

**EASTLAKES PROPERTY OWNERS' ASSOCIATION, INC.**  
**RULES AND REGULATIONS**  
Revised September 21, 2017

**GOVERNING DOCUMENTS:**

The legal documents which control all of the properties in the Eastpointe Community, including the condominiums, are the Declaration of Restrictive Covenants, the Articles of Incorporation, and the By-laws, all of which were amended and restated in 2002, adopted by a majority vote of the residents at the Annual Meeting of the Eastpointe Home Owners' Association (HOA) on December 9, 2002, and duly recorded in the Public Records of Palm Beach County. The HOA is responsible for all matters which affect the entire community, including security, cable contract, road maintenance, and landscape maintenance of the entrances and various common areas which were not deeded to the Eastpointe Property Owners' Association (EPOA) and the Eastlakes Property Owners' Association (ELPOA). Responsibility for all other matters, including architectural control, was assigned to the two property Associations. These Rules and Regulations are intended to summarize the principal issues spelled out in the formal documents which affect the Ownership of property within our community.

**POLICIES AND PROCEDURES OF THE ARCHITECTURAL CONTROL COMMITTEE (hereinafter "ACC"):**

Any modifications to the exterior of your home (painting, roof repair/replacement, planting, fences, etc.) must be approved by the ACC before you begin your project.

The committee meets once a month, so it may take 30 days to process your request for approval.

**APPROVAL FOR CHANGES TO HOME EXTERIORS:**

All changes to the exterior of homes require approval by the ACC of the Eastlakes Property Owners' Association (ELPOA). This includes, but is not limited to:

- Painting
- Roof replacement
- Patio upgrades or additions
- Screen enclosures
- Landscaping changes
- Privacy walls
- Driveway painting/restorations
- Any other exterior modification

**PRE-APPROVAL PROCEDURE:**

Home Owner applicants desiring a change to their home's exterior shall:

1. Obtain a change request form from the ELPOA office manager or website.
2. Follow the form instructions and provide the requested information.
3. Submit the form and any follow-up questions to the ELPOA office manager.

The ELPOA manager, in consultation with the ACC Chairperson shall:

4. Schedule a meeting of the ACC to review all outstanding requests.
5. The ACC will solicit comments from neighbors for any changes that may impact them from their vantage point. Although neighbors do not have veto power over a project, the ACC will seriously consider their input in order to determine the best option(s) for the community.

**POST-APPROVAL PROCEDURE:**

1. If approved, written notification will be given to the Owner with a copy to be given to the contractor doing the work.
2. The contractor shall make the approval notice available to the Property Manager or a security officer upon request.
3. Any affected neighbors will be informed upon approval of a project.
4. Appeals or grievances shall be submitted to the ACC within ten (10) days of notification of the approval.
5. Such appeals will be referred to the ELPOA Appeals Committee. Information regarding appeals shall be available for review in the ELPOA office.

**I. RESIDENTIAL UNITS:****a. MAINTENANCE:**

Owners are responsible for the maintenance of their property and repair of deficiencies which affect proper external appearance. This includes the house exterior, roofs, driveways, divider/privacy walls on one's property; fences, gutters and mailboxes. Owners are required to maintain the curb appeal of their residence so that discoloration, rust, mold and deterioration are not visible.

**b. PRIVACY WALLS/DIVIDERS/FENCES:**

In most cases, a privacy wall/divider/fence is exclusively on an Owner's property and it is then exclusively that Owner's responsibility. In other situations, privacy walls/dividers/fences on the property line shall be the joint responsibility of the affected neighbors. The final decision involving a privacy wall/divider/fence replacement is subject to approval by the ACC.

In cases where a privacy wall/divider/fence is on a property line in accordance with a legal survey/plot plan and needs to be replaced, it can only be replaced with a privacy wall/divider/fence to match the existing and the Owner(s) shall be responsible for obtaining County Zoning/Building Department approval as well as ACC approval.

In lieu of a privacy wall/divider/fence that is not on a property line, a proper and approved shrub line equivalent in height to the five foot (5') original divider MAY in certain instances be planted, so at maturity it restores adequate privacy to an abutting neighbor. An application for the selection of shrubs must be submitted to the ACC.

When it is not clear on which property the privacy wall/divider/fence lies the inquiring Owner is responsible for having a survey performed to determine the location of a property line.

All fences or property borders are subject to approval by the ACC. Materials generally considered appropriate are: PVC plastic fences, factory painted metal fences, wood fences and hedges of five feet (5') high to provide privacy. Chain link fences are not permitted and pointed tops should be avoided.

**c. COMMON ELEMENTS:**

In certain cases, some Owners have common elements, such as a common driveway, turnaround area or parking area with a single driveway entrance from the roadway which are designated for the exclusive use by a limited number of Owners, their guests, service personnel and invitees. The Owners which are served by those common areas are jointly responsible for the maintenance of the paved areas of those elements. Said maintenance includes cleaning, painting and any other maintenance and improvements, but does not include maintenance or replacement of sodded or landscaped areas contained within the paved areas. If the Owners responsible fail to maintain the paved areas of those elements, then after thirty (30) days written notice to the Owners, the Property Association, if desired, may perform such maintenance and bill the costs thereof to the Owners.

**II. IRRIGATION/LANDSCAPING:****a. IRRIGATION:** The irrigation for the majority of the homes is drawn from the lakes, runs in zones and is shared. Modifications to the irrigation can greatly affect the proper watering of other properties. Any modification to the irrigation must be approved by the ACC prior to making the modification.

When drought conditions prevail, the Association is not responsible for any sod, plants or trees on private property.

Occasionally there are main irrigation water lines that break and need repair. Plants and trees sometimes are directly over or near the water line break and have to be cut back or removed to make the repair. The

Association and/or the Irrigation repair contractor will not be responsible for the replacement of any plants or trees that need to be cut back or removed to make the repair.

Residents on *Palm Grove Place and Palm Grove Court* draw the irrigation from a well which can leave a rusty/iron color on the property. The Association is not responsible for the removal of the rust/iron stains.

- b. LANDSCAPING:** Any modification or additional landscaping on a property requires prior approval from the ACC. The Association and/or Landscape contractor will not be responsible for any unapproved landscaping or plantings. Owner will be responsible for any damage to the irrigation lines or parts.

Owners are responsible for the removal of all trees on private property, even when uprooted or damaged by winds or flooding and the removal of debris from storms. The Association may arrange for this work to be done by a contractor, especially if the Owner is away and the Owner will be billed for the cost of this service.

No live tree on an individual’s property or on common ground may be removed without the approval of the ACC, and under certain conditions, the approval of the County may be required. A replacement tree(s) will be required, if deemed necessary.

Owners are responsible for the maintenance and optimal appearance of their property so that unsightly areas, dead plantings and sod are removed and landscaping is restored to the original appearance.

Owners who install additional plants/exotics which require added watering will need to hand water or use a soaker hose between regular irrigation schedules. In these cases it is recommended that the Owners install their own watering system. The Association and/or Landscape contractor are not responsible for the loss of plants/exotics due to lack of watering.

Owners who contract their own landscape company for trimming must contact the office to put in a “do not trim” order. The Association landscape contractor will not trim ANY bushes/plants on the property. No exceptions. If additional trimming is needed to bring the bushes/plants back to a manageable level the Owner will be billed for this service.

Tree Trimming – Owners are responsible for trimming hardwood trees/palms/hedges, etc. over 8’ tall. The Association trims the tall \*palm trees one time per year in the spring or early summer.

\*(Coconut Palms, Washingtonia Palms, Queen Palms, Sable Palms and all tall Chinese Fan Palms).

Fruit Trees – maintenance is the responsibility of the Owner.

**III. HURRICANE PANELS/SHUTTERS:**

Approved hurricane protection for homes can include accordion metal or vinyl shutters, metal panels painted to coordinate with a home’s exterior color, clear lexon panels, and fabric/material shutters and must be approved by the ACC before installation.

During the official hurricane season from June 1st to November 30th seasonal Owners may put up approved hurricane protection for the duration of their absence, but not before June 1st nor after November 30th.

When there is a hurricane forecast or warning issued by the National Hurricane Service, Owners may put up hurricane protection. Such protection must be removed within seven days after the hurricane passes.

It is the responsibility of the Owner to make all arrangements for the installation and removal of hurricane protection.

**IV. PAINTING:**

**HOUSE EXTERIORS:** The ACC suggests that houses adjacent to one another shall not be painted in the same color. The intent is to promulgate variety (within the framework of the approved color schemes), with the following exceptions:

- Houses from 13114 through 13222 Touchstone Place, which shall have roof replacement and repainting to match the existing colors (white walls, red terra cotta tile roofs).
- Houses along Palm Grove Court shall be uniform in color and shall maintain the current color.
- Attached homes (“courtyard” or “patio” houses) - If one house is painted an effort shall be made to have the other adjoining house, garage and trim painted at the same time, in the same approved color with the same detailing.

Approved exterior paint colors for houses are available at the Eastlakes POA office.

Other colors may be allowed if similar to the approved paint colors and submitted to the office and approved by the ACC.

The ACC’s policy is to avoid dark colors for the body of houses.

**GARAGE DOORS:** Approved colors for garage doors and trim around door openings: Generally, body color so that door blends into the overall house color or trim color if white or light color.

**DRIVEWAYS:** There are a limited number of approved driveway stain/paint colors that are available in the office. Driveways can also be sandblasted, left natural and/or coated with a clear sealer. Paver driveways are also permitted with the prior approval of the ACC.

**V. ROOFS:** The following roofing materials are allowed: Factory painted precast concrete tiles, factory coated metal roof tiles in barrel vaulted or shingle configurations, terra cotta tiles of adequate strength (in barrel vaulted shapes) and ceramic coated roof tiles in barrel vaulted or shingle shapes. Asphalt shingles may be used where the existing roof consists of asphalt shingles (generally the “courtyard” or “patio” homes along Touchstone Place and Crosspointe Drive, homes on Touchstone Court and Touchstone Circle and homes along Palm Grove and South Pine Courts.)

Owners with concrete tile roofs will be allowed to paint them with prior approval of the ACC.

It is the intent of the ACC that roofs of adjacent houses can be different materials or shapes in different colors (with the exception of the houses with asphalt shingles, which shall harmonize with adjacent and/or attached houses such as the “patio” houses referenced above.)

Where two houses are attached to one another with a common party wall and common roof, which is unique to the “courtyard” or “patio” houses referenced above, where the roof of one house is in need of repair and needs to be replaced, the roofs of both houses shall be replaced with the same roofing material at the same time, and each Owner shall bear the cost of replacing his or her own roof. This is because the center section of roof on both houses is one contiguous roof and the roof on one house cannot be replaced without replacing the roof of the other and maintain guarantees against leakage of the roof of the house whose roof is not replaced.

**VI. TEMPORARY TARPAULINS: (Tarps)**

Where required as temporary roofs, temporary tarpaulins shall be removed in a timely manner so as not to become an “eyesore” to the community. The ACC shall determine what constitutes “timely”.

**VII. MAILBOXES & POSTS:** All mailboxes and posts shall be maintained in good condition by the Owner. Approval from ACC is required before replacement mailbox and/or post installation.

The standards set by the ACC are as follows:

- Mailboxes shall be plain white metal. Plastic and all-in-one type mailboxes are prohibited.
- Installations shall comply with USPS regulations.
- Mailboxes shall not be obstructed in any way, including plantings.
- Posts shall be white wood or white metal. Plastic posts and post covers are prohibited.
- When boxes are in a group of more than one, they shall match the existing adjacent boxes.

**VIII. EXTERNAL INSTALLATIONS/EQUIPMENT:** Antennas external to a house are prohibited, except for any antenna or satellite dish stated to be allowable by federal, state or local law. In those cases, it is expected that the Owner will cooperate with the ACC to choose an installation and landscaping which minimizes its being an eyesore to the community.

Water conditioners, emergency generators, air conditioning units (individual through the wall room air conditioner and/or condenser/compressors) and other equipment placed on the exterior of a home must be approved by the ACC and may be subject to County approval. Permits, where required, shall be obtained. Landscaping required to conceal the external installations must also be approved by the ACC.

**IX. MISCELLANEOUS:**

**COMMERCIAL WORK:** Workers will be allowed on property at 7:30 AM, but may not begin outside work until 7:45 AM. Workers must be off property by 6:00 PM. No commercial work may be performed on Sundays unless specific approval has been given in advance by the property manager. Emergency repairs by an accredited/licensed contractor may be performed on Sundays without prior permission. The Owner shall be responsible for notifying security of the name and approximate time of arrival of the contractor.

**COMMUNITY TELEVISION CHANNEL OR WEBSITE:** Channel 63 and the website provides further detailed information concerning our community, including ongoing activities. You can visit the Eastlakes website at [www.eastlakespoa.com](http://www.eastlakespoa.com)

**DUMPSTERS, PODS, PORTABLE TOILETS FOR CONSTRUCTION PURPOSES:** Require prior approval from the ACC and cannot be on a property for more than 14 days. Unless, required by the County.

**GARAGE SALES** are not permitted.

**GARBAGE, TRASH, AND RECYCLABLE MATERIAL AND RECEPTACLES** shall be kept within the residential unit garage or carport, except for the day of collection. All receptacles must be taken back in on the day of collection before 10:00 PM. If the Owner has a physical limitation which require Assistance to put out the receptacle the day before, the Owner must apply for approval to the Board.

**HOLIDAY LIGHTING/DISPLAYS** are permitted one week prior to the holiday and must be removed one week after the holiday ends. Christmas lighting and displays are permitted after the Thanksgiving holiday and must be removed one-week post-holiday. Owners may not leave unmonitored holiday lights or displays unattended or on a timer if they are not in residence for an extended period of one week or more.

**HOUSE NUMBERS/PLAQUES:** Every detached residence shall have a house number at least four inches high displayed above the garage door or on the house in conformity with the fire regulations. A plaque, not exceeding one (1) square foot in area indicating the name of the occupant is permitted.

**MOTOR VEHICLES:** A vehicle's designation as stated on the State issued registration shall determine whether it is an authorized or restricted vehicle.

1. All vehicles parked on any lot or driveway shall be operable and in good repair and have a valid government issued vehicle registration.
2. No maintenance or repair shall be performed on any motor vehicles, boat, or trailer of any kind unless such placement, parking, storage or maintenance is within a garage so that the same is totally removed from public view.
3. Only passenger vehicles used for non-commercial passenger use are allowed. Passenger pickup trucks are permitted providing there is no property in the open bed.
4. Commercial pick-up trucks of any size, panel vans, trailers, semi-trucks, buses, stretch limousines or vehicles with commercial license plates or signs must be off property by 6:00 PM.
5. Boats and trailers, recreational vehicles (RV), mobile homes, truck mounted campers, camper trailers, travel trailers are not permitted.
6. Additional prohibited vehicles include: motorcycles, motorized scooters, mopeds, all-terrain vehicles, off road vehicles, dune or swamp buggies.
7. No vehicle of any kind shall be parked on the grass
8. The number of cars parked in a driveway cannot exceed the space of the driveway
9. Golf carts are to be garaged at day's end.

**NUISANCES:** Nothing may be done or retained on property which can become a nuisance to neighbors.

**PETS/ANIMALS:**

1. No animals, birds or other creatures shall be maintained on any portion of the residential property for any commercial use or purpose.
2. The number of allowable pets shall not exceed two.
3. All pets are required to be on a leash when outside of the Owner's premises.
4. Pet excrement must be removed immediately by the Owner.
5. Pets must be walked on Owner's or common property, not golf course or neighbor's property.
6. Pets must not become a nuisance to other residents, such as a dog that barks excessively.
7. Wildlife is not to be fed, harassed, injured or killed.

**RECREATIONAL EQUIPMENT: PLAYHOUSES, SWINGS, GYMS, SANDBOXES, BASKETBALL HOOPS AND DOGHOUSES,** must not be visible from the street and require prior approval from the ACC. All basketball hoops and children's toys in the front of the house must be housed or garaged at the end of the day.

**SCULPTURES, BIRDBATHS, FOUNTAINS, AND DECORATIVE OBJECTS** shall not be placed on the property without the approval of the ACC. The Association and/or landscape contractor will not be responsible for replacement of any items damaged or missing if prior approval has not been granted.

**SIGNS:** Except for signs which the Association is required to post, install, or monitor by law, or otherwise deems necessary to promote the health, safety and welfare of its members, all other signs are specifically prohibited, except as may be approved by the ACC. Security alarm monitoring signs no larger than 2 feet from the ground are permitted.

**TOOL SHEDS, TENTS, SHACKS, TRAILERS, GREEN HOUSES:** No structure shall be erected, placed or permitted to remain on any lot other than a single private detached residential unit, with an attached garage or attached or detached carport. Prior approval from the ACC is required.

**NOTE: THE EASTPOINTE HOME OWNERS' ASSOCIATION ALSO HAS RULES AND REGULATIONS WHICH CONTAIN ADDITIONAL INFORMATION FOR ALL HOME OWNERS.**

**ENFORCEMENT:**

Non-Approval/Deficiency(s)

It is expected that all Owners will maintain their property according to the ACC standards, even when they are not in residence. Failure to comply with these standards shall subject the Owner to established enforcement procedures.

When the ACC, or the Property Manager acting for the ACC, determines that an Owner has not complied with the Approval Procedure or that a property requires corrective action, a letter is sent giving the Owner thirty (30) days to correct the deficiency on the property. Consideration is given to any extenuating circumstances. If the Owner has not corrected the deficiency after this notice, a second notice is sent, giving the Owner fourteen (14) days to correct the deficiency. A fine of \$50 per day up to a maximum of \$1,000 may be imposed.

Violations

The Association is empowered to impose fines if an Owner does not correct a violation after the second notice. Fines to the extent permitted by the applicable Statute may be imposed in such cases. Each and every violation shall be the responsibility of the Owner regardless of whether the offending party is the Owner or the Owner’s tenant, family members, agent, guest or invitee.

Violations that are subject to fine will be indicated on the Violation Notice:

Any violation subject to fine:

- First notice of violation - Written notice
- Second notice of violation - \$25.00 fine
- Third notice of violation - \$50.00 fine per day or per violation
- Any violation thereafter - \$100.00 fine per day or per violation

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It must be emphasized that the Property Association may exercise its right to enter a property and clean, paint, remove unsightly items, and repair structural deficiencies which affect proper external appearance, when the Owner has neglected or refused to do so after being given due notice. The Owner shall pay the costs incurred by this action by the Association.

If an Owner neglects to pay the above referenced fines and/or costs, the Association shall have the right to pursue payment in the County Court system.