

**Pinehurst Village Homeowners Association, Inc.
Rules and Regulations**

NOTICE TO OWNER

PLEASE REFER TO MADISON GREEN MASTER ASSOCIATION GOVERNING DOCUMENTS AS WELL AS THE RESTRICTIONS AND CODES AS MANDATED BY ALL APPLICABLE GOVERNING AGENCIES; CITY, COUNTY OR STATE ORDINANCES.

THESE RULES AND REGULATIONS APPLY TO THE PINEHURST VILLAGE HOMEOWNERS ASSOCIATION AS SUBORDINATE AND IN ACCORDANCE TO THE AFOREMENTIONED.

ARCHITECTURAL CONTROL FOR EXTERIOR CHANGES, MODIFICATIONS & ALTERATIONS:

The Association, or its designees, has the right to exercise architectural control over all improvements including size, height, plans, set-back, exterior design, materials, colors, landscaping, water scaping, etc. The Association can, from time to time, modify minimum guidelines, criteria, and/or standards used for architectural control as it deems necessary to preserve the integrity of the Association. The Association shall not be liable for any defect or deficiency in plans or specifications.

- Homeowners must receive written approval of the HOA before making any improvement or obtaining permits, etc. Requests for approval shall be made in writing, on the approved Madison Green Architectural Application, and shall include copy of survey, any plans and contractor's specifications etc. If required HOA approvals are not obtained, the Association will require the homeowner to cease & desist, remove or alter any improvements.
- Homeowners seeking architectural approval from Pinehurst Village HOA are also subject to the review and approval by the Madison Green Master Association ARC Committee prior to commencing said modifications or additions.
- The Association shall notify the homeowner of approval or disapproval within 30 days after the *complete* application and its contents are submitted. If no response is given to the homeowner within the 30 days, the request is deemed approved.
- No application for modification will be approved for any resident whose account is not in good standing, except for painting or landscape projects.
- The homeowner must commence the requested project within six (6) months of approval.
- Homeowner must give the Association written notice of completion and in turn, the Association will have the right to inspect within 30 days.
- Homeowner must be in compliance with the requirements of all governmental authorities and is required to obtain an appropriate building permit, as applicable. An approved Architectural Review Committee form is required to obtain a building permit from the Village of Royal Palm Beach.
- If a building permit is required for the proposed modification/addition, such improvement must be installed by a licensed contractor unless otherwise approved by the Association.

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USE RESTRICTIONS:

Air Conditioning Units:

- Only central air conditioning units are permitted.
- Temporary installation of window or portable air conditioning units are permitted during formal hurricane warnings and during post hurricane extended power failures but must be removed and stored within 7 days after power has been restored.
- No window, wall, or portable units are permitted without prior written consent of the HOA.

Automobiles, Vehicles and Boats: Only passenger vehicles can be parked overnight outside of the garage. This includes -

- Automobiles
- Vans with permanent rear seats and side windows.
- Pick-up trucks ½ ton or less used as passenger vehicles

Excludes:

- Trucks with more than 2 axles
 - Vehicles with commercial lettering or signs
 - Vehicles with commercial equipment outside of vehicle
 - Panel Vans
 - Recreational vehicles
 - Campers
 - Trailers
 - Boats
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- Only commercial vehicles performing a service to a residence may be parked temporarily on the property and may not remain overnight, unless stored in an enclosed garage.
 - No more than three approved personal vehicles may be parked or stored outside overnight. Vehicle covers or tarps are not permitted on vehicles parked outside.
 - Parking on the streets of Pinehurst Village is **STRICTLY PROHIBITED** between the hours of 5:00 PM and 9:00 AM on the weekdays of Monday through Friday. Additionally, on street parking is prohibited 24 hours per day on the weekends (Saturday and Sunday). Vehicles parked upon the roadways during these times are subject to towing. No parking is permitted on any lawns or areas other than driveways and garages. (An exception to the overnight parking rule is allowed to provide for drying time for driveway sealer applications). Vehicles violating the overnight parking rules are subject to towing at the owner's expense. Owners/residents will be given two written warning notices prior to towing, with the exception of emergency circumstances.
 - All vehicles must be in good condition and repair.
 - NO vehicle which does not contain a current license plate or which cannot operate on its own power shall be parked upon the driveway for more than twenty-four (24) hours.
 - **No vehicle shall be constructed, reconstructed or repaired within Pinehurst Village at any time.**
 - All vehicles must be painted with colors and in a manner which is customary for private passenger vehicles, and which is not offensive or distasteful in the reasonable opinion of the HOA.
 - No motorcycle, motorbike, moped, all-terrain vehicle, or other such vehicle is permitted to be operated on the homeowner's property unless such vehicle is licensed for street use and equipped with appropriate noise-muffling equipment so that its operation does not create an annoyance. If the HOA determines the operation of any such vehicle creates an annoyance, after written notice from the HOA, the vehicle shall not be operated within the Association's property.

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- Approved vehicles parking in driveways overnight must be parked perpendicular to the garage (exception made for circular drives) and must not extend over the sidewalk.
- Operation of any vehicle is subject to the laws and ordinances of the State of Florida, Palm Beach County and the Village of Royal Palm Beach. Violation of such laws should be reported to local police.
- Children operating toy electric/battery cars or other electric vehicles must be supervised by adults and must be operated on the roads.
- Operation of a motorized scooter is subject to the Ordinances of the Village of Royal Palm Beach. (e.g. must have valid driving license, operated during daylight hours, must wear helmet, must be operated in the street, etc.) Violation of motorized scooter rules should be reported to local police.
- To help ensure safe traffic flow, residents should always park in their garages or driveways whenever possible and should avoid street parking.

Basketball Backboards:

- No permanently installed basketball backboards are permitted.
- Portable backboard may not exceed placement of midpoint in the driveway; from the front of residential unit to street as the considered area of reference.
- **Temporary Basketball Hoop play equipment must be stored out of sight from street and neighbor view, when not in use.**

Business or Commercial Use: No business or commercial activity is allowed that encompasses customer foot traffic or such commercial activity is apparent from the exterior of the home as a result of clients visiting/residing overnight.

Clotheslines and Outside Clothes Drying: No clotheslines or drying yards or any other piece of equipment or thing upon which clothes or other articles can be hung or draped for drying purposes shall be erected, used, or permitted to remain anywhere **visible** from any adjacent street or property.

Common Areas: Nothing may be stored, constructed, placed within or removed from a Common Area.

Damage and Destruction: If a home is damaged or destroyed, it must be repaired and restored to its original condition as soon as it is practical and such communication must be forwarded to the Association. The Association reserves the right to dispute the validity of “practical” in some circumstances and will require supporting documentation to verify same.

Driveways:

- No asphalt or gravel driveways, walkways or sidewalks are permitted.
- Damaged front sidewalks must be replaced with concrete as per the original design specifications

Easements:

“Drainage and Utility Easements” and “Water Management and Retention Easements” are designated on plats for the installation and maintenance of utility, drainage facilities and storm water storage. Within these easements, no improvement, change, or other material shall be placed which may:

- Interfere with utilities without written approval of the utility company. Or
- Change the direction or flow of water in drainage channels without approval of the Association and governmental agencies.

These easements must be maintained by the homeowner.

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Fences:

- Fences are not permitted in front of any home and fence/gate must be set back at least 10 feet from the front of the house.
- All fences must be approved by the Association. The Association retains the right to set a standard type, color, and height of fences.
- All approved fences will be as follows:

Fence: Type, Style and Placement –

Ø **Golf, Lake and Preserve/Littoral Lots:** Either 4', 5' or 6' Aluminum rail style in white or bronze color OR 4' or 6' PVC rail style in white color on side and rear property lines; Approved hedge material can be installed to the interior of rail style fencing (2' setback) not to exceed 6' on side property lines ONLY. No hedge material may be installed on the rear property lines. NO PRIVACY FENCING PERMISSIBLE ON SAID LOTS.

Ø **Open Lots:** (Lots on berm(s) or to plat defined open space) 6' privacy fencing may be installed along side property lines only. Rear fencing material must be rail style; either aluminum or PVC in type. 6' approved hedge material may be installed along rear property line to the interior of the rail style fence with 2' setback.

Ø **Interior Lots:** Either privacy or rail style fencing permissible; first property to install defines the style along same property line. Approved hedge material may be installed to the interior of rail style with 2' setback. Corner/end lots to sidewalk must install approved minimum 5 gallon hedge material, to be maintained at 6', to the exterior of fence; Fence must be installed with a 2' setback on this property line to sidewalk.

Fence Style / Design:

Solid / Privacy Fencing:

6' PVC material; white in color

- a) Tongue & Groove solid with 1' lattice top
- b) Tongue & Groove solid
- c) Semi-private with 7/8" gap

Rail Fencing:

4', 5' or 6' rail; white or bronze in color

- d) Aluminum - slat with top rail
- e) PVC - regular style post

- Fences must be maintained in good condition at all times.

Garages:

- No garage shall be permanently enclosed and no portion of a garage shall be converted into living space or storage area.
- All garage doors shall remain closed when not in use.

Garbage:

- Garbage must be regularly picked up and not permitted to accumulate. All trash, recyclables, etc. must be kept in garbage cans.
- Garbage shall be placed at the curb for pick-up after 5:00 pm on the day before the scheduled day of collection.
- Garbage cans must be removed from the curb and stored by the evening of the collection day.
- Garbage cans must be kept in the garage or in an area intended for storage, screened from view and kept in a neat & sanitary condition.
- All garbage/trash must be placed in appropriate facilities or bags, prior to placing within the required cans.

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- No noxious odors are permitted.
- Should any item not be removed by Waste Management (Trash Disposal Provider), these items MUST BE removed from curbside and placed within the enclosed garage until the next scheduled pick-up day.

Garbage Containers, Oil and Gas Tanks, Air Conditioners: All garbage containers, air conditioning units, oil tanks, bottled gas tanks, and swimming pool equipment shall be kept underground or placed in walled-in or landscaped areas so they are hidden from any eye-level view from any street or adjacent property.

Holiday Lighting:

- The placing of "Winter" holiday decorations or lighting on the exterior of the home structure or its property is permitted to be installed on or after November 20th of the calendar year and must be removed on or before January 15th of the subsequent calendar year (approximately 56 days for winter holiday decorations or lighting display).
- Other than as defined under "Winter" holiday times, in consideration for additional calendar holidays, decorations and/or lighting may be installed two weeks preceding recognized calendar holiday and must be removed within two weeks following the end of recognized calendar holiday.

Hurricane Shutters / Panels:

- Shutters may not be installed/closed until a named storm / hurricane is imminent to our area.
- Shutters that may inhibit the evacuation of a home, due to fire or other life threatening situation, that may prevent emergency services from entering a home, or other unsafe condition must be removed/opened immediately after current storm/hurricane risk has passed. This includes the removal or opening of shutters from all doors and bedroom windows.
- Shutter brackets and mounting hardware must be removed no later than November 15th and cannot be reinstalled until such time another named storm or hurricane is imminent to our area.
- In the event that a hurricane watch is issued, all materials in exposed areas outside of a residence shall be removed from the exterior of the premises, unless such materials have been permanently affixed to the ground or the structure. Residents / occupants shall comply no later than 36 hours before the anticipated arrival of hurricane force winds
- Hurricane shutters MUST be opened or removed within 14 days following the end of such conditions unless another named storm is imminent to our area.

Landscaping:

- All landscaping changes must be approved by the HOA. Owners must maintain their lot and the grass area between the sidewalk and the street, (swale).
- All landscaping shall be kept in first class condition and appearance including mowing, watering, trimming, fertilizing, weed and insect control.
- Underground sprinkler systems must be maintained in good working condition.
- Grass areas shall not be paved or covered with gravel or any artificial surface.
- All dead or diseased sod, plants, shrubs, trees, or flowers shall be promptly replaced and excessive weeds, underbrush or unsightly growth shall be promptly removed.
- As to define a minimum standard/description of landscape beds upon residential lots: 75% of the landscape "space" is to be covered with approved landscape material and the remaining 25% of "space" is to be covered with mulch or landscape rock, etc. Unless as otherwise reviewed and approved under architectural review through the Pinehurst Village Architectural Review Committee, Board of Directors or designated agent.
- No artificial grass, plants shall be allowed outside of a home.
- Trees located between sidewalks and the streets must be kept maintained and trimmed. Trees originally planted by the builder in this area must be replaced if the trees die or are damaged and will not recover to a normal shape. Dead trees in this area must be replaced with the same type and be a similar size as the original tree.

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- Tree wells, as originally created to surround swale trees upon the property must be kept intact, free of weeds and contain fresh mulch application.
- No plant material, landscape rocks or borders may be installed or placed upon the “swale area” of the property OTHER than the installation of annual or perennials surrounding existing tree wells. These flowers are to be maintained and kept in a healthy and vital state at all times by the Owner.
- The Association, in approving applications for landscaping materials, will consider the size and placement of such materials as it relates to the mature growth pattern of the tree or shrub.
- Prohibited vegetation rules defined by the Village of Royal Palm Beach will be enforced.
- Privacy hedges are allowed only on the side or in the rear of the home. Hedges on the side lot must be set back at least 10 feet from the leading edge of the house.
- Privacy hedges must be maintained at a maximum height of six feet and must be planted at a sufficient distance from property lines so branches will not extend over property lines.
- No hedges of any kind are permitted to border front sidewalks, or driveways.

Leases:

- All leases must be in writing and copies delivered to the HOA prior to occupancy by the tenant(s). A processing fee in the amount of \$150 shall be submitted with lease and application.
- An Application for Occupancy must be completed by prospective tenants and submitted to the Association for review. A personal meeting with the Association or its designated agent is required prior to approval of lease and occupancy.
- No lease shall be for a period of less than 3 months, and no homeowner shall lease his home more than 2 times in any consecutive 12 month period.
- Owners wishing to lease their Lots shall be required to place in escrow with the Association a security deposit, in the amount of \$1000.00, payable to Pinehurst Village Homeowners Association, Inc., which may be used by the Association to repair any damage to the Common Properties or other portions of the property resulting from acts or omissions of tenants (as determined in the sole discretion of the Association).
- The Owner will be jointly and severally liable with the tenant to the Association for any amount in excess of such sum which is required by the Association to effect such repairs or to pay any claim for injury or damage to property caused by negligence of the tenant. Any balance remaining in the escrow account, less an administrative charge in the amount of \$50.00, shall be returned to the Owner within thirty (30) days after the Association has been advised in writing by the Owner that the tenant and all subsequent tenants have permanently vacated the Lot.
- The Association has the right of termination / eviction where the tenant or Owner has been found in breach of the governing documents of the Association or any rules promulgated by the Board of Directors.
- Under no circumstance shall a tenant operate a business from the home, which would require clients to visit the home or occupy as a short term resident.
- Any change in occupancy requires an updated application for occupancy accompanied by a processing fee of \$150.
- No home may be used as an assisted living facility, group home, half-way house, shelter or similar type facility and shall be used solely for single family occupancy.
- Move in restrictions (Monday - Saturday) 9:00am - 9:00pm
- Cannot Block road or leave moving vans/vehicles in driveway or street overnight in community.

Mailboxes: Replacement mailboxes and mailbox poles must match the mailboxes and poles that were originally provided by the builder. Ordering information can be found inside the mailbox.

Maintenance:

- All homes must be maintained in first class condition. Any homeowner intending to paint the exterior of their home must first obtain approval by the Association as to the exterior paint palettes.

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- Paint colors must match colors originally approved for Pinehurst Village. The Association's approval of color is unnecessary if using the exact same colors as originally painted.

Nuisances: No nuisances are permitted which shall interfere with the peaceful possession and **quiet enjoyment of its members**. All laws, zoning ordinances, and regulations of all controlling government authorities shall be complied with at all times by the Owners.

Occupancy: No home shall be permanently occupied by more than 2 persons for each bedroom.

Outside Antennas and Flag Poles:

- No antennas or dishes are permitted that are visible from the exterior of a house without approval of the HOA and Master Association; with the exception of dishes that are located no more forward than 1/3 from the rear of the home ALL such additions of satellite dishes or other must be presented to the Association for architectural review.

Parcel owners may display a flag on their properties that is no larger than 4 1/2 feet by 6 feet, and either an official flag of the United States, Florida, Army, POW-MIA, Marine Corps, Navy, Coast Guard or Air Force. Homeowners may also erect a flagpole of no higher than 20 feet on any portion of the property that does not interfere with sightlines or is in an easement.

Outside Storage of Personal Property:

- Personal property must be kept within a unit or in a fenced or walled-in yard except for tasteful patio furniture and accessories, Bar-B-Q grills, playground equipment approved by the HOA, and other personal property commonly kept outside which must be kept in the rear of the house and must be in good condition.
- Personal property kept outdoors includes but is not limited to lawn ornaments, statues, plant pots, fountains, birdbaths, wall plaques, etc. All must be approved by the Architectural Committee. These items are subject to removal and interior storage in the event of a named storm / hurricane imminent to our area.

Pets:

- No animals, livestock, or poultry are permitted within the Association at any time, except for common household pets.
- Only a total of 2 cats and/or dogs are permitted within a unit.
- No pit bull terriers are permitted.
- Dogs and/or cats are permitted outside of the air conditioned living space of a home, when in direct control by its owner.
- No dog shall be permitted to be left out of the home on a screened patio or fenced yard unless someone is present and attentive within the home.
- Any pet must be carried or kept on a leash when outside of a home or fenced in area.
- No pet is allowed to go or stray on any other lot.
- Pets shall not be a nuisance to other residents. **Excessive barking and/or any other circumstance that is deemed a nuisance to others is strictly prohibited.**
- Solid animal waste left by their pet must be picked up & disposed of immediately.
- No commercial breeding of pets is allowed.
- The Association reserves the right to require immediate and permanent removal of any pet due to violation of these rules.

Playground Equipment:

- Sports, recreational or toddler/children equipment may be installed on a homeowner's lot or on the exterior of their home without approval of the HOA.
- All approved playground equipment will be located in the rear of the lot.

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- A building permit must be obtained, as required by the Village of Royal Palm Beach, for all playground and recreational equipment.
- Installations of equipment must be anchored and secured in compliance with the requirements of Village codes to avoid damage to neighboring properties during high wind conditions.
- If the equipment is not required to be anchored by code, unanchored equipment must be disassembled and stored indoors should a named storm or hurricane warning be issued for our area.

Portable Buildings: No portable, storage, temporary or accessory buildings or structures, sheds, or tents will be permitted on any lot without the express written consent of Pinehurst Village and the Madison Green Master Association.

Roofs for Porches, Patios or Additions:

- Any roof or ceiling on any porch, patio, or addition must be approved by the HOA and must be the same type and color as the existing roof or of screened material in the case of a screened porch.
- No metal or fiberglass patio roofs are permitted.

Signs:

- Signs are not permitted outside the home.
- Signs are not permitted in or upon a home which are viewable from the exterior.
- The Association has the right to remove any signs without notice to the homeowner and is not liable for loss or damage to the sign nor will such removal be deemed as a trespass.
- Only small signs supplied by alarm companies that indicate that the home is protected by an alarm system are permitted. Such signs must be placed adjacent to landscaping, towards the front portion of the walkway. No other sign shall be placed upon any LOT.

Solar Collectors:

- Must be approved by HOA and Master Association
- Must be installed on roof.

Subdivision: Lots cannot be subdivided

Surface Water Management:

- No Owner or person may do anything to adversely affect the surface water management and drainage of their property, including changing the elevation of any portion of their lot.
- No Owner or person can install any landscaping or place any fill on their lot that would affect the drainage of any contiguous lot.

Swimming Pools: No above-ground swimming pools, spas, etc are permitted within the property.

Window Treatments:

- Must be draperies, blinds, shutters, decorative panels, or other tasteful window coverings.
- No newspaper, aluminum foil, sheets or other temporary window treatments are allowed except for a period not exceeding 90 days after an owner or tenant first moves in or is having window treatments cleaned or repaired.