

Fountains HOA Covenant Summary

Revised: August 29, 2018

The purpose of this Fountains HOA (FHOA) Covenant Summary is to:

- Clarify required FHOA approval process for modifications to property
- Define modifications to property that require FHOA approval
- Communicate FHOA covenant restrictions
- Outline process for addressing violation of FHOA covenant restrictions
- Outline procedures for collecting delinquent FHOA dues
- This is an abbreviated version of the FHOA covenants and was developed for ease of use by FHOA members. Please refer to Covenants, By-Laws and Policy Statements on www.fountainshoa1.com or to FHOA documents delivered to home owners at closing of their property.

Required FHOA Approval Process for Modifications to Property

All buildings and structures require FHOA approval:

- FHOA has the right to approve the plans and specifications and to control the buildings and structures placed on each lot.
- If plans and specifications are not reviewed and approved by the FHOA Board, homeowners run the risk of non-compliance.
- If covenants or restrictions have been violated, the FHOA can request the homeowner to cure/remedy the violation.
- Fines can be assessed in accordance with Florida Statutes for failure to cure/remedy a violation.
- Florida friendly landscaping outlined in Florida Statutes may override environmental-related FHOA covenants.

The owner/occupant is responsible for submitting plans and specifications to the FHOA board for approval per the following process, per Policy Statement Seven, Covenant Compliance, Responsibilities of Homeowners for Modifications to Property, updated May 21, 2018, section 5a:

1. Contact FHOA via email at fountainshoa1@gmail.com or via mail to FHOA PO Box 372291, Satellite Beach, FL 32937 or contact an FHOA Board Member and provide:
 - a. Completed FHOA Modification to Property Request form, including:
 - i. Project / scope description
 - ii. Detailed plans
 - iii. Photocopy of permit application
2. FHOA to respond within 48 hours to acknowledge request and advise of any incomplete items.
3. FHOA to respond with requested changes, comments or approval within 10 business days.

The owner/occupant is responsible for submitting plans and specifications to the FHOA board for approval prior for the following items per FHOA Covenants:

Fountains HOA Approval Required:

Category	Description	Covenant Reference
Constructed, attached or unattached buildings	New construction homes, additional rooms, garage, tool or storage rooms	Section 5, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012 and Section 4, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Signs in yard larger than 2'x3'	Example: Contractor/permit sign	Section 8, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Required Set Back, all lots	Front – 25' Side – 10' Rear – 15'	Section 6, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Minimum size of residence	All residences must be larger than 1,850 SF.	Section 9, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Garage	Attached or unattached garage only, no carports.	Section 9, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Walls, fence, hedges	Fences must be 6' or less.	Section 4 and 10, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Walls, fence, hedges within 25 feet of canal	FHOA and the adjacent property owner must also approve in writing if wall/fence higher than 3 feet shall be erected within 25 feet of canals unless a chain link fence. In all cases, fences must be 6' or less.	Section 4 and 10, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Boathouse, dock, pier, piling (seawalls)		Section 4, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Antennas		Section 4, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Exterior Painting	Paint color consistent with neighborhood and inherent to an upscale waterfront community.	Section 4, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Roofs	All roofs must be pitched. If tile or	Section 15, Revitalized Declaration of

	cedar shake shingle, material approved via covenants. All other materials require FHOA approval.	Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
Driveways	Concrete type surfacing or paver stone	Section 5, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012

Fountains HOA Covenant Restrictions

Restrictions	Allowed in FHOA?	Covenant Reference
Overnight parking on public right of way in any manner that might hinder normal traffic flow or affect ambiance of neighborhood	No – restricted in FHOA	Section 7, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Horses, cattle, pigs, goats, poultry or fowl	No – restricted in FHOA	Section 12, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
More than 3 household pets	No – restricted in FHOA	Section 12, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Pets allowed to run loose on streets	No – restricted in FHOA	Section 12, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Clotheslines	Must be screened from view of all adjoining lots and streets	Section 12, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
AC units	Must not be visible from street	Section 12, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Signs in yard	12" x 18" or 12"x12" allowed. Example: house for sale, garage sale, vendor signs	Section 8, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Candidate endorsement /political signs in yard	18"x 24" max. Posted in yard no earlier than 60 days prior to election and removed from property within 24 hours after election.	Section 8, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Trash cans, storage tanks, swimming pool filters, etc.	Must be concealed by hedges, screen or lattice work and cannot be visible by street.	
Trash can / recycling bins	Must be stored in concealed area and not visible by street.	Section 12, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012

Fixed basketball backboards / game apparatus	Allowed only in rear of dwelling	Section 17, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Mobile basketball backboards/games	Must move after 14 days without use; no unreasonable noise or undo disturbance	Section 17, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Sprinkler system	All lots to have a functioning, underground sprinkler system to irrigate lot and sidewalk to street curb	Section 20, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Landscaping	Lawns must be maintained in good condition and in line with standards of the Fountains as determined by FHOA. Homeowners should use Florida-friendly landscaping when upgrading or replanting shrubs on their lot.	Section 20, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Lawn Maintenance between curb and sidewalk	No shrubs allowed, only trees. All lots must be sodded, including the area reserved for right-of-way between curb and sidewalk. Home owner responsible for maintenance of area between curb and sidewalk.	Section 19, Revitalized Declaration of Restrictions, Limitations, Conditions and Agreements of the Fountains, Unit II and III, dated 4/22/2011
RVs, Boats, Boat Trailers, Campers	Not on driveway, not blocking sidewalk and screened from view of street	Section 7, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Living/sleeping in RVs when parked or stored at house	No – restricted in FHOA	Section 7, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Temporary Maintenance/cleaning of Boats, trailers, recreational equipment on driveways	Allowed, but cannot remain parked on driveway for more than seven (7) consecutive days	Section 7, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Unlicensed or non-operative motor vehicles	No unlicensed or non-operative motor vehicle may be parked on any lot.	Section 7, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Nuisances	Nothing shall be done on any lot which may be or become an annoyance or nuisance to the neighborhood.	Section 12, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012
Maintenance of Property	Owners shall properly maintain and keep in good condition and repair the lot, residence and	Section 16, 1 st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012

	improvements. Esthetic condition of each lot, residence and improvements shall be maintained to standards inherent to an upscale waterfront community.	
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Process for Violation of FHOA Covenant Restrictions

Policy Seven, Covenant Compliance, Procedures for Encouraging Compliance with Covenants Policy Seven, updated November 5th, section 5c.

- 1) First notice provided in writing to inform homeowner of an FHOA violation, cite corrective action to bring issue into compliance and inform homeowner of potential consequences for failing to comply with provisions and restrictions of the covenants within 30 days of notice without request for extension to FHOA Board.
- 2) Second and final notice provided to cite previous notice, cite corrective action to bring issue into compliance and inform homeowner of potential consequences for failing to comply with provisions and restrictions of the covenants within 15 days of notice.
- 3) Upon failure of homeowner to respond to first and second notice, the Board of Directors shall employ legal counsel to initiate enforcement actions.
- 4) If violation not addressed within 15 days second and final notice, FHOA can proceed to collecting fines at rate prescribed in Florida State Statutes. Section 22, 1st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012.

Procedures for Collecting Delinquent Dues - FHOA Annual Assessment (Homeowners dues), Policy Statement Three, Fiscal Procedures, 5/6/2013, section 3a. Section 23, 1st Amendment to Revitalized Declaration of Restrictions dated 5/9/2012:

- 1) 30 days delinquent on FHOA assessment (dues): reminder statement mailed to homeowners
- 2) 60 days delinquent on FHOA assessment (dues): FHOA can assess interest from date of delinquency at rate prescribed in Florida State Statutes and the cost of collection.