

Summary of Standards for Appearance of Property (Annotated)

[Specific section references are not included since the numbers vary.]

- All projects shall be completed in a timely fashion and if required will have the appropriate ACC permit. [The Covenants specifically require permits from the ACC for any “building, structure or improvements of any nature.”]
- Any building materials used will be visible only during that construction and will be stored only on the property. [The Covenants specifically restrict “building materials” from being placed on lots except during actual construction and in any event within the property lines.]
- No lot shall be used as a dumping ground for rubbish or trash. [The Covenants specifically prohibit any lot from being used as “a dumping ground for rubbish or trash.”]
- Garbage shall be kept only in the sanitary City-provided containers. These containers will be kept out of view of the street or the canal and **put out no earlier than 7PM on the day before pickup and removed no later than midnight on pick-up day.** [The Covenants section on garbage specifies that containers “shall be stored so as not to be seen from a street.” The ACC and the Board may determine by a standard or rule what is the time period between “stored” and placed out for pick-up, and the specified standard basically tracks the City Code on this subject.]
- Weeds shall be removed from yards, whether grass, rock or concrete, on a regular basis. **No weeds shall be allowed to grow under or around any parked vehicles or trailers. No grass or weeds on occupied or vacant lots shall grow higher than twelve inches before being mowed.** [The Covenants section on “Upkeep” requires owners to “keep the weeds out of the particular property owned by him and shall not permit the accumulation of trash, rubbish or other unsightly articles on the premises, the easement or in the street abutting same.” The ACC and the Board may require owners to “keep the weeds out” and determine that high grass and weeds are “unsightly articles” on premises. The 12-inches standard also is required in City Code Section 23-70.]
- **All shrubbery, plantings, and trees shall be maintained by trimming or pruning as needed. Palm trees shall be regularly trimmed to remove their brown fronds.** [As noted above, the Covenants section on “Upkeep” requires owners to “not permit the accumulation of trash, rubbish or other unsightly articles on the premises, the easement or in the street abutting same.” The ACC and the Board may determine that untrimmed shrubbery, plantings, trees and brown palm fronds are “unsightly articles” on premises.]
 - **As rock yards become older, the plastic barrier begins to show which sometimes is caused by driving or parking vehicles on the rock area. This problem shall be remedied by adding more rock to the area or by replacing the rock with another material.** [As noted above, the Covenants section on “Upkeep” requires owners to “not permit the accumulation of trash, rubbish or other unsightly articles on the premises, the easement or in the street abutting same.” The ACC and the Board may determine that exposures of the plastic barrier under rock areas are “unsightly articles” on premises.]
- **The front yard and driveway shall remain clear of any sports equipment, folding chairs, tables, bicycles and toys when not in use. Any grills used in the front yard should be removed and stored behind the fence or in the garage when grilling is finished.** [As noted above, the Covenants section on “Upkeep”

requires owners to “not permit the accumulation of trash, rubbish or other unsightly articles on the premises, the easement or in the street abutting same.” The ACC and the Board may determine that sports equipment, folding chairs, tables, bicycles, toys and grills when not in use and left in front of residences are “unsightly articles” on premises.]

- No clothes lines shall be erected on any property except in **screened areas** as permitted by the ACC. [The Covenants section on clothes lines specifies that they are allowed only in screened areas.]
- No antennas or wires from antennas shall be erected or maintained on any tract forward of the front building line on any property. [The Covenants specifically restrict antennas and wires from antennas in this manner.]
- **All boat docks and decks shall be maintained for safety and appearance. Any rotting or sagging boards should be removed and replaced with new boards. (Rotten boards often end up in the canals.)** [The Covenant provisions on ACC review and approval of buildings, structures and other improvements include docks and decks, and no changes may be made to the approved plans and specifications without the approval of the ACC. Allowing rotting and sagging boards to exist not only constitutes a change from the approved plans but also is likely to result in the discharge of items into the canals which is more fully addressed below.]
- **Nothing shall be thrown or dumped into the canals, including limbs, leaves, grass clippings, fish remains, pet waste or any other foreign matter.** [The canals are common areas owned and controlled by the POA which may prohibit dumping of items onto common areas. The Covenants further prohibit any activity that would constitute a nuisance, and dumping refuse in the canals would quickly result in a nuisance by any standard. Additionally, both the City Code and federal law prohibit dumping materials into navigable waters.]
- **All fences and walls shall be maintained for safety, security and appearance. Repairing or rebuilding fences and walls should follow the ACC standards and any changes require a permit from the ACC.** [The Covenants in “Fences or Walls” specify that “no fence or wall shall be erected, placed, altered or maintained on any building site nearer to the street lot line than the front building line” and “all fences shall be subject to approval by the Committee.” The ACC has prescribed standards, permit procedures and maintenance requirements for fences as specified.]
- **Any painted surface shall be maintained in good condition. House trim, garage doors, windows and doors shall be painted as needed so as to maintain a harmonious image when viewed from the street.** [The Covenants in the provisions on ACC review and approval of “buildings, structures and improvements” specify that the external design is subject to approval for “harmony with existing structures’ and that no changes may be made to the approved plans and specifications without the approval of the ACC. Allowing exterior finishes to change due to lack of maintenance would be a change within the purview of the ACC.]

Note: The Covenants specifically authorize the ACC to “have the authority to interpret the general intent, effect and purpose of these restrictions.”