signs must comply with the following specifications: Tan-colored 24”x18” sign with dark brown lettering supported by two 4”x4” dark brown posts on each side (example can be provided by Property Manager). An additional 6” sales status banner may be added below the main sign. Signs should only be displayed when the home is being actively marketed and removed from the property at the time of closing.

No other sign, display or advertisement may be displayed without prior written approval of the ARB.

Open Houses
Open houses will be allowed 12 noon to 4:00 pm on Saturday and Sundays. Property owners/listing agents must register the open house with the gate keeper to allow entry to anyone attending the open house. Open house registration forms must be submitted to the Property Manager and guardhouse at least 24 hours in advance of the event.

Permitted Visitors
It is the responsibility of the property owner/listing agent to notify the Property Manager and gate keeper, in advance, to grant permission for the potential buyer/lessee, appraiser, surveyor, and home inspector to access the community.

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HOA & Condo Applications/Registrations

It is the responsibility of the property owner/listing agent to ensure potential buyers/lessees are provided all governing documents, disclosures, applications and registrations.

Visitors

Family members, friends, and business associates using homes while the property owner is away must complete the Visitor Registration Form and submit it to the Property Manager to ensure gate access is approved. The Association shall have the right to terminate the visitors' stay upon default by the visitor in observing any of the provisions of the governing documents, including any other agreement, document or instrument governing the lot.

Volunteers

There are a number of opportunities to volunteer in a community governed by a set of Covenants including membership on the Board of Directors and membership on a variety of Committees. Any member of the Board or Committee who violates these Covenants will be removed from their volunteer role at the discretion of the Board.

Exhibit A

Unacceptable Landscaping Selections