

HARMONY WEST
HOMEOWNERS ASSOCIATION, INC.
COMMUNITY STANDARDS

FIRST EDITION- ADOPTED JANUARY 2019

FIRST AMENDMENT- ADOPTED MAY 2021 (SECTION 4.04)

Table of Contents

<u>DEFINITIONS</u>	5
<u>1.01 Responsibilities</u>	6
<u>1.02 Policy</u>	6
<u>1.03 Committee Discretion</u>	6
<u>PROCEDURES FOR MANAGING PROPERTY ALTERATIONS</u>	7
<u>2.01 Alterations</u>	7
<u>2.02 Prohibited Items</u>	7
<u>2.03 Application Process</u>	8
<u>2.04 Completion</u>	8
<u>2.05 Appeal</u>	8
<u>2.06 Enforcement Process</u>	8
<u>HOME DESIGN AND MAINTENANCE</u>	9
<u>3.01 ARB General Standards</u>	9
<u>3.02 Animals/Pets</u>	9
<u>3.03 Artificial Vegetation</u>	9
<u>3.04 ATV's/Dirt Bikes/Golf Carts</u>	9
<u>3.05 Awnings</u>	9
<u>3.06 Basketball Hoops</u>	10
<u>3.07 Clotheslines</u>	10
<u>3.08 Commercial Vehicles</u>	10
<u>3.09 Community Yard Sale Events</u>	10
<u>3.10 Curb Numbers</u>	10
<u>3.11 Drainage</u>	10
<u>3.12 Driveways</u>	10
<u>3.13 Equipment</u>	11
<u>3.14 Exterior Finish and Colors</u>	11
<u>3.15 Exterior Lighting</u>	11
<u>3.16 Fences, Walls & Screening</u>	11
<u>3.17 Fountains/Sculptures</u>	12
<u>3.18 Front Doors/Entryway</u>	12
<u>3.19 Fruit Trees</u>	12
<u>3.20 Garages and Garage Doors</u>	12
<u>3.21 Garbage Cans</u>	12
<u>3.22 Garden Hoses</u>	12

<u>3.23 Garden/Walkway Lighting</u>	13
<u>3.24 Generators</u>	13
<u>3.25 Glass Block</u>	13
<u>3.26 Grills</u>	13
<u>3.27 Heating and Air Conditioning Equipment</u>	13
<u>3.28 Holiday Decorations</u>	13
<u>3.29 House Numbers</u>	14
<u>3.30 Hurricane Shutters</u>	14
<u>3.31 Nuisances</u>	14
<u>3.32 Painting and Cleaning</u>	14
<u>3.33 Patio and Lanai Area Furniture</u>	14
<u>3.34 Play Structures</u>	14
<u>3.35 Porches, Decks, Screen Enclosures and Patios</u>	15
<u>3.36 Potted Plant</u>	15
<u>3.37 Prohibited Vehicles</u>	15
<u>3.38 Rental of Home</u>	16
<u>3.39 Repairs</u>	16
<u>3.40 Required Repair</u>	16
<u>3.41 Roofs</u>	16
<u>3.42 Satellite Dishes</u>	16
<u>3.43 Security Lighting</u>	17
<u>3.44 Signs and Flags</u>	17
<u>3.45 Solar Heating Equipment</u>	17
<u>3.46 Sports Equipment</u>	17
<u>3.47 Swimming Pools, Spas, Whirlpools, and Hot Tubs</u>	17
<u>3.48 Substances and Fuel</u>	18
<u>3.49 Temporary Storage Containers</u>	18
<u>3.50 Temporary Structures</u>	18
<u>3.51 Towing</u>	18
<u>3.52 Trailers</u>	18
<u>3.53 Trampolines</u>	18
<u>3.54 Trespassing</u>	18
<u>3.55 Vehicles and Parking</u>	19
<u>3.56 Visibility on Corners</u>	19

<u>3.57 Water Softeners/Conditioners</u>	19
<u>3.58 Watercraft</u>	19
<u>3.59 Waterways</u>	19
<u>3.60 Wetlands</u>	19
<u>3.61 Window Treatments</u>	19
<u>3.62 Window or Wall Units</u>	20
<u>3.63 Yard Ornamentation</u>	20
<u>LANDSCAPING</u>	20
.....	
<u>4.02 Landscaping Maintenance</u>	20
<u>4.03 Landscape Edging</u>	21
<u>4.04 Bedding Coverings</u>	21
<u>4.05 Turf</u>	21
<u>4.06 Irrigation</u>	21

HARMONY WEST HOMEOWNERS ASSOCIATION

COMMUNITY STANDARDS

This Community Standards Document is established to assist the Architectural Review Board (ARB) and Owners with procedures and guidelines through consistent and high-quality design standards for the property. It supports the Declaration of Restrictions and Covenants and other governing documents that bind each property Owner. It is provided to residents of Harmony West for their reference regarding community standards and alterations. Please contact the Harmony West HOA Management office with any questions.

It is the intention of the ARB to maintain a high standard of exterior architectural appearance throughout the Harmony West Community. The following guidelines have been set up to protect the integrity of the community. Your adherence to these guidelines will help preserve the quality of Harmony West.

Property setbacks, easements and other ordinances must be adhered to and complied with in accordance with County Government Ordinances and the plats of Harmony West. ARB approval does not waive the responsibility of owners to obtain a required government permit if necessary for all proposed improvements from Osceola County.

DEFINITIONS

- “ARB” shall mean the Architectural Review Board.
- “Board” shall mean the Board of Directors of Harmony West.
- “Declaration” shall mean The Declaration of Restrictions and Covenants for Harmony West.
- “Association” (as defined in the Declaration) shall mean Harmony West Homeowners Association, Inc., its successors and assigns.
- “CCR” shall mean Covenants, Conditions and Regulations

ARTICLE 1

ARCHITECTURAL REVIEW BOARD

1.01 Responsibilities

In accordance with authority granted to the ARB in the Declaration, the ARB shall be appointed and "shall administer and perform the architectural and landscape review and control alterations relating to homes in Harmony West. The Registered Agent or Management Company shall keep records and shall maintain a file of all alteration application and activity for a period of not less than five years.

1.02 Policy

All Owners and their contractors must comply with alteration application guidelines and requirements prior to commencement of any work. The ARB will review plans, materials, site plan, colors and/or landscaping plan to ensure compliance with design requirements, policy and procedures of these standards. No alteration requiring the approval process shall be commenced until plans and specifications have been submitted to and approved in writing by the ARB. If said alterations are performed without ARB approval, the Association reserves the right to restore the property to its prior condition directly payable by the homeowner. The Association assumes no responsibility for the structural integrity, safety features, mechanical operation, and permitting or building code compliance of the proposed construction, modification or change a home.

1.03 Committee Discretion

These standards do not cover every possible situation that may require ARB approval. Check with the Association management to confirm approval requirements. In some special cases Board approval may be needed for a proposal that may conflict with a standard set forth in this document. Board approval does not constitute a precedent for future requests.

ARTICLE 2

PROCEDURES FOR MANAGING PROPERTY ALTERATIONS

2.01 Alterations

Any exterior property alteration (to the home or the lot) requires the completion of an "Application to Architectural Review Board" form that must be approved by the ARB. An application may be obtained from the Association Manager. A separate application must be submitted for each alteration. In addition to the application, a lot survey or sketch showing location of alteration must be submitted, as well as vendor specifications (shape, height, materials & color) and color samples.

Examples of alterations include, but are not limited to:

- Awnings
- Brick pavers: location and color
- Changes to the exterior color of the home (painting)
- Exterior decoration applied above garage doors and fronts of homes
- Recreational or sporting equipment
- Fences
- Flag poles and antennas
- Front door: style and/or color
- Gutters: style, color
- Items in flowerbed besides plants
- Lanais, sunrooms and gazebos
- Lighting: placement and size
- Landscaping
- Pools, spas, hot tubs, whirlpools
- Porches, decks and patios
- Roofing
- Screen Enclosures
- Home additions and exterior renovations

2.02 Prohibited Items

Certain alterations/conditions are not allowed within the Declaration without the written approval of the Board. These include, but are not limited to those listed below. They are considered to be in VIOLATION and subject to immediate action by the Board.

- Window Air Conditioning Units
- Satellite Dishes over 40 in.
- Aluminum, metal, plastic, or fiberglass roofs where the roof pitch is equal to or greater than 3/12 unless covered by composite asphalt/fiberglass multi-tab or dimensional shingles
- Temporary Structures
- Plastic or Artificial flowers

2.03 Application Process

Listed here is an abbreviated description of the application process. ARB will only process completed applications, including signatures and accompanying plans and specifications, lot plots, colors, pictures, drawings, etc. Applications must contain all the information necessary for the ARB to make an proper decision or the application may be denied. There may be a few required for each submission. Check with the Association for information.

Within twenty (30) days after receipt by the ARB, the ARB will act on the submission. After review, the original submittal will be retained by the ARB for their files. The ARB will give one of the following r e s p o n s e s to each application received:

- “Approved” (project approved as submitted)
- “Conditional Approval” (subject to conditions noted)
- “Denied” (reasons will be provided)

2.04 Completion

Approved projects must be completed within forty-five (45) days of approval by the ARB. After that time, the ARB’s approval of the application will expire and resubmission may be required. The Board or the ARB retains the right, but not the obligation, to extend time frames for applicant to complete the proposed and approved work.

2.05 Appeal

In the event the ARB denies any application, the applicant may request a rehearing by the ARB. If the ARB again denies the applicant’s request, the applicant may appeal to the HOA Board. The Board’s decision is final.

2.06 Enforcement Process

Any owner through accepted communication to the Community Manager may report violation(s) of any Community Standard or Declaration condition. The policy of the HOA is to have management do regular property inspections. If Management determines that the alleged violation requires corrective action, Management will then proceed with the approved enforcement process, thru the Violation Procedures and Policy as established by the Board of Directors from time to time. The Board may also establish a fining committee.

ARTICLE 3

HOME DESIGN AND MAINTENANCE

3.01 ARB General Standards

No Material alterations, addition or modification to a Lot or Home, or material change in appearance thereof, shall be made without the prior written approval from the ARB as required by this Declaration.

3.02 Animals/Pets

Except for dogs, cats and small mammals which may be kept and maintained on the Property, no reptiles, livestock, poultry, or animals of any kind, nature or description shall be kept, raised or maintained on the Property, other than those allowed pursuant to this subsection. In addition, in no event may any animal be bred or otherwise maintained on the Property for business or commercial purposes. Dogs, cats and aquarium kept fish, raised or maintained on any Lot or within any Residential Unit, may only be so kept, raised and maintained in numbers deemed reasonable by the Declarant or the Association, in the exercise of their sole discretion. More than two (2) dogs and (2) cats kept, raised or maintained on any Lot and/or within any Residential Unit shall prima facie be considered unreasonable. Notwithstanding the foregoing, no such dogs, cats or aquarium fish may be kept, raised or maintained on the Property under circumstances, which, in the sole judgment of the Association, shall constitute an unreasonable annoyance, hazard, or nuisance to the residents in the vicinity or an unreasonable interference with the comfortable and quiet use, occupation and enjoyment of the other Lots or portions of the Property. All dogs must be on leashes when they are not in a Residential Unit. In addition, any person walking a pet within the Property shall not allow any such pet to trespass on any other Owner's Lot and shall remove and properly dispose of any pet waste deposited on any portion of the Property by such Owner's pet.

3.03 Artificial Vegetation

Except as otherwise permitted by Florida law, no artificial grass, plants or other artificial vegetation, or other landscape devices, shall be placed or maintained upon the exterior portion of any lot, unless approved by the ARB.

3.04 ATV's/Dirt Bikes/Golf Carts

All-terrain vehicles and dirt bikes are not permitted to be driven anywhere in Harmony West. They must be stored in the garage and put on a trailer to be taken out of the neighborhood. Golf carts may be allowed after approval from the ARB. Harmony West streets are public, operation is subject to rules of Osceola County.

3.05 Awnings

With prior ARB approval, awnings are permitted on the rear of the home over the Lanai and must be neutral in color and match the exterior color of the home.

3.06 Basketball Hoops

The only allowable residential basketball goal is a portable goal, which must be stored in the garage or out of sight when not in use.

3.07 Clotheslines

Clotheslines may be used on the rear of a Lot so long as not visible from the street or a neighboring property, provided that, any such clothes line shall be removed when it is not in use.

3.08 Commercial Vehicles

Commercial Vehicles (vehicles used for work purposes and vehicles with writing on the sides or equipment racks or holders) are not permitted to be parked on driveways in Harmony West. They must be parked inside a garage at all times. The exception to this is a county or government issued vehicle.

3.09 Community Yard Sale Events

No personal yard sales are permitted. The Community may with the approval of the Board hold two (2) yard sales each year. Signage will be placed on common areas when the sales occur.

3.10 Curb Numbers

Harmony West does not permit painted numbers on curbs.

3.11 Drainage

Roof gutters and downspouts of 6-inch aluminum construction are permitted within the approved color scheme. Downspouts shall not direct water onto common areas or neighboring property and must drain according to approved lot drainage plans.

3.12 Driveways

All driveways must be constructed from an approved material type (i.e. pavers, concrete, etc.) Any owner changing the appearance of a driveway to pavers or complete replacement must submit an application to the ARB for approval. No surface applications to driveways shall be permitted. Driveways need to remain free of grease, oil or other stains. Weeds growing through driveway pavers need to be eliminated. Driveways need to be kept free of debris. Driveway reflectors are not permitted.

All driveways should permit a full size (20 foot) car to be parked in the driveway and not interfere with sidewalk access. Any change in size or shape of the driveway must be approved by the ARB. Driveway width shall not exceed the width of the garage. Only pavers are permitted to line either side of the driveway.

3.13 Equipment

Equipment (i.e. lawn care, car care, work equipment, etc.) is not permitted to be stored in the front of home or sides of home. Any equipment must be stored inside the garage.

3.14 Exterior Finish and Colors

Changes to exterior of home require ARB approval. All exterior colors must comply with the approved Board of Directors Community Color Book. Accent colors, not exceeding two (2) per structure, not including front door color, will be allowed. Any change of the existing color to one of the approved community color selections requires the owner to submit an application to the ARB for summary approval stating color selections. Owners wanting to repaint with existing surface colors must also submit an application to the ARB for summary approval. Stacked stone or rock alterations to a home must be chosen from the approved Community Color Book. An owner must submit an application to the ARB for summary approval stating selection. Stone or rock alterations shall be used for accents only to the home. The exterior of Homes shall be repainted within forty-five (45) days of approval by the ARB.

3.15 Exterior Lighting

Changes to exterior lighting of home require ARB approval. Coach Lights must be the same or very similar to the lights already installed. Lights must be bronze, silver, pewter, black or white in color with clear glass. Light fixtures must be proportionate to home. Lights must be mounted to home, left and right of garage door. Minimum height from ground to the bottom of fixture is 6 feet, maximum. Bulbs may be clear or frosted. Yellow or any other color bulbs are not approved except during the winter holiday season.

3.16 Fences, Walls & Screening

No walls or fences shall be erected without prior written review and approval of the ARB. The only allowable types of fences are white/almond/tan/beige color PVC or, black aluminum/wrought iron. No wooden or chain link fences are permitted. Owners of Homes on Lots which abut, run along, intersect with or, along the perimeter of any pond, lake, water body, landscape buffer or conservation area, are permitted to install aluminum/wrought iron open picket fences **ONLY**, at a max height of four (4) feet. 6' high privacy fences are allowed on the side yards of homes that back up to retention; however the privacy fence must transition down to the rear picket height no less than sixteen (16) feet from the rear. No chain link fencing of any kind shall be allowed. Fences shall not be installed flush to the ground so that drainage will be blocked. Due to the Associations maintenance requirements and responsibilities the installation of fences within a drainage easement area may not be approved by the ARB. However, in the event a fence is installed within a drainage easement area, with prior written ARB approval, the Owner is solely responsible for fence repair or replacement if the drainage easement area needs to be accessed and the fencing is removed. **All fencing must be installed, a minimum of 10 feet back from the front corners of the home. Fencing on corner lots must be installed, a minimum of 10 feet back from the front corners of the home and a minimum of, 10**

feet in from the sidewalk on the street side of the lot. No walls or fences in the front yard are allowed.

All screening and screen enclosures shall have the prior written approval of the ARB. All enclosures of balconies or patios, including addition of vinyl windows, shall be approved by the ARB and all decks shall have the prior written approval of the ARB. All screen enclosures must be bronze with charcoal screening. Homes on corner lots may be required to have landscaping on the street side of the screening or enclosure.

3.17 Fountains/Sculptures

No fountain or sculpture may be placed in the front yard of the house.

3.18 Front Doors/Entryway

Changes to front doors (door style or paint color) require ARB approval. Front doors may be of metal, solid wood or fiberglass and may contain glass portions that may be plain, frosted or etched. Maximum of two decorative items are permitted within the alcove or porch. Items not wall mounted are not to exceed 3 feet in height. Only one item may be wall mounted. Item must be maintained in the covered entry and not extend into the walkway.

3.19 Fruit Trees

Two fruit bearing trees are permitted only in the rear yard.

3.20 Garages and Garage Doors

Carports, unattached garages and the screening of garage doors are not allowed in Harmony West. All sections of garage doors, except the upper most section, which may contain windows, shall be of standard solid panel construction, which will conceal the contents of the garage. Garage doors shall be kept closed except when access or an activity requires them to be open.

3.21 Garbage Cans

Trash collection and disposal procedures established by the Association from time to time shall be observed. No outside burning of trash or garbage is permitted. No garbage cans, supplies or other similar articles shall be maintained on any Lot to be visible from outside the Home or Lot. Each Owner shall be responsible for properly depositing his or her garbage and trash in garbage cans and trash containers sufficient for pick-up by the appropriate collection agencies in accordance with the requirements of any such agency. All such trash receptacles shall be maintained in a sanitary condition and shall be shielded from the view of adjacent properties with landscaping or small "L" shaped fence. Garbage cans and trash containers shall not be placed outside the Home for pick-up earlier than 7:00 p.m. on the day preceding the pick-up and shall return all containers to their concealed location no later 8:00 p.m. the pick-up day. Trashcan lids should be secured to avoid animals, odor, and windblown garbage from affecting adjoining homes. Each resident is responsible for picking up litter on their property and preventing windblown debris from originating from their property.

3.22 Garden Hoses

Garden hose hangers or hose reels may be placed on the side or rear of the home

wherever possible and concealed from the street. Hoses must be fully retracted and hung neatly when not in use. Hangers, hose reels and hoses must be neutral in color.

3.23 Garden/Walkway Lighting

Any lighting requires approval from ARB. Low voltage garden lights may be permitted on the home site but only in existing flower and shrubbery beds, and along the walk from the front door to the driveway. Approval may be rescinded if installation is not maintained. Lights may be placed no closer than eight inches to the edge of the bed. Lights shall not exceed twelve (12) inches in height, with white bulbs of 4, 7 or 11 watts. Lights shall be installed in a manner consistent with the purpose intended, shall not reflect into adjacent homes, and shall be maintained at all times. Individual lights shall be black or a neutral metal color (silver, gold, bronze).

3.24 Generators

Permanently installed external propane generators may be allowed. All specifications including size, type, location, appropriate screening, etc., must be approved in writing by the ARB. Local, county & state applicable permits and approvals will be required. Such generators would only be allowed to be used during periods of electric power outages. No above ground fuel tanks are allowed.

3.25 Glass Block

The use of glass blocks on an existing home or the use of glass block in an addition to an existing home is not allowed within Harmony West.

3.26 Grills

Grills must be covered and stored behind the home on the rear patio when not in use. No cooking shall be permitted, nor shall any goods or beverages be consumed on the HOA Common Areas, except in areas designated for those purposes by the Association.

3.27 Heating and Air Conditioning Equipment

Outdoor air conditioning units shall be placed to minimize noise to adjacent dwellings and **must** be screened from street view with shrubs and/or approved screen fencing. Refer to paragraph 3.17 for fencing approval.

3.28 Holiday Decorations

Decorations may be displayed no earlier than 15 days prior to and must then be removed no later than 7 days after a holiday. These holidays include: Halloween, Valentine's Day, Easter and Independence Day. Fall decorations may be displayed no earlier than October 1 and must be removed no later than December 1st. Winter/Holiday decorations may be displayed from November 15th - January 15th of each year. Care should be taken when deciding on placement of yard decorations, noting that large snow globes or inflatables may cause dead spots in lawns. All lighting, lighting accessories, extension cords and light

clips and decorations shall be totally removed by January 31st. Any lighting that creates a nuisance may be required to be removed (e.g., unacceptable spillover to adjacent Home).

3.29 House Numbers

All house numbers must be clearly readable from the street, but not so large as to be out of proportion to the structure, and compatibility to the overall design of the structure. Numbers should be between 3 - 4-inches in height. All missing house numbers must be replaced by the homeowner within 14-day notice from the Management Company.

3.30 Hurricane Shutters

Any hurricane shutters or other protective devices visible from outside a Home shall be of a type as approved in writing by the ARB. Panel, accordion and roll-up style hurricane shutters may not be left closed at any time. Any such approved hurricane shutters may be installed or closed up to forty-eight (48) hours prior to the expected arrival of a hurricane and must be removed or opened within seventy-two (72) hours after the end of a hurricane watch or warning or as the Board may determine. Any approval by the ARB shall not be deemed an endorsement of the effectiveness of hurricane shutters.

3.31 Nuisances

No obnoxious, unpleasant, unsightly or offensive activities shall be carried on, nor may anything be done, which can be reasonably construed to constitute a nuisance, public or private in nature. Any questions with regard to the interpretation of this section shall be decided by the BOD, whose decisions shall be final.

3.32 Painting and Cleaning

Roofs and/or exterior surfaces and/or pavement, including but not limited to sidewalks, driveways, or lanais shall be pressure cleaned within thirty (30) days' notice by the Board. Homes shall be repainted within forty-five (45) days of notice by the Board.

3.33 Patio and Lanai Area Furniture

Patio or Lanai furniture located in the front of the home requires ARB approval. The only acceptable furniture for patios, lanais and front porch areas is neutral outdoor furniture. Outdoor grills shall be restricted to rear lanai/patio. No furniture of any type is allowed on driveways.

3.34 Play Structures

All exterior playground and recreation equipment must be located in the rear yard of the property. The overall height of play sets may not exceed ten (10) feet in height. Play structures must be crafted in wood or recycled plastic. **Aluminum or metal tubing is prohibited.** A picture and dimensions of the play set must be submitted with the architectural application prior to approval. All play set must be maintained. Canopies must be of earth-toned colors (i.e. tan, green, olive or brown) Applications for play structures must include a site plan clearly showing its intended placement. The structure's visual

impact to neighboring home sites and/or the street must be buffered as much as possible with approved fencing or landscaping. Fence applications must be submitted in advance of installation of the play structure and only current approved styles are permitted.

If the play structure will be buffered by landscape, the plant material must start at a height of thirty-six (36) inches from the ground and may not exceed seventy-two (72) inches of overall height at maturity. The landscape buffer must be maintained at a height of 72 inches at all times. The landscape buffer installation may not alter the drainage of the home site. The proposed plant material and location of landscape buffer must be submitted to the committee via application prior to installation.

3.35 Porches, Decks, Screen Enclosures and Patios

All such structures must be submitted to the ARB for its approval. All structures shall have an appearance consistent with the dwelling and the community. Any porch, patio, screen enclosures or deck shall comply with existing setback requirements. Porches, screen enclosures or decks, which are constructed above ground must be finished to the ground with materials compatible with the deck or the dwelling, free of mold, mildew, weeds and must be screened with landscaping.

Screened in front porch areas are not permitted. Screen doors are allowed on front doors upon approval of the ARB.

Screen enclosures shall be constructed with bronze/black colored aluminum supports and smoke/charcoal colored screen material. Enclosures shall not exceed the width and height of the home nor extend beyond the dwelling's existing roofline. No decks, screen enclosures or patios will be allowed to have aluminum, metal, plastic roofs. Any future roof replacement costs, on approved ARB additions, shall be the responsibility of the Homeowner.

3.36 Potted Plant

Decorative potted plants are limited to three (3) within the driveway area of the property. Any potted plant must be maintained in good repair. A decorative potted plant is defined as; a plant that has been placed with soil in a decorative flowerpot, that is made of clay, ceramic, or plastic and is kept for display and decoration.

3.37 Prohibited Vehicles

No commercial vehicle, limousine, recreational vehicle, all-terrain vehicle, boat, trailer, including without limitation, boat trailers, house trailers, and trailers of every other type, kind or description, or camper, may be kept within Harmony West except inside the garage of a Home. The term "commercial vehicle" shall not be deemed to include law enforcement vehicles or sport utility vehicles (i.e., Broncos, Blazers, Explorers, Navigators, etc.) or clean "non-working" vehicles such as pick-up trucks, vans, or cars if they are used by the Owner on a daily basis for normal transportation; provided, however, vehicles with ladders, racks, and hooks attached to such vehicles shall be "commercial vehicles" prohibited by this Section. No vehicles displaying commercial advertising shall be parked within the public view. No vehicles bearing a "for sale" sign shall be parked within the public view anywhere within Harmony West. Trucks are an exception to this rule. No vehicle shall be used as a domicile or

residence either temporarily or permanently. No all-terrain vehicles (ATVs), golf carts, scooters or mini motorcycles are permitted at any time on any Common Areas. Additionally, no ATV or mini motorcycle may be parked or stored within Harmony West, including any Lot, except inside the garage of a Home. Notwithstanding any other provision in this Declaration to the contrary, the foregoing restrictions shall not apply to construction vehicles utilized in connection with construction, improvement, installation, or repair.

3.38 Rental of Home

REFER TO COMMUNITY DOCUMENTS

3.39 Repairs

No vehicle, which cannot operate on its own power shall remain in Harmony West for more than twelve (12) hours, except in the garage of a Home. No repair or maintenance, except emergency repair, of vehicles shall be made within Harmony West, except in the garage of a Home. No vehicles shall be stored on blocks. No tarpaulin covers on vehicles shall be permitted anywhere within the public view.

3.40 Required Repair

If a Home or other improvement is damaged or destroyed by casualty loss or other loss, then the Owner thereof shall commence to rebuild or repair the damaged home or improvement in accordance with the Declarations. As to any such reconstruction of a destroyed Home or improvements, the same shall only be replaced as approved by the ARB. Notwithstanding anything to the contrary herein, to the extent that insurance coverage obtained and maintained by the Association covers such casualty destruction, the Owner of such damaged or destroyed Home shall not perform any activities that would negate such coverage or impair the availability of such coverage.

3.41 Roofs

All changes to the roofing of the home will require prior approval from the ARB. No roof extensions (carport or overhang) are permitted.

3.42 Satellite Dishes

No exterior visible antennae, radio masts, towers, poles, aerials, satellite dishes, or other similar equipment shall be placed on any Home or Lot without the prior written approval obtained from the ARB as required by this Declaration. The ARB may require, among other things, that all such improvements be screened so that they are not visible from adjacent Homes, or from the Common Areas. Each Owner agrees that the location of such items must be first approved by the ARB to address the safety and welfare of the residents of Harmony West. No Owner shall operate any equipment or device, which will interfere with the radio or television reception of others. All antennas not covered by the Federal Communications Commission ("FCC") rules are prohibited. Installation, maintenance, and use of all antennas shall comply with restrictions adopted by the Board and shall be governed by the then current rules of the FCC.

3.43 Security Lighting

Security lights mounted on the home are permitted under the following conditions: Homeowner shall obtain and pay for all permits if required by local authority having jurisdiction. Security lights shall be of the simple lamp holder type and not a decorative luminary. Mount holder to the metal soffit under the eave or rake on the roof. Wall mounting not permitted. Maximum of two lamps per holder in any one location. Maximum of four locations on home. Maximum wattage per lamp shall be 150 incandescent. Lamps shall be aimed so as not to illuminate neighbor's homes. Lights shall be turned on by means of a motion detector or other security breach detector. Security Lights may not be left on throughout the night. Homeowner may have to remove if the lighting becomes a nuisance to neighboring properties. Lights cannot bleed into neighbor's yard. Security cameras are permitted, however, they cannot be pointed onto a neighboring property.

3.44 Signs and Flags

No sign, flag, banner, advertisement, notice or other lettering shall be exhibited, displayed, inscribed, painted or affixed in, or upon any part of Harmony West, including without limitation, any Home or Lot, that is visible from the outside; provided, however, any Owner may display in a respectful manner one (1) portable, removable United States flag or official flag of the State of Florida and one (1) portable, removable official flag of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag. Any such permitted flags may not exceed four and one-half feet (4') by six feet (6').

3.45 Solar Heating Equipment

The addition of any solar heating equipment must be reviewed and approved by the ARB. Solar heating equipment may not be visible from the front of the home.

3.46 Sports Equipment

No recreational, playground or sports equipment shall be installed or placed within or about any portion of Harmony West without prior written consent of the ARB. No basketball backboards, skateboard ramps, or play structures will be permitted without the prior written approval by the ARB. Tree platforms of a similar nature shall not be constructed on any part of a Lot. Rules and Regulations governing basketball hoops may be adopted by the Association from time to time.

3.47 Swimming Pools, Spas, Whirlpools, and Hot Tubs

No above ground pools shall be permitted. All in-ground pools, Hot tubs, spas and appurtenances installed shall require the prior written approval of the ARB. Pools with fiberglass shells are prohibited. The design must incorporate, at a minimum, the following: (I) the composition of the material must be thoroughly tested and accepted by the industry for such construction; (ii) any swimming pool constructed on any Lot shall have an elevation at the top of the pool of not over two feet (2') above the natural grade unless approved by the ARB; (iii) pool cages must be of a design, color and material approved by the ARB; and (IV) pool cages shall in no event be higher than the roof line of the Home. Pool cages shall not extend beyond the sides of the Home. All pools shall be adequately maintained and chlorinated (or cleaned with similar

treatment). Under no circumstances may chlorinated water be discharged onto other Owners' lawns, the community streets, or into any water bodies within Harmony West or adjoining properties.

3.48 Substances and Fuel

No flammable, combustible or explosive fuel, fluid, chemical, hazardous waste, or substance shall be kept on any portion of Harmony West or within any Home or Lot, except those which are required for normal household use. All propane tanks and bottled gas for household and/or pool purposes (excluding barbecue grill tanks) must be installed underground or in a manner to be screened from view by landscaping or other materials approved by the ARB.

3.49 Temporary Storage Containers

Only one POD unit or other temporary storage containers are allowed at a residence no longer than 10 days and must not be placed where it interferes with the sidewalk or roadway. Residents wishing to have a temporary storage container must notify the Management Company when the container will arrive and be picked up. Extensions to the 10-day period will be considered on a case by case basis.

3.50 Temporary Structures

No structure of a temporary character, trailer, tent, or other building is permitted. Pop-up Canvas type tents or gazebos are permitted only when in use (for events, parties, gatherings) and may not be stored in yards. Residents wishing to have a temporary structure must notify the Management Company when the structure will arrive and be picked up.

3.51 Towing

Subject to applicable laws and ordinances, any vehicle parked in violation of these and other restrictions contained herein or in the Rules and Regulations may be towed by the 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 or if such a vehicle was cited for such violation within the preceding fourteen (14) day period.

3.52 Trailers

Trailers (flat bed, horse, motorcycle, boat, RVs, etc.) are not permitted in public view in Harmony West. Trailers must be stored in garages and garages must remain closed.

3.53 Trampolines

Trampolines require ARB approval. They must be placed within the boundary of the two side walls of the home, located in the rear of a home, must have a fenced yard, and must not be visible from any street.

3.54 Trespassing

Each home in Harmony West is privately owned. Trespassing through side yards or backyards is not permitted. Parents are encouraged to keep their children out of neighboring yards. Homeowners reserve the right to notify authorities of a trespassing event.

3.55 Vehicles and Parking

All vehicles must be properly licensed with tags clearly displayed. Owners' automobiles shall be parked in the garage or driveway and shall not block the sidewalk. No vehicles of any nature shall be parked on any portion of Harmony West except on the surfaced parking area as may be permitted. Vehicles shall not park on the paved surfaces comprising the Common Area. No vehicles used in business for transporting goods, equipment and the like, shall be parked in Harmony West except during the period of a delivery. Campers and boats must be parked inside garages.

3.56 Visibility on Corners

Notwithstanding anything to the contrary in these restrictions, no obstruction to visibility at street intersections shall be permitted and such visibility clearances shall be maintained as required by the Board and governmental agencies. No vehicles, objects, fences, walls, hedges, shrubs or other planting shall be placed or permitted on a corner Lot where such obstruction would create a traffic problem.

3.57 Water Softeners/Conditioners

Water softeners must either be placed in garage or on side yard. If on side yard, proper screening from street view is required.

3.58 Watercraft

Boats, jet skis, canoes, kayaks and water equipment are to be stored only in garages.

3.59 Waterways

No owner whose Home adjoins a waterway may utilize the waterway to irrigate. By acceptance of a deed to a home, each Owner acknowledges that the water levels of all water bodies may vary. There is no guarantee by the developer, builder, or the Association that water levels will be constant or aesthetically pleasing at any particular time.

3.60 Wetlands

Owners having homes adjoining wetlands or conservation areas are hereby noticed that the cutting or removal of any vegetation in these areas is strictly prohibited. Answers to any questions about wetlands or conservation areas should be referred to the Association. In the event that the HOA is fined by SFWMD due to the cutting, spraying or removal of any vegetation said fine shall be passed on to and paid by the homeowner.

3.61 Window Treatments

Window treatments shall consist of drapery, blinds, decorative panels, or other window covering and no newspaper, aluminum foil, sheets or other temporary window treatments

are permitted, except for periods not exceeding one (1) week after an Owner or tenant first moves into a Home or when permanent window treatments are being cleaned or repaired. No awnings, canopies or shutters shall be affixed to the exterior of a Home without the prior written approval of the ARB. No reflective tinting or mirror finishes on windows shall be permitted. Window treatments facing the street shall be of a neutral color, such as white, off-white or wood tones.

3.62 Window or Wall Units

No window or wall air conditioning unit may be installed in any window or wall of a Home.

3.63 Yard Ornamentation

Maximum of two (1) yard ornament less than 36" in height is permitted per yard and must have ARB approval prior to installation. A picture or detailed description of the item must be submitted with the request, along with the proposed location for the structure which shall be located only in a landscaping bed and must blend in with the home. The materials and color used shall be generally subdued and in harmony with the natural surroundings of the home, lot and community. No bright colors, unusual materials offensive or obscene items will be approved. Yard ornaments may be denied for any reason without explanation. Unauthorized yard ornaments will be removed with 24 hour notice.

ARTICLE 4 **LANDSCAPING**

4.02 Landscaping Maintenance

Changes to landscape require ARB approval. All Lots shall be landscaped in a manner that is harmonious, compatible and consistent with the overall landscaping and general appearance of the community. Each Owner shall maintain the landscaping and yard area in an attractive appearance and free from insects and diseases. Landscape maintenance shall include care of trees, shrubs, ground cover, annuals, turf grass and irrigation systems. Turf areas should be regularly cut to maintain consistent appearance of quality. All damaged plant material, including ground cover and sod, shall be removed.

Each Owner shall provide for the timely replacement of lost plants, sod or grass, bark or ground cover, and trimming and pruning of plants to prevent an overgrown look. No weeds, underbrush, refuse or other unsightly growth or objects shall be permitted to be grown or remain upon any Home.

Any tree, shrub and flowers planted within original landscape being areas (minor landscaping) are permitted without written approval by the ARB, if maintained in an attractive manner. Residents planting annuals do so with the understanding that they are responsible for upkeep and maintenance including removal of annuals when they die. Invasive plants (Brazilian pepper, melaleuca, Bamboo etc.) are not permitted.

Plants and shrubs must be trimmed to a maximum of 36". Hedges may be permitted to grow up to 5' but must be maintained.

Plans to add ANY tree(s), ANY shrub(s), or ANY vegetation which will grow to a height of three (3) feet or taller, first requires the approval from the ARB. Plans to relocate any tree must be submitted to the ARB for approval.

4.03 Landscape Edging

All landscape edging must be approved by the ARB prior to installation. Approved edging for Harmony West is:

- 1.) Professional installed concrete curbing in approved colors.
- 2.) Stacked brick, block or rock edging
- 3.) Properly installed black rubber tube-type edging. Must be properly installed in ground and may not rise up. Improperly installed rubber edging will result in a violation letter.

The following materials are not permitted as in landscape edging: any type plastic, wooden, or wire, fencing. All edging types/style and color must be consistent across all visible areas of property. (I.E. mixed styles and/or colors are not permitted)

4.04 Bedding Coverings

All landscaped plants should be planted with the appropriate topsoil, peat moss and fertilizer mixtures. No bare ground is acceptable. All shrubs, ground cover and tree beds shall have a 2" minimum layer of mulch.

ONLY the following types of cover are permitted as landscape bed coverings: cypress mulch, pine bark mulch, cedar mulch or pine straw. ~~No rocks permitted.~~

Natural Darado Beach colored rocks are permitted.

4.05 Turf

Artificial turf will not be approved in Harmony West.

4.06 Irrigation

Installation or maintenance of irrigation systems within a residential property does not require Architectural Review Committee approval. All irrigation systems must be fully functional and operated pursuant to Toho Water Authority operating requirements.