



The Woodlands at Rivendell Standing Rules

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The Woodlands at Rivendell Standing Rules

In addition to the basic Covenants, Conditions and Restrictions established by the original developer, which are part of the title to the lots in Rivendell, the Board has found it necessary to expand or clarify some of these restrictions over the years. The following Standing Rules are a summary of these Board actions.

Note: ARC = Architectural Review Committee

Fences

Requirements:

An ARC Review Request Form, available from the property management company, and a platted survey must be submitted to and approved by the ARC before a fence may be erected.

Specifications:

- Maximum height is 48 inches; vinyl fence can be picket or solid.
- Acceptable fencing materials are vinyl in white, tan or beige or wrought iron style heavy duty aluminum in white, black, tan or beige.
- Outside of fence must be substantially landscaped and maintained by the homeowner when possible.
- The proposed fence must not obstruct the view of common areas.
- Surveys and landscaping plans must be of professional quality.
- Side yard fencing shall be installed starting at least 20 feet from the front corner of any lot.
- Fencing on corner lots must additionally comply with local fencing ordinances so as not to present a traffic hazard by obstructing view.
- The standard location for a fence is within the lot line of the requesting homeowner. Homeowners may seek a variance, the approval for which shall be at the discretion of the ARC.
- There shall be no signage or writing of any kind put on the fence.
- Verification must be provided that the fence will comply with all County regulations.
- Fence heights along **Old Venice Road, behind properties that abut the Palms of Casey Key Development, in the alleys of Unit 2 and properties on Shadow Bay Way that border the Willow Bend development** may be 6 feet tall.
- A fence can be placed on the property line between two houses if both homeowners agree and drainage is not affected. A fence can be placed on a rear property line if all affected neighbors agree, and drainage is not affected.

- Fences on properties that border Oscar Scherer State Park must be of earthen tones and colors (eg tan, brown, green, gray etc) and shall not contain any bright or offensive colors including white. Any variation these stipulations shall be made after consultation with representatives of Oscar Scherer State Park and approval of the Sarasota County Planning Dept.

Signs

Prohibition/Limitation on Signs on Common Property

No owner shall be permitted to place any type of sign, including but not limited to political signs, commercial signs, garage sale signs, or For Sale or For Rent signs on common property that is owned by the Association unless specifically permitted by the Association's Standing Rules. Any sign placed on common property may be immediately removed by the Association.

For Sale/For Rent Signs

- Only one Board-approved sign, may be placed on the home owners property.
- The sign shall be placed in a mulched area on the front lawn. The standardized, Board-approved Rivendell sign can be purchased from Sign Masters in Nokomis. A homeowner or a realtor may use this sign.
- No individual realtor signs will be allowed.
- No signs will be allowed on common property, including Old Venice Road.
- The Board has the right to take any and all available legal action against the owner to require removal of unauthorized signs.
- Flyer boxes may be attached to For Sale signs (June 20, 2006).

Contractor Signs

- Contractor signs may not be displayed on common property or on any portion of a lot. However, owners may display a sign provided by a contractor for security services, which shall be no more than two (2) feet square in size and placed with ten (10) feet of any entrance to the home.

Political Signs

- Political signs are not allowed on common areas or unit lots.

Yard Art and Objects

Any items (including but not limited to lawn chairs, swings, potted plants, small flags, statues, bird feeders, and tables) that are visible from the street, **not including areas covered by a roof**, are considered a yard object.

- New yard items must be approved by the ARC using guidelines approved by the Board of Directors.
- Residents of the Cottages, Patio Homes and Villas should copy the Neighborhood Association on all ARC request.
- Size: Not to exceed 30" high by 18" wide.
- Appropriate Material: Stone, metal, terra cotta, cement, and fabric
- Inappropriate Material: Plastic, glass, artificial plants, inflatable objects and artificial plants
- Color: Neutral or earth toned in keeping with community standards.
- Subject: Must be in keeping with the style of the home. Must not be offensive to community and family values. May be representative of, but not limited to, Florida flora and fauna.
- Cartoon characters or logos (sports or otherwise) are not acceptable.
- Location: Must be placed in a mulched area and incorporated into the planting so as to be integrated into landscaping.
- Number: 3 items maximum per home site.
- One set of lawn furniture placed behind a house, usually consisting of a table and four chairs, does not require ARC approval. However additional sets or pieces of furniture does require ARC approval.
- All lawn furniture and garden items must be removed or otherwise securely stored when the National Weather Service issues a hurricane warning for our area. Items that have not been removed may be removed by the Association at the owner's expense.
- Seasonal residents must remove and/or securely store yard furniture and items before they leave. Any damage done to, or caused by, yard art or furniture during a storm is solely the responsibility of the homeowner.
- The ARC is not required to consider what already exists in a neighbor's yard when reviewing an application.

- Pursuant to the Homeowners' Association Act, an owner may display on portable, removable U.S. Flag or official flag of the State of Florida in a respectful manner, and one portable removable official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet, which represents the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard, or a POW-MIA flag, The Board may regulate flagpoles to the fullest extent permitted by law.

Home Offices

As to what takes place inside the privacy of one's home is not the concern of the community at large, this deed restriction applies to any business, professional or commercial activity that is visible from outside the house. Specific activities that are not permitted are:

- Commercial vehicle or vehicles parked in the driveway, other than for work currently being done on the home
- Equipment, tools or supplies stored outside the house.
- Commercial refuse in front of the house.
- Unusual traffic to the house on a regular basis "On street" parking on a regular basis.

Garage Sales

- Garage sales shall be allowed with the following guidelines:
- Garage sales must be held between the hours of 9:00 AM and 5:00 PM
- Only one sign advertising the garage sale is permissible and must be located in front of the home.
- The sign must be removed the same day. Only one garage sale is permitted per year, per home.

- The garage sale can only be a one-day event.

Lampposts

- Except for the Cottages, each home site shall have installed a pre-designed, community approved mailbox with lamppost unit.
- If the mailbox lamppost is damaged or destroyed by any casualty, or if the light ceases to function, it shall be the duty of the owner to replace or repair it within 30 days of the damage or malfunction.
- If the mailbox requires repainting only, the homeowner must have it re-painted by doing one of the following:
 1. Have the mailbox refurbished or replaced by the manufacturer Nostalgic Lamppost & Mailbox Plus; nlp1677@yahoo.com; (941) 223-1677 using their proprietary paint color (Verde Black)
 2. Have the mailbox repainted by a contractor, or by themselves using a commercially available paint such as: Rustoleum Hammered Black Indoor/Outdoor Spray Paint or Krylon Dual Superbond Paint & Primer Black Hammered Indoor/Outdoor Spray Paint
 3. Faded or illegible letters/numbers must be repainted or replaced with 2 inch high white vinyl letters (eg manufactured by Hillman) on both sides of the mailbox.
 4. Burnt out light bulbs must be replaced immediately with a 60 watt rated LED bulb.
- Plantings must not interfere with lighting or operation of the mailbox.
- Colored lights are permitted only during a holiday season.

Pool Parties

A pool party is a private event held at the community pool with 8 or more people attending. All rules of the pool apply to pool parties, including holding the party between dawn and dusk, and the presence of an adult at all times. No pool party may be held after dark.

- A Pool Reservation Request form must be filled out and submitted to Lighthouse Property Management at least 7 days prior to the pool party. If two or more homeowners wish to reserve a party on the same day, the first person to hand in the Pool Request Form will receive approval.

- A refundable deposit of \$100 must accompany the Pool Reservation Request to cover the cost of any clean up required or damages incurred.
- An approved request permits exclusive use of the covered pool area. The pool will still be open to all residents.
- Food and drinks must remain under the covered pool area, and no glass is permitted. Clean up should be completed before leaving the pool area. It should include removal of all trash and furniture returned to original positions.

No Smoking at the Pool

Smoking is not allowed anywhere within the fenced area of the community pool.

Parking/Trucks

The Deed restrictions, found in the third amendment to the covenants, state where and for what length of time various kinds of vehicles may be parked within the community. No vehicle shall be parked in the community except on a paved driveway, a designated parking area, or in an enclosed garage. No vehicle shall be parked on any landscaped lot, common area or parked in a manner to block pedestrian traffic along any sidewalk. It states that all pick-up trucks and trucks must be kept fully enclosed inside an enclosed garage.

Standing Committees

The following rules will apply for the formation of Standing Committees:

- All standing committees shall have a chairperson and shall include at least one member of the Board who will also serve as Liaison to the Board. Committees will have a minimum of 3 members and maximum number to be determined by the Chair and Board Liaison.
- Committee members will have a term of 1 year, unless terminated earlier by a vote of the Board.
- Chairs of committees will be selected by a vote of the Board.

Establishment of the Architectural Review Committee

- The ARC will have a minimum of 3 and maximum of 5 members. The Board member appointed as liaison will not be a voting member of the committee.
- The Board will solicit volunteers to serve on the committee at the beginning of each year prior to the Annual Meeting.
- The new Board will vote on the approval of the ARC Chairperson and Board Liaison at the first meeting following the Annual Meeting.

Rules for the Architectural Review Committee

- ARC requests will be sent to the property management company, which will forward them to the ARC. All requests must be submitted to the property management company by the close of business on the Tuesday that is one week prior to the next ARC meeting.
- In most cases, an ARC member will visit the home requesting ARC approval prior to the ARC meeting at which the request will be considered.
- The ARC will use the Rivendell Land Use Restrictions and all standing rules as its standards. It will develop standards for requests not covered by these sets of restrictions and rules.
- The ARC will present a report to the Board of Directors every month and email a copy to the property management company. Details of the report will include homeowner name, address, nature of request and whether the request was approved or denied and the reason for the denial of the request.
- In the event that a homeowner's ARC Request is not approved, the homeowner may request a hearing before the Board. The Board may decide to review the homeowner's ARC Request and may request the ARC to grant the request additional consideration and a revote. The Board may also override the ARC's decision and approve the request.

Contracts

All new contracts and contract renewals (eg landscaping, preserve management, pond maintenance, property management etc) must have Board approval and be signed by two Board members. All expenses must be brought before Board for approval. The

Maintenance Committee has the approval to spend a maximum of \$1,000 in any given month for routine maintenance.

Propane Tanks

- All tanks must be installed by a licensed and insured contractor.
- All tank installation must meet all Sarasota County stipulations.
- All above ground tanks must be anchored to a cement pad or the house.
- All above ground tanks must be screened from the street and adjoining properties by shrubs or a fence

Vertical Tanks

- Must be located in the rear or side of the house.
- Maximum number of two tanks allowed with a total capacity of 200 gallons.
- Maximum dimension of 56 inches in height and 30 inches in diameter.

Horizontal Tanks

- One tank is allowed with a maximum capacity of 200 gallons.
- Maximum dimension of 32 inches in height, 30 inches in diameter and 96 inches long.

Buried Tanks

- One tank is allowed with a maximum capacity of 500 gallons.
- Tanks must be located a minimum of 10 feet inside of the property line.
- Tanks located in the front yard must not have a riser visible from the street.

Roof Coating Guidelines

Roof sealing:

- Color must be complimentary to the body of the house with slight variations in color and/or contrast and should be equivalent to the existing roof. Approval is at the discretion of the Architectural Review Committee.
- Colors must be neutral; light to mid-range: beiges, tans, grays, olives and corals. No blacks and no whites. (The property management company has samples of colors that have been compiled for your

convenience. Homeowners are not required to select a color from these samples, rather the samples are available as a reference tool.)

- Application of the sealant must be done by a certified contractor who has been vetted by the Architectural Review Committee. (The property management company has a list of vetted contractors or a description of the process for getting a contractor vetted.)
- Approval from the Architectural Review Committee is required prior to beginning the roof sealing process.

Homeowner Obligations and Rendering of Penalties

- Each homeowner and the homeowner's tenants, guests and invitees, and the Rivendell Community Association (RCA) are governed by Florida Statutes and the RCA governing documents.
- To assure compliance with the above, the Property Manager (PM):
 - will conduct periodic inspections of our community,
 - will issue a violation notice to any RCA member whose conduct or property is identified to be in violation, and
 - will provide the RCA Board with regular and recurring status reports on violation notices and related activities.
- A Violation Notice (VN) will;
 - provide the RCA member with the cause of the notice,
 - reference the associated rule or guideline, that has been violated;
 - advise the member that the VN is being issued in accordance with Florida Statutes;
 - request the RCA member to advise the PM in writing of the resolution of the alleged violation or an explanation of any extenuating circumstances within 14 days of the date of the VN.
- If the RCA member fails to rectify the situation or provide an acceptable explanation for the matter, the RCA Board may impose fines or suspensions in accordance with Florida Statutes. The proposed Fines shall be approved by the Board at a duly noticed Board meeting and

procedures described below. Fines may be up to \$100.00 per day, for each day of a continuing violation, up to \$1,000.00 for each violation. A fine of \$1,000.00 may become a lien on the home which can be foreclosed by the RCA. Suspensions of the right to use the Association's common facilities by the member or a member's guest, tenant, or family member must be for a reasonable period of time.

Establishment of the Rules for the Fine Administration (FAC) Committee

- A fine or suspension levied by the RCA Board may not be imposed unless the Board first provides at least 14 days notice to the parcel owner of a hearing before the RCA Fine Administration Committee (FAC).
- The FAC will have a minimum of 3 and maximum of 5 members appointed by the Board who are not officers, directors, or employees of the the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee.
- The FAC will meet at least 14 days after the Board has imposed the fine and provided such notice to the owner.
- The RCA Fine Committee will consider the evidence provided by the association, and also permit the alleged violator to present his or her arguments why a fine and/or suspension should not be affirmed. The RCA Fine Committee will vote to affirm or deny the imposition of the fine or suspension.
- If the Fine Committee, by majority vote, does not approve a proposed fine or suspension, the proposed find or suspension may not be imposed.
- The role of the committee is limited to determining whether to confirm or reject the fine or suspension levied by the Board.
- If the proposed fine or suspension levied by the Board is approved by the RCA Fine Committee, written notice of the action must be provided to the offender. The fine payment is due 5 days after the day of the FAC meeting at which the fine is approved. If the fine is not paid by the due date, the matter will be referred to the PM for collection.
- In the event a fine or suspension is not confirmed by the RCA Fine Committee, the Board may make a determination to continue with

enforcement and pursue all available remedies and damages in court to compel compliance with the restrictions.

- The FAC will present a report to the Board of Directors after every meeting of the FAC or at least once every 90 days to confirm of no actions were necessary. Details of the report will include the date of the FAC meeting, homeowners name, address, nature of the violation and whether the violation was approved or denied.

Home Rentals

- Home rentals shall be for a minimum of 90 days with a maximum of two (2) time per year.
- Rentals must be for single family, residential use and no commercial activities are permitted.
- The Owner, Rental Agent and the Renter complete a Rental Notice and Acknowledgment form and provide that information to Lighthouse Property Management prior to the move-in date. The form must be signed by the owner and the renter. In the form, the Renter agrees to abide by all the RCA's deed restrictions and standing rules.
- The Owner must provide the Renter a copy of most recent Rivendell Resident directory which contains the deed restrictions and standing rules. Copies are available at Lighthouse Property Management.
- The Owner is fully responsible for the Renter's compliance with the standing rules and deed restrictions of the Rivendell Community Association.
- Noncompliance can result in a \$100 per day fine to the Owner up to a maximum of \$1,000 per violation.

Access to Rivendell Common Ground and Ponds

- Access to common ground and areas adjacent to ponds is limited to members, lesses, and their guests only, for areas reachable from the street. Access to common areas located behind private homes, unless for the purpose of conducting HOA business, is allowed only with the homeowner's permission.

- No person shall swim in, operate watercraft on, or use any portion of the Surface Water Management System unless approved by the Board of Directors.
- Owners and their guests may fish in such areas of the Surface Water Management System as may be determined for such purposes by the Ponds and Preserves Committee and approved by the Board of Directors. Guests must be accompanied by the community member.

Low Mow Zones (LMZs) on All Pond Shorelines, Including at Homes Bordering Pond

The shorelines of all Rivendell storm water ponds are community property and are being subjected to erosion, which is made much worse when turf grass is mowed to the edge of the pond. This erosion causes loss of community property and reduces the effectiveness of our storm water management system.

- To control this erosion, Low Maintenance Zones (LMZs), consisting of a band of turf grass bordering each pond, a minimum of three feet wide, shall be installed and maintained on Rivendell mowed shorelines. This includes community-mowed shorelines as well as those at homes bordering ponds.
- Maintenance of all LMZs shall be performed by the RCA Landscape Contractor in accordance with a specific Scope-of-Work. That Scope of Work specifies that the LMZs shall be kept trimmed to a height not less than eight inches nor more than twelve inches, and shall be maintained to achieve a goal of a neat, uniform and manicured appearance.
- Homeowners or other property occupants shall not alter LMZs at shorelines bordering their property.