The Andover Association Members' Handbook

Management Company:

Florida Skyline Management
www.floridaskylinemanagement.com
Email: info@floridaskylinemanagement.com
Tel: (954) 806-6393 - 24/7
Fax: (954) 775-0525

Amended June 1, 2020

TABLE OF CONTENTS

I. INTRODUCTION……..……..... 3

II. ESSENTIAL INFORMATION …..…..…… 4

Cable Television …..…….……...…….. . 5

Home Security …...…….…….……..... 5

Trash Pick-Up ….....……...……. 5

Gate System …..……...… 6

III. QUICK REFERENCE GUIDE ……... 7

IV. COMPLAINTS AND VIOLATIONS ……..…….. 12

V. ARCHITECTURAL REVIEW BOARD (ARB) ……..…… 16

VI. COMMON AREA RULES AND REGULATIONS ……... 18

General Rules ……..……...18

Tennis Court ……... 19

Sidewalks 20

Streets ……..... 21

Golf Carts …… 22

Mopeds, Motor Scooters, Motor Bikes, Go-Carts, Bicycles and other like Vehicles ……..... 22

Trash ….…….23

Gazebos ……... 24

Park Areas & Park Facilities …… 24

Lakes & Surrounding Areas …… 25

Andover Parking Regulations ……. 26

I. Introduction

This handbook is designed as a quick reference guide for Andover Association members.

It contains a summary of the four governing documents for Andover:

1. Declaration of Covenants and Restrictions with seven amendments
2. Articles of Incorporation
3. Bylaws of the Andover Association, Inc. with two amendments
4. Common Area Rules and Regulations

Every member should have these documents. If not, contact the Management Company for copies. This handbook does not change the Association documents; if there is a conflict, the documents rule.

This handbook refers to portions of the documents using the following abbreviations:

- **SEC** refers to a particular section in the Declaration of Covenants and Restrictions.
- **AI** refers to the Articles of Incorporation.
- **BL** refers to the Bylaws of the Andover Association, Inc.
- **CARR** refers to the Common Area Rules and Regulations.
- **ARB** refers to the Architectural Review Board

Suggestions for changes to this handbook should be made to management.

II. Essential Information

In this section of the Handbook, you will find important telephone numbers and short summaries, cable TV, Home Security, and Trash Pick-Up services within Andover.

Emergency	911
City of Delray Beach	
Animal Control	561-233-1200 & 561-276-1344
City Hall	561-243-7000
Code Enforcement	561-243-7219
Fire Department and Paramedics	561-243-7777
Library	561-266-0194
Police Department (Complaints)	561-243-7888
Public Works	561-243-7295
Water Department	561-243-7100
Parks & Recreation Department	561-243-7250
Hospitals	
Bethesda Memorial	561-737-7733
Boca Raton Regional	561-955-7100
Delray Medical Center	561-498-4440
Others	
Comcast Cable	800-COMCAST
ATT	800-331-0500
Waste Management	561-202-2463
Solid Waste Authority	561-697-2700
Florida Power & Light (FPL)	561-697-8000
FPL to report Power Outage	800-468-8243
Lake Worth Drainage District	561-498-5363
Post Office-Military Trail	561-638-9468

CABLE TELEVISION

Comcast Cable provides cable TV to all homes in Andover. The cost for the service is included in your maintenance fee. If you experience a problem with the service, you should contact Comcast Cable at 1-800-226-2278. If you do not receive satisfactory service from Comcast, you should call Property Management. Management will call Comcast and may notify the City of Delray Beach concerning the unsatisfactory service.

HOME SECURITY

Although each home in Andover is required to be prewired for a central security system, the Association does not have an operational central system for the entire community. All homeowners are encouraged to have their systems connected to a private monitoring center. The Association has posted a sign at the entrance gate stating that all homes are protected by electronic security systems.

TRASH PICK-UP

The trash pick-up is on Wednesdays and Saturdays. The Wednesday pick up is for regular trash and recycling, while the Saturday pick up is for regular trash, bulk items, vegetation and clippings.

Wednesday trash and recycle bins should not be placed curbside before 5:00 P.M. on Tuesday. Your Saturday trash should not be placed curbside before 5:00 P.M. on Friday. Vegetation placed out on wrong days may be picked up at your expense.

Loose vegetation, clippings, etc. should be in bags. All cuttings should be stacked in the swale area. Trash is not to be placed on the street or on the storm drains.

Individuals or companies hired to trim trees or perform lawn maintenance are required to either remove all cuttings upon completion of job or place for pickup according to community guidelines.

These rules can be found in the city ordinances and in the Association's Common Area Rules. Violations should be reported to the Management Company and/or the City Code Enforcement Office at 243-7219.

GATE SYSTEM

The Andover entrance gates are maintained as closed at all times. The gates may be opened by using a remote control device (available from management for a small fee) or by entering your Resident's code number on the keypad adjacent to the guard house. The Resident code number should not be given out and will be changed periodically for security.

Guests at the gate can scroll through the callbox to the programmed resident's name. The system will provide the dial instruction (normally # and your 3 digit lot number) to dial to your residence for access. When receiving calls from the gate, by pressing the digit 9 (nine) on your phone the gates open.

Under no circumstances should any code number be posted at the front entrance, or otherwise published or displayed (e.g., for a real estate open house).

Finally, the gate system has been damaged in the past by vehicles, usually large trucks. Please report any such incidents to management, including any identifying information (e.g., name of company on the truck).

III. Quick Reference Guide

Air Conditioning Units: No air conditioning units may be attached to the windows or walls of any dwelling. Your external air conditioning system may not be visible from the road. *(SEC 10.33)*

Antennas, Satellite Dishes: No aerials or antennas may be placed on the exterior of any lot or structure. Direct satellite dishes with a diameter of one meter or less are allowed, but you must have A.R.B. approval prior to installation. *(SEC 10.10)*

Appearance of Lots: You are required to remove any underbrush, other unsightly growth, refuse, or unsightly objects. If you fail to do so, it will be removed by the Association with seven (7) days written notice. Removal will be at your expense and such action will not be considered a trespass. You also have the responsibility of making sure all turf is properly maintained, including irrigation, fertilization, and periodic application of insecticides and herbicides. *(SEC 10.17 & 10.45)*

Awnings: No awnings, canopies, or shutters, including hurricane and storm shutters, may be attached to the exterior of your home unless approved by the A.R.B. *(SEC 10.37).*

Barbecues: Grills must be kept and used behind your home, screened from public view. *(SEC 10.35)*

Bicycles: Bicycles are to be stored within your lot and not where they may obstruct passageways. For security reasons, they should be kept out of public view. *(SEC 10.27)*

Business Activity: It is our goal to preserve the natural environment wherever possible. No Andover home site shall be used or occupied for any purpose other than residential. Business or commercial buildings or activity are not allowed. (Section 10.12)

Clotheslines: Outdoor clotheslines are not permitted. *(SEC 10.5)*

Community Access: Andover is a private community, owned collectively by the landowners within it, through the Andover Association, Inc. it is governed by an elected Board of Directors. The Board may, at its discretion, restrict or refuse entry to Andover to any individual, firm, or company who seeks to perform maintenance or construct improvements. *(SEC 10.5)*

Drainage: Nothing must interfere with the free flow of water along and through the swales or drains adjacent to streets. For example, do not place cuttings over the drain grates. *(SEC 15.18)*

Driveways: All driveways and parking areas must be constructed with materials approved by the A.R.B. No roadside parking areas may be created. *(SEC 10.23)*

Fences (general): Fences are not allowed on the front elevation of your property. Garden walls, not in excess of 30", are permitted and encouraged in front yard areas provided that they are landscaped in a manner approved by the A.R.B. Fences, not in excess of six (6) feet, will generally be allowed within setbacks in the rearward portion of your Lot. Such additions to your property shall be presented to the A.R.B. for approval. *(SEC 10.20)*

Fences (chain link): Chain link fencing is not permitted. *(SEC 10.20)*

Garage Doors: All garage doors should be operated by electric door openers. *(SEC 10.4)* and it is recommended that they are closed for security purposes.

Garbage/Trash Containers: Garbage and trash should be kept in a container with a lid. All such containers must be kept out of sight until the evening before or the day of pick-up. (SEC 10.7)

Golf Carts: Golf carts are to be operated on the streets only. We request that anyone under 16 years of age not operate a golf cart in Andover unless accompanied by an adult. Golf carts must have clear front and red rear lights if operated during low light conditions, some sort of sounding device to warn others, and a rear view mirror. Drivers must obey all standard 'rules of the road', including driving on the right and observing stop signs.

Landscaping: All landscaping requires A.R.B. approval, with the exception of the planting of annuals in pre-existing approved beds. *(SEC 10.9)* We request that landscaping activity which causes noise (e.g. lawn mowing, tree trimming) not begin before 7:00 AM during the week or before 8:00 AM on Saturday and Sunday.

Leasing/Renting: You may not lease or rent your home for a period of less than twelve (12) months. Lease/rental agreements require the prior approval of the Board of Directors and must be submitted at least 30 days prior to the commencement of the lease. The Board also requires references for all occupants under the proposed lease, and that prospective tenants appear before the Board for a personal interview. *(SEC 10.42)*

Lighting (front yard): Each dwelling must have a front yard post light that must be maintained in working order and illuminated each evening by a light sensitive switch. The lamp style and location must be approved by the A.R.B. The A.R.B. has established a minimum intensity of one 40 watt white or clear incandescent bulb. *(SEC 10.34)*

Littering: Leaving trash in the park or at the tennis courts or improperly placed in the receptacles is prohibited. This also applies to animal waste. Be sure to scoop! *(SEC 10.28)*

Mailboxes: Your mailbox must be in conformity with the entire community. Replacements are available for purchase from management. *(SEC 10.34)*

Maintenance Responsibility: You are responsible for maintaining your lot and home exterior, including landscaping, patio, terrace, and garden areas. You are responsible for the maintenance of the swale area between the lot line (e.g., sidewalk) and street, even though this is common property. If you back onto a canal, you are responsible for maintaining the level portion of the land up to the drop-off. If you back onto a lake, you are responsible for maintenance to the water line. Any exterior changes in architecture, color, or landscaping require A.R.B. approval. *(SEC 8.2)* Maintenance activity causing noise (e.g., carpentry, power washing) may not begin before 7:00 AM during the week nor before 8:00 AM on Saturday and Sunday and must end by 6:00 PM daily.

Nuisances: Please do not allow your family or other persons to become a nuisance to other owners or neighbors. This includes, without limitation, the emission of noxious substances, noises, gases, or odors. *(SEC 10.15)* We request that any outdoor activity causing noise not begin before 7:00 AM during the week or before 8:00 AM on Saturday and Sunday, and cease by 11:00 PM.

Painting; You must submit an application to the A.R.B. before painting your home unless using the exact same color. Murals are not permitted on the exterior of any dwelling. *(SEC 10.46)*

Parking; Authorized vehicles should be parked in your driveway. Authorized vehicles may be temporarily parked on the road (e.g., for a party) but do so partly on the swale to avoid a traffic hazard. No vehicles (except delivery and large work vehicles) may be parked on the road, lawn, or swale during the day except when the owner is present or when home or yard maintenance so dictates. Vehicles parked in violation of Association rules and regulations may be towed at the owner's expense. *(SEC 10.16 & CAR)*

Pets: Dogs must be kept on a leash, carried, or secured in a fenced area. It is your responsibility to dispose of animal waste. You may keep as pets: birds, house cats, dogs and tropical fish. Not allowed are: cats other than house cats; American pit bull terriers, American Staffordshire terriers, or any canine animal (whether mixed or pure bred) generally classified as a "pit bull", and any other animals that are offensively noisy, odoriferous, or otherwise a nuisance, including any and all farm animals. No more than two (2) pets are permitted at your home with the exception of tropical fish and birds. The Association may remove any pet, at the owner's cost, if the Board deems it a nuisance to the community and/or if it is in violation of the *Declaration of Covenants and Restrictions. (SEC 10.28 and Second Amendment).*

Recreational Facilities: Recreational enhancements such as basketball backboards and play structures must be approved by the A.R.B. This includes any portable structures or devices. Please make sure they are located in accordance with the Covenants. No doghouse, playhouse, tree house, or similar structure shall be constructed without the prior written A.R.B approval. *(SEC 10.40)*

Security Systems: Your home must have a pre-wired central security system. *(SEC 10.25)*

Shutters: All shutters, including hurricane shutters, require ARB approval. If you wish to leave hurricane shutters up for an extended period, you must receive written approval from the ARB *(SEC 10.37& 11.4)*

Storm shutters, such as plywood protection, aluminum/steel panels/slats, fabric, etc., may only be installed when a storm is imminent. A storm is deemed imminent when a tropical storm or hurricane watch or warning has been issued by the National Weather Service for the Delray Beach area.

Storm shutters must be removed (if removable panels) or remain fully stacked on each side in the open position (if accordion or sliding shutters) as soon as possible after the emergency passes, but no longer than 30 days after the watch/warning is cancelled.

No removable storm shutter protection system shall be stored outside the house within view from the street or adjacent lots.

Sidewalks: Painting of sidewalks is not permitted in Andover. *(SEC 10.44)* You are responsible for keeping your sidewalk clear of discoloration from irrigation water, tree sap, or other causes. *(SEC 10.9)* You are also responsible for repairing any damage caused by you, your guests, or contractors hired.

Signs: All signs, billboards, and advertising structures of any kind are prohibited. This includes real estate and other For Sale' signs, security system signs, and contractors' signs. *(SEC 10.6)*.

Speed Limits: The speed limit is 18 mph on all roads except over Hampton Bridge where it is 15 mph. Please obey all posted speed limits and urge family members, friends, visitors, and vendors to do the same.*(SEC 10.51)*

Statuary: Garden statuary visible from any street is not permitted in Andover. Exterior decorative items to be affixed to an exterior vertical wall or other surfaces must be approved by the A.R.B. and must be appropriate for the architecture of your home. *(SEC 10.43)*

Streets: All streets in Andover are private and are the common property of the Association. Motorized and non motorized vehicles (including bicycles) share an equal right of way. *(CAR)*

Structures: Outbuildings or temporary structures are not permitted, including mini-barns sheds, and the like. The exception is a pool cabana located not more than five (5) feet from the residence and connected at roof level. Such a structure should be of materials similar to those used in your home. *(SEC 10.11 & SEC 10.14)* A detached single-story structure may be constructed for use as a cabana, bar, or pool bath provided it meets all applicable setback requirements and has received A.R.B. written approval. *(SEC 10.40)*

Tennis: The tennis court is for the exclusive use of Andover residents and their guests. No commercial use is allowed. The Association does not retain the services of any tennis professional nor other tennis instructor. If an instructor is giving lessons, they are present as a guest of a resident and may only be retained to give lessons to residents. Hours are 8:00 AM to 10:00 PM. If playing at night, turn off the lights when done. Play is limited to one (1) hour. Note only tennis is permitted on the court; players must wear flat bottom, regulation tennis shoes and shirts. Pets are not permitted on the court. Parking spaces at the court are reserved for those playing

Trees: You may not remove any tree that is three (3) inches or more in diameter without A.R.B approval. *(SEC 10.8)* Trees overhanging sidewalks must be trimmed to a minimum clearance of seven (7) feet and trees overhanging roadways must be trimmed to a minimum clearance of 13 ft. 6 inches. Trees that obstruct streetlights must be trimmed or thinned out to permit light to shine through. Other trees and shrubs must be trimmed to allow unobstructed passage. This includes trees planted in swale areas between your lot line and the street. While this is common area, you are responsible for proper maintenance. *(CAR)* Climbing trees in common areas is not permitted. The Association is not responsible for any injury resulting from this activity. *(CAR)*

Vehicles (Passenger): Only four-wheel passenger automobiles, vans, and sport utility vehicles may be placed, parked or stored where they can be viewed from the streets of Andover. No vehicle may be parked on lawn area except swales. Boats, boat trailers, house trailers, motor homes, pickup trucks, other types of trucks, camping trailers, cargo vans, motorcycles, motor scooters, go-carts, motor bikes, or other types of vehicles. Whether of a recreational or commercial nature, must be parked in your garage or other area where they are not visible. A "pickup" truck is defined as a vehicle with a bed (open or enclosed). (SEC 10.16. Seventh Amendment).

Vehicles (Commercial): Vehicles of repair vendors, delivery services, moving companies, or other commercial vendors may be parked at roadside or on the driveways and private parking areas of your residence for the time necessary to complete the service call. *(SEC 10.16 Seventh Amendment)*

Water—Irrigation: An individual water supply may only be installed for irrigation purposes. Water may not be taken from any lake without written permission of the Association. *(SEC 10.24)*

Weed Control: You are required to maintain your yard relatively free of unsightly weeds. Failure to do so may result in the Board hiring a contractor to do so, or otherwise compelling compliance at the expense of the member. (SEC 10.45)

Window Covering: Aluminum foil or similar substances, or temporary window coverings (e.g. bed sheets) shall not be placed on any windows. (SEC 10.38)

IV. Complaints and Violations

When you bought your home in Andover, you signed a statement that you acknowledged and agreed that you and your property would be subject to the Community Documents.

Andover has an elected Board of Directors responsible for enforcing the rules and regulations. All residents are responsible for abiding by the documents and for ensuring that their neighbors do likewise.

In this section you will find in abbreviated form how to report a violation, your rights and expected response if you receive notification of a violation, and the role of the Board of Directors in handling alleged violations.

REPORTING VIOLATIONS OF RULES AND REGULATIONS

Step 1 When you believe that a violation of the rules and regulations has been committed, you are encouraged (but not required) to settle the matter directly with the other party in an amicable manner.

Step 2 If the matter is not resolved, you should contact the Association's Management Company, either in writing or by phone followed-up by written correspondence to report the alleged violation.

The written correspondence should include the following, as appropriate:

- Your name and address
- Nature of alleged violation (date and time if appropriate)
- Person (homeowner or occupant) responsible for the violation
- The rule or regulation violated
- Any action you have already taken
- Corrective action you seek
- Names of other Andover residents who witnessed the violation
- Any other appropriate information
- Your signature

Step 3 Upon receipt of a complaint, management will notify the Board of Directors which may implement some or all of the following actions:
- Investigate the allegation.
Management will call the alleged violator to try to resolve the matter.
Notify the City of Delray Beach if the allegation also applies to a City Ordinance. Send a letter to the alleged violator.
Initiate other appropriate action, i.e. have a vehicle towed, notify association's attorney, fix a hazard, etc.
Review the allegation and response(s) at an announced Board meeting.
- Provide response to the complainant.

IF YOU RECEIVE A NOTICE OF AN ALLEGED VIOLATION

A Notice may be a telephone call or a letter from the Board of Directors informing you that (a) it has received a complaint from a resident, or (b) a member of the Board has identified a possible violation of the Andover rules or regulation. If the matter is resolved during a telephone notification, the incident is closed. If you receive a letter, you should exercise one of the following options within the time stated in the letter.

OPTION I. TAKE CORRECTIVE ACTION

OPTION II. EXTENUATING OR MITIGATING CIRCUMSTANCES
If there are extenuating or mitigating circumstance or if you require time to correct the violation, you should notify management. The Board of Directors will thereafter decide the appropriate action.

OPTION III. DISAGREE WITH ALLEGATION
If you disagree with one or more of the allegations, you should notify management. The matter will be investigated and you may be requested to meet with the Board of Directors.

OPTION IV. QUESTIONS CONCERNING ALLEGATIONS
If you have any questions concerning the allegations or the appropriate corrective action, within the time stated in the letter, you should contact management, write to the Board of Directors, or request a meeting with the Board of Directors.

OPTION V. IGNORE THE NOTICE
If you choose to ignore the Notice, the allegation will be deemed to be correct, but the Association will send you a reminder notification (if this is the first time you have been cited for this violation) and inform you that if corrective action is not taken within the time stated, the Association will take appropriate remedial action including referral of the matter to its attorney with the costs to be levied against you as an Individual Assessment.

ROLE OF THE BOARD OF DIRECTORS

The Board of Directors is responsible for enforcing the rules and regulations contained in the documents of the Association. Except for a few specific types of violations, the documents stipulate that the Board is authorized to exercise its responsibility "in any manner provided by law and/or equity". The Board has interpreted this to mean that, in addition to any other remedies, after reasonable attempts to obtain corrective action, the matter will be referred to the Association's attorney for possible legal action.

Upon receiving a complaint by a resident about an alleged violation or after a Board member has identified a possible violation, the Board of Directors normally employs the following procedures. Some procedures may be modified, as circumstances may require, depending on the seriousness of the accusation or the timeliness of the required response.

BOARD PROCEDURES UPON RECEIPT OF ALLEGED VIOLATION

1. NOTIFY RESIDENT OF ALLEGED VIOLATION

Depending on circumstances, the Board will direct to call or send letter to the owner of the residence cited in the complaint to advise of: (a) the alleged violation(s), (b) the action requested, and (c) that either a response or corrective action should be taken within the time stated in the letter. If corrective action is taken or the matter is otherwise resolved, there will be no further Board action.

2. NOTIFY RESIDENT IF ISSUE IS NOT RESOLVED

If the Board verifies that the complaint has merit but that corrective action has not been taken within the time stated or if another complaint of the same violation is verified, another letter is sent to the owner of the residence cited. In this letter, the owner is invited to communicate with the Board to try to resolve the matter. The owner is also advised that if there is no resolution within a stated time, the matter will be referred to the Association's attorney for possible legal action and that all associated costs will be levied against the owner as an Individual Assessment.

3. NOTIFY RESIDENT OF REFERRAL TO ATTORNEY

The Board will notify the owner of the date the matter was referred to the attorney. The attorney will send a letter to the owner of the residence informing him/her that the matter has been referred, the action which may be taken, and the initial costs incurred.

4. LEVY INDIVIDUAL ASSESSMENT

All Association expenses after the referral to the attorney will be levied against the owner as an Individual Assessment in accordance with Sections 7.6, 10.54, and 15.12 of the Declaration of Covenants and Restrictions.

5. VERIFY CORRECTIVE ACTION

If the owner notifies the Board that corrective action has been taken, a Board member will verify the action and affirm the action to the Association's attorney.

6. RESOLVE THE MATTER

If corrective action is not taken, the matter will be resolved according to the law.

RECURRING VIOLATIONS

When the Board confirms that an owner is responsible for a violation of a rule or regulation after having been notified of a previous violation of the same rule or regulation, the Board will send a letter similar to the letter described above in number 2 of the Board Procedures. Additional Board Procedures will then be as described in numbers 3 thru 6 above. At its discretion, the Board may reduce the procedures for REPEATED violations of the same rule or regulation to a letter informing the owner that the matter has been referred to the Association's attorney or other appropriate action has been initiated. Before this action is taken, the owner will receive a FINAL NOTICE which will state that there will be no more warning letters for the violation of a particular rule or regulation.

MODIFICATION OF POLICY AND PROCEDURES

The Board of Directors reserves the right to modify the policy and procedures presented in this section of the "Member's Handbook" on an incident basis, if the circumstances warrant such action.

V. Architectural Review Board (ARB)

Guidelines for ARB Applications

The Andover Architectural Review Board (ARB) is responsible for the systematic and uniform review of all architectural additions, modifications, and improvements of construction and landscaping of any nature within the Andover community. The intent of this review is to maintain high quality construction and harmonious and aesthetically pleasing standards compatible with the overall concept of the Andover community.

Guidelines for Applications to the ARB:

1. An association member may initially request a meeting with a member of the ARB to discuss any contemplated improvements or improvements. This meeting is intended for the purpose of gathering information about the covenants and restrictions appropriate to the proposed improvement or improvements.

2. Prior to the commencement of all improvement, alterations, replacements, or painting of any type a member must obtain, in writing, the approval of the ARB. An Application must be submitted to the ARB for review of the requested action.

3. The Application must include a completed **Architectural Review Board Application Form** available from ARB members or other officers or agents of the Association. This form must accompany all application requests for the Application to be considered by the ARB.

4. Two complete sets of plans must accompany the application and include detailed specifications about the content and intent of the requested action to structures or landscaping within the Andover community.

5. The plans provided with the Application must contain all pertinent and accurate measurements concerning locations and sizes of all objects, structures, or plants for the requested change or improvement submitted.

6. The plans must provide detailed descriptions of all materials proposed to be used in the improvement and provide complete information about color, content, and texture; and, whenever applicable, include samples of materials to be used.

7. Exterior paint color samples must be painted on house for ARB members to review prior to scheduled ARB meeting.

8. The Application should include a verification of notification to neighbors that are affected by this requested change or improvement, and if possible, notification to the ARB that they concur with the requested action.

9. Alterations, deletions, additions, or changes to plans already submitted for approval must also be submitted in writing for approval by the ARB in the same manner as the original request.

10. The request for approval must include a reasonable time for completion of the requested action. Notification of completion of the improvement or improvements should be made to the ARB as soon as work is complete.

11. The ARB must review any properly completed Application and respond to the submitting member within 30 days of the Application date as stated on the ARB Application Form about the approval, or denial of the Application.

Members should expect a response within 30 days of submitting an ARB application that is complete with all plans and specification required for the application to be reviewed for approval. An incomplete application may delay the approval process.

Three (3) weeks after an ARB application has been submitted, the applicant may contact property management for an update on the status of their application.

12. The member may appeal an Application denial to the Andover Board of Directors as provided by the Andover Declaration of Covenants and Restrictions.

13. The ARB may determine that, in certain circumstances, variances of certain prohibitions are necessary to avoid undue hardship to the association member. The association member must be able to provide sufficient evidence substantiating the undue hardship. Any interpretations or granting of variances for these purposes is not considered to be precedent for other approval Applications to the ARB.

VI. COMMON AREA RULES AND REGULATIONS

These rules and regulations for the use of common property were promulgated by the Board of Directors on July 14, 1997, revised on July 21, 2003, updated June 1, 2020 and are effective upon receipt by homeowners and residents.

These rules and regulations apply to all persons entering Andover and will be enforced to the extent of the law following the process and procedures developed by the Board of Directors.

Owners and residents are encouraged to remind their neighbors of the rules and regulations if they witness any violations. Every effort should be made to resolve issues among neighbors before reporting violations to the management company. The Board of Directors requests this of all residents since all owners share the common areas equally and this is OUR community. Let us enjoy it.

Violations, suggestions or comments concerning these rules and regulations should be addressed to the Board of Directors and the Management company.

GENERAL RULES:

These rules apply to all common areas within Andover:

1. Tree swings or other objects hanging in swales or common areas, are in violation of Article 10.4: Residential Recreational Facility.

2. Climbing of trees and structures in common areas is not permitted. The Association is not responsible for an injury to anyone resulting from the climbing of trees or structures in the common areas.

3. Mailboxes are to be maintained by homeowners in an upright and proper condition.

4. Post lights must be operational and properly maintained upright and painted when necessary. The light must have a minimum intensity of one 40 watt white or clear incandescent bulb.

5. Littering anywhere in Andover is prohibited.

6. Dogs and other pets must be leashed and under complete control at all times when outdoors. (Andover Covenants, Section 10.28)

7. Dog waste must be picked up and properly removed. (Andover Covenants, Section 10.28)

8. Any work causing outdoor noise (i.e., tree trimming, lawn maintenance, carpentry, etc.) must not begin before 7:00 AM on weekdays and 8:00 Saturdays or Sundays.

9. No signs, except those placed or permitted by the Andover Board of Directors, are allowed anywhere in Andover.

10. Trees that obstruct streetlights must be trimmed or thinned out to permit the light to shine through.

TENNIS COURT:

The Andover tennis court use is restricted to Andover members, their guest and resident tenants. Please be considerate of the residences on both sides of the tennis court by keeping noise to a minimum.

Outside invited guest may only use the tennis court when accompanied by an Andover Member or Resident Tenant.

No One is permitted to use Andover common property, such as the tennis court, to conduct business.

Andover members or residents tenants should not give Andover's Gate Code to non-residents, unless it is to a guest who will be playing tennis with a member or resident tenant.

These rules apply to the use of the Andover tennis court:

1. The tennis court hours are from 8:00 AM to 10:00 PM daily.

2. The tennis court is only to be used for playing tennis. No skateboards, skates, roller blades, basketballs, etc. may be on the tennis court at any time.

3. Regulation tennis shoes (flat bottoms) and shirts are required on the court.

4. No pets are allowed on the tennis court at any time.

5. When others are waiting to use the court, Please limit court time to (1) one hour as a courtesy to your neighbors who may be waiting to play.

6. While the court is in use, anyone waiting shall remain outside the fence and not enter the court.

7. Keep the court gate closed at all times, particularly when finished using the court.

8. Keep the court clean and free of foreign material.

9. Turn the lights off when finished using the court at night

10. The parking spaces near the court are reserved for tennis players only!

11. No commercial use may be made of the tennis court. Instructors may be present only as a guest of residents. Tennis lesson instruction is **restricted** to Andover Members and Resident Tenants.

SIDEWALKS:

Sidewalks on common property and landscape easements are for the use by all Andover residents and their guests. Individual homeowners are responsible for the edging, trimming, and clearing of the sidewalks, and the Association oversees sidewalk maintenance projects**.**

Property line to road pavement which includes swale and sidewalks are considered common area and **therefore maintenance of this common area is a joint responsibility**.

Article VIII. Any neglect or willful acts that require maintenance will be considered a violation.

The following rules apply to sidewalks within Andover:

1. Pedestrians always have the right-of-way on sidewalks.

2. No motorized vehicles (including golf carts, cycles, scooters, go-carts, etc.) are permitted on sidewalks, with the only exception of motorized vehicles (wheel chairs, low-speed scooters) normally used by handicapped persons holding a proper handicap permit.

3. Vehicles parked in driveways are not permitted to block or traverse sidewalks.

4. Trees overhanging sidewalks must be trimmed by the responsible homeowner to a minimum clearance of seven (7) feet from the sidewalk to the base of the tree canopy.

5. Trees, bushes, grass, or any other landscaping vegetation lower than seven (7) feet must be trimmed by the responsible homeowner evenly with the edge of the sidewalk.

6. Heavy objects are not to be placed, parked, or allowed to traverse any sidewalks.

7. Damage to sidewalks caused by homeowners, their guests, workers, or anyone else representing a homeowner will be repaired by the Association at the homeowner's expense.

STREETS:

The streets of Andover are private and are the responsibility of all Andover residents. The safety of our children, pets, and property is of paramount importance! These rules are meant to enforce that safety.

These rules apply to all streets in the Andover community:

1. The posted speed limit is 18 MPH on all streets within Andover, except on the Hampton Bridge Road bridge and approach to the bridge where the speed limit is reduced to 15 MPH.

2. "STOP" signs throughout Andover must be obeyed with a full and complete stop by all vehicles.

3. All motorized vehicles and bicycles share an equal right-of-way on all streets.

4. Pedestrians shall use sidewalks where they are available.

5. Streets are to be kept clean of any foreign materials. No trash cans, cut vegetation or other debris may be placed on the paved surface.

6. Trees overhanging the street surface must be trimmed to a minimum clearance of 13 feet and 6 inches from the highest point of the street surface to the base of the tree canopy.

7. Trees, bushes, grass, or any other landscaping vegetation lower than seven (7) feet must be trimmed even with the edge of the paved surface as normal maintenance by the responsible homeowner.

8. All operators of vehicles must travel on the right side of the street, signal when turning, maintain a proper distance between vehicles, and be prepared to stop suddenly when necessary.

9. All noise from vehicles, including radios and stereos must be kept at a low level. Unnecessary honking of vehicle horns is prohibited.

GOLF CARTS:

Many residents in Andover own and operate golf carts within the community. These rules govern the use of golf carts in Andover:

1. Golf carts must be operated only on streets and not on sidewalks.

2. All operators of golf carts must know and practice safe use of these vehicles at all times. Users must obey the "rules-of-the-road", allow right-of-way, use proper signaling, obey street signs, and obey other traffic controls employed by the Andover Board of Directors.

3. All golf carts must have lights on when operated during low light conditions. These lights should be "clear" facing forward and "red" facing to the rear.

4. Operators must have a warning device (noisemaker) to alert pedestrians, bicyclists, pets, or others of their presence.

5. Golf carts are expected to have rear view mirrors to improve the operator's visibility

MOPEDS, MOTOR-SCOOTERS, MOTOR-BIKES GO-CARTS, BICYCLES, and other like VEHICHLES

Gasoline powered vehicles which cannot be registered with the state of Florida are not permitted in Andover.

These rules govern the use of these vehicles on common areas:

1. All operators of these vehicles must practice safe use of these vehicles at all times. Users must obey the "rules-of-the-road", allow right-of-way, use proper signaling, obey street signs, and obey other traffic controls employed by the Andover Board of Directors.

2. All motorized vehicles must have lights on during operation in low light conditions. These lights must be visible from the front, sides, and rear of the vehicle. Motorized vehicles normally used by handicapped persons (wheel chairs, low-speed scooters) holding a proper handicap permit are exempted from this rule.

3. All non-motorized vehicles, such as bicycles, must have reflectors which are visible from the front, sides, and rear of the vehicle.

4. Users of these vehicles shall use proper safety equipment when operating these vehicles, including helmets as required by law.

5. Parents are responsible for the safe and proper operation of these vehicles by their children.

6. Repeated unsafe operation offenses (3 occurrences within a 12 month period) will result in the loss of the privilege to operate any of these types of motorized vehicles within Andover for one year.

TRASH:

Trash pick-ups are on Wednesday and Saturday mornings of each week. The Wednesday pick up is for regular trash and recycling, while the Saturday pick up is for regular trash, bulk items, vegetation and clippings.

Rules concerning trash placed on common property (from inside edge of sidewalk or within ten feet of the street) are:

1. Trash must not be placed at curbside before 5:00 PM of the night before pick-up. (Delray Beach City Ordinance).

2. Trash must not obstruct traffic flow by being placed on the street.

3. Trash must not be placed where it will obstruct water drains in any way.

4. Trash and recycle bins are to be returned to an out-of-sight storage area as soon as possible after pick-up.

5. Homeowners, who trim their own trees or shrubs producing large amounts of trash, must not place these clippings at street side before the Friday prior to the Saturday pick-up. Any trash produced before Friday must be stored out of view, as best as possible.

6. Yard waste (branches, clippings, grass, etc.) placed under trees will not be removed by BFI due to limited space for pick-up with large equipment.

7. Homeowners who contract for tree or shrub trimmings must include as part of their contract "removal of all debris by the contractor".

8. In the event of predicted severe weather conditions, all loose debris must immediately be removed from Andover, or properly secured by the responsible homeowner(s).

9. Containment of trash and yard waste (in bags, bins, etc.) must be in compliance with Delray Beach City Ordinances.

GAZEBOS:

Two gazebos (one in the park and one by the tennis court) are provided to enhance the aesthetic character of Andover and for the comfort and enjoyment of our residents and their guests.

The following rules apply to the use of these gazebos:

1. The gazebos are to be kept clear of trash, litter, and debris.

2. People using the gazebos must not wear skates, roller blades, spikes, or other hard objects which may scratch or scrape the paint, or indent the wood surfaces.

PARK AREAS and PARK FACILITIES:

The park areas, playground equipment, tables, and benches are provided for comfort and enjoyment by Andover residents and their guests. Landscaping is maintained by the Association in the park area, but all users of the parks are expected to help keep the park beautiful and useful.

The following rules apply to the proper use of the parks and equipment placed in the parks:

1. Littering in the park is prohibited.

2. Remove trash completely or use the waste receptacles when disposing of trash.

3. Use the playground equipment for its intended purpose. Do not allow larger children to use equipment intended for smaller children.

4. Keep pets on a leash and under control. Pick-up and dispose of pet waste.

5. Do not permit children or pets to play on, or run through landscaping in the park.

6. Use the tables and benches for their intended purpose. Do not use them for any unusual purpose or in any way that will cause them to become damaged.

7. Refrain from unnecessary noise. All noise should cease at 10:00 P.M.

8. Motorized vehicles are not to be operated in the parks. Motorized vehicles normally used by handicapped persons (wheel chairs, low-speed scooters) holding a proper handicap permit are exempted from this rule.

LAKES & SURROUNDING AREAS:

The lakes, park fountain, bulkheads, and deck (east end of Lake Lauren) are maintained by the Association for the pleasure of Andover residents and their guests.

These rules are for the use of these areas:

1. Swimming is not permitted in the lakes at any time.

2. Jumping from the deck, bridges or bulkheads is not permitted at any time.

3. Fishing for sport is allowed, but please return the fish to the lakes.

4. Do not throw or place any kind of litter, debris, or lawn clippings into the lakes. Please make your landscaper aware of this.

5. Only canoes or row boats are permitted in the lakes during daylight hours and must be stored out-of-sight of neighbors when not in use.

6. Canoes or row boats may only be powered by noiseless, electric trolling motors. No noisy or fuel powered motors are allowed.

7. Use only the common access areas to get to the lakes. These areas are between lots 63 and 64 on Windham Court, between lots 151 and 152 on Hampton Circle West, between lots 124 and 125 on Hampton Circle West, between lots 52 and 53 on Hampton Circle East, and through the park on Devon Court.

8. Canoes or rowboats may enter the lake from the access areas on Hampton Circle West only. No vehicles are permitted on the access areas.

9. Do not harm wildlife on or near the lakes. The Association should be notified of any pest problems that need attention.

10. The pumping of water from the lakes is not allowed without prior written approval from the Andover Architectural Review Board.

ANDOVER PARKING REGULATIONS:

Articles X, Section 1-.16 of the Covenants and Restrictions identifies vehicles which are authorized in Andover and where they should be placed. Additional parking regulations are:

1. No vehicle shall be parked within the Common Areas of Andover, including the roadways or shoulders thereof, or upon the area of any Lot other than the area within the garage or paved driveway constructed thereon, except:

A. Vehicles ("Construction/Commercial Vehicles") owned or operated by contractors, subcontractors, suppliers or laborers actually performing work or supplying materials or services in connection with improvement to a Lot, provided that:

1) Such vehicles may be so parked only when actually engaged in performing such work or supplying such materials or services and may not, in any event, be parked overnight.
2) All reasonably feasible areas within the Lot being served shall be utilized before Construction/Commercial Vehicle are parked within roadway areas or elsewhere within Andover.
3) No Construction/Commercial Vehicles shall be parked in front of any occupied residence or on or in front of any improved Lot except with the express permission of the Owner of the Lot upon which or in front of which the Construction/Commercial Vehicle is parked.

B. Vehicles (authorized by Section 10.16) of guests of an Owner who are temporarily present at Andover for a party or social function, or authorized vehicles of guests visiting for an extended period of time, provided that the garage and driveway areas on such Owner's Lot shall first be utilized for guest parking to their full capacity before vehicles are parked elsewhere. Owners or their guests must make arrangements for unauthorized vehicles of overnight guests to be stored outside Andover.

C. Vehicles of real estate sales personnel and customers who temporarily present at Andover in connection with a sales presentation, an open house, or other sales function, provided that the garage and driveway areas of the dwelling which is being shown, shall first be utilized for parking to its full capacity before vehicles are parked elsewhere.

D. Vehicles owned or operated by companies or persons, temporarily present at Andover to provide maintenance or other services to residences as provided in Section 10.16 of the Covenants, provided that the garage and driveway areas of the dwelling serviced shall first be utilized for parking to its full capacity.

E. Vehicles parked temporarily in the Andover tennis court parking area while the owners or operators of such vehicles are using the court and/or the tennis gazebo. Other cars are not to park in the two parking spaces between 8 AM and 10 PM.

F. Maintenance Vehicles owned or operated by the Association at all times and vehicles owned and operated by others which are temporarily present at Andover for the purpose of conducting maintenance, repairs, or replacements relating to Common Areas of Common Facilities.

G. Other vehicles with the specific, advance written permission of the Association, which permission may be subject to such conditions and limitations as the Association may require and which may be arbitrarily withheld by the Association.

2. Without limiting the foregoing, no vehicle may be parked at any time in a manner which materially obstructs passage by other vehicles along the paved roadways within Andover. In instances where parking within paved roadway areas is necessary and permitted hereunder, every effort should be made to leave as much of the paved roadway unobstructed as possible, including where feasible parking with only the left or right side of wheels resting on the paved surface. However, vehicles are not to be parked on sidewalks.

3. No vehicle may be parked at cul-de-sac with islands within Andover as they may obstruct the passage by other vehicles including larger public emergency or service vehicles.

4. No portion of Andover, whether within a Common Area or within an improved or unimproved Lot, shall be used for parking vehicles which are owned by a person or entity in connection with a business engaged in buying and/or selling such vehicles.

5. No vehicle belonging to or in possession of an owner, or any member of such Owner's family, or any guest, employee, contractor, subcontractor, or other invitee of such Owner may be parked upon the property of another Owner without the prior written consent both of such consenting Owner and the Association.

6. The Association may, with or without prior notice, tow or caused to be towed any vehicle which is parked within Andover at a location or in a manner which violates any provision of the Declaration or these Parking Regulations. In no event shall the Association or any officer, director, agent or employee thereof, have any liability whatsoever for loss of or damage to any vehicle, or contents thereof, which is towed in consequence of any violation of the Declaration or these Parking Regulations. The cost of towing any vehicle pursuant to order of the Association shall be borne by the owner of such vehicle or, at the discretion of the Association, by the owner of the Lot being served or visited by the operator of the towed vehicle. The Association shall have the authority to file a lien and otherwise enforce collection of towing charges in the same manner in which collection of other Assessments is enforced.

7. These Regulations shall be applicable to wheeled vehicles of every description, whether motorized or non-motorized, including, without limitation, passenger automobiles, trucks, trailers, jeeps and other "off road" vehicles, recreational vehicles and motorcycles.

8. These Regulations are promulgated to supplement the provisions relating to parking which are contained in the Declaration of Covenants and Restrictions for Andover, and, in no event, shall this regulation be construed to limit or render inapplicable anything contained in the provisions of said Declaration.