

- MARKUP #1 ->
6. Tarpaulins may be used to mitigate roof leak issues for a period not to exceed 60 calendar days. Leaking roofs need to be repaired or replaced promptly.

7. ARC written approval is mandatory prior to contracting for a new roof. Forms are available on the association's website: theheritageoaks.net (homeowner's portal). Select the form appropriate to the type of roof material being requested.

8. All work must be done by a licensed and insured professional roofing company. A refundable deposit from the contractor must be made to the HOA office prior to starting the project.

D. LANDSCAPING AND OTHER OUTSIDE REQUIREMENTS

1. All lots must be fully landscaped and sodded with live grass or approved perennial plants from the street to the rear property lone. Lots on the lakes, or the river must be sodded to the high-water line. Stones or gravel, no matter the size or color, may not line the perimeter of the homeowner's lot along the roadway. Stones may be used as a replacement for mulch in some cases and with prior approval of the ARC. The homeowner must maintain the extensive weeding of the areas where stones or gravel are used.

2. Shrubs are not to be planted closer than 3 feet of the property lines, except when shielding a fence; trees no closer than 6 feet.

3. The Homeowner's Association is responsible for maintaining (pruning, removal, replacement) Oak and Bischofia trees lining the road. If a homeowner believes such trees on their property need attention, they must notify the Heritage Oaks Properly Manager in writing.

4. An automatic irrigation/sprinkle system is a requirement for all property owners of Heritage Oaks. If water to the irrigation/sprinkler system is supplied by a well, the well must be a deep enough - - more than 100 ft. deep - - so that the water is iron free, or must be made iron free with a chemical filter system.

ISSUE #1

5. No faux boxwood or grass will be placed on a house, fence, or garage exterior.

6. Installation of artificial turf in the backyard is permitted with the approval of the Architectural Review Committee. The artificial turf must be located so it cannot be directly seen from the street or adjacent neighbors' yards, and if on an interior lake, the placement must meet the same standards as natural grass. ~~Installation of artificial turf on the front or sides of the home's property is prohibited.~~ Proper maintenance must be maintained.

7. Solar panels may be installed on a homeowner's roof with prior approval of the ARC. The application seeks information to determine the specific location where solar collectors may be installed on the roof within an orientation to the south or within 45 degrees east or west of due south if such determination does not impair the effective operation of the solar collectors. The panels should be installed to minimize seeing them from the home's frontage. Refer to Florida Statue 163.04 for further information. Use ARC Form for Solar Panels.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE BOARD & COUNSEL REVIEW

Sec. 5 (p. 22): Covenant restricts storing or installing items in rear/fenced areas not visible from the parcel frontage in direct violation of Fla. Stat. § 720.3045.

Statutory / Legal Reference: Fla. Stat. § 720.3045

Statutory Comparison: Regardless of any covenants or restrictions in the governing documents, Fla. Stat. § 720.3045 prohibits an HOA from restricting parcel owners or their tenants from installing, displaying, or storing any items on a parcel which are not visible from the parcel's frontage or an adjacent parcel, including artificial turf, boats, RVs, and vegetable gardens.

CURRENT WORDING IN DOCUMENT:

No faux boxwood or grass will be placed on a house, fence, or garage exterior. 6. Installation of artificial turf in the backyard is permitted with the approval of the Architectural Review Committee. The artificial turf must be located so it cannot be directly seen from the street or adjacent neighbors' yards, and if on an interior lake, the placement must meet the same standards as natural grass.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Fla. Stat. § 720.3045, this restriction shall not apply to any items, artificial turf, recreational vehicles, boats, or gardens installed, displayed, or stored on a parcel that are not visible from the parcel's frontage or an adjacent parcel.