

Summerfield
Homeowner's Association

PART I

ARCHITECTURAL AND
LANDSCAPING REGULATIONS

PART II

COMMUNITY RULES AND
REGULATIONS

Revised March 2024

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FORWARD

All residents benefit from the planning and design that has been the basis of Summerfield Community Association development. The principal purpose of this Guide is to assure residents that the standards of design and quality will be maintained, which protects property values and enhances the Summerfield Community Association's overall environment.

An essential element of Architectural Control is the recognition by all homeowners of the importance of maintaining the general plan of development of the community. This should be viewed as a benefit and not a burden to the community. These guidelines represent a summary of the Architectural Rules and Landscaping regulations adopted by the Architectural Review Board (ARB) and the Community Rules and Regulations adopted by the Board of Directors through the issue dates referenced in this document. Part I of this Guide is under the jurisdiction of the ARB. Part II of this Guide is under the jurisdiction of the Board of Directors.

This document is intended to facilitate the review and processing by the ARB of any applications for approval of proposed modifications. This document is also intended to facilitate the identification, enforcement and resolution of any architectural, landscape or site violations of the architectural rules as outlined in the various governing documents of Summerfield Community Association with which the residents of Summerfield Community Association are required to comply. These guidelines are not intended to include all of the requirements stipulated in the Declaration of Covenants, Conditions and Restrictions for Summerfield Community Association, but rather should be considered as a supplement to those covenants. The covenants take precedent over this Guide.

Adherence to the COMMUNITY WIDE STANDARD called for in our Declaration, which means "the standard of conduct, maintenance or other activity prevailing throughout the property", is the primary guiding principle for the development and enforcement of these guidelines.

SUMMERFIELD ARCHITECTURAL REVIEW BOARD

PURPOSE

The Declaration of Covenants, Conditions and Restrictions (Declaration) of Summerfield Community Association assures each Owner that the quality of the design of Summerfield Community Association will be maintained. The Homeowners Association Board of Directors is responsible for administering the Declaration and providing administrative support to the Architectural Review Board (ARB)

ALL requests for exterior alterations **MUST** be submitted to the ARB for its approval **BEFORE** they may be undertaken. Absence of such approval does not relieve the homeowner, contractor or other party from the requirement to comply with all the requirements of the Declaration. If unapproved work is constructed or implemented, removal of or repair to such work will be at the sole expense of the homeowner, including, without exception, all legal fees and other costs required to defend the homeowner or the Association from any legal matters arising from any unapproved work.

The purpose of this Guide is to inform the homeowners of the Design Requirements for Summerfield Community Association and to outline the procedures to be followed when requesting modification to their property.

AUTHORITY

The authority for the ARB is set forth in Article XI of the Declaration of Protective Covenants. The structure of the ARB is defined in Article I (Definitions) (P), Article XI section 1, of the Amended and Restated Declaration of Protective Covenants for Summerfield (12/11/2018), and Article VIII of the Amended and Restated Bylaws of Summerfield Community Association Inc. (12/11/2018), which was received by all homeowners either when they purchased their homes and acknowledged in writing by each homeowner at that time or received by all residents owning homes in Summerfield at the time the Declaration was amended. **The Declaration encompasses all of the homes within Summerfield Community Association.**

The Declaration is a contract between the homeowners and the Association, under which each homeowner agrees to refrain from making significant modifications to the exterior of the home and property without first receiving approval from the ARB which is responsible to the Board of Directors of the Association. "Modifications to the exterior of the home and property shall include, but not be limited to, construction of improvements including without limitation, pools, saunas, spas, Jacuzzis, screened enclosures, buildings, mailboxes, fences, hurricane shutters, exterior lighting, decorations, attachments, fixtures, alterations, repairs, change of paint or stain color, pressure cleaning, or other work.

Construction of improvements also includes, without limitation, staking, clearing, excavation, grading, and other sitework, and the planting or removal of plants, trees or shrubs. No construction of improvements shall be erected, constructed, affixed, placed or altered on any unit until the proposed plans, specifications, exterior colors and/or finishes, landscaping plan, and plot plan showing the proposed location of such improvements shall have been approved by the ARB. Approval by the ARB must be in writing except as provided below in the section dealing with "Time Limitations".

ARB MEMBERS

The ARB shall consist of no less than three (3) members. The ARB shall meet as necessary to review applications received and present its findings within forty-five (45) days of receipt of a completed application. The Board of Directors has the right, power, authority and obligation to appoint and remove members of the ARB.

MEETINGS

Homeowners are welcome to attend. Conduct of the meetings shall be in accordance with the procedures that the ARB may from time-to-time set. Check the community channel for day and time.

ARB PROCEDURES

An application is required whenever a homeowner seeks to make a significant change in landscaping, build any structure or make significant exterior changes to the existing unit including its walkways and driveway unless noted in another section. Application forms are available in the Summerfield office or via Summerfield Website.

APPLICATION PROCESS

1. The homeowner must complete and sign an application form with detailed and legible sketches of the proposed work using the site plan. Performing work which requires ARB approval without submitting an application will result in a notice of violation letter which may result in a fine if the situation is not corrected. When the work is performed by a contractor, the application must include a Certificate of Liability Insurance with the Summerfield Community Association name and address listed as the Certificate holder and must remain in effect during the time of work.
2. The original completed application will be mailed, emailed or delivered to the property manager at least one (1) week before the scheduled ARB meeting. Upon receipt by the property manager, the application will be stamped with the receipt date and submitted to the ARB for review at their regularly scheduled monthly meeting. This process allows the ARB to reach a decision, provided the application is complete with all necessary plans and supporting documents.
3. The ARB has forty-five (45) days to approve, disapprove, or request additional information after substantiated receipt of the application by the property manager.
4. **NO WORK IS TO BEGIN** on the project UNTIL final approval is received from the management company and appropriate government agencies, otherwise the modification may have to be removed or altered.
5. An application form maybe obtained on the Summerfield website or from the Property Manager.
6. The applicant must inform the Management Company within ten days of the completion of the work so that the work can be inspected to verify conformance with the approved application.

SITE PLAN

Drawings with a Property Survey, when necessary to illustrate the location of the proposed modification(s) must be included with the application showing the location of existing structures within the boundaries of the property. Proposed changes or additions must be indicated including dimensions and distances from the home and adjacent properties. Landscaping changes must be indicated as well. Homeowners may not make changes outside the boundaries of their property.

Summerfield Community Association is not responsible for any property boundary errors or encroachments caused by vendors or owners.

DRAWINGS, PHOTOGRAPHS AND OTHER INFORMATION

A graphic description of the request must be provided. This may be in the form of manufacturer's literature or photographs as well as freehand or mechanical drawings. The amount of detail must be consistent with the complexity of the proposal.

Proposals for landscape projects should include photographs of the type of plantings to be installed or removed, and information regarding the size and nature of plantings proposed.

Each application must be accompanied with the contractor's Certificate of Liability Insurance with the Summerfield Community Association name and address listed as the Certificate holder.

PERMITS

After receiving approval from the ARB, the applicant shall also be required to obtain all necessary permits from Martin County or other governmental authorities. The applicant is responsible for determining whether this requirement applies to the requested modification. The applicant must supply a copy of all permits to the property manager before work begins.

BASIS FOR DECISIONS

The ARB will make its decisions based on standards set forth in the Declaration and further described in this Guide.

LIMITATION OF RESPONSIBILITIES

The ARB assumes no liability with regard to the structural integrity of any requests. The ARB makes no representation as to its expertise regarding either the structural adequacy, capacity or safety features of the proposed improvement or structure as shown on the submitted plans or on the ultimate construction of the approved modification. The ARB does not assume responsibility for the performance or quality of work of any contractor. It is recommended that residents hire licensed and insured contractors.

ARB POLICIES

The ARB does not seek to restrict individual taste or preferences. In general, it's aim is to avoid harsh conflicts in the landscape and architectural themes of Summerfield Community Association and to foster thoughtful design so that there is harmony between neighboring residences. The ARB intends to be fair and impartial in the architectural review process. The approval of the ARB of plans or specifications submitted by one homeowner shall not be deemed to be a waiver by the ARB of the right to deny any of the features or elements if and when the same features and elements are included in any subsequent plans and specifications submitted for approval for use by other homeowners.

PRIOR APPROVAL IS NECESSARY

No construction of improvements shall be erected, constructed, affixed, placed, or altered on any property unless the same shall be approved in writing in advance by the ARB.

TIME LIMITATIONS

The ARB will establish time limitations for the completion of any architectural improvements for which approval is required. After approval by the ARB, all improvements shall be completed within 6 months from commencement of the improvement or the period set by the ARB, whichever is earlier. The ARB may establish a more specific time for completion as a condition of its approval for any project. The ARB may grant a request for extension in the event that circumstances beyond the control of the homeowner caused a delay in completion of the project.

In the event the ARB fails to respond to a request for approval within forty-five (45) days of receipt of said request, it will be deemed to be granted, if submitted in writing to the ARB on the approved form, including all information necessary for consideration and review. The ARB shall have the right to reject applications in order to request additional information. A rejection to request additional information waives this forty-five (45) daytime period. A new forty-five (45) daytime period will begin upon receipt of the additional information requested.

DENIAL OF APPLICATION

An applicant aggrieved by a decision of the ARB shall have the right to make a written request to the Board of Directors within thirty (30) days of such decision, so that the Board of Directors may review such decision. The determination of the Board of Directors, upon reviewing such decision of the ARB, shall in all events be final.

INSPECTIONS

Periodic inspections may be made by the ARB and or the Management Company while work is in progress to determine compliance with the approved plans and specifications and provisions of the Declaration. The ARB or any such agent of the ARB shall not be deemed to have committed a trespass or other wrongful act by reason of such inspection.

JOB SITE CONDITIONS

Cautionary Note: To prevent interruption or damage to buried utilities, the homeowner is responsible for identifying all underground utilities in the work area, including the community irrigation piping and equipment, prior to beginning site work.

1. All jobsites shall be kept in a neat and orderly condition, as determined by the ARB.
2. No construction debris shall remain in the street overnight.
3. Commercial construction hours are Monday through Saturday, 8:00 AM to 5:00 PM. No work during nationally recognized holidays is permitted.
4. All construction operations must comply with state and local government ordinances.
5. Any landscaping damage or other damage, and modifications to the irrigation system, caused by a homeowner's project, shall be replaced or repaired at the expense of the homeowner. Such replacement or repair shall be completed within a reasonable time period as determined by the ARB.

APPROVAL

Upon approval by the ARB, a copy of applicant's plans and specifications bearing such written approval shall be returned to applicant. Approval of any application shall be final and the approval may not be thereafter reviewed or rescinded provided that there has been compliance with all conditions of approval.

VIOLATIONS

If any alteration or modification is made without the required prior written consent of the ARB, the alteration/modification will be considered a violation of the Declaration. All unapproved alterations or modifications may be required to be removed until ARB approval is granted. In no event may any unapproved alteration or modification be allowed to remain when in violation of any of the Covenants and Restrictions contained in the Declaration, in violation of any zoning or building ordinance or regulation, or in violation of any rules or regulations contained in this Guide.

The Association is empowered to enforce it's policies, as set forth in the Declaration and this Guide, by means specified in the Declaration, including an action in a court of law, to ensure compliance. The Association also has the right to levy a fine and request full reimbursement of all costs incurred by the Association modifications made without the written request and approval from the ARB. (Refer to Article V (12) of the Restated By-Laws of Summerfield Community Association).

FINES

Homeowners are subject to fines of up to the prevailing legal limit for failure to obtain a required ARB approval, for failure to implement a project consistent with an approval by the ARB, for implementing a project after receiving a disapproval decision from the ARB, or for violation of the use restrictions set forth in the Covenants.

Fines may be imposed in addition to any other remedy available to the Association regarding such violations, including legal action.

Fines for violation of any of the rules and regulations contained in this Guide may only be assessed by the Board of Directors.

PART I

ARB ARCHITECTURAL AND LANDSCAPING REGULATIONS

Adopted by the ARB March 2024

SCREEN ENCLOSURES

Screen enclosures must be installed by qualified, licensed personnel. Plans of the screen enclosure with a full site plan must accompany the application. After approval from the ARB, the applicant must secure all required Martin County permits.

Screen enclosure framework may be white, black or bronze. Screen color may be gray or charcoal black. Kick Plates, if installed, must not exceed 16" in height.

The area inside the screen enclosure is considered part of the interior of the home; however, if the screen enclosure is removed on a permanent basis, then the standard provisions for house color will prevail.

FRONT SCREEN ENCLOSURES

A homeowner is permitted to screen **the front entry and the garage entry** into the home. The frame color may be white, black, or bronze.

Front entry screens and garage entry screens must be gray or charcoal black.

Garage entry screens must be consistent with front entry screen color and semi-opaque or translucent. Front screen enclosures must be installed in such a manner as to not create the appearance of a screen enclosure such as permitted at the rear of the house. The application must include full plans and pictures of the screen and enclosure.

SWIMMING POOLS AND SPAS

All pools and spas must be installed by qualified, licensed personnel. The application must be accompanied by a full lot site plan with Property Survey and include all pool, spa, hot tub, and fencing or screening information.

The maximum height of any pool or spa fountain, falls, or other structure is 48 inches from the level of the pool deck. Specific plans and sketches for such structures must be submitted with the pool plan.

The pump/heating area will be located and screened by landscaping to minimize view from the street and in such a manner as to minimize noise to the community and neighbors. Due to equipment noise affecting neighbors, the ARB may have input as to the location of the equipment. **Above ground swimming pools are prohibited.**

HOUSE MODIFICATIONS/ADDITIONS/ALTERATIONS

House extensions, whether by enclosing a patio or lanai, pool, or any area, which in effect can create a new room, as an addition to the house must have ARB approval and follow Summerfield setbacks.

GUTTERS

An application is necessary for the installation of gutters. A site plan is required showing the location of the gutters and downspouts in order to prevent runoff water from pooling between houses and posing a nuisance to a neighbor's house or yard. The color of the house gutters and downspouts must be white, cream, bronze or the same color as the house trim or body. Gutters for the screen enclosure will conform to the screen enclosure color.

HOUSE PAINTING

Every homeowner intending to paint their house must file an ARB Application form. This form can be obtained from the Property Manager. Homeowners utilizing a painting contractor must include, with the Application, a Certificate of Liability Insurance with the Summerfield Community Association name and address listed as the Certificate holder and must remain in effect during the time of work.

Homeowners not utilizing a painting contractor need not obtain a Certificate of Liability Insurance.

Homeowners repainting their homes with an originally approved color scheme must include on the Application form a sample of the paint colors to be used on the house, garage door and trim. The submission of this form is not for approval to paint but to allow the ARB to keep a record of all house painting projects being conducted in the community and to ensure that the repainting is in accordance with the originally approved color scheme.

If painting the house in a different color scheme, ARB approval is necessary. The ARB application to paint must include a sample of the paint colors that will be used on all exterior paintings including but not limited to the house, garage door, trim, gutters, leaders and window and door frames, etc. Selections of standard color schemes will be available in the clubhouse office and residents are to choose from these color schemes.

Currently there are three standard color palettes, each with a variety of color schemes: single family homes, villas and Summerfield Point.

Villas: Both connecting villa entities must be painted with the same color scheme.

The ARB will view any changes of building color or trim color with reference to the community-wide standard. The homeowner must provide paint color chips with the application.

A copy of the Architectural Review Board House Painting Policy is presented in Appendix A.

ROOFS

Every homeowner intending to replace their roof must file an ARB Application form. This form can be obtained from the Property Manager. Homeowners must include, with the Application, a Certificate of Liability Insurance with the Summerfield Community Association name and address listed as the Certificate holder and must remain in effect during the time of work. Homeowners must include technical information and a picture of the roofing material illustrating the shape, color, and describing the technical specification of tile material.

Roof tiles must be made from either Terracotta, Cement, Clay, Metal or Synthetic material. Permitted shapes are Architectural Flat Tile, Barrel Tile, or "S" Barrel Tile. The color and coating of roofs is subject to approval by the ARB.

Standing seam metal roofs, asphalt shingle roofs, cedar shake roofs and flat pitch roofs are prohibited.

Villas: Both connecting villa entities must use the same roofing material of the same shape and color.

DRIVEWAYS

No changes or alterations may be made to any driveway without approval of the ARB. This includes, but is not limited to, changing the dimensions of the driveway or altering the surface by stonework, tiles, or pavers. Those alterations that do not conform to the community-wide standard will not be approved.

The ARB has approved driveway and apron paint colors. Samples are in the paint book at the clubhouse office. Driveway painting must not encroach on community sidewalks. **Sidewalk painting is prohibited.**

SUMMERFIELD PROHIBITED PLANT LIST

Acacia Auriculiformis EarleafAcacia**(M)**
AraucariaHeterophylla NorfolkIsland*
CassiaBicapsularis CassiaPendula
CasuarinaSpp..... AustralianPine**(M)**
Cupaniopsis Anacardioides Carrotwood**(M)**
CyperusAltemifloius..... UmbrellaSedge
FicusBenjamina..... Weeping Fig*

LigustrumSinense VariegatedChinesePrivet(M)
 MelaleucaSpp..... Melaleuca(M)
 Psidium Cattleianum..... StrawberryGuava(M)
 RhodomyrtusTomentosa DownyRoseMyrtle(M)
 Scaevola Frutescens..... BeachNaupaka
 ScheffleraActinophylla UmbrellaSchefflera*
 SchinusTerebinthifolius..... BraxilianPepper(M)
 edelia Trilobata..... Wedelia
 LygodiumSpp..... OldWorldClimbingFern(M)

*MaybeContainerGrown

(M) onMartinCounty's ListofInvasive Plants

A WORD OF CAUTION

Some palms, although beautiful in an appropriate setting, may be too large for general use in Summerfield home landscaping and generally are discouraged. These would include, but are not limited to: Bismarck Palm, Royal Palm, Screw Pine (not a palm, but looks like one), Canary Tarawa Palm.

A minimum of two separate palm trees is required in front of each home.

LOW WIND-TOLERANT TREES

The following trees may NOT be planted within thirty (30) feet of any unit:

- | | |
|--------------------------|----------------|
| African Tulip Tree | Laurel Oak |
| Bischofia | Loquat |
| HongKongOrchid | Mahogany |
| JavaPlum(syzigiumcumini) | Mango |
| IndianRosewood | Seaside Maho |
| SausageTree | RoyalPoinciana |
| ChineseTallow | |
| Avocado | |
| FlossSilkTree | |
| JacarandaSilk | |
| Oak | |
| Ylang-Ylang | |

ARBORS AND TRELLISES

Arbors and trellises are permitted in the landscape plan in rear and side yards only and may be incorporated as part of any fencing. Trellises and arbors must be anchored at least eighteen (18) inches into the ground and may not be higher than eight (8) feet. Specific construction plans (including materials) must be submitted with the application. A commercial photo or brochure would suffice.

Although the ARB shall hold landscape and modification work in the front yard to the strictest standard, individual freedom and creativity will be more valued in rear yards. Rear yards that are open to view from Summerfield streets and lakes, however, will receive more scrutiny with regard to the community-wide standard.

HEDGES

Hedges must be neatly maintained and pruned in accordance with all provisions of the Summerfield documents. Choice of plant material used for any hedge must be approved by the ARB. Hedges must be planted no less than eighteen (18) inches from the property or fence line to allow space for maintenance. On corner lots only, hedges that form the rear boundary of one house and the side boundary of the adjacent house may extend to the sidewalk. Hedges that are adjacent to any Champions Club golf cart paths may extend the length of the golf cart path.

FENCES

Fences must be white, black, or bronze and at least four (4) but not more than five (5) feet in height. Gates of matching finish, height and design must be installed to provide pedestrian access. Fencing material will be aluminum, fiberglass, plastic or similar material. **Wood fencing is not permitted.**

All fences shall be an open design picket-type fence with a top rail. Fences will be constructed within property boundaries; however, no fence will be constructed in a front yard. Fences within side yards must be located to the rear of any existing electric meter or other utility wiring. Absent such features, if the location of the house on the adjacent lot is further from the street, a minimum four (4) foot setback is measured from the wall of that building.

In the case of a fence installed on the shared property line between two villa units, each owner will be responsible for maintaining their side of the fence, however, altering any existing fencing should be done in such a manner as the owners of both villas are in agreement and must be in writing.

Fences must be maintained in good condition, kept clean, painted, and free of mildew or physical damage.

PRIVACY PARTITION FOR VILLAS ONLY

Privacy Partitions that replace original Partitions, or new to be installed Partitions, must be white, no more than 6 feet in height, and no longer than 20 feet in length. Partition material is limited to PVC or similar, and securely anchored to the ground. It is recommended that it be located 2 feet back from the property line between the villas. If installed on the shared property line between two villa units, each owner must agree to the common Privacy Partition and agree to be responsible for maintaining their side of the Partition.

LAWN ORNAMENTS AND PLANTERS

Landscape ornaments and planters are permitted within side and rear yards. In the front yard (or side yards that face the street) planters shall be terracotta (glazed or unglazed - real or simulated), cast concrete or metal. In the front yard landscape ornaments may not exceed three (3) feet (36 inches) in height or width, except with written approval of the ARB.

Lawn ornaments and planters that do not conform to this standard must have the approval of the ARB. Ornaments and planters that are broken or in unsightly condition will be ordered removed.

GARDEN RETAINING WALLS

Garden retaining walls are defined as the low landscape walls that set off a planted area, generally in the front of a house. Garden walls will not be more than eighteen (18) inches above the low mowed lawn grass line. The standard shall be a color in harmony with the house. All proposed garden walls must be evaluated by the ARB with regard to the community-wide standard.

LANDSCAPE PLANS ON LAKES, LITTORAL ZONES AND PRESERVES

Given the ecological concerns expressed in the documents, especially pertaining to the preserves and lakes, additions, modifications, or alterations to the land immediately adjacent to lakes, littoral zones, and preserves are subject to ARB application and approval process. The ARB will provide greater scrutiny to landscape plans that may affect these areas, especially concerning potential fertilizer and water run-off, and plant intrusion.

WALLS

Walls are permitted in the following circumstances:

- For a corner lot, walls are permitted as an attached extension to the rear in line with the side of the house footing.
- In the villas, walls are permitted in the rear yard between two villas sharing a common roof. Wall heights for villas and corner lots will not exceed six (6) feet.

AWNINGS

Retractable awnings only are permitted and must be located at the rear of the house. Fixed awnings may be attached to the sides of a house or villa. An application must be submitted for all awnings, including fabric and color samples.

FLAG DISPLAY DEVICES

All flag displays must be in accordance with Florida Statute 720.304(2) or otherwise approved by the ARB. Specific ARB requirements for flag displays are:

- In-ground flagpoles must be portable and must be removed during hurricane periods.
- The maximum height of in-ground flagpoles will be consistent with current Florida Statutes. An application for an in-ground flagpole must be approved by the ARB prior to installation.

Flagpoles that are attached to the front area of the house in the area of the garage do not need the approval of the ARB. Consideration of your neighbors and fellow residents should be a factor in your decisions.

It is **not recommended** that flags be flown from poles attached to mailbox posts or crossmembers.

GENERATORS

Permanently installed generators require an application to the ARB. Such application must include a site plan/Property Survey, plans and specifications of the generator and propane supply. Generators may only be installed by qualified, properly licensed personnel. All appropriate Martin County Codes (Installation and Use of Stationary Combustion Engines and Gas Turbines, Code 4.1.4) must be followed.

Please be advised that the Summerfield Board of Directors may, at its discretion, issue rules or directives regarding the use of generators, permanent or temporary.

PROPANE TANKS

Propane tanks, other than those typically supplied with a gas grill, must be placed underground by a licensed technician in compliance with all Martin County codes.

Two site plans/Property Survey indicating the location of the underground tank relative to property line, building structures and the generator must be submitted with the application to the ARB; one to accompany the application, the other to be placed in a special file by the management company for future reference and safety reasons.

HURRICANE SHUTTERS

Hurricane shutters require application, with review and approval from the ARB. Plans must include pictures of the shutters, specifications, and color samples.

Acceptable shuttering material includes corrugated steel, aluminum panels, polycarbonate panels or hurricane fabric. The approved colors are white, Ivory or beige. The Summerfield Board of Directors may, in its discretion, issue rules or directives regarding the use of hurricane shutters.

Martin County police and fire departments recommend that hurricane shutters should not be up in occupied residences unless there is a hurricane. Shutters should be removed after a hurricane because fires and burglaries can go undetected in shuttered homes. Shutters make it exceptionally difficult for firefighters and police to enter a home. Living in a shuttered home is extremely dangerous, particularly in the event of a fire.

LIGHTING-EXTERIOR

No application is required for ground landscape or accent lighting. All bulbs/reflectors must be directed at either the residence or skyward. Lighting must not pose a nuisance to a neighbor.

Lighting attached to the house, other than garage or entry lights, **must be controlled with a motion detector device timed with a maximum duration of five (5) minutes** in order to reduce nuisance to neighbors.

PLAYGROUND EQUIPMENT

All playground equipment (slides, swings, trampolines, jungle gyms, etc.) must be approved by the ARB and placed in the rear of the house/villa anchored into the ground at least eighteen (18) inches. All equipment must be maintained in good condition. Failure to do so may result in an order for removal.

In keeping with the community-wide standard, owners are encouraged to keep playground equipment hidden from any view by planting appropriate landscaping around the property.

SIGNS

Except for a standard pre-approved community “open house” sign, no signs, advertisements or notices of any kind, free-standing or otherwise shall be erected or displayed to the public view on any unit, unless approved by the ARB.

A “For Sale by Owner” sign may be displayed only in the front window of the property for sale. The maximum size for the window sign will be 12 inches by 18 inches. Real Estate for Sale signs are not allowed in Summerfield or at its entrances.

An Open House sign may be displayed only during the hours of the open house. One such sign is permitted at the Summerfield entrance on Route 1, a directional sign at the intersection of Summerfield Way with Twin Oaks Circle and any other pertinent intersections, and at the unit for sale.

Access to Summerfield may only be from Federal Highway (via Summerfield Way) and visitors must use the code number at the visitor’s gate that is assigned to the house for sale.

Except for a standard pre-approved community “open house” sign, no signs, advertisements or notices of any kind, free-standing or otherwise shall be erected or displayed to the public view on any unit, unless approved by the ARB. In accordance with Florida Statute 720.304(6) (2018) as amended from time to time, a sign of reasonable size provided by a contractor for security services is allowed within 10 feet of any entrance to the home.

SOLAR PANELS

It is preferable that solar panels be located on a roof surface that is not directly visible from a street. Panels must be installed parallel to and resting on the roof. All required piping must be painted in such a color as to minimize attention. Complete plans, with color samples and specifications, must be submitted with the ARB application.

TEMPORARY ADORNMENT

Temporary adornment, generally meant to be holiday or party decorations, is permitted. Such adornment must be maintained in good condition for their duration (not to exceed sixty [60] days) and removed in a timely manner.

BASKETBALL GOALS (HOOPS)

Portable Basketball goals may be permitted with the approval of the ARB. Only clear glass backboards perpendicular to the street may be approved. Basketball goals may not be left on common property when not in use. The ARB may also require planting of additional trees to screen any basketball goals.

APPENDIX A

ARCHITECTURAL REVIEW BOARD HOUSE PAINTING POLICY

1. The color palette is applicable to all free-standing homes and villas in Summerfield community. Previous restrictions of colors to those initiated within different sections by various developers no longer apply.
2. The color combinations are representative of colors and combinations already existing in Summerfield.
3. Not all colors presently seen in Summerfield are on the color palette.
4. Homeowners repainting the same color on their house may do so without ARB Approval provided an ARB Application is submitted for record purposes complying with the following conditions:
 - a. Is the original builder color,
 - b. Is a result of repainting through a previous ARB application and approval process,
 - c. Colors not originally approved by the ARB are not grandfathered and must go through the approval process.

Homeowners utilizing a painting contractor must include, with the Application, a Certificate of Liability Insurance with the Summerfield Community Association name and address listed as the Certificate holder and must remain in effect during the time of work. Homeowners not utilizing a painting contractor need not obtain a Certificate of Liability Insurance.

5. When repainting a home to a different color, application to the ARB and conformance to the color palette is required.
6. Each color scheme contains:
 - a. Trim color,
 - b. Body color,
 - c. Front door color, previously referred to an accent color.
7. A trim color may be used as a body color and the body color as a trim color within a particular color scheme.
8. Body and trim colors must be used only within the designated scheme. For example, a trim from Scheme 1 cannot be used with another color from Scheme 5, etc.

9. In all schemes, except Summerfield Point, a trim color may be replaced by “pure white.”
10. Bodies may not be painted “pure white.”
11. Front door colors are merely suggestions. The SCA does not regulate front door colors. Front door colors may not be used as body trim colors.
12. House gutters and downspouts must be white, cream, bronze or the same color as the house trim or body.
13. As per previous policy, garage doors must be painted white or the same color as the body or trim of the approved color scheme.
14. As per previous policy, both sides of adjoining villas must be painted in the same manner; trim to trim and body to body.
15. Homeowners repainting to a new color are advised to take consistency with the roof tile color into their decision-making process.
16. As per previous policy, no adjacent free-standing homes can be painted the same colors scheme.
17. The color scheme was developed in cooperation with the local Sherwin Williams representatives; however, the use of Sherwin Williams is not required by policy.

Adopted by BOD, January 18, 2011

Revised, December 19, 2017

Revised March 2024

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PART II

COMMUNITY RULES AND REGULATIONS

Adopted by the Board of Directors, March 2024

SOURCE: Amended and Restated Declaration of Protective Covenants for Summerfield, (12/11/2018), Article XII, Use Restrictions and Article XVII Leasing; The Amended Restated ByLaws for Summerfield Community Association

(A) RESIDENTIAL USE

All units shall be used only as single-family or multi-family, private residential dwellings and for no other purpose.

(B) OCCUPANCY OF UNITS

Whenever any unit is owned or leased by a corporation, partnership, or trust, or other form of multiple ownership other than Declarant, no more than 2 persons per bedroom may occupy the unit at any one time. In the event of the failure of individual(s) to use the unit in compliance with this Declaration or the rules and regulations of the Association, the Association may demand the immediate removal of the individual(s) from the unit by the owner. In the event the owner fails to remove the party using the unit, the Association, as agent of the owner, may take such action as it deems appropriate to accomplish the removal of such individual and all such action by the Association shall be at the cost and expense of the owner, and the owner shall reimburse the Association, therefore, upon demand, for costs together with such attorney's fees (including appellate attorney's fees and costs), as the Association may incur with reference to such removal.

(C) PETS

Owners may keep as pets, companion pets such as birds, domesticated cats, fish, dogs, and other small mammals. Owners may not keep a number of pets which the Association, in its sole and absolute discretion, shall deem excessive. No owner may keep exotic cats, non-human primates, horses, fowl, reptiles, obnoxious animals, or other farm livestock or zoo-type animals on the property. The determination of what is or what may be an obnoxious animal, fowl or reptile shall be determined by the Board of Directors of the Association in its sole and absolute discretion.

Pets must be on a leash or carried when on common property or areas of common responsibility. Failure to do so may be deemed a nuisance. It shall be the owner's obligation to remove and otherwise dispose of their pet's waste material from the common property and streets. Failure to remove and dispose of a pet's waste material shall be deemed a nuisance. The Board of Directors of the Association shall have the right to order the removal of any pet which, in the Board's sole and absolute discretion is considered a nuisance, and the same shall be done without compensation to the owner. In such event, the Board shall give written notice thereof to the pet owner, and the pet shall immediately thereafter be permanently removed from the property.

An owner, by the purchase of a unit, agrees to indemnify the Association, and hold it harmless against loss or liability of any kind arising from the owner having any animal in Summerfield.

(D) PASSENGER, RECREATIONAL, AND COMMERCIAL VEHICLES

No motorcycles, boats, trailers, recreational vehicles, and commercial use trucks, or other similar use motor vehicles shall be placed, parked, or stored upon any unit, except within the garage of a unit. See rules for bicycles (P) and golf carts (Q) below.

Only Resident owned 4 wheeled automobile passenger vehicles, standard pickup trucks, and vans are permitted to be parked on Resident driveways and are encouraged to be garaged when not in use.

Routine maintenance and repair of the above-described vehicles should be performed within garages when possible. Routine maintenance, washing, and routine mechanical servicing of the above-described vehicles owned by the resident shall be permitted on the driveway of such owner's unit provided that such maintenance, washing or servicing of any one motor vehicle is performed and completed during daylight hours and within a twelve (12) hour time period.

Notwithstanding the foregoing, service and delivery vehicles may park on a unit driveway during regular business hours, as needed, for providing services or deliveries to the unit. In general, all efforts should be made to avoid street parking for safety reasons. Additionally, no vehicle of any kind owned by a Summerfield resident shall be parked overnight on any street without prior authorization from the property manager. For purposes of this provision, "overnight" shall be defined as between the hours of midnight and six o'clock a.m. "Overnight" guests may park temporarily on the street as long as they obtain prior authorization from the property manager and display a temporary parking permit in the front window of the vehicle. The authorization permit may be obtained from the property manager.

Repeat Violations Notice: Residents who receive the same Parking or vehicle violation within a 12-month period are subject to fines.

The Association shall have the right to authorize the towing of any vehicle in violation of the Traffic Regulations or Article XII (D). The cost of towing shall be a charge against the owner of the vehicle. Parking shall be allowed on paved areas only. No parking across sidewalks or on any grassy areas. **Vehicles will be towed without notice.**

Covered vehicles of any kind are not normally permitted in driveways. When garage repairs or similar needs arise and a vehicle must be stored outside temporarily during those repairs, the homeowner may apply for a temporary outside storage allowance from the Property Manager.

(E) TEMPORARY STRUCTURES

No structure or object of a temporary character such as, but not limited to, house trailers, tents, shacks, sheds, or temporary or accessory buildings or structures, shall be erected, kept, or maintained on the property, or any part thereof.

(F) INSURANCE

No owner shall permit or suffer anything to be done or kept within his unit or make any use of the common property which will increase the rate of insurance on any portion of the property.

(G) NUISANCES

No use or practice which is either an annoyance to owners or an interference with the peaceful possession and proper use of the property by the owners or which may become an annoyance or nuisance shall be allowed. No owner shall commit or permit any nuisance or any illegal activity in or about the property. For greater clarification, no owner shall knowingly or willfully make or create any unnecessary, excessive, or offensive noise or disturbance which destroys the peace, quiet and/or comfort of other owners or allow any such noise or disturbance to be made on his Unit.

Landscape or building contractors are not permitted to commence the use of motorized equipment prior to 8am and must silence that equipment by 5pm.

(H) ANTENNAE

Except for antennae and satellite dishes authorized by the regulations of the Federal Communications Commission, no radio, television or other electronic antenna or aerial may be erected or maintained anywhere on common property (unless installed by the Association), or the exterior of any unit, without the prior written approval of the ARB.

(I) SUBDIVISION OF UNITS

No unit shall be re-subdivided to permit property lines to be altered in any manner other than as originally established, or as otherwise approved in writing by the Association provided, however, that a single unit may be combined with another Unit or Portion thereof, to form a larger unit, with the prior written approval of the ARB.

(J) REMOVAL OF TREES

In reviewing building plans, the ARB shall take into account the natural landscaping, such as trees and shrubs, and encourage the Owner to incorporate them in his landscaping plan. No trees on any residential property shall be removed without approval of the ARB.

(K) ARTIFICIAL VEGETATION

No artificial grass, plants, or other artificial vegetation shall be placed or maintained upon the exterior portion of any lot.

(L) SIGNS

Except for a standard pre-approved community “open house” sign, no signs, advertisements or notices of any kind, free-standing or otherwise shall be erected or displayed to the public view on any unit, unless approved by the ARB.

(M) EASEMENTS

No improvement of any kind, tree, bush, shrub or landscaping of any kind shall be built or maintained upon any easement or right-of-way without the prior written approval of the ARB and said easements and rights-of-way shall at all times be open and accessible to the person entitled to the use thereof. Notwithstanding the foregoing, landscaping approved by the ARB located on a Unit shall be maintained by each owner.

(N) REFUSE CONTAINERS AND STORAGE TANKS

No unit shall be used or maintained as a dumping ground for rubbish. Trash, garbage, and other waste shall be kept in sanitary refuse containers, which shall be placed in a walled-in or screened-in area, so they are not visible from the street or from adjoining units. All oil tanks or bottle gas tanks must be kept underground or placed in a walled-in or screened-in area so they shall not be visible from the street or from adjoining units. Trash, refuse, or waste materials shall not be burned on any unit. The foregoing provisions shall be subject to such rules and regulations promulgated by the ARB.

A trash can with a lid is required and trash shall be placed outside the home no sooner than the evening before the scheduled trash collection. Trash and yard waste are to be placed on the front yard at the curb or driveway, but not in the street or street drainage area.

Trash and yard waste are collected on different days. Refer to Summerfield Directory for collection days.

(O) STORAGE FACILITIES, TOOL SHEDS, GARDEN HOUSES AND GARAGES

All storage facilities, tool sheds, garden houses, garages, and other similar improvements approved by the ARB shall be attached to the dwelling so that such improvements and the dwelling constitute a single structure. Deck boxes are allowed within screened backyards of a residence without ARB approval and at such other locations approved by the ARB. Storage facilities less than three (3) feet in height, having front or side doors or a lid that lifts are classified as “deck boxes”.

(P) BICYCLES

Bicycles shall be stored only within each Unit. If bicycles are left on common property, they may be impounded by the Association and shall be released to the owner only upon payment of an administrative fee established by the Association. If a bicycle stand or stands are built within Summerfield, bicycles may be stored thereon.

(Q) GOLF CARTS

Owners may own and operate golf carts subject to all traffic rules and regulations pertaining to streets within the project. Owners' golf carts must be stored inside the Unit and out of sight from adjacent streets.

(R) MAILBOXES

All curbside mailboxes must conform to the Community Wide Standard. The Community Wide Standard, on file with the management company, dictates uniform heights, posts, mailbox units, and color. They must be rounded on the top; made of metal or plastic construction; painted with a gloss or matte black finish; conform to either medium or large capacity designs with the following approximate dimensions:

Medium capacity - 8.9" high, 6.9" wide and 20.0" deep.

Large capacity - 10.9" high, 8.7" wide and 21.4" deep.

The mailbox must be stamped with "U.S. Mail approved by the Postmaster General" on the door; and equipped with either a metal or plastic carrier signal flag that is red in color. The 4x4 wooden post must be painted Summerfield Community Green. Exact specifications for mailboxes are available in the management office. Each residence shall display the address numbers on the horizontal member supporting the mailbox. The address numbers shall be white and a minimum of 1" in height and shall face the direction of the postal delivery service. All mailboxes are located on common property and subject to association rules.

When planting around a mailbox, avoid plants with flowers that have thorns or attract bees. Domestic plants around mailboxes should not block the view of oncoming traffic (usps.gov, Mail Manual 508.3.2)

(S) TIME-SHARE UNITS

No unit may be sold, nor shall title be conveyed or transferred on the basis of time sharing or interval ownership.

(T) RULES AND REGULATIONS

No person shall use common property or any unit in any manner contrary to or not in accordance with, the rules and regulations (including traffic regulations) which may be promulgated by the Association from time to time.

(U) INDEMNIFICATION

Any loss or damage incurred by the Association due to a breach of any restriction herein by an owner, his/her agents or employees shall be reimbursed by the responsible owner. The Association may obtain recovery against such owner in the same manner as the collectible and enforceable assessments.

(V) ENFORCEMENT OF RESTRICTIONS

The Association, through its Board of Directors, officers, and the ARB shall have the authority to enforce those restrictions imposed under this Article XII and failure to do so shall not be deemed a waiver of the right of enforcement.

(W) ROOFS

Roof tiles must be made from either Terracotta, Cement, Clay, Metal or Synthetic material. The permitted shapes are Architectural Flat Tile, Barrel Tile or "S" Barrel Tile. The color and coating of roofs is subject to approval by the ARB.

Standing seam metal roofs, asphalt shingle roofs, cedar shake roofs and flat pitch roofs are prohibited.

Villas: Both connecting villa entities must use the same roofing material of the same shape and color.

(X) SOLICITATION

There shall be no solicitations by any person anywhere in the community for any cause, charity or any other purpose whatsoever, unless specifically authorized by the Board of Directors.

(AA) BASKETBALL GOALS (HOOPS)

Portable basketball goals may be permitted with the approval of the ARB. Only clear glass backboards perpendicular to the street may be approved. Basketball goals may not be left on common property when not in use. The ARB may also require planting of additional trees to screen any basketball goals.

(BB) LANDSCAPE MAINTENANCE

Each homeowner is responsible for maintaining the landscaping on their property, the sod area between their front lot line and the edge of the curb (and any side lot line and curb for comer lots), and any ten (10) foot conveyance swale parallel to the rear lot line consistent with the ARB Regulations and community landscape standards.

(CC) EXTERIOR RESIDENCE MAINTENANCE

The homeowner is responsible for maintaining the exterior of his/her home including pressure cleaning the exterior, the roof, driveway, removal of exterior rust stains, and repainting the exterior stucco, doors, and trim.

(ARTICLEXVII) LEASINGOFUNITS

1. An Owner intending to lease his Unit shall give to the Board of Directors or its designee written notice of such intention at least thirty (30) days prior to the proposed transaction, together with the name and address of the proposed lessee, and executed copy of the proposed lease and such other information as the Board may reasonably require.
2. The BOD has 30 days to make a decision.
3. No subleases are allowed.
4. A unit can only be rented twice during any 12-month period.
5. Individual rooms may not be rented.

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