

REGULATIONS AND GUIDELINES ADOPTED BY THE LAKE HEATHER OAKS BOARD OF DIRECTORS

Regulations and guidelines to the Lake Heather Oaks Declarations of Restrictions, adopted by the LHO Board of Directors in accordance with the LHO Bylaws, to provide uniform, objective and fair enforcement of the Restrictions.

1. Article VII, Paragraph 11, Exterior Attachments. Exterior ~~winter holiday~~ lights and/or holiday decorations normally associated with an event or holiday (for example, icicle lights), may be installed or erected no earlier than one (1) month prior to the event, and must be removed no later than February 1 of each year. one (1) month after the date of the event.

Adopted April 30, 2000; amended December 10, 2001

2. Article V (Architectural Control), Section 1. The Architectural Control Committee shall respond to applicant within ten (10) business days after receipt of complete information required to render a decision on the submission for approval. If the original submission does not contain sufficient information for the Committee to render a decision, the Committee must request whatever additional information is required as soon as possible, but not later than ten (10) business days after initial receipt. If response is verbal, a written verification shall be provided by the Committee, as soon as possible.

Adopted April 30, 2001.

3. Article VII, Paragraph 20, Required Enclosures. Woodpiles should be located behind a fence enclosing the yard, if one exists. If there is no fence, they may be located on either side of the home, provided that they are enclosed within a wall or fenced in area, or otherwise surrounded by shrubbery or other landscaping, so as to be substantially not visible from the public streets or neighboring Lots.

Adopted April 30, 2001.

4. Article VII, Paragraph 5, Setbacks. The terms "structure" and "outbuilding" shall include but not be limited to a swimming pool, screen enclosure and permanent pool decking.

Adopted July 18, 2000.

5. Article VII, Paragraph 14, Fences, Walls and Hedges. Maximum height of a fence shall be consistent with county codes (currently 6'). Preferred materials of construction for fencing are weather resistant wood (for example, cypress, redwood, etc.), pressure treated lumber, plastic, and wood composite ("plastic wood"). The front dwelling line is defined as the front line of that portion of a house, closest to the street in front of the house.

Adopted December 10, 2001.

6. Rename the title from "Guidelines" to "Regulations and Guidelines" to be consistent with language in Bylaws.

Adopted September 17, 2001.

7. Article VII, Paragraph 11, Exterior Attachments. ~~Portable B~~asketball hoops are permitted, but must be portable, well maintained, in good condition ~~for example, no rust on the hoop, ploe or frame, no bent rim, and backboards and nets intact.~~ Further, they must be , and located such that they are able to be used without interference, such as from overhanging branches or limbs. and are not a nuisance. Specifically:

- a. All goals shall be mounted on poles.
- b. All materials shall be of high standard, and professionally made and finished.
- c. The pole shall be of metal material and otherwise painted or coated such that it does not rust, corrode or otherwise need replacement for an extended period of time. Poles shall be maintained and replaced as needed.
- d. All backboards shall be of neutral background or clear, and maintained or replaced to keep a well maintained appearance.
- e. All rims shall maintain a nylon cord net at all times. Rims with no net or rims with chain or wire nets are not permitted. Rims shall be maintained or replaced as needed, when a clean painted finish cannot be kept.
- f. No goals may be installed that may cause or create a nuisance to any unit owner. In addition, goals must be located so as to be able to be used without interference, such as from overhanging branches or limbs.
- g. Additional lighting for the specific intent to provide illumination for night time play shall not be allowed.
- h. It shall be the applicant's responsibility to be aware of neighboring unit owners' concerns, and should use due courtesy regarding hours of play.

Adopted April 30, 2001; amended September 17, 2001.

8. Article VII, Paragraph 23, Motor Vehicles. Commercial type vehicles (except for those hired by a resident for the express purpose of performing a paid service) must be parked in a garage, not in a driveway, on the street, or otherwise upon a lot. Other passenger vehicles such as passenger vans, minivans, sport utility vehicles, and light trucks, that are regularly used for transportation, however, can be parked in a driveway. In addition, jet skis, all-terrain vehicles and other similar equipment, are not permitted to remain on a lot unless kept inside a garage or otherwise located so as to be screened from view from the public streets or neighboring lots. The various vehicles are defined as follows:

- a. "Trucks" shall be interpreted as meaning: Any vehicle not otherwise specifically prohibited within the Declaration (such as campers, mobile homes, motor homes, boats, house trailers, boat trailers or trailers of every other description) which is not used primarily as a conventional passenger motor vehicle, and which does not have a body style consisting of two doors, four doors, hatchback, convertible, station wagon, van or minivan design. It shall specifically include vehicles which are designed or used principally for the carriage of goods, which has a compartment or bed for carrying cargo as opposed to passengers (such as, but not limited to, the traditional pickup truck), whether or not the compartment or bed is covered in such a way that items placed within same cannot be seen from public view. It shall not include enclosed sport utility vehicles, provided they are in a condition substantially similar to that which existed when they were made by the manufacturer. If trucks or sport utility vehicles are modified after sale from the manufacturer (such as, but not limited to, modifications which increase the vehicle's height; the addition of off-road tires; or the addition of roll bars which can be seen from public view), the Board of Directors may determine the vehicle to be a truck as used in the Declaration, and require its removal from the common elements, such modifications to be determined on a case by case basis.
- b. "Commercial" vehicles shall be interpreted as meaning: All vehicles of every kind whatsoever, which from viewing the exterior of the vehicles or any portion thereof, shows or tends to show, any commercial markings, signs, displays, equipment, inventory, apparatus or which otherwise indicates a commercial use. Inclusive within this interpretation would be vehicles which carry tools,

equipment, inventory, cargo or other material used in commerce, which are uncovered and in public view.

- c. **"Campers"** shall be interpreted as meaning: All vehicles, vehicle attachments, vehicle toppers, trailers or other enclosures or devices of any kind whatsoever, manufactured, designed, marketed or used for the purpose of camping, recreation or temporary housing of people or their personal property.
- d. **"Mobile homes"** shall be interpreted as meaning: Any structure or device of any kind whatsoever, which is not self-propelled, but which is transportable as a whole or in sections, which is manufactured, designed, marketed or used as a permanent dwelling.
- e. **"Motor homes"** shall be interpreted as meaning: Any vehicle which is self-propelled, built on a motor vehicle chassis, and is primarily manufactured, designed, marketed or used to provide temporary living quarters for camping, recreational or travel use. It shall include vehicles sold as "recreational vehicles." Examples of vehicles meeting this criteria, but not exclusive of others not meeting such criteria, are vehicles which contain shower facilities, restroom facilities, and full cooking facilities.
- f. **"Boats"** shall be interpreted as meaning: Anything manufactured, designed, marketed or used as a craft for water flotation, capable of carrying one or more persons, or personal property. It shall include water scooters, wave runners and jet skis.
- g. **"Trailer"** (including its use with the terms "House Trailer" and "Boat Trailer") shall be interpreted as meaning: Any vehicles or devices of any kind whatsoever which are manufactured, designed, marketed or used to be coupled to, or drawn by, a motor vehicle.

Adopted April 30, 2001; amended September 17, 2001

LHO Guideline to Article VII, Paragraph 2

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9. Article VII, Paragraph 2, Outbuildings Prohibited. No structure of a temporary character, trailer, tent, shack, garage or other outbuilding shall be used on any Lot at any time as a residence, temporarily or permanently. ~~No structure, including Utility buildings or sheds, may be erected on any Lot for other than residential storage purposes; as described below except a builder's temporary structure.~~ Cabana or pool houses shall be permitted **as described below**. No metal storage buildings shall be permitted. **Only one exterior building will be allowed per lot.**

- a. Utility buildings or sheds. Freestanding or separate utility buildings or sheds, typically used for storage of such items as lawn maintenance equipment, tools, toys, and miscellaneous items, shall be permitted as long as they are used to store items for residential, not commercial use. They must comply with all applicable codes and regulations. If a building permit is required, a copy of this permit, along with all required inspections and final approval, must be provided to the Board.**

They must be maintained in a first class, neat, attractive, sanitary and substantial condition, as provided elsewhere in the Declaration. The maximum size shall be 6' wide by 8' long, with a sidewall height of 6', with a pitched roof such that the total building height does not exceed 8'. Utilities allowed shall be limited to one (1) interior overhead light, light switch, and 120VAC power receptacle. Interior lighting shall be for illumination purposes only, no exterior lights shall be used. No air conditioning or air treatment of any type shall be used.

Construction can be either prefab, or built from scratch. Siding must be made from vinyl, wood, or plastic wood. Exterior siding is required and must be finished with paint that matches the house. Appearance must be architecturally and aesthetically compatible with the dwelling and neighborhood.

Location must be in the back yard that is enclosed with a 6' or higher fence, and cannot be located on a non-developable portion of the property (such as a conservation area). They must conform to minimum setbacks and other restrictions contained elsewhere in the Declaration. It cannot be located on the side of a house, or forward of the rear dwelling line of the house. The rear dwelling line is defined as the rear line of that portion of a house, closest to the rear lot line of the property.

- b. Pool cabanas. A pool cabana is defined as an freestanding or separate outbuilding that is used for storage of miscellaneous pool equipment, pool toys, and possibly as a changing room for swimsuits. Since its use is strictly related to a pool, its location must be immediately adjacent to the pool, or as near as practical. All other guidelines and restrictions for utility buildings or sheds, such as construction, maintenance, size, utilities, etc., will apply to cabanas.**