

San Michelle

Guide to Community Living



**Clarification of “Use Restrictions” as listed in the
San Michelle CC&R’s.**

San Michelle Homeowners' Association Guidelines for Community Living

The key to harmonious living within a community such as San Michelle is a structured set of guidelines that are equally applicable to everyone. Within the confines of your Governing Documents there exists this structure. We understand that the CC&R's as they are written are somewhat dry and can be difficult to understand. To this end, we have compiled the essence of the documents in a more understandable form and placed them here for your convenience.

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SINGLE FAMILY RESIDENTIAL USE. Homes are for residential use only. No gainful occupation, profession, trade or other non-residential use is permitted.

ANIMALS. No animal or fowl, aside from commonly recognized house pets **not exceeding three in total number**, shall be maintained on any lot within the community. Pets may not be bred for commercial or non-commercial purposes. No structure for the housing, care or confinement of animal or fowl shall be maintained so as to be visible from neighboring property and pets shall not be permitted to make an unreasonable amount of noise or create a nuisance to neighbors.

ANTENNAS. No antenna, of any sort, may be erected without the approval of the Architectural Committee.

CLOTHES DRYING FACILITIES. Outside clotheslines or other facilities for airing or drying clothes cannot be visible from neighboring property.

DISEASES AND INSECTS. No owner or resident shall permit anything or condition to exist upon the Property which shall induce, breed or harbor infectious plant diseases or noxious insects. This includes allowing swimming pools or like facilities to become breeding grounds for mosquitos or other water-borne larvae.

DRAINAGE EASEMENT. Each owner shall, at his own expense, maintain the drainage ways and channels on his Lot in proper condition free from obstruction.

DAMAGE OR DESTRUCTION OF COMMON AREA BY OWNERS, GUESTS OR TENANTS. If any portion of a common area is damaged by an owner, his tenant or guest, licensee or agent, the Association will repair such damage and bill the offending owner for all costs for same. If any portion of this balance is left unpaid after 30 days the Association will take all necessary steps, including legal action, to collect the unpaid balance. The cost of any legal action will likewise be billed back to the offending owner.

HEALTH, SAFETY AND WELFARE. The Board will, solely at its own discretion, determine if an activity constitutes a health, safety or welfare violation or hazard to the community and will act accordingly. **Posting gate codes on the call box compromises the security of the community and will result in that code being deactivated and the owner will receive an automatic \$100.00 fine.**

IMPROVEMENTS AND ALTERATIONS. Any work that in any way changes the exterior appearance of your home, whether landscaping, painting , building, altering windows, doors or other exterior alterations, and any back yard alterations that can be seen either through your view fencing or over the wall of your lot MUST be approved by the Architectural committee PRIOR to work beginning.

MACHINERY AND EQUIPMENT. No industrial machinery may be parked or stored upon any Lot, unless in support of a project that has been approved by the Architectural Committee. Slides, playground equipment, basketball poles and hoops, outdoor decks, gazebos and other such structures shall be allowed PROVIDED they are approved by the Architectural Committee.

MAINTENANCE OF LAWNS AND PLANTINGS. Installation and maintenance of side and rear yard landscape is the responsibility of the Owner. No alteration to front yard landscape is permitted. There is a citrus conservation easement affecting lots 12 through 22 and lots 47 through 55. In the event a citrus tree dies or is damaged and requires replacement it is the Owner's responsibility to do so with a comparable tree not less than a 36" box. In the event the tree is not replaced the Association may have the tree replaced and charge the cost and labor back to the violating Owner.

NUSIANCES / CONSTRUCTION ACTIVITIES. No trash, rubbish or debris may be allowed to accumulate upon or adjacent to a lot and no odors or loud noises shall be permitted to arise which can become a nuisance to neighbors or neighboring property.

OVERHANGS. No trees, shrubs or other plantings shall be allowed to overhang or otherwise encroach upon neighboring property or common area from ground level to a height of 12 feet.

STREET PARKING. Street parking is prohibited between the hours of 6 PM to 8 AM. Vehicles of all residents, Owners, guests and invitees shall be parked in garages, driveways or other parking areas designated by the Board of Directors. Overnight on-street parking will not be permitted. A designated overflow/overnight parking area for passenger cars/light trucks/ SUV's is located on the west side of S. 53rd Street between Harmony and Hilton. No commercial vehicles, trailers, RV's and/or boats are permitted to be parked in this area. Parking on the east side of the street is no longer permitted by order of the Fire Marshall. Special use permits are available to residents in good standing on a per-event basis. Violators are subject to tow at the owner's expense. The Association accepts no responsibility for towing or damage to vehicles while being towed. The Association accepts no responsibility for storage charges, damage to vehicles while in storage or attorney fees that may arise from litigation.

RIGHT OF ENTRY. Members of the Board or Architectural Committee shall have the right to enter and inspect any buildings or improvements to satisfy compliance with the documents during reasonable hours and with reasonable notice.

REPAIR OF BUILDINGS. No building or improvement thereon shall be permitted to fall into disrepair. All buildings and improvements will be adequately painted or otherwise finished. Driveways shall be kept clean and free from oil and debris.

SIGNS. No signs, unless otherwise permitted by law, shall be permitted on any lot. For Sale and For Rent signs, professionally made and no larger than the industry standard of 24" X 18" with no more than one (1) rider may be displayed.

STORAGE SHEDS. Storage sheds shall not exceed 6" in height or be visible from the street or adjoining property. Storage sheds must be painted the same color as the house.

TEMPORARY OCCUPANCY. No temporary building, structure or vehicle of any kind shall be used as a residence, either temporarily or permanent.

TRAILERS, BOATS, AIRCRAFT AND MOTOR VEHICLES. No vehicle classified by the manufacturer with a rating exceeding one (1) ton, mobile home, trailer, camper shell, boat, boat trailer or hang glider or other similar equipment or vehicle may be parked, stored, maintained, constructed, reconstructed or repaired on any lot, street or common area located within the community. No inoperable vehicle shall be parked within the community at any time.

These Guidelines may be from time to time updated, added to, changed or items omitted by the Board of Directors in order to comply with changing laws or circumstances within the neighborhood.