

WELCOME TO MARTIN'S CROSSING HOA, INC.



REVISION HISTORY		
REVISION NUMBER	DATE ADOPTED	EFFECTIVE DATE
0	27 APRIL 2017	01 JULY 2017

GENERAL INFORMATION

1. The following rules and regulations have been approved by the Martin's Crossing Homeowners Association (MCHOA) Board of Directors. All MCHOA residents are required to adhere to these rules and regulations. Failure to adhere to the stated Rules and Regulations will result in a violation and the homeowner will be cited by the property manager in accordance with the violation procedures outlined in this document, without bias. By following these Rules and Regulations, as outlined, no homeowner/resident should ever be cited for a violation and this helps make for a nicer community and increased property values.
2. The community is deed restricted with privately owned and maintained roads, allowing public access.
3. The community is managed by a five (5) member Board of Directors (BOD) who set the Rules and Regulations pertaining to the use of our land and to manage the look of our neighborhood.
4. The BOD are elected by homeowners to a two-year term at the annual meeting every January. The Martin's Crossing Home Owners Association consists of 433 single family homes and 194 townhomes.
5. The BOD monthly meeting is the 3rd Monday of each month at 6:30pm. The meetings are held in the clubhouse.
6. MCHOA fiscal year is January through December. Fiscal year budgets determine our monthly MCHOA dues. The budget is approved by the BOD at the December Board meeting. Homeowners will be sent a copy of the draft budget at least 14 days prior to the December Board meeting.
7. Agendas for all Board meetings will be posted on the MCHOA website (martinscrossing.org) and community notice boards at least 48 hours in advance.
8. Written notification of the annual meeting will be sent to all homeowners at least 14 days prior to the meeting and will also be posted on the website and community notice boards.
9. The homeowner is responsible for ensuring the property management company has a current mailing address for all notifications and MCHOA dues payment booklet. Failure to provide a current address does not defer your obligations for making timely payments.
10. The BOD is responsible for contracting a professional property management agency to manage the day-to-day affairs of MCHOA. The property manager can be reached at 772-324-8320 or via email at Propertymanager@martinscrossing.org. The mailing address for the property manager is located on the official MCHOA and Board approved Facebook Page as well as the MCHOA website (www.martinscrossing.org).
11. The property manager is responsible for the daily operations of the community in order to ensure that Martin's Crossing remains a premier community and is assigned to MCHOA 20 hours per week. An Administrative Assistant is assigned to Martin's Crossings 20 hours per week. The Administrative Assistant is responsible for, but not limited to, new owner orientations, rental/resale applications, maintaining MCHOA owner/tenant databases. Office hours for the Administrative Assistant are posted on the community bulletin boards and on the MCHOA Website.
12. The BOD is supported by various committees and ad hoc task forces; such as finance, grievance, Rules and Regulations, landscaping etc. All committees are MCHOA resident volunteers. All

recommendations made by the various committees/task forces are subject to final approval by the BOD. Please email the property manager if you are interested in serving on a committee and request that your email be forwarded to the BOD.

13. All exterior changes/modifications, including but not limited to, ***“fencing, pools, patios, driveway extensions, landscaping (except for the planting of flowers), patio enclosures, playground structures, home additions, roofing, mailboxes, windows, storm shutters, exterior lights, lawns, paint colors of the home, addition or removal of trees or palms and all materials”*** must have prior written approval of the Architectural Review Board (ARB). Prior to and during the change/modification, the homeowner is responsible for ensuring compliance with all Martin County Codes. Failure to obtain advanced ARB approval will result in fines as defined by state statutes and subject to possible court order requiring the structure or non-approved change/modification to be removed. The necessary application instructions and forms may be obtained via the website www.martinscrossing.org or by contacting the MCHOA property manager.
14. The MCHOA provides a contracted security company. Their mission is to protect the clubhouse, cabana areas including the pools, tennis courts, and parking lots. They are also tasked with enforcing parking rules and regulations on our roadways and in the common areas (see section entitled “Parking and Towing Enforcement”). The security contractors are not authorized to function as a local police force within the MCHOA. Please report all suspicious behavior or civil disturbance matters directly to the Martin County Sheriff’s office at 772-220-7000.
15. The clubhouse is available for rental to MCHOA residents. Please see the Property Manager or the Administrative Assistant to obtain a copy of the rental agreement.
16. Solicitors are strictly prohibited in Martin’s Crossing. Contact the Martin County Sheriff’s Department to have them immediately removed.
17. Waste Management collection days:
 - a) Household Trash Collection – Tuesday and Friday
 - b) Recycling Collection – Friday (Recycling receptacles are provided at no cost by Waste Management at (772) 546-7700.)
 - c) Lawn, Yard and Tree Waste (size limit of 8 cubic ft.) – Wednesday
 - d) If a holiday falls on a scheduled pick-up day, collection will be the next business day.
 - e) Irregular or oversized items – Pickups must be arranged directly with Waste Management at (772) 546-7700.
18. ***The speed limit in Martin’s Crossing is 25mph.***
19. In accordance with Florida State Statute 379.412, feeding of wildlife is prohibited. Violation is considered a 2nd degree misdemeanor punishable by law.

RULES & REGULATIONS

VIOLATION PROCEDURES & POLICY

The MCHOA property manager (PM) shall complete inspections of all Martin's Crossing homes, properties, and lots, for the sole purpose of monitoring any violations of our community Covenants, By-Laws, and Rules and Regulations. The PM will strictly enforce all use restrictions and By-Laws. All violations must be documented with a photograph taken by the PM and date stamped. If the violation is such that an inspection is not possible, such as a noise violation, the PM will request any available documentation and use his/her best judgment to determine if the complaint is valid. For any violations regarding pets, please refer to the Pet Policy. Homeowners are responsible for their tenants' compliance. In the event a violation(s) has occurred; the following process shall commence:

1. Once a violation(s) is discovered, the PM will send a written letter outlining the violation(s) and remedies to the homeowner's mailing address. If the homeowner's mailing address is different from the physical address, the PM will send duplicate violation letters to both the physical address and homeowner's mailing address. If the violation is corrected within the 14-days, no further action will be taken.
2. If the violation(s) is not corrected within the 14-days, a letter outlining the violation(s), remedies, and proposed fines will be sent to the homeowner. The homeowner has 14-days to correct the issue. If the homeowner's mailing address is different from the physical address, the property manager will send duplicate violation letters to both the physical address and homeowner's mailing address.
3. If the violation(s) is not corrected within the required timeframe, the PM will send a certified letter to the homeowner's mailing address stating that fines, in accordance with Florida Statute 720.305(2), will begin immediately at a rate of \$100.00 per day, per violation. Per Florida Statute 720.305(2) the maximum fine amount cannot exceed \$1,000 per violation.
4. If the corrective action requires the use of an outside contractor and the outside contractor cannot provide service to remedy the violation(s) within the required timeframe, the homeowner must provide the PM a copy of the contract/service request specifying the date the repairs/service will begin and the estimated completion date. Once the PM receives verification of the vendor start date, fines will not be imposed from that day forward. However, if the work is not completed per MCHOA guidelines, standards, policies, etc. or within the allotted timeframe, fines will immediately begin at a rate of \$100.00 per day, per violation. Per Florida State Statute the maximum fine amount cannot exceed \$1,000 per violation.
5. Once fines have accrued, notification will be sent to the BOD. At the next scheduled BOD meeting the BOD will vote on the proposed fine(s). If the BOD votes to impose fine(s), a grievance hearing will be scheduled.
6. Once the grievance hearing is set the homeowner will be notified by USPS mail or email. The homeowner may choose to appeal. Only homeowners/landlords may appear before the Grievance Committee. Homeowners may not provide their proxy to renters.
7. At the grievance committee hearing, a resolution form is completed with regards to the committee's decision of the violation(s) and/or fine(s) and the homeowner is notified at that

time. If applicable, a resolution letter is then mailed by CERTIFIED MAIL to the homeowner giving the homeowner 10-days from date of receipt to pay the fine(s). If the fine(s) is not received by Management Company within 10-days, the matter is turned over to the MCHOA attorney for collections and all subsequent discussions will take place only between the attorney and homeowner.

LOT AND HOME MAINTENANCE

Homeowners are responsible for ensuring their lot and exterior of their home is well maintained and free of debris at all times. This includes but is not limited to:

1. Driveways are mildew, mold and weed free. Homeowners must power wash their driveway when there is mildew or mold present.
2. Roof and exterior of all homes must be cleaned and mildew free. This includes the walls, windows, gutters, down spouts, soffits, hurricane shutters, garage doors, patio doors, exterior doors/doorways, patios and window shutters.

LANDSCAPE

1. The MCHOA provides basic lawn care (grass mowing, trimming, and edging). The homeowner is responsible for weeding, fresh mulch, removal of dead branches and palm fronds as well as proper trimming of shrubs, hedges, trees and palms. The homeowner is responsible for dead tree removal and/or replacement, if required. *Townhome owners have shrub and tree trimming, mulch and weed control services, in front yard only, as part of their MCHOA monthly dues.*
2. All vegetation listed as Category I or II on the Florida Exotic Pest Plant Council are prohibited in the Martin's Crossing. The list of prohibited vegetation can be found at fleppc.org.
3. Homeowner is prohibited from installing any plants, trees, palm trees, etc. which interfere with drainage or irrigation systems.
4. Single family homeowners are responsible for maintenance and fertilization of all plantings.
5. Lawn crews are not responsible for damage to statutes, landscape lighting, etc.
6. Shrubs must be planted at least 24 inches inside your property line.
7. All shrubs and hedges must be neatly trimmed and maintained.
8. Pool equipment, air conditioning equipment and other mechanical equipment must be shielded from view of the street.
9. Edging is permitted without ARB approval. Concrete or wood edging material must be earth tone in color.
10. Mulch, lava rock, granite rock or river rock shall be installed around trees and in flower beds. Mulch shall be red or brown in color. Lava rock shall be red in color. Granite rock or River Rock shall be white or off white. Installation/replacement of mulch, lava rock, granite rock or river rock does not require ARB approval.
11. If a homeowner elects to cut his/her own grass/lawn, **it can only be done 24 hours prior to** the regularly scheduled cutting provided by MCHOA. The cutting must be uniform and must be the same height settings of lawn care provider. If the lawn is not cut when the lawn care provider is on site for regularly scheduled cuttings, the lawn care provider will cut said lawn.

OUTDOOR AREAS / PATIOS/SPORTS EQUIPMENT / COMMON AREAS

1. Play and sports equipment such as “basketball hoops, hockey nets, skateboard ramps, trampolines, etc.” cannot block traffic at any time. Play and sports equipment may not be left outside overnight and must be immediately returned to indoor storage after use.
2. Nothing may be stored on the sides of the house, except garbage cans which must be concealed/hidden from street view (i.e., behind a bush).
3. Lawn furniture is strictly prohibited from being left on front lawns overnight.
4. Only patio furniture and potted plants are allowed on front patios. Toys, bicycles, gym equipment, grills, etc. cannot be stored on the front patio or in the front garden(s)/flower bed(s).
5. Grills and other outdoor cooking apparatus’ if kept outside must be stored on the back patio.
6. Encroachment onto the MCHOA common areas with items such as swing sets, playground equipment, horseshoe pits, chairs, benches or landscaping is strictly prohibited.

PARKING AND TOWING ENFORCEMENT

The property management company and security services company are responsible for MCHOA Parking and Towing enforcement.

1. Parking on the streets is prohibited between the hours of 12:00 midnight and 6:00am, unless the vehicle is parked in a designated parking spot and properly displays a valid MCHOA parking decal. Any vehicle parked on the street between 12:00 and 6:00am midnight is subject to immediate towing.
2. Prior to 9pm, if a vehicle is illegally parked (on the grass, in front of a mailbox, blocking someone’s driveway without permission, blocking entrances), an attempt shall be made to contact the owner/driver. If the owner/driver is identified (located) they shall be informed of the violation and requested to park the vehicle in a safe and legal manner. If the owner/driver refuses to comply with the management company or security company request to move the vehicle, towing is immediately authorized. If the owner/driver cannot be contacted, a sticker or other media shall be placed on the vehicle stating the violation(s).
3. After 9pm the management company or the security company will not attempt to locate the owner/driver of an illegally parked vehicle. A sticker or other media shall be placed on the vehicle stating the violation(s). A record of the violation shall be made which shall constitute a warning.
4. Temporary loading and unloading is permitted as long as the vehicle is not illegally parked, as defined in paragraph 2 above.
5. Contractor vehicles and temporary loading and unloading, such as furniture delivery, UPS, FedEx is permitted. Contractor vehicles are permitted after dark only while emergency work is actively being done. Contractor vehicles can park in driveways and/or the street and must not violate MCHOA parking rules.
6. Annually residents may request a parking decal for each vehicle registered at a MCHOA address at no cost. In order to receive parking decals you must present a current auto registration, for

each vehicle, showing a MCHOA address. If your current auto registration does not have a MCHOA address you must also present either a lease agreement or utility bill, in your name, with a MCHOA address. The decal must be placed on bottom left hand corner of the front windshield.

7. Vehicles with a valid MCHOA parking decal are permitted to park at the clubhouse lot, townhome pool lot, or any designated MCHOA parking spot, 24 hours a day. Any vehicle without the MCHOA parking decal parked at the clubhouse lot, townhome pool lot, or designated MCHOA parking spot, between the hours of 12 midnight and 6:00am are subject to towing, at the vehicle owner's expense. Overnight parking of boats, trailers, RV's, etc. is prohibited at the clubhouse lot, townhome pool lot or in any designated MCHOA parking spot.
8. There are no temporary parking passes.

All towing is at owner's expense.

Commercial vehicles are defined as any vehicle with signage greater than one square foot. Vehicles with ladders, construction equipment etc. are prohibited from parking overnight in driveway's, the clubhouse lot, townhome pool lot and MCHOA designated parking spots. Boats, trailers, jet skis, ATV's, motorcycles, mopeds, golf carts or any non-street legal vehicle cannot be parked in driveways overnight. If parking any of the above listed vehicles in your garage, the garage door must be able to close fully. Failure to comply may result in a violation and fine(s) of \$100.00 per day, for a maximum of \$1,000 per violation. The complete commercial vehicle policy is contained in the Covenants and By-Laws. These documents may be obtained from the PM or the MCHOA website.

TRASH, RECYCLING AND YARD WASTE

Any violations of the trash, recycling and yard waste policy are subject to the fines and penalties outlined in the Violation Procedure(s) and Policies section.

Household Trash and Recycling Collection:

1. Household trash and recycling receptacles shall not be placed at the curb before 6:00 P.M. on the evening prior to a scheduled collection day. All trash and trash bags shall be placed inside a trash can with lid in order to avoid animals from accessing and stewing trash. For those who choose to recycle, all recycling material shall be placed in a recycling receptacle.
2. Homeowners must clean up all spilled garbage, recycling materials or debris by 8:00 P.M. on collection days.
3. Curbside disposal of construction material during the repair or renovation of a residence is prohibited. Homeowners must obtain a dumpster or other suitable container to be placed in the driveway of the residence.
4. All trash cans and recycling receptacles shall be placed in your garage or out of site and not visible from the street by 8:00 P.M. on collection day.

Lawn, Tree and Yard Waste:

1. Whenever possible, yard waste must be placed in containers. Containers shall not be placed at the curb until after 6:00pm the day prior to collection. Containers must be removed from the curb and placed in your garage or out of site and not visible from the street by 8:00 PM on the scheduled collection day.

2. Yard waste not in a container must be placed in the gutter. Un-containerized yard waste can only be placed in the gutter between Saturdays and Tuesdays. Un-containerized yard waste placed outside of the aforementioned time period shall be subject to a fine of \$100.00 per day. Per Florida State Statute the maximum amount fine cannot exceed \$1,000 per violation.
3. Yard waste pickup is limited to 8 cubic ft. Yard waste or debris exceeding 8 cubic feet must be picked up within 5-days. The homeowner must contact Waste Management at (772) 546-7700 **in advance** to schedule a pickup. The PM will have debris removed, at the homeowner's expense, if the debris is not removed within the 5-day limit.

Irregular or oversized items:

1. Collection must be scheduled by calling Waste Management directly at (772) 546-7700. Collection normally takes between 5 and 10 business days.
2. Property Manager will make arrangements for disposal, at the homeowner's expense, of any items left for more than 10-business days after scheduled collection day.
3. Hazardous Materials must be properly disposed of by the homeowner.

SWIMMING POOLS / GYM / TENNIS COURT / COMMUNITY PLAYGROUND

Smoking is strictly prohibited inside the gates of the swimming pools, gym/fitness center, clubhouse, tennis courts and community playground. Individuals violating this policy will have their privileges revoked.

Access to the swimming pools, fitness center/gym, tennis courts and community playground (amenity's) are granted to all homeowners and tenants as long as their MCHOA dues are current. Any homeowner or tenant whose MCHOA dues are in arrears by 45-days will have their amenity privileges suspended resulting in their access card(s) being deactivated without notification. Access will be granted once the account is brought current, with no exceptions.

The Board of Directors reserves the right to suspend any access card holder's privileges for any acts which, by the very nature of the action, would result in personal injury or increase in Martin's Crossing insurance premiums or damages to community property. Should a cardholder be cited for violation of these amenity rules a 1st notice of violation will be issued for the homeowner to appear at the next scheduled grievance hearing. Dispensation of the violation will be administered in accordance with Martin's Crossing violation procedures which may result in fines of \$100.00 per day for a maximum of \$1,000.00 and/or amenity privilege suspension.

Cardholders permitting amenity access to non-cardholders, other than their respective family and guests, may be subject to suspension of amenity privileges at the discretion of the Board of Directors.

The townhouse and clubhouse pools, the community fitness center and tennis courts are accessed via the card system. Pool bathrooms are accessed using a door key. Replacement and/or an additional access card and/or key may be obtained from the PM/AA during office hours.

An additional key and card is limited to one per household for a fee of \$25.00 for the bathroom key and \$50.00 for an access card to the pool and gym. Upon sale of home/closing, the seller is responsible for providing the bathroom key and access card to the new homeowner. Only homeowners may purchase a key and/or access card. Once purchased, renters may pick up the access card and/or bathroom key from the PM/AA provided the renter has written authorization from the homeowner. At no time may renters purchase access cards and/or keys.

Swimming Pools

The pools are heated and available for use seven days a week from dawn to dusk. No lifeguards are provided. Pool rules and policies are posted at each facility and will be strictly enforced. Children under 16 years of age must be accompanied by an adult 21 years of age or older. The adult must be within the gated area of the pool.

Gym/Fitness Center

The community gym/fitness center is located at the clubhouse and is available 24 hours a day. Proper work out attire is required. Rules for use are posted in the fitness center. Children under 16 years of age must be accompanied by an adult 21 years of age or older. The adult must be inside the gym/fitness center.

Tennis Courts

There are two (2) tennis courts located adjacent to the clubhouse. Night play is accommodated by timer controlled lighting. All non-tennis playing equipment or activities are strictly prohibited on the tennis courts.

Community Playground

All children under the age of 10 must be accompanied and supervised by an adult.

PRESERVES / CONSERVATION EASEMENTS

Designated preserve areas are maintained in accordance with the Preserve Area Management Plan (PAMP) as approved by the South Florida Water Management District (SFWMD) under Application No. 9600325-8 and the County under Section 4.36.A.1 of the Martin County Development Regulations, Martin County Code.

The preserves are maintained in their natural state; therefore, such areas may be inhabited by insects, venomous snakes, alligators and other animals that may be dangerous to humans. Owners shall not allow children or pets to enter the preserve areas.

A complete list of restrictions associated with the preserves and conservation easements can be found in **Article XII** of the **Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Martin's Crossing**.

ANIMALS / PETS

This policy is to be used in conjunction with Exhibit "C", Initial Use Restrictions, Item 2 (b) as stated in the Amended and Restated Declaration of Covenants, Condition, and Restrictions and incorporated herein by reference. This policy is created to clarify the BOD's position on enforcement of this use restriction which is "in the sole discretion of the Board" as stated in said restriction.

Violations must be reported to Martin County Animal Control at (772) 463-3211

1. All pets must meet Martin County ordinance in current licensing and inoculations, etc.
2. The BOD will investigate complaints on animals or pets regarding any related restriction and will do so if they have sufficient reason to believe a pet policy violation(s) has occurred. If one or more violations has occurred and has been sufficiently documented, the Board reserves the right, at its sole discretion, to require removal of the animal from the property and enforce all related restrictions and fines.
3. MCHOA residents are restricted to 3 domestic pets.

4. Pit Bull Terrier, Pit Bull Terrier mixes, snakes or other exotic animals are strictly prohibited from Martin's Crossing.
5. Pet owners are responsible for ensuring that their pets are under control at all times, does not make objectionable and prolonged noises/sounds and are not a perceived threat or nuisance to neighbors. *Makes objectionable and prolonged noise shall be defined as unprovoked loud and continuous barking, growling or howling, singing, whistling and screaming that is audible from adjoining properties or the sidewalk. Nuisance shall be defined as a continual pet management problem wherein the pet is allowed to violate the property of others, the owner fails to clean up after his/her pet on private or common MCHOA property, or causes damage on others' property such as the destruction of outdoor furniture, toys, or gardens.*
6. Aggressive pet behavior toward other pets and/or behavior that endangers the health and safety of people will result in the owner of the aggressive pet being requested to remove the pet from the community as well as being subject to possible fine(s). *"Endangers the health or safety of others" shall be interpreted as any animal which demonstrates unprovoked aggressive behavior including biting, chasing after other pets or people, displaying of canine teeth, or growling in a pre-attack posture to individuals or other pets.*
7. All pets, shall be leashed at all times when off your property and a responsible handler shall be in control at all times.
8. Owners must remove accumulating pet waste from their respective yards within a responsible time frame.

ARCHITECTURAL REVIEW / GENERAL INFORMATION

The Primary goal of the Architectural Review Board (ARB) is to review applications in order to determine if the proposed improvement conforms to community guidelines, standards and policies as set forth in the Declarations of Covenants and By-Laws. The ARB and Board of Directors do not assume responsibility for the following:

1. The structural adequacy, capacity or safety features of the proposed improvement.
2. Compliance with any or all building codes, safety requirements, governmental laws, regulations or ordinances.
3. Soil erosion or unstable soil conditions.
4. Performance or quality of work of any contractor.
5. Design plans and specifications.

All alterations, additions or removal of structures, landscaping, trees, etc. must be approved by the ARB in advance through an application and review process. The following list outlines the architectural review process, the applicant's responsibility and the responsibility of the ARB.

The ARB application must first be submitted to the Property Manager or Administrative Assistant (PM/AA) for review. After receipt of a completed application the ARB has up to **45 days** in which to issue a formal response to the applicant. Do not schedule a contractor until formal approval has been granted by the ARB. Failure to plan on the part of the applicant does not create an emergency for the review committee.

THE PROCESS:

1. Applicants must complete an "Architectural Application for Alterations" and attach all required supporting information described in the application. Applications can be found on the website

(martinscrossing.org) or through the PM/AA. Failure to provide the necessary information will only delay a response or cause your application to be returned as incomplete. If you have any questions regarding your submission contact the PM/AA.

2. The applicant is solely responsible for obtaining all necessary and required State, County and Local building applications, permits and approvals prior to work commencement and completion.
3. MCHOA reviews each application solely on a case by case basis to ensure each application is in compliance with the Declaration and Policies of the Association and the aesthetic merit of the project.
4. Applications must be submitted by 10:00 a.m. on the Friday before the scheduled ARB meeting. ARB meetings are scheduled for the second Wednesday of each month. If color has been used on your Alterations Plan to denote specific areas, boundaries, or landscape, please submit color copies.
5. Remit applications directly to the PM/AA.
6. Upon receipt, the PM/AA will review the application for completeness and identify any issues that may cause a denial or require clarification.
7. At the PM/AA's discretion incomplete applications will be returned to the applicant for correction and resubmittal.
8. Once the PM/AA determines that the application is complete, the file will be date stamped and submitted to the ARB for further evaluation. The ARB can approve, deny, approve with modifications, approve with conditions or request additional information.
9. If approved, the file will be dated and forwarded to the Property Management Company for recording. Once recorded, a formal letter of approval will be sent to the applicant.
10. All additions and alterations must be completed within 90 days from the date of final approval unless a different time is authorized in advance by the ARB.
11. Extensions to accommodate contractor schedules can be authorized by the PM.
12. A resident entering into a contract to perform the approved work shall constitute "commencement of work."
13. Once the improvement is completed, the applicant must notify the PM/AA. The Property Manager may conduct an inspection to ensure the applicant completed the improvement in accordance with the approved application.
14. If denied, a formal letter of denial will be sent to the applicant and
 - a) The homeowner (applicant) may resubmit the application with the recommended corrections. If there are no recommended corrections, additions or deletions, the homeowner may appeal the ARB's decision to the BOD.
 - b) All appeals must be in writing and submitted, via certified mail, to the Property Management Company. The Property Management Company will date stamp the appeal. The appeal will be heard at the next regularly scheduled BOD meeting.
15. Approval of an application or plans shall not constitute a waiver of the ARBs or BODs right to withhold approval of similar applications, plans, or other matters subsequently or additionally submitted for approval.

ADDITIONS AND ALTERATIONS

Homeowners must obtain ARB approval prior to making any changes to the exterior of their homes.

1. **Painting:** Painting, staining or varnishing of the exterior of the home, including doors and garage doors, may be approved only if the colors and style are consistent with existing improvements. Homeowners must use one of the 19 approved color schemes which contain three specific colors. Colors must be used as indicated for trim, doors, body color, garage and shutters. Homeowners can choose any one of the color schemes provided that the color scheme chosen does not match the color scheme of the houses on either side of the home or directly across the street.
2. All paint should be of a quality and type intended for exterior use, and shall be limited to flat or satin finish only. Semi-gloss or gloss finish paints will not be permitted.
3. Once painting of a residence, structure or improvement is commenced, the painting of the residence, structure or improvement must be completed within 14-days.
4. Homeowners can maintain the original color of their home as long as the homeowner can provide proof of the original color scheme showing the codes for the paint or the previous painting contractor's scope of work including the paint colors and paint code.
5. **Roofs:** Roof replacement must comply with the current ARB requirements for color schemes. See martinscrossing.org or PM/AA for a complete list of roof color guidelines.
 - a) All roofs shall be pitched and be concrete barrel style tile.
 - b) Roofs, such as on a patio, must adhere to the BOD pre-approved material selections and must match the color of the main house roof.
6. **Temporary Structures:** No tents, trailers, shacks, utility sheds, or other temporary buildings or structures may be constructed or otherwise placed on a lot.
7. **Antennas:** No antennas, microwave receiving devices, aerials or ham radios shall be placed or erected on any lot, within any home, or upon any other portion of the community with the following exceptions:
 - a) Whereby applicable law requires MCHOA to permit any such device; in which case such improvement shall be subject to all the other requirements of the Declaration, the Rules and Regulations and the Architectural Review Board.
 - b) Satellite dishes may be approved if reasonable in size (18" diameter), location and effectiveness with respect to concealing their appearance from adjacent lots/rights of way.
8. **Awnings:** Awnings are permitted subject to the Solar Rights Law (section 163.04). The awning is required to be one solid color that is similar to the color of the body of the existing home.
9. **Lighting Fixtures:** Approval may be given for lighting fixtures (EX: coach lights and entry chandeliers), subject to limited wattage, fixture sizes and style.
10. **Above Ground Swimming Pools** are not permitted.
11. **Play Equipment** must be approved by the ARB. Equipment shall not be permitted within any common area or within lake, maintenance, utility, drainage or access easements.
12. **Conversions of Garages** into air conditioned space is not be permitted.
13. **Mailboxes:** Replacement must be same as original.
14. **Security Cameras, Motion Detectors and Flood Lights:** Homeowners must obtain ARB approval prior to installing security cameras, motion detectors and flood lights located on the exterior of

any house or improvement. To the extent possible, such items shall be screened from view and positioned so as not to:

- (a) Be obtrusive
- (b) Security Camera recording must follow all Florida State Statutes.
- (c) Project light onto any neighboring home or improvement.
- (d) Wiring must be concealed, run square to the structure and be secured to the structure
- (e) Any camera, motion detector and corresponding light must be colored or painted the same color as the walls or trim of the improvement.

FENCES

ARB approval is required before any fence may be installed.

1. Only 5' white aluminum rail fences shall be approved. The pickets shall not be spaced closer than 3" on center and shall be no thicker than 1". All other materials such as lattice, chicken wire, etc. are strictly prohibited.
2. **Townhouses.** The wood fences along the back property lines are owned by MCHOA. Wood and/or cement fencing between townhouse patios is allowed. All rotting wood fences, lattices, etc. installed by the homeowner, that is in state of disrepair, must be replaced at the expense of the townhouse owner.
3. No fence shall be approved which is not set back a minimum of 10' back from the front wall of the home and at least 5' back from the sidewalk where applicable. No fences shall be attached to a neighbor's house. In considering requests for fence installations, the following may be taken into consideration: locations of air conditioning units; location of garage access doors; and positions of adjacent homes.
4. No fence shall be approved or installed which encroaches onto MCHOA Property or other lots.
5. Where two homes are immediately adjacent to each other and facing the same direction, a fence shall not be approved if the fence extends beyond the front corner of a neighbor's home. If installing a fence next to an existing fence, it is the requesting homeowners' responsibility to get written permission from the homeowner of the existing fence to allow the placement of a post 3" from the property line. If the owner of the existing fence removes said fence, the homeowner must install that section of fencing to meet all MCHOA requirements.
6. For fences installed on corner lots whose rear property line is common with the adjacent lot's side property line and/or whose side property line is adjacent to or visible from the road, a landscape hedge must be installed on the outer side of the fence within the lot to provide screening. The hedge should be at least $\frac{3}{4}$ of the height of the fence, the plants should be planted in a density of no more than 18 inches on center and the foliage should block 50% of the fence from view. The initial plant size should be no less than a 7-gallon plant. No fence shall be permitted on corner lots which cross a utility easement. Any fence facing the street, must install a landscape hedge.
7. No fence shall be approved which does not provide access to the owner's neighbor for maintenance of the neighbor's zero lot line, wall and roof overhang, when applicable.
8. For lots with drainage easements, utility easements or preserves, fences must be a minimum of 10' from the easements and/or preserve(s).

9. Once installed, the Owner is responsible for maintaining the fence, including trimming any grass or other plants from the fence. The MCHOA provides a lawn care provider, however, it is the homeowner's responsibility to ensure the grass underneath the fence is maintained and trimmed. Fences must have lower rail offset 3 "to allow for landscape servicing.
10. The homeowner shall be responsible for all costs associated with any required removal, repair and/or replacement of their fence.
11. The homeowner shall be responsible for meeting all County requirements and criteria including, but not limited to, proper permitting and surveying.
12. All gates must be at least 42 inches in width.

PATIO ADDITIONS AND SCREEN ENCLOSURES

Patio additions and Screen Enclosures must have ARB approval before being installed.

1. Patios made of concrete, brick, pavers, or other material must be engineered with foundation and edging so that the material will not shift during usage.
2. Additions to existing patio floors must match the paver or concrete of the existing patio.
3. For lots with drainage easements, utility easements or preserves, new patios must be a minimum of 10' from the easements and/or preserve(s).
4. The homeowner is responsible for all costs associated with irrigation modifications and drainage issues connected with the patio addition. The homeowner **must** utilize the irrigation company contracted by MCHOA to make any necessary modifications to the irrigation system. The use of any other vendor, contractor, and/or plumber to make any necessary alterations or modifications to the irrigation system is strictly prohibited.
5. All screen enclosures shall have a pitched roof. If the roof is a solid roof, barrel style roofing matching the color of the main house roof, must be installed. The patio roof may be metal or composite provided the appearance matches the barrel tile roof on the main house. The enclosure must adhere to the Board pre-approved material selections.
6. The screen enclosure framework, including the screen door, must be white coated aluminum.
7. All screen material must be charcoal color.
8. Doors must be screened with charcoal color screening.
9. White coated aluminum kick plates up to eight (8) inches are permitted at the base of the enclosure.

POOLS

ARB approval is required before installation.

1. The pool deck must have pavers matching the patio pavers or concrete patio. Mismatched decks are prohibited.
2. During construction, the homeowner/contractor is responsible for installing a temporary fence around the pool.
3. After the pool is installed the homeowner must erect a permanent fence or screen enclosure around the pool.
4. In addition to adhering to the fencing guidelines listed herein, once the pool is completed and the fence is installed the following landscaping must be added:

- If the fence is facing a street, the homeowner must install a minimum 7-gallon hedge plant, with a minimum height of 5' and not to exceed 6' at maturity and must be planted 18" on center. The hedge must be planted on the outside of the fence and must conform to the BOD pre-approved hedge list.

5. The homeowner is responsible for all costs incurred during or as a result of pool installation. Below are a few examples of potential costs and are not meant to be an exhaustive list of items that may be necessary and/or governed by ordinance, permits and BOD Rules and Regulations relative to pool construction:
 - a) All drainage and irrigation issues
 - b) Ensuring the streets are cleaned at all times
 - c) Repairing sidewalks, if any damage occurs
 - d) Replacing sod damaged by trucks, equipment, etc.
 - e) Re-routing of irrigation lines or any modifications to the existing irrigation system. The homeowner **must** utilize the irrigation company contracted by MCHOA to make any necessary modifications to the irrigation system. The use of any other vendor, contractor, and/or plumber to make any necessary alterations or modifications to the irrigation system is strictly prohibited.
6. All pool equipment; pumps, filters, and heaters must be concealed from view with appropriate landscaping material and be noted in the ARB application with the plant types and photos attached.

DRIVEWAYS

1. Approval for the widening of driveways may be considered by the Architectural Review Board (ARB) only if the driveway does not extend into any easements or neighboring property. Preapproval and permitting by Martin County is required before the ARB will consider any proposals to widen a driveway.
2. The widened driveway material must match the existing driveway pavers. This may cause all driveway pavers to be replaced so that they all match.
3. The widened driveway shall be the same level and grade of the existing driveway. Sod must be installed alongside the newly installed driveway. The slope must not adversely alter the drainage on the side of the driveway or adversely affect the neighbor's land drainage. The widened driveway must be properly engineered.

HURRICANE SHUTTERS

1. Permanent hurricane shutters must have ARB approval before being installed.
2. Permanent shutters must be made of metal.
3. Permanent shutters must be white or cream color.
4. Temporary hurricane panels must be removed within seventy-two (72) hours after risk of landfall has passed with owner being subject to possible fines as per violation procedure.
5. Any property damage caused by the use of temporary hurricane panels must be repaired in a timely manner.

Application to Sell or Lease Procedures

SALE OF A HOME

Any owner desiring to sell or otherwise transfer title must submit a completed "Application to Sell or Lease" to the MCHOA BOD at least 14 days prior to date of such transfer of title. Accompanying the Application must be a copy of the fully executed Sales Contract along with a check or money order payable to Martin's Crossing Homeowners Association in the amount of \$75.00.

No action related to the sale or closing requirements will be taken by MCHOA Property Management Company or the MCHOA until the completed application (including photos of any/all pets that will be living in the home at the time of occupancy) and required funds are received. This includes but is not limited to issuance of account statements, estoppel letters, MCHOA documentation etc.

1. Failure to submit the "Application to Sell or Lease" along with the Declaration of Homeowner Membership executed by the purchaser will be deemed not in compliance of the closing documentation process and may result in delay of closing.
2. All Buyers shall attend a brief interview/orientation meeting conducted by the MCHOA Property Manager or his/her Administrative Assistant. During the meeting buyers will be given a copy of the Rules & Regulations and will be given the opportunity to ask questions or address concerns. By-Laws and Covenants are available at martinscrossing.org.

LEASING A HOME

1. Any owner currently leasing their home is required to provide an "Application to Sell or Lease" along with a copy of the fully executed lease with the payment of \$75.00 in the form of a check or money order made payable to Martin's Crossing Homeowners Association. The application and fee along with the lease must be submitted to MCHOA Property Management Company for review and approval.
2. Prior to tenant occupancy, tenants shall attend a brief interview/orientation meeting conducted by the MCHOA Property Manager or his/her Administrative Assistant. During the meeting the tenant will receive a copy of the most current Rules & Regulations and will be given the opportunity to ask questions or address concerns. By-Laws and Covenants are available at martinscrossing.org...
3. All adults (over the age of 18) who will be living in the leased home must be on the lease with no more than two (2) occupants per bedroom.
- 4. Lease term may not be for less than six (6) months.**
5. Failure to complete the application process within 10 working days of lease signing may result in a fine of \$100.00/day, maximum of \$1,000.00. If the tenant moves into the property before completing the application process, the tenant will not have access to MCHOA amenities.
6. Landlord/Owner must provide written authorization to rescind amenity privileges of the tenant to the Management Company
7. Amenity privileges of the tenant will be immediately suspended upon:
 - a) Lease expiration or termination and /or eviction
 - b) Owner's status is not in "Good Standing"
 - c) Landlord/Owner failure to provide required application, lease and any applicable fees.
 - d) Written notification from the Landlord/Owner to the MCHOA Property Manager requesting amenity suspension.

- e) If the tenant and/or Landlord/Owner is in violation of the Amenity Rules. Owner shall be notified of the proposed suspension and a Grievance Committee hearing will be scheduled for the Landlord/Owner.

INITIAL USE RESTRICTIONS

Taken in part from "Exhibit "C" MCHOA Declaration of Covenants
and does not supersede said restrictions

2(a) Parking of any vehicles on streets or thoroughfares, and parking of commercial vehicles or equipment, mobile homes, campers and similar recreational vehicles, golf carts, boats and other watercraft, trailers, stored vehicles, or inoperable vehicles in places other than enclosed garages, except temporarily during loading and unloading; however, construction, service, and delivery vehicles shall be exempt from this provision from such period of times as reasonably necessary to provide service or to make a deliver to a Lot or the common Area. For purposes of this provision, "commercial vehicles" shall be defined as any vehicle with commercial writing on their exteriors or vehicles primarily used, designed, or registered for a commercial purpose, and vehicles with advertising signage attached or displayed on such vehicle's exterior, but shall not include passenger cars with identify decals or painted lettering not exceeding a total area of one square foot in size or official vehicles owned by governmental or quasi-governmental bodies including, without limitation, police and sheriff insignias.

2(b) Raising, breeding, or keeping animals, livestock, or poultry of any kind,-or other household pets of the nature commonly sold in pet stores located within regional malls in urban areas may be permitted in a Lot (not to exceed a total of three (3) such pets) however, those pets which roam free, or , in the sole discretion of the Board, make objectionable noise, endanger the health or safety of, or constitute a nuisance or inconvenience to the occupants of other Lots shall be removed upon request of the Board. Dogs shall be kept on a leash or otherwise confined in a manner acceptable to the Board whenever outside the dwelling and the person walking the dog shall clean up after it. Pets shall be registered, licensed, and inoculated as required by law.